

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 08 - 03  
Series of 2008

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**TITLE: A BILL FOR AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 7 OF THE HUDSON MUNICIPAL CODE TO PROHIBIT THE VISIBLE STORAGE OF JUNK, TRASH OR DEBRIS; SETTING A MAXIMUM ONE HUNDRED DOLLAR (\$100) FINE AS A PENALTY FOR VIOLATIONS OF ARTICLE 1 OF CHAPTER 7; PERMITTING THE ABATEMENT THEREOF; AND REVISING DEFINITIONS APPROPRIATELY**

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

Section 1. Article 1 of Chapter 7 of the Hudson Municipal Code is hereby amended by the addition of a new Section 7-11, which shall read as follows:

**Sec. 7-11. Keeping of Junk or Debris.**

It shall be unlawful for any person to cause, maintain or permit to remain, or store, keep or allow to be stored or kept, any junk or debris on any lot or parcel of land unless such junk or debris is kept in a building or garage or is otherwise fully enclosed, screened, or shielded from view by members of the public and by adjoining property owners, except that junk or debris may be stored in or on a trailer or in a truck bed if fully covered and secured for a period of time not to exceed fourteen (14) days.

Section 2. Article 1 of Chapter 7 of the Hudson Municipal Code is hereby amended by the addition of a new Section 7-12, which shall read as follows:

**Sec. 7-12. Penalties.**

Any violation of this Article 1 of Chapter 7 of this Code shall be punishable only by the imposition of a civil fine in an amount not to exceed one hundred dollars (\$100). Each and every day during which a violation exists or continues to exist may be deemed a separate offense.

Section 3. Section 7-3, "Abatement," of the Hudson Municipal Code is hereby amended to read as follows, with new language appearing in ALL CAPS:

**Sec. 7-3. Abatement.**

Whenever the board of trustees shall direct, the town clerk...shall immediately thereafter notify any owner of property...than an order has been made by the board of trustees requiring the removal of any accumulated refuse, JUNK, OR DEBRIS from such property or premises within thirty (30) days after service of notice....If such property owner...shall not remove such refuse, JUNK, OR DEBRIS in accordance with the requirement of such order....the board of trustees may order that such refuse, JUNK, OR DEBRIS be removed by the town clerk....

Section 4. Section 7-1, "Definitions," of the Hudson Municipal Code is hereby repealed and reenacted to read as follows:

**Sec. 7-1. Definitions.**

(1) *Junk or debris* means any material or object used or new, that is not presently being used, is not presently useable or is not designed to be used in its existing condition or location, including, but not limited to scrap metals, rubber pieces, rope, asphalt, concrete, plaster, tile, bricks, crates, cartons, barrels, boxes, tree limbs, leaves, dead plants and trees, trimmings from plants and trees, grass clippings, tools, fixtures, utensils, lumber, pipe and pipe fittings, machinery of any kind or parts thereof, appliances of any kind or parts thereof, vending machines, furniture, motor vehicle parts or tires, partially or fully dismantled motor vehicles, or any waste material from the premises, including building materials for or produced from remodeling or construction. *Junk or debris* shall not include earth and waste from remodeling or construction during the period in which a valid building permit has been issued and remains active.

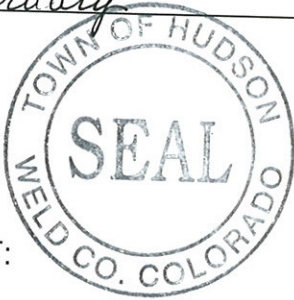
(2) *Refuse* means and includes any grass clippings, leaves, hay, straw, manure, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles, garbage, waste and discarded building and construction materials, including, but not limited to plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal bindings, sacks or loose or discarded or unused material; all rubbish of any kind whatsoever; and any other materials commonly known as rubbish or refuse of any kind or character by any means known.

Section 5. 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 6. 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 7. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 6th day of February, 2008.



TOWN OF HUDSON, COLORADO

Neal Pontius  
Neal Pontius, Mayor

ATTEST:

Judith A. McGill  
Judith A. McGill, Town Clerk Pro Tem

PASSED ON SECOND AND FINAL READING this 20th day of February, 2008, AND ORDERED PUBLISHED ONCE IN FULL.



TOWN OF HUDSON, COLORADO

Neal Pontius  
Neal Pontius, Mayor

ATTEST:

Judith A. McGill  
Judith A. McGill, Town Clerk Pro Tem

APPROVED AS TO FORM:

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney