

ORDINANCE NO. 2175

INTRODUCED BY: _____

AN ORDINANCE AMENDING SECTION 1-3003(A) OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO REDUCE TO 364 DAYS THE MAXIMUM POTENTIAL TERM OF IMPRISONMENT FOR MISDEMEANORS UNDER THE COMMERCE CITY REVISED MUNICIPAL CODE

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

SECTION 1. Section 1-3003(a) of the Commerce City Revised Municipal Code is amended to read as follows:

(a) *Misdemeanors.* Except as specified below, any person who violates, disobeys, omits, neglects, refuses or fails to comply with or resists the enforcement of any provision of this Code, the charter, or any provision of any code or other regulation adopted by reference shall be guilty of a misdemeanor and, upon conviction, shall be punished by the penalty specifically provided for such violation or, if none, then by a fine not to exceed the maximum fine permitted pursuant to C.R.S. § 13-10-113, as may be amended from time to time, or imprisonment for a term not to exceed three hundred and sixty-four (364) days, or by both such fine and imprisonment, in addition to any costs which may be assessed. Notwithstanding the foregoing, no person under the age of eighteen (18) years as of the date of the offense shall be subject to imprisonment.

SECTION 2. The City Council finds and declares that this ordinance is reasonable and necessary to protect the public health, safety, and welfare.

SECTION 3. Except as specifically modified herein, the provisions of the Commerce City Revised Municipal Code shall remain unchanged and in full force and effect. If any part of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect, impair, or invalidate the remaining parts of this ordinance.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS ____ DAY OF _____, 2018.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS ____ DAY OF _____, 2018.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk