

ORDINANCE NO.

12-05

Series of 2012

TITLE: A BILL FOR AN ORDINANCE AMENDING SECTION 10-6 OF ARTICLE 1 OF CHAPTER 10 OF THE HUDSON MUNICIPAL CODE BY THE ADDITION OF A NEW SUBSECTION (b) CONCERNING PROHIBITIONS WITHIN TOWN RECREATIONAL AREAS

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

Section 1. Section 10-6 of Article 1 of Chapter 10 of the Hudson Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 10-6. Unlawful conduct on public property.

- (a) It is unlawful for any person to enter or remain in any public building or on any public property or to conduct himself or herself in or on them in violation of any order, rule or regulation concerning any matter prescribed in this section, limiting or prohibiting the use, activities or conduct in such public building or on such public property, issued by any officer or agency having the power of control, management or supervision of the building or property. In addition to any authority granted by any other law, each such officer or agency may adopt such orders, rules or regulations as are reasonably necessary for the administration, protection and maintenance of public buildings and property, specifically orders, rules and regulations upon the following matters:
- (1) Preservation of property, vegetation, wildlife, signs, markers, statues, buildings, grounds and other structures, and any object of scientific, historical or scenic interest;
 - (2) Restriction or limitation of the use of such public buildings or property as to time, manner or permitted activities;
 - (3) Prohibition of activities or conduct within public buildings or on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others or which may constitute a general nuisance;
 - (4) Camping and picnicking, public meetings and assemblages and other individual or group usages, including the place, time and manner in which such activities may be permitted;
 - (5) Use of all vehicles as to place, time and manner of use;

- (6) Control and limitation of fires and designation of places where fires are permitted.
- (b) The Town may by erecting appropriate signage prohibit certain activities within and upon its public recreational property including the prohibition of recreational boating, swimming, fishing, or other recreation activity from time to time, when such prohibition is necessary to protect the safety of persons recreating on Hudson public property. In the event of such a prohibition, the Town shall cause signs to be posted around the perimeter of the area upon which such activities are prohibited notifying the public of such prohibitions.
- (c) No conviction may be obtained under this section unless notice of such limitation or prohibitions is prominently posted at all public entrances to such building or property or unless such notice is actually first given the person by the office or agency, including any agent thereof, or by any law enforcement officer having jurisdiction or authority to enforce this section.
- (d) Any person who violates this section is guilty of unlawful conduct on public property.


Section 2. Safety Clause. The Town Board of Trustees 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 Board of Trustees 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 thirty (30) days after final publication.


INTRODUCED, READ IN FULL, AND ADOPTED this 19th day of September, 2012.

TOWN OF HUDSON, COLORADO



Neal Pontius, Mayor

ATTEST:



Linnette Barker, CMC, Town Clerk

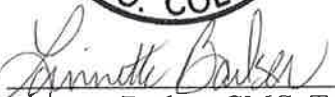
PASSED ON SECOND AND FINAL READING this 3rd day of October, 2012, AND ORDERED PUBLISHED ONCE IN FULL.



TOWN OF HUDSON, COLORADO



Neal Pontius, Mayor



Linnette Barker, CMC, Town Clerk

APPROVED AS TO FORM:



Corey Y. Hoffmann, Town Attorney