



MINUTES
TOWN OF HUDSON TOWN COUNCIL REGULAR MEETING
May 18, 2022 - 6:00 P.M.

CALL TO ORDER AND ROLL CALL

Mayor Laura Hargis called the meeting to order at 6:00 p.m.

ROLL CALL

Mayor Laura Hargis – present
Mayor Pro Tem Daniel Warren - Absent
Councilmember Candace Nolf – Present
Councilmember Joe Hammock – Present
Councilmember Sarah Stadler – Present
Councilmember Lisa Marie Buesgens – Present
Councilmember Shannon Norgren – Present

Linda Blackston, Town Clerk, took roll call and six (6) Councilmembers were present.

Town Staff Present:

Jennifer Woods –Interim Town Manager/Planner
Linda Blackston – Town Clerk
Hilary Graham – Town Attorney
Lee Walhus – Interim Public Works and Utilities Director
Scott Sedgwick – Interim Police Chief

ADDITIONS TO AGENDA

None

1) CITIZEN'S COMMENTS

Matt Cole approached the Council to share his experience with Allo Fiber and to ask the status of Allo's installation of the broadband fiber. Interim Town Manager stated Allo will be installing the fiber/conduit at the train tracks on May 23 through the 25th. Council and staff discussed the project.

2) CONSENT AGENDA

(Consent Agenda Items are considered routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Councilmember or Citizen so requests, in which case the items may be removed from the Consent Agenda and considered at the end of the Regular Agenda.)

- a. Town Council Meeting Minutes – May 4, 2022
- b. Ratification of Bills

Councilmember Stadler made a motion, seconded by Councilmember Nolf to approve the Consent Agenda.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Hammock, Buesgens, Norgren, and Mayor Hargis.
Nay: None
Mayor Hargis declared the motion carried.

3) GENERAL BUSINESS

- a. **RESOLUTION 22-35: A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH TOWN OF KEENESBURG TO PERFORM POLICE TRAINING SERVICES**

Interim Chief of Police Sedgwick stated Resolution 22-35 is an IGA with the Town of Keenesburg to provide police training for Keenesburg’s new Police Department. He provided information on the Agreement.

Councilmember Stadler made a motion, seconded by Councilmember Nolf to approve Resolution 22-35 a Resolution approving an Intergovernmental Agreement with the Town of Keenesburg to perform police training services.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Buesgens, Hammock, Norgren and Mayor Hargis.
Nay: None
Mayor Hargis declared the motion carried.

- b. **RESOLUTION 22-36: A RESOLUTION SUPPORTING THE MMOF GRANT FOR SENIOR AND ADA RIDE SERVICES TO HUDSON FROM VIA**

Interim Town Manager/ Planner Woods reported that Resolution 22-36 is to support the MMOF Grant for senior and ADA Ride Services to Hudson from VIA. She noted the 2022 expenditure will be \$5,444.34 and the expenditure for 2023 will be \$9,772.87. The total grant match for 2022-2023 for two busses will be \$15,217.21.

Councilmember Nolf made a motion, seconded by Councilmember Hammock, to approve Resolution 22-36 a Resolution supporting the MMOF Grant for Senior and ADA Ride Services to Hudson from VIA.

The vote was as follows:

Aye: Councilmembers Nolf, Hammock, Stadler, Buesgens, Norgren, and Mayor Hargis.
Nay: None

Mayor Hargis declared the motion carried.

c. **RESOLUTION 22-37: A RESOLUTION APPROVING A SERVICE AGREEMENT WITH H-2 ENTERPRISES, LLC, FOR ON-CALL PUBLIC WORKS SERVICES**

Interim Town Manager/ Planner Woods reported that Resolution 22-37 is approving on-call public work services with H-2 Enterprises, LLC. She stated that on-call services provide an option to complete emergency repairs and other back-logged maintenance. The expenditure in 2022 would not exceed \$40,000.00. Council and staff discussed the Agreement.

Councilmember Nolf made a motion, seconded by Councilmember Stadler, to approve Resolution 22-37 a Resolution approving a Service Agreement with H-2 Enterprises, LLC, for on-call public works services.

The vote was as follows:

Aye: Councilmembers Nolf, Stadler, Hammock, Buesgens, Norgren, and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

4) DISCUSSION/INFORMATIONAL ITEMS

a. Town Manager Recruitment Update

Mark Collins and Lorne Kramer of KRW Associates reported on the Town Manager Recruitment. Mr. Kramer stated KRW currently has 13 candidates for the Town Manager position and that KRW has reached out to 28 other contacts. A couple of the contacts that were contacted have indicated the salary is low. Mr. Kramer recommended that Council increase the hiring salary range to \$120,000.00 - \$145,000.00. Mr. Collins recommended Council also extend the deadline to accept applications for two additional weeks to June 3rd. Council and staff discussed the recruitment and the recommendations from Mr. Collins and Mr. Kramer. The consensus was to increase the hiring range and extend the deadline to accept applications until June 10th.

b. Memorial Park Ph 1 Survey Results

Interim Town Manager/ Planner Woods shared the results of the Memorial Park Phase 1 survey. The town received a total of 346 votes. Most of the votes were for the skate park. The dog park received the next highest votes. Council and staff discussed the survey results and the project. The Council consensus was to start Phase 1 of the project with the new playground equipment then the skate park.

c. Water Quality Violation Correction Plan

Interim Town Manager/ Planner Woods provided information on the Water Quality Violation regarding Trihalomethanes or TTHMs and the plan to correct the issue. The Town will be mailing out the state required letters out by June 9, 2022.

Interim Town Manager/Planner Woods provided information on the backflow prevention violation. The deadline for businesses to get the backflow preventer certification is 8/15/2022. This violation should be cleared after we have obtained all backflow prevention certifications.

d. Budgeted Equipment Change – Police

Interim Chief of Police Sedgwick stated the Police Department had budgeted for HCI Radios and some Stringer Spike Stirps. The items will not be available to purchase this year due to supply chain issues. Interim Chief of Police Sedgwick requested to reallocate the funds to the Benchmark Analytics program and to cover inflationary costs for the budgeted police car radio upgrades. The reallocation of funds would result in using less funds than the amount budgeted. The consensus of the Council was to move forward with the reallocation of funds.

e. Event Promotion Protocol

Interim Town Manager/ Planner Woods discussed the Event Promotion Protocol presented in the Council Packet and requested feedback from Council. Staff and Council discussed the Event Promotion Protocol.

5) STAFF REPORTS

Interim Town Manager/Planner Woods stated the Town received the CDOT Grant for the Highway 52 Streetscape project. She discussed the project.

Councilmember Buesgens asked about Sparboe Farms. Staff and Council discussed the bird-flu issue at Sparboe Farms.

Town Attorney Hoffman distributed a memo and draft ordinance updating the code to reflect the Colorado Supreme Court decision regarding harassment. The Colorado Supreme Court is invalidating a portion of State law regarding harassment and the Town's Code mirrors State law. He recommended the ordinance be on the agenda at the next Council meeting.

Town Clerk Blackston reported that staff is updating the delinquent process for utility bills to comply with the Town's Municipal Code. She noted notices posted on property owner's doors will no longer be part of the process and that the delinquent letter that is mailed out will be the only notice utility customers will receive prior to shut offs. The Council and staff discussed the updated process.

Interim Police Chief Sedgwick stated Officers were trained three weeks ago on the Colorado Supreme Court ruling regarding harassment.

Mayor Hargis read aloud a Proclamation declaring May 15- May 21, 2022, Public Work's Week. She thanked the Public Works for all they do.

Mayor Hargis noted it is also Police Week and she thanked the Police Department for all they do.

6) CITIZEN COMMENTS

Todd Byrd of Hudson asked for clarification on the salary change for the hiring of the Town Manager. Mayor Hargis responded.

ADJOURNMENT

The meeting adjourned at approximately 7:28 pm.

TOWN OF HUDSON, COLORADO

Laura Hargis
Mayor

ATTEST

Linda Blackston, MMC
Town Clerk

Report Criteria:

Report type: Invoice detail

Check Type = {<->} "Adjustment"

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
59652							
05/25/2022	59652	1467	Adams County	801102	Animal Shelter fees	10-66-7736	150.00
Total 59652:							150.00
59653							
05/25/2022	59653	1645	Alex Torres	05182022	Training per diem	10-66-6210	.00 V
Total 59653:							.00
59654							
05/25/2022	59654	1807	Allo Communications LLC	CI-00012256	Broadband	22-71-7718	2,500.00
Total 59654:							2,500.00
59655							
05/25/2022	59655	1799	Amazon Capital Services	1TTK-J4JY-1	Program expenses	25-64-6710	514.00
Total 59655:							514.00
59656							
05/25/2022	59656	45	AT&T	1930999602	Monthly Long Distance Service	10-64-6410	42.52
Total 59656:							42.52
59657							
05/25/2022	59657	2	Atmos Energy	05112022	Natural Gas Utility - 50 S Beech	10-64-6410	120.98
05/25/2022	59657	2	Atmos Energy	05112022B	Natural Gas Utilities - 258 5th Ave.	10-68-6412	142.53
05/25/2022	59657	2	Atmos Energy	05112022C	Natural Gas Utilities - 100 S Beech S	25-64-6412	257.81
Total 59657:							521.32
59658							
05/25/2022	59658	1186	Bank of Colorado	05012022-JR	Advertising	25-64-6512	661.58
05/25/2022	59658	1186	Bank of Colorado	05012022-TA	phone	25-65-6410	2,690.07

M = Manual Check, V = Void Check

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
Total 59658:							3,351.65
59659							
05/25/2022	59659	1865	Benchmark Solutions LLC	1500	Annual subscription	60-64-7720	7,500.00
Total 59659:							7,500.00
59660							
05/25/2022	59660	1104	Bomgaars	58811052	Pants	10-68-6710	146.96
Total 59660:							146.96
59661							
05/25/2022	59661	30	CenturyLink	303-536-400	Telephone Service - 303-536-4003	75-68-6410	125.92
05/25/2022	59661	30	CenturyLink	303-536-455	Telephone Service- 303-536-4550	25-64-6410	195.37
05/25/2022	59661	30	CenturyLink	303-536-471	Telephone Service - 303-536-4718	10-64-6410	139.53
05/25/2022	59661	30	CenturyLink	303-536-475	Telephone Service - 303-536-4753	10-64-6410	166.41
05/25/2022	59661	30	CenturyLink	303-536-931	Telephone Service - 303-536-9311	10-64-6410	247.21
05/25/2022	59661	30	CenturyLink	303-536-936	Telephone Service - 303-536-9365	70-68-6410	65.25
Total 59661:							939.69
59662							
05/25/2022	59662	108	CIRSA	221001	Police accident deductible	60-64-7720	200.40
Total 59662:							200.40
59663							
05/25/2022	59663	36	Colorado Analytical Laboratories I	220422098	Water Labs	70-68-6633	549.00
05/25/2022	59663	36	Colorado Analytical Laboratories I	220422113	lab work WWTP	75-68-6633	119.70
05/25/2022	59663	36	Colorado Analytical Laboratories I	220503165	lab work WWTP	75-68-6633	119.70
05/25/2022	59663	36	Colorado Analytical Laboratories I	220511094	lab work WWTP	75-68-6633	119.70
Total 59663:							908.10
59664							
05/25/2022	59664	33	DPC Industries Inc.	737001491-2	Sodium bisulfite	75-68-6710	500.20

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
Total 59664:							500.20
59665							
05/25/2022	59665	53	Farm & Home Lumber	46326	C-12 tester batteries	70-68-6710	9.99
05/25/2022	59665	53	Farm & Home Lumber	46462	Supplies	10-68-6735	4.64
05/25/2022	59665	53	Farm & Home Lumber	46824	For dishes	10-68-6720	9.70
05/25/2022	59665	53	Farm & Home Lumber	46835	Irrigation parts	10-68-6710	2.39
05/25/2022	59665	53	Farm & Home Lumber	47085	Gloves	10-68-6710	13.95
Total 59665:							40.67
59666							
05/25/2022	59666	1481	Grace Driskell	1005	Program expenses	25-64-6725	100.00
Total 59666:							100.00
59667							
05/25/2022	59667	1273	Grease Monkey Midwest LLC	00937-93932	oil change	10-68-6740	100.70
05/25/2022	59667	1273	Grease Monkey Midwest LLC	00937-93932	oil change	70-68-6740	102.30
05/25/2022	59667	1273	Grease Monkey Midwest LLC	00937-93932	oil change	75-68-6740	96.71
05/25/2022	59667	1273	Grease Monkey Midwest LLC	00937-93932	oil change	10-68-6740	102.70
Total 59667:							402.41
59668							
05/25/2022	59668	9	Hector J. Brignoni MD	05132022	Pre Employment Physical - Cook	10-68-6633	330.00
Total 59668:							330.00
59669							
05/25/2022	59669	1479	Highplains Library District	2748	Books - Keenesburg	25-65-6723	1,650.21
Total 59669:							1,650.21
59670							
05/25/2022	59670	1105	Keene Auto Supply Inc.	04272022	Marking paint	70-68-6710	188.79
05/25/2022	59670	1105	Keene Auto Supply Inc.	04292022	Gattor	10-68-6740	27.77
05/25/2022	59670	1105	Keene Auto Supply Inc.	05022022	Gattor	10-68-6740	29.27

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
05/25/2022	59670	1105	Keene Auto Supply Inc.	05122022	Pickup battery	70-68-6740	169.97
Total 59670:							415.80
59671							
05/25/2022	59671	1645	Mahaia Alaniz	05182022B	Training per diem	10-66-6210	125.00
Total 59671:							125.00
59672							
05/25/2022	59672	1718	Matt's Aeration	05012022	aeration at Library	25-64-6422	120.00
Total 59672:							120.00
59673							
05/25/2022	59673	1645	Melanie Colpitts	05192022	Certified mail	10-66-6722	14.76
Total 59673:							14.76
59674							
05/25/2022	59674	509	Quill Corporation	24910007	Office Supplies	10-64-6720	16.49
05/25/2022	59674	509	Quill Corporation	24928921	Office Supplies	10-64-6720	21.95
05/25/2022	59674	509	Quill Corporation	24935926	Office Supplies	10-66-6720	342.58
05/25/2022	59674	509	Quill Corporation	24938122	Office Supplies	10-62-6720	38.99
05/25/2022	59674	509	Quill Corporation	25123278	Office Supplies	10-64-6720	22.98
05/25/2022	59674	509	Quill Corporation	25143796	Office Supplies	10-64-6710	315.54
Total 59674:							758.53
59675							
05/25/2022	59675	1864	Raymond Cullen	05132022	Court overpayment	01-00-1010	35.00
Total 59675:							35.00
59676							
05/25/2022	59676	1836	Robert Half	59979878	Bookkeeper payroll	10-64-6010	877.68
Total 59676:							877.68

M = Manual Check, V = Void Check

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
59677							
05/25/2022	59677	1645	Scott Sedgwick	05232022	Training per diem	10-66-6210	100.00
Total 59677:							100.00
59678							
05/25/2022	59678	1645	Sophia Campbell	05242022	Mileage	10-69-6213	54.88
Total 59678:							54.88
59679							
05/25/2022	59679	1482	Story Creations	6022022	Program expenses	25-64-6725	250.00
Total 59679:							250.00
59680							
05/25/2022	59680	1684	The Police and Sheriffs Press, Inc	147273	ID card - Jamison	10-66-6710	17.55
Total 59680:							17.55
59681							
05/25/2022	59681	5	United Power Inc.	05042022B	100 S Beech St	25-64-6413	717.96
Total 59681:							717.96
59682							
05/25/2022	59682	293	Virulent Solutions	H220514	IT Services	10-64-6633	1,040.00
Total 59682:							1,040.00
59683							
05/25/2022	59683	1855	VJP Home Crafts	0016	Program expense	25-64-6725	100.00
Total 59683:							100.00
Grand Totals:							24,425.29

Summary by General Ledger Account Number

M = Manual Check, V = Void Check

GL Account	Debit	Credit	Proof
01-00-1010	35.00	.00	35.00
01-00-2005	.00	35.00-	35.00-
10-00-2005	125.00	4,706.57-	4,581.57-
10-62-6720	38.99	.00	38.99
10-64-6010	877.68	.00	877.68
10-64-6410	532.56	.00	532.56
10-64-6633	1,040.00	.00	1,040.00
10-64-6710	118.14	.00	118.14
10-64-6720	528.41	.00	528.41
10-66-6210	350.00	125.00-	225.00
10-66-6710	17.55	.00	17.55
10-66-6720	72.99	.00	72.99
10-66-6722	14.76	.00	14.76
10-66-7736	150.00	.00	150.00
10-68-6412	142.53	.00	142.53
10-68-6633	330.00	.00	330.00
10-68-6710	183.29	.00	183.29
10-68-6720	9.70	.00	9.70
10-68-6735	4.64	.00	4.64
10-68-6740	240.45	.00	240.45
10-69-6213	54.88	.00	54.88
22-00-2005	.00	2,500.00-	2,500.00-
22-71-7718	2,500.00	.00	2,500.00
25-00-2005	.00	7,257.00-	7,257.00-
25-64-6210	100.00	.00	100.00
25-64-6211	30.01	.00	30.01
25-64-6212	222.05	.00	222.05
25-64-6410	195.37	.00	195.37
25-64-6412	257.81	.00	257.81
25-64-6413	717.96	.00	717.96
25-64-6422	120.00	.00	120.00
25-64-6512	298.96	.00	298.96
25-64-6710	54.70	.00	54.70
25-64-6720	211.69	.00	211.69
25-64-6723	1,059.64	.00	1,059.64
25-64-6725	2,578.29	.00	2,578.29
25-64-6727	99.97	.00	99.97
25-64-6728	287.88	.00	287.88
25-64-6733	256.39	.00	256.39

GL Account	Debit	Credit	Proof
25-64-7730	524.99	.00	524.99
25-65-6410	38.57	.00	38.57
25-65-6723	202.72	.00	202.72
60-00-2005	.00	7,700.40	7,700.40
60-64-7720	7,700.40	.00	7,700.40
70-00-2005	.00	1,269.39	1,269.39
70-64-6410	184.09	.00	184.09
70-68-6410	65.25	.00	65.25
70-68-6633	549.00	.00	549.00
70-68-6710	198.78	.00	198.78
70-68-6740	272.27	.00	272.27
75-00-2005	.00	1,081.93	1,081.93
75-68-6410	125.92	.00	125.92
75-68-6633	359.10	.00	359.10
75-68-6710	500.20	.00	500.20
75-68-6740	96.71	.00	96.71
Grand Totals:	24,675.29	24,675.29	.00

Report Criteria:
 Report type: Invoice detail
 Check Type = {<-} "Adjustment"



TOWN OF HUDSON
REQUEST FOR COUNCIL ACTION

Meeting Date: June 1, 2022

Agenda Item No.: 3a	Department: Attorney	Presenter: Hoffman
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ITEM:

ORDINA 1CE 22-04AN ORDINANCE AMENDING SECTION 10-110 OF THE HUDSON MUNICIPAL CODE REGARDING HARASSMENT

BACKGROUND:

Please see the attached memo

FISCAL NOTE:

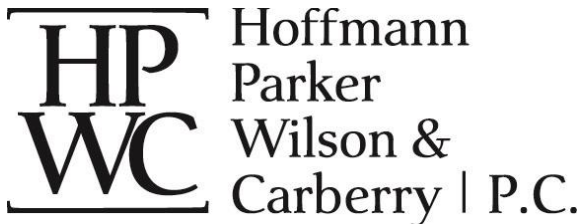
None

STAFF RECOMMENDATION:

Aprove

SUGGESTED MOTIONS:

I make a motion to approve Ordinance 22-04: AN ORDINA 1CE AMENDING SECTION 10-10 OF THE HUDSON MUNICIPAL CODE REGARDING HARASSMENT



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M. Patrick Wilson


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Ruthanne H. Goff
Katharine J. Vera
Elizabeth G. LeBuhn
Austin P. Flanagan
Wilson D. Scarbeary

TOWN OF HUDSON
MEMORANDUM

**TO: MAYOR AND TOWN COUNCIL
JENNIFER WOODS, INTERIM TOWN MANAGER
SCOTT SEDGWICK, INTERIM CHIEF OF POLICE**

**FROM: COREY Y. HOFFMANN, TOWN ATTORNEY 
WILSON D. SCARBEARY, ESQ.**

DATE: MAY 9, 2022

RE: IMPACT OF *PEOPLE V. MORENO* ON HARASSMENT STATUTES

This memorandum addresses the impact of the Colorado Supreme Court's recent decision in *People v. Moreno*, 22 CO 15 (2022). The *Moreno* case addressed the state harassment statute, C.R.S. § 18-9-111(e), and found certain language in that statute to be an unconstitutional restraint on free speech. Based on *Moreno*, the Hudson Municipal Code section prohibiting harassment should be modified. A proposed ordinance is submitted herewith.

The *Moreno* Case

In *People v. Moreno*, the Colorado Supreme Court held that part of C.R.S. § 18-9-111(1)(e) (the "Harassment statute"), which criminalizes harassment, was overbroad and unconstitutionally restricts protected speech. The Harassment statute - also called Kiana Arellano's law - was amended in 2015 after a Colorado teenager attempted suicide following cyberbullying from her peers. See Kevin Simpson, *How a cyberbullying law in Colorado was tweaked to be more effective*, DENVER POST (Jul 13, 2015) <https://www.denverpost.com/2015/07/13/how-a-cyberbullying-law-in-colorado-was-tweaked-to-be-more-effective/>. The amendments were intended to provide a stronger response to cyberbullying and other forms of harassment. *Id.* In pertinent part, the statute provides that a person commits harassment if they:

Directly or indirectly initiates communication with a person or directs language toward another person, anonymously or otherwise, by telephone, telephone network, data network, text message, instant message, computer, computer network, computer system, or other interactive electronic medium **in a manner intended to harass** or threaten bodily injury or property damage, or makes any comment, request, suggestion, or proposal by telephone, computer, computer network, computer system, or other interactive electronic medium that is obscene.

C.R.S. § 18-9-111(1)(e) (emphasis added).

In the *Moreno* case, the defendant-appellee had repeatedly emailed his ex-wife asking to see his children, while also making a series of disparaging and vulgar comments about her. ¶2. Moreno posted similar statements to Facebook. *Id.* Moreno was charged with harassment under C.R.S. § 18-9-111(1)(e), as well as another statute concerning habitual domestic violence. ¶3. Moreno moved to dismiss the harassment charge, arguing that the Harassment statute was unconstitutionally overbroad and vague, both facially and as applied to him. ¶4. The district court agreed, and dismissed the harassment charge. ¶6. On direct appeal, the Colorado Supreme Court upheld the dismissal. ¶¶7-8.

The court found that the Harassment statute was not narrowly tailored, but to avoid invalidating the entire Harassment statute, the court found that striking the phrase "intended to harass" would rid the statute of the constitutional issues.

Application

Currently, the Hudson Municipal Code contains a provision that covers harassment, which states in pertinent part, that it is unlawful for a person to:

[Initiate] communication with a person, anonymously or otherwise by telephone, computer, computer network or computer system **in a manner intended to harass** or threaten bodily injury or property damage or makes any comment, request, suggestion, or proposal by telephone, computer, computer network or computer system which is obscene;

Hudson Municipal Code § 10-110(a)(4) (emphasis added). This provision essentially mirrors language struck by the *Moreno* court, and should thus be modified.

Attached to this memorandum, we have provided a draft ordinance updating the Hudson Municipal Code to clarify the language and remove the issues identified by the *Moreno* court. We recommend enacting this proposed ordinance as quickly as possible.

As always, please let us know if this memorandum raises additional questions.

ORDINANCE NO.

22-04
Series of 2022

TITLE: AN ORDINANCE AMENDING SECTION 10-110 OF THE HUDSON MUNICIPAL CODE REGARDING HARASSMENT

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Section 10-110, subsection (a)(4) of the Town of Hudson Municipal Code is amended to read as follows:

Sec. 10-110. Harassment.

(a) A person commits harassment if, with intent to harass, annoy or alarm another person, he or she:

* * *

(4) Initiates communication with a person in any medium, anonymously or otherwise, in a manner intended to threaten bodily injury or property damage or makes any comment, request, suggestion or proposal in any medium which is obscene;

* * *

Section 2. Safety Clause. The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective ten (10) days after final publication by title only.

INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this 1st day of **June**, 2022.

TOWN OF HUDSON, COLORADO

Laura Hargis, Mayor

ATTEST:

Linda Blackston, Town Clerk

PASSED by a vote of _____ for and _____ against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the town clerk this _____ day of _____, 2022.

TOWN OF HUDSON, COLORADO

Laura Hargis, Mayor

ATTEST:

Linda Blackston, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, Town Attorney



**TOWN OF HUDSON
REQUEST FOR COUNCIL ACTION**

Meeting Date: June 01, 2022

Agenda Item No.: 3b	Department Police	Presenter: Sedgwick
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ITEM:

ORDINANCE 22-05: AN ORDINANCE AMENDING SECTION 8-33 OF ARTICLE 33, CHAPTER 8 OF THE MUNICIPAL CODE OF THE TOWN OF HUDSON CONCERNING VIOLATIONS OF VEHICLE WEIGHT LIMITS ON RESIDENTIAL STREETS

BACKGROUND:

The Police Department is requesting to amend Municipal Section 8-33 and the fine associated with being in violation of Municipal Code Section 8-31. The Police Department requests fines be assessed at \$0.10 per pound over 20,000 GVWR (Gross Vehicle Weight Rating).

FISCAL NOTE:

None

STAFF RECOMMENDATION:

Staff recommends the approval of Ordinance 22-05.

SUGGESTED MOTIONS:

I make a motion to approve Ordinance 22-05: AN ORDINANCE AMENDING SECTION 8-33 OF ARTICLE 33, CHAPTER 8 OF THE MUNICIPAL CODE OF THE TOWN OF HUDSON CONCERNING VIOLATIONS OF VEHICLE WEIGHT LIMITS ON RESIDENTIAL STREETS

ORDINANCE NO.

22-05
Series of 2022

TITLE: AN ORDINANCE AMENDING SECTION 8-33 OF ARTICLE 3, CHAPTER 8 OF THE MUNICIPAL CODE OF THE TOWN OF HUDSON CONCERNING VIOLATIONS OF VEHICLE WEIGHT LIMITS ON RESIDENTIAL STREETS

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Section 8-33, of Article 3, Chapter 8 of the Municipal Code of the Town of Hudson is hereby repealed and reenacted to read as follows:

Sec. 8-33 Violations.

Any person operating a vehicle in violation of this Article shall be subject to a court fine, which such fine shall be adopted by the Town by resolution.

Section 2. Safety Clause. The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective ten (10) days after final publication by title only.

INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this _____ day of June, 2022.

TOWN OF HUDSON, COLORADO

Laura Hargis, Mayor

ATTEST:

Linda Blackston, Town Clerk

PASSED by a vote of _____ for and _____ against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the town clerk this _____ day of _____, 2022.

TOWN OF HUDSON, COLORADO

Laura Hargis, Mayor

ATTEST:

Linda Blackston, Town Clerk

APPROVED AS TO FORM:

Hilary M. Graham, Town Attorney



**TOWN OF HUDSON
REQUEST FOR COUNCIL ACTION**

Meeting Date: June 01, 2022

Agenda Item No.: 3c	Department Police	Presenter: Sedgwick
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ITEM:

Resolution 22-38: **A RESOLUTION SETTING COURT FINES AT \$0.10 PER POUND OVER 20,000 GVWR (Gross Vehicle Weight Rating) ON TOWN OF HUDSON ROADWAYS PURSUANT TO SECTIONS 8-31 AND 8-33 OF THE HUDSON MUNICIPAL CODE.**

BACKGROUND:

The Police Department is requesting to amend Municipal Section 8-33 and the fine associated with being in violation of Municipal Code Section 8-31. Currently, Section 8-33 provides a fine of not more than \$2,650.00. The Police Department requests fines be assessed at \$0.10 per pound over 20,000 GVWR (Gross Vehicle Weight Rating).

FISCAL NOTE:

None

STAFF RECOMMENDATION:

Staff recommends the approval of Resolution No. 22-38.

SUGGESTED MOTIONS:

I make a motion to approve Resolution 22-38: A RESOLUTION SETTING COURT FINES AT \$0.10 PER POUND OVER 20,000 GVWR PURSUANT TO MUNICIPAL CODE SECTION 8-33.

RESOLUTION NO.

22-38
Series of 2022

**TITLE: A RESOLUTION SETTING FINES FOR VIOLATIONS OF SECTION 8-33
PURSUANT TO ARTICLE 3, CHAPTER 8, OF THE TOWN OF HUDSON
MUNICIPAL CODE**

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
OF HUDSON, COLORADO, AS FOLLOWS:

Section 1. Pursuant to Section 8-33, of Article 3, Chapter 8 of the Municipal Code of the
Town of Hudson, the Town Council hereby sets the following court fine for pounds over a 20,000-
pound gross vehicle weight rating ("GVWR"), as defined in Section 8-30 of the Municipal Code
of the Town of Hudson:

(a) \$.10 per pound over a 20,000-pound GVWR.

INTRODUCED, READ, and PASSED this _____ day of _____, 2022.

TOWN OF HUDSON, COLORADO

Laura Hargis, Mayor

ATTEST:

Linda Blackston, Town Clerk