

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1811  
Series of 2013

\_\_\_\_\_  
Series of 2013

A BILL FOR AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE NORTHGLENN MUNICIPAL CODE TO REFLECT CHANGES IN STATE LAW REGARDING VALUE BASED CRIMES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 9-2-1 of the Northglenn Municipal Code is hereby amended as follows:

**Section 9-2-1. Criminal mischief.**

It is unlawful for any person to knowingly or intentionally injure, deface, damage or destroy the real or personal property of another person, whether public or private, in the City of Northglenn. It is further provided that this section shall not apply where the aggregate damage in any one (1) criminal episode to such real or personal property is ~~one~~ TWO thousand dollars (\$2,000.00) (~~\$1,000.00~~) or more.

Section 2. Section 9-2-8 of the Northglenn Municipal Code is hereby amended as follows:

**Section 9-2-8. Shoplifting.**

(a) It is unlawful for any person to take or secrete with the intent to avoid payment therefore, any goods, wares or merchandise displayed or otherwise offered for sale which have a value of less than ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00).

(b) It is unlawful for any person to switch or change in any way the price tags with the intent to avoid full payment therefor, on any goods, wares or merchandise displayed or otherwise offered for sale which have a value of less than ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00).

(c) If any person willfully conceals unpurchased goods, wares or merchandise owned or held by and offered or displayed for sale by any store or other mercantile establishment, whether the concealment be on his or her person or otherwise and whether on or off the premises of such store or mercantile establishment, such concealment constitutes prima facie evidence that the person intended to commit the crime of shoplifting.

Section 3. Section 9-2-9 of the Northglenn Municipal Code is hereby amended as follows:

**Section 9-2-9. Theft.**

(a) It is unlawful for any person to commit theft. A person commits theft when he or she knowingly obtains or exercises control over anything of value belonging to another person without the other person's consent or authorization, or when he or she knowingly obtains or exercises control over anything of value belonging to another person by threat or deception; provided that the thing of value has a value or worth of less than ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00) and:

(1) The person intends to deprive the other person permanently of the use or benefit of the thing of value; or

(2) The person knowingly uses conceals or abandons the thing of value in such a manner as to deprive the other person permanently of its use or benefit; or

(3) The person uses, conceals or abandons the thing of value intending that such use, concealment or abandonment will deprive the other person permanently of its use or benefit; or

(4) The person demands any consideration to which he or she is not legally entitled as a condition of restoring the thing of value to the other person.

(b) A person commits theft when he or she knowingly receives or uses services available only for hire from another person with the intent to deprive the other person of the compensation or benefit that the other person ordinarily receives for providing or delivering such services; provided the service has a value or worth of less than ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00).

Section 4. Section 9-2-10 of the Northglenn Municipal Code is hereby amended as follows:

**Section 9-2-10. Theft of rental property.**

(a) It is unlawful for any person to commit theft of rental property. A person commits theft of rental property if he or she:

(1) Obtains the temporary use of personal property of another person, which is available only for hire, by means of threats or deception, or with knowledge that such use is without the consent of the person providing the personal property; or

(2) Having lawfully obtained possession for temporary use of the personal property of another person, which is available only for hire, knowingly fails to reveal the whereabouts of or fails to return said property to the owner thereof, or the owner's representative, or to the person from whom he received it,

within seventy-two (72) hours after the time at which he agreed to return it.

(b) This section shall not apply where the aggregate value of the property involved is ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00) or more.

Section 5. Section 9-2-11, subsection (b) of the Northglenn Municipal Code is hereby amended as follows:

**Section 9-2-11. Fraud by check.**

(b) It is unlawful to commit fraud by check. Any person knowing he has insufficient funds with the drawee, who, with intent to defraud issues a check in an amount less than ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00) for the payment of services, wages, salary, commissions, labor, rent, money, property, or other thing of value commits fraud by check.

Section 6. Section 9-2-12 of the Northglenn Municipal Code is hereby amended as follows:

**Section 9-2-12. Theft by receiving.**

It is unlawful for any person to knowingly receive, retain or loan money by pawn or pledge on, or dispose of anything having a value of less than ~~one~~ TWO thousand dollars (~~\$1,000.00~~) (\$2,000.00) belonging to another, knowing or believing that said thing of value has been stolen, and when he or she intends to deprive the lawful owner permanently of the use or benefit of the thing of value.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

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JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2013.

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JOYCE DOWNING  
Mayor

ATTEST:

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JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

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COREY Y. HOFFMANN  
City Attorney