**ORDINANCE NO. \_\_\_\_**

**(Series of 2021)**

AN ORDINANCE ADOPTING BY REFERENCE AND ENACTING A MUNICIPAL CODE FOR THE TOWN OF DINOSAUR, COLORADO; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DINOSAUR, COLORADO*:*

Section 1*.* The Code entitled "Dinosaur Municipal Code" consisting of Titles 1 through 13, with tables and index, is adopted as a primary code by reference.

Section 2*.* All ordinances or portions of ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance which are inconsistent with the provisions of the Dinosaur Municipal Code, to the extent of such inconsistency and not otherwise saved from repeal, are hereby repealed. Provided, however, such repeal shall not affect any pending cases in the Dinosaur Municipal Court filed under such repealed ordinances.

Section 3. The repeal established in the foregoing Section shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4*.* The following Codes were adopted by reference and incorporated in the Municipal Code of the Town of Dinosaur. One (1) copy of each such Code is on file in the Town Clerk's office:

(1) The *Model Traffic Code for Colorado*, 2020 edition, published by the Colorado Department of Transportation, as adopted and amended in Chapter 11.04.

(2) The *International Building Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.12.

(3) The *International Residential Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.14.

(4) The *International Existing Building Code*, 2018 Edition, published by the International Code Council, as adopted and amended in Chapter 12.15.

(5) The *International Mechanical Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.16.

(6) The *International Plumbing Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.18.

(7) The *International Property Maintenance Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.20.

(8) The *International Private Sewage Disposal Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.22.

(6) The *International Fuel Gas Code*, 2018 edition, published by the International Code Council, as adopted and amended in Chapter 12.23.

Section 5. The penalties provided by the Dinosaur Municipal Code are hereby adopted as follows:

(1) **Section 1.12.010. General Penalties.**

1.12.010 General Penalties. A. Any person who performs or fails to perform an act where performance or failure to perform is declared in any provision of the Dinosaur Municipal Code, or any rule or regulation promulgated thereunder, to be unlawful, or commits a criminal offense, or a misdemeanor, or any person who performs an act which is prohibited or fails to perform an act which is required by any provision of the Dinosaur Municipal Code, or any rule or regulation promulgated thereunder, or any person who fails to meet a standard of conduct or behavior prescribed in a provision of the Dinosaur Municipal Code for which no specific penalty is provided, upon conviction thereof, shall be punished as provided in subsection (B) of this Section.

B. Any person convicted or found liable for a violation of any provision of the Dinosaur Municipal Code, or any rule or regulation promulgated thereunder, shall be punished by a fine of not more than three hundred dollars ($300.00), by incarceration not to exceed ninety (90) days, or by both such fine and incarceration, unless otherwise specifically provided in any other provision of the Dinosaur Municipal Code.

C. A separate and distinct offense shall be deemed to have been committed for each day on which any violation of the Dinosaur Municipal Code, or any rule or regulation promulgated thereunder, shall continue.

D. Unless otherwise provided in the Dinosaur Municipal Code, the Municipal Judge may suspend the sentence or fine of any violator and place him on probation for a period not to exceed one (1) year.

(2) **Section 1.12.020. Juvenile Offenders-Penalty.**

1.12.020 Juvenile Offenders-Penalty. A. For the purposes of this Section, a “juvenile offender” is defined as any person accused of an offense pursuant to the Dinosaur Municipal Code who, on the date of the alleged offense, was at least ten (10) years of age, but had not yet attained the age of eighteen (18) years.

B. Except as to alleged violations of the Model Traffic Code, as adopted by reference, any juvenile offender convicted of a violation of the Dinosaur Municipal Code, or any rule or regulation promulgated thereunder, shall be punished by a fine of not more than three hundred dollars ($300.00), unless otherwise provided by the specific section alleged to have been violated. Notwithstanding any other provision contained in the Dinosaur Municipal Code to the contrary, a juvenile offender shall not be subject to incarceration, except as herein provided. Any juvenile offender convicted or found liable for a violation of any provision of the Model Traffic Code, as adopted by reference, may be punished by a fine of not more than three hundred dollars ($300.00), or by incarceration not to exceed ninety (90) days, or by both such fine and incarceration.

C. Nothing contained in this Section shall be construed to abrogate, abolish, or otherwise limit the power of the Municipal Court to incarcerate a juvenile offender before the Court for contempt of court, whether failure to obey a summons, subpoena, or other lawful order of the Court, including an order to pay a fine, or by personal conduct before the Court. In addition, the Municipal Court may incarcerate a juvenile offender for violation of probation conditions imposed by the Court. The Municipal Court shall have the authority to order a juvenile offender confined in a juvenile detention facility operated or contracted by the Colorado Department of Institutions or a temporary holding facility operated by or under contract with a municipal government. Any confinement of a juvenile offender for contempt of Municipal Court or for violation of probation conditions shall not exceed forty-eight (48) hours.

D. Notwithstanding any other provision of law, a juvenile offender arrested for an alleged violation of a municipal ordinance, convicted of violation of a municipal ordinance or probation conditions imposed by the Municipal Court, or found in contempt of court in connection with a violation or an alleged violation of the Dinosaur Municipal Code shall not be confined in a jail, lockup, or other place used for confinement of adult offenders but may be held in an juvenile detention facility operated or under contact with the Department of Institutions or a temporary holding facility operated by or under contract with the municipal government which shall receive and provide care for such child.

E. Upon the request of the Municipal Judge, the Town Marshal, the prosecuting attorney, or the defendant, the Clerk of the Municipal Court shall issue a Notice of Required Appearance for the appearance, at any and all stages of the Court’s proceedings, of the parent, legal guardian, or lawful custodian of any child under eighteen (18) years of age who is charged with an offense under the Dinosaur Municipal Code. Any person who fails to appear pursuant to such Notice shall be deemed to be in contempt of the court.

F. The presiding judge of the Municipal Court may promulgate such rules or orders regarding the procedural processing of juvenile offenders appearing before the Municipal Court as (s)he may, from time to time deem appropriate.

(3) **Section 5.02.110. Business and Occupation Licenses.**

5.02.110 Penalties. Any person, partnership, association or corporation, or any officer, director or agent thereof, who violates any provisions of this Chapter commits a municipal offense. Said offense shall be punishable by a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) for each violation. A separate and distinct offense shall be deemed to have been committed for each day on which any violation of this Chapter shall continue.

(4) **Section 5.14.190. Sexually Oriented Businesses-General Provisions.**

5.14.190 Prohibited Acts-Penalty. Any person who violates any provision of this Chapter or who fails to perform an act required by any provision of this Chapter, shall be guilty of a municipal offense. Unless specifically provided otherwise throughout this Chapter, any person convicted of a municipal offense under this Chapter shall be punished by a fine of not more than three hundred dollars ($300.00) or by imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

(5) **Section** **5.22.270. Retail Marijuana Licensing-General Provisions.**

5.22.270 Violations; Penalty.

1. Any person, other than a licensee of a retail marijuana establishment, who violates any provision of this Chapter shall be deemed guilty of a municipal offense and may be punished by a fine not to exceed three hundred dollars ($300.00), imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.
2. Any licensee of a retail marijuana establishment who violates any provisions of this Chapter shall be subject to civil penalties of up to one thousand dollars ($1,000.00) for each day during which such violation occurs or continues. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. Following notice and hearing, the Local Licensing Authority may impose such civil penalties.

(6) **Section 5.25.290. Medical Marijuana Licensing-General Provisions.**

5.25.290 Violations; Penalty. Any person who violates any provision of this Chapter shall be deemed guilty of a municipal offense and may be punished by a fine not to exceed three hundred dollars ($300.00), imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

**(7) Chapter 6.09. Court fees and costs.**

6.09.025 Surcharge. In addition to any docket fee or other costs imposed by this Chapter, a surcharge equal to ten percent (10%) of the fine imposed for violation of all municipal ordinances, including ordnance violations under the Model Traffic Code, is hereby levied in each Municipal Court action resulting in a conviction, plea of guilty, or no contest, or in a deferred judgment and sentence, which municipal ordinance violation is charged pursuant to Town of Dinosaur ordinances. All calculated surcharge amounts resulting in dollars and cents shall be rounded to the nearest whole dollar. In the event a portion of the fine is suspended, the surcharge shall be computed based on the amount of the fines as suspended. The Defendant shall pay such surcharge to the Clerk of the Court at the time the fine is paid, whether the Defendant appears in Court or pays the fine pursuant to a penalty assessment. The Clerk of the Court shall deposit the money so received in a designated fund, and all such surcharges collected shall be used exclusively for training and equipment for Town law enforcement officers in the performance of their duties.

(8) **Chapter 7.04. Nuisances.**

7.04.070 Violation-Penalty.

Any person violating any of the provisions of this Chapter shall be fined in the sum of not less than fifty dollars ($50.00) and not more than three hundred dollars ($300.00) and shall be imprisoned for not more than ninety (90) days.

(9) **Chapter 7.06. Refuse.**

7.06.130 Violation-Penalty.

Any person violating any of the provisions of this Chapter shall be deemed guilty of a municipal offense and may be punished by a fine not to exceed three hundred dollars ($300.00), imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

(10) **Chapter 8.28. Cross Connection and Backflow Control.**

8.28.060 Violations and Penalties.

A. The Town shall notify the owner, or authorized agent of the owner, of the building or premise when there is found a violation(s) of these regulations. The Town shall set a specific time for the owner to have the violation removed or corrected. If the owner fails to correct the violation(s) in the specified time, the Town may, if in its judgment an imminent health hazard exists, request that the water service to the building or premise be terminated. Additional fines or penalties may also be invoked following termination of service.

B. Any person, firm, or corporation who violates any provision of this Chapter shall be subject to a fine of up to three hundred dollars ($300.00) or imprisonment for up to ninety (90) days, or by both such fine and imprisonment. Any such offense shall be deemed one of strict liability. Each separate day or any portion thereof during which any violation of this Chapter occurs or continues shall be deemed to constitute a separate offense.

C. In the event any person, firm, or corporation fails to comply with this Chapter, said person, firm, or corporation shall be liable for civil damages done to the Town's water supply system, and for the costs of any repairs and clean-up.

(11) **Chapter 8.30. Miscellaneous Provisions.**

8.30.040 Violations and Penalties. A. Any person, firm, or corporation violating any provisions of this Title shall be deemed to be guilty of a criminal offense and, upon conviction thereof, shall be punished by a fine not to exceed three hundred dollars ($300.00), or by imprisonment in the Moffat County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment, unless otherwise provided in this Title. Each separate day or any portion thereof during which any violation of this Title occurs or continues shall be deemed to constitute a separate offense. Any violation of this Title shall be deemed to be one of “strict liability.”

In the event any person, firm, or corporation fails to comply with this Title, said person, firm, or corporation shall be liable for any civil damages done to the Town’s water system, and for the cause of any repairs associated with such violation.

(12) **Chapter 8.36. Wastewater Collection System.**

8.36.180 Penalties. Any person, firm, or corporation violating any of the provisions of this Chapter shall be deemed guilty of a criminal offense and, upon conviction thereof, shall be punished by a fine not to exceed Three Hundred and No/100 dollars ($300.00) or by imprisonment in the Moffat County jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment. Each separate date, or portion thereof, during which any violation of said provisions occur or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any violation of a provision of this Chapter shall be deemed a “strict liability” offense.

(13) **Chapter 9.12. Animal Control.**

9.12.240 Penalties.

1. Any person who violates any provision of this Chapter where no other penalty is herein specifically provided or who shall fail to perform any duty imposed upon such person, where no other penalty is herein specifically provided, upon conviction thereof shall be punished by a fine of not more than three hundred dollars ($300.00) or by confinement in the County Jail for not more than ninety (90) days or by both such fine and imprisonment, subject to the mandatory minimum fines hereinafter set forth, which the Municipal Judge shall not have discretion to suspend or reduce, to wit:

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| Conviction for violation of any of the following: | |
| Section 9.12.020 | Rabies Control |
| Section 9.12.030 | Registration-Annual License Fee |
| Section 9.12.040 | Dog Tag and Collar |
| Section 9.12.050 | Animals Running at Large |
| Section 9.12.060 | Notice of Impounding and Fees |
| Section 9.12.100 | Reporting Animal Bites |
| Section 9.12.160 | Barking Dogs |
| Section 9.12.170 | Female Dog in Heat |
| Section 9.12.180 | Dead Animals |
| Section 9.12.190 | Sanitation |

For first offense a fine of not less than ten dollars ($10.00). For second and subsequent offenses of any of the above Sections within a twelve (12) month period, a fine of not less than twenty-five dollars ($25.00).

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| Conviction for violation of the following: | |
| Section 9.12.090 | Vicious Animal - Offenses not Involving Bodily Injury |
| Section 9.12.110 | Confinement of Biting Dogs and Cats |
| Section 9.12.120 | Guard Dogs |
| Section 9.12.130 | Diseased or Infected Animals |

For first offense a fine of not less than twenty dollars ($20.00). For second and subsequent offenses of any of the above Sections within a twelve (12) month period, a fine of not less than forty dollars ($40.00).

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| Section 9.12.090 | Vicious Animal-Offenses Involving Bodily Injury |
| Section 9.12.150 | Inhumane Treatment |
| Section 9.12.150 | Right of Entry by Enforcement Agent Interfering with, Obstructing, Etc., Enforcement of Chapter |

For first offense a fine of not less than thirty dollars ($30.00). For second and subsequent offenses of any of the above Sections within any twelve (12) month period, a fine of not less than fifty dollars ($50.00).

(14) **Title 10, Public Peace, Safety and Morals, Section 10.02.030.**

10.02.030 Penalties. A. All criminal offenses contained in this Title shall be punishable by a fine of not more than three hundred dollars ($300.00), incarceration not to exceed ninety (90) days, or by both such fine and incarceration, unless otherwise specifically provided in this Title. If an offense carries a specific penalty, then that penalty shall apply.

1. A separate and distinct offense shall be deemed to have been committed for each day on which any violation of this Title shall continue.
2. Unless otherwise provided in this Title, the Municipal Judge may suspend the sentence or fine of any violator and place him on probation for a period not to exceed one (1) year.
3. Any juvenile offender, as defined by State law, convicted of a violation of this Title shall be punished by a fine of not more than three hundred dollars ($300.00), unless otherwise provided by the specific Section alleged to have been violated. Notwithstanding any other provision of this Title to the contrary, a juvenile offender shall not be subject to incarceration, except as provided by separate ordinance concerning juvenile offenders.

(15) **Chapter** **11.04, Traffic Code; Section 11.04.040, Penalties.**

11.04.040 Penalties.

A. Part 17 of the Model Traffic Code for Colorado 2020 Edition, shall read as follows:

Any person who violates any of the provisions contained in the Model Traffic Code shall be deemed to have committed a non-criminal traffic offense. Every person who is convicted of, who admits liability for, or against whom a judgment is entered, for a non-criminal traffic offense shall be punished by a fine of up to one hundred fifty dollars ($150.00) except any of the following violations which shall constitute a criminal municipal offense punishable by a fine of up to three hundred dollars ($300.00), imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment. The presiding Judge of the Municipal Court shall promulgate a schedule of penalties for all non-criminal traffic offenses contained in the Model Traffic Code. Said schedule shall be prominently posted in the office of the Municipal Court:

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| A. MTC 1101 (1) | Speeding - the alleged violator is accused of exceeding the posted speed limit by more than 19 mph; |
| B. MTC 1101 (3) | Special Hazards (if the alleged violation has caused, or contributed to the cause of, an accident resulting in appreciable damage to property of another or an injury or the death to any person); |
| C. MTC 1105 | Speed Contest; |
| D. MTC 1401 | Reckless Driving; |
| E. MTC 1402 | Careless Driving (if the violation has caused, or contributed to the cause of, an accident resulting in appreciable damage to property of another or an injury or death to any person); |
| F. MTC 1413 | Eluding or Attempting to Elude a Police Officer; |
| G. MTC 1903 | Stopping for School Buses; and |
| H. | Any other offense contained in the Model Traffic Code resulting in an accident causing personal injury or substantial property damage. |

(16) **Section 12.04.060. Violations-Penalty.**

12.04.060 Violations - Penalty. Except as may otherwise be provided in this Title, any person, firm, or corporation violating any of the provisions of this Title shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Title is committed, continued or permitted and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Said offense shall be deemed to be one of “strict liability”.

(17) **Section 12.12.040. Penalties.**

12.12.040 Penalties. The section of the International Building Code, 2018 Edition, which contains a penalty clause is herewith set forth in full and hereby adopted:

Section 113: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the Town or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code.

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with promptly, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(18) **Section 12.14.040. Penalties.**

12.14.040 Penalties. The section of the International Residential Code, 2018 Edition, which contains a penalty clause is herewith set forth in full and hereby amended and adopted as follows:

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Code, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with in the time prescribed by such notice, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a municipal offense and each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(19) **Section 12.15.040. Penalties.**

12.15.040 Penalties. The section of the International Existing Building Code, 2018 Edition, which contains a penalty clause is herewith set forth in full and hereby amended and adopted as follows:

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Code, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with in the time prescribed by such notice, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a municipal offense and each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(20) **Section 12.16.040. Penalties.**

12.16.040 Penalties. The following section of the International Mechanical Code, 2018 Edition, which contains a violation clause is herewith set forth in full, as amended, and hereby adopted:

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, move, demolish, or utilize a mechanical system, or cause same to be done, in conflict with or in violation of this Code.

The Building Official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of mechanical work in violation of the provisions of this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with promptly, the Building Official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

Any person, firm or corporation violating any of the provisions of the International Mechanical Code, 2018 Edition, or who fails to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be deemed guilty of a municipal offense and each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(20) **Section 12.18.040. Penalties.**

12.18.040 Penalties. The International Plumbing Code, 2018 Edition, which contains the penalty clause, as amended, is herewith set forth in full and hereby adopted.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any plumbing system, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

The Building Official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of plumbing work in violation of the provisions of this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with promptly, the Building Official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

Any person, firm or corporation violating any provisions of this Code, or who fails to comply with any of the requirements thereof or who shall erect, install, alter, or repair plumbing work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be deemed guilty of a municipal offense. Each separate day or portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, and approval of, any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use, which is authorized is lawful.

(21) **Section 12.20.030. Penalties.**

12.20.030 Penalties. The International Property Maintenance Code, 2018 Edition, contains a violation clause which is herewith set forth in full, as amended, and hereby adopted:

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Code.

Any person failing to comply with a notice of violation or order shall be deemed guilty of a municipal offense or civil infraction as determined by the Town. If the notice of violation is not complied with, the Building Official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by State or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(22) **Section 12.22.030. Penalties.**

12.22.030 Penalties. The International Private Sewage Disposal Code, 2018 Edition, contains a violation clause which is herewith set forth in full, as amended, and hereby adopted:

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or use any private sewage disposal system, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

The Building Official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of private sewage disposal work in violation of the provisions of this Code; in violation of a detailed statement or the approved construction documents thereunder or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

If the notice of violation is not complied with promptly, the Building Official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful system in violation of the provisions of this Code or of the order or direction made pursuant thereto.

Any person who shall violate a provision of this Code or fail to comply with any of the requirements thereof or who shall erect, install, alter or repair private sewage disposal work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a municipal offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any municipal offense under this Section shall be deemed one of “strict liability” and shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(23) **Section 12.23.040. Penalties.**

12.23.040 Penalties. The following penalties set forth in full shall apply to this Chapter:

A. It is unlawful for a person to violate any of the provisions stated or adopted in this Chapter.

B. Every person convicted of a violation of any provisions stated or adopted in this Chapter shall be deemed guilty of a municipal offense and, upon conviction, shall be fined in the sum not to exceed three hundred dollars ($300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each day that such a violation is permitted to exist shall constitute a separate offense.

(24) **Section 13.04.040. Penalties.**

13.04.040 Violation--Penalty. Unless otherwise specified, violation of any Section of this Title shall constitute a municipal offense. Each day such violation continues shall be deemed a separate offense.

(24) **Section 13.20.090. Penalties.**

13.20.090 Violation--Penalty. Unless otherwise specified herein, any person violating any provision of this Chapter shall be deemed guilty of a municipal offense. Each day, or part thereof, that a violation continues shall be deemed a separate offense. Unless otherwise provided herein, each offense shall be deemed one of “strict liability.”

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after this Ordinance that amend or refer to Ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

This Ordinance shall be in full force and effect following adoption and approval by the Town Council, thirty (30) days following its publication.

INTRODUCED, READ and PUBLIC NOTICE ORDERED PUBLISHED at a regular meeting of the Town Council of the Town of Dinosaur, Colorado, this \_\_\_ day of \_\_\_\_\_, 2022.

Public Notice Publication Dates:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

INTRODUCED A SECOND TIME at a regular meeting of the Town Council of the Town of Dinosaur, Colorado held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022, PASSED, ADOPTED AND ORDERED PUBLISHED.

TOWN OF DINOSAUR, COLORADO,

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Richard Blakley, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tamara Long, Town Clerk