

ORDINANCE NO. 2343

INTRODUCED BY: ALLEN-THOMAS, FRANK, GRIMES, GUARDIOLA, HURST,
HUSEMAN, MADERA, NOBLE, SMIT

AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING THE AUTHORITY OF CERTAIN PERSONS DESIGNATED AS PEACE OFFICERS TO ENFORCE VIOLATIONS OF THE CHARTER AND ORDINANCES OF THE CITY OF COMMERCE CITY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Amendments.

- a. Section 3-1102 of the Commerce City Revised Municipal Code is repealed and designated as reserved. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of prior to this ordinance taking effect or the act of any peace officer prior to this ordinance taking effect.
- b. A new Section 1-3006 is created in Article I of Chapter III of the Commerce City Revised Municipal code as set forth in Exhibit A to this ordinance.

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective immediately upon passage.

INTRODUCED AND PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 2ND DAY OF AUGUST 2021.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 16TH OF AUGUST 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

EXHIBIT A TO ORDINANCE _____

Red strikethrough text shows deletions; blue underlined text shows additions.

*****BEGIN*****

Sec. 1-3006. - Penalties in general.

In addition to any authorization provided in a specific section of this Code, or in the codes adopted by the city by reference, city agents shall have authority to enforce municipal charter or ordinance violations as detailed in this section.

- (1) *Police officers.* City police officers, which shall include any peace officer engaged to provide law enforcement services for the city pursuant to a written contract signed by the chief of police, shall have the authority to enforce all municipal ordinance, Code, and Charter violations.
- (2) *Code enforcement inspectors.* Any city employee who holds the position of code enforcement inspector shall have authority to enforce municipal ordinance and Code violations related to land use, sales and use tax, nuisances, business licensing, parking, and building design, construction, and maintenance.
- (3) *Animal control agents.* Any city employee who holds the position of animal control agent shall have authority to enforce municipal ordinance violations related to animals and fowl.
- (4) *Community service officers.* Any city employee who holds the position of community service officer shall have authority to enforce municipal ordinance and code violations related to land use, animals and fowl, sales and use tax, nuisances, business licensing, parking, and building design, construction, and maintenance.
- (5) *Building official and building inspectors.* City employees who hold the position of building official or building inspector shall have authority to enforce municipal ordinance and code violations related to building design, construction, and maintenance.
- (6) *Tax auditors.* City employees who hold the position of tax auditor, at any level, shall have authority to enforce municipal ordinance violations related to sales and use tax.
- (7) *Firefighters.* Firefighters operating as employees or agents of the South Adams County Fire Protection District and the Greater Brighton Fire Protection District shall have authority to enforce the international fire code and parking restrictions related to fire safety.
- (8) *Persons with conferred authority.* Persons to whom authority has been conferred expressly, pursuant to an intergovernmental agreement or contract approved by the city council or otherwise lawfully approved consistent with the charter and state law, to enforce municipal ordinance and code violations shall have authority to enforce municipal ordinance and code violations to the extent specified in such agreement or contract.

*****END*****