


CITY MANAGER'S OFFICE MEMORANDUM
#75-2020

DATE: November 23, 2020
TO: Honorable Mayor Meredith Leighty and City Council Members
FROM: Heather Geyer, City Manager 
SUBJECT: CB-1955 – Amending the Municipal Code Regarding Municipal Offenses

PURPOSE

To consider CB-1955, an ordinance on second reading, amending multiple sections of the Municipal Code regarding decriminalization of municipal offenses.

BACKGROUND

The City Attorney, Municipal Judge, Prosecuting Attorney and Neighborhood Services Division staff collectively recommend decriminalizing the municipal offenses listed in the proposed ordinance. City Council provided direction to staff on Nov. 2, to bring forward an ordinance on first reading.

Decriminalization means the violations would no longer be treated as criminal offenses. Instead, they would be civil infractions. The recommended decriminalization would result in the following:

- The potential penalty for these offenses, which includes jail time of up to a year and a fine up to \$2,650, would be changed to punishable by a fine up to \$499.
- By removing jail time as a possible penalty and decreasing the maximum fine to below \$500, the City is declaring the offenses listed in the draft ordinance to be petty crimes.
- Defendants charged with any of the various municipal offenses listed in the draft ordinance will no longer have a constitutional right to a jury trial.
- The first offenses under chapters 10 and 11 of the Municipal Code are considered civil infractions, but subsequent charges are considered criminal. In those cases, a defendant would not be entitled to a jury trial for his or her first offense, but would be entitled to a jury trial for all subsequent offenses.

A legal memorandum has been provided to City Council.

STAFF RECOMMENDATION

Staff recommends the approval of CB-1955 on second reading.

BUDGET/TIME IMPLICATIONS

There are no financial impacts to the City.

STAFF REFERENCE

If Council members have questions, they may contact City Manager Heather Geyer at hgeyer@northglenn.org or 303.450.8706.

CB-1955 – Amending the Northglenn Municipal Code Regarding Municipal Offenses

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1955
Series of 2020

Series of 2020

A BILL FOR AN ORDINANCE CREATING A NEW TYPE OF CIVIL INFRACTION IN SECTION 1-1-10 OF THE NORTHGLENN MUNICIPAL CODE AND AMENDING THE POSSIBLE PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS OF THE NORTHGLENN MUNICIPAL CODE IN CONFORMANCE THEREWITH

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

Section 1. Section 1-1-10 of the Northglenn Municipal Code, subsection (a), shall be amended by the addition of a new subsection (3), which shall read as follows:

Section 1-1-10. General Penalty – Continuing Violations.

(3) WHERE AN OFFENSE OR FAILURE TO ACT IS DECLARED BY THE MUNICIPAL CODE TO BE A CIVIL INFRACTION, THE ACT OR INACTION SHALL BE PUNISHABLE ONLY BY CIVIL PENALTIES OF NOT MORE THAN FOUR HUNDRED NINETY-NINE DOLLARS (\$499.00), TO BE DETERMINED AND ASSESSED AT THE DISCRETION OF THE MUNICIPAL JUDGE. CIVIL INFRACTIONS CONSTITUTE CIVIL MATTERS.

ANY PERSON WHO PLEADS GUILTY OR NO CONTEST TO, OR IS CONVICTED OF A CIVIL INFRACTION SHALL BE ASSESSED THE APPLICABLE CIVIL PENALTY IN AN AMOUNT TO BE DETERMINED AT THE DISCRETION OF THE MUNICIPAL COURT JUDGE. AT ANY TRIAL FOR A CIVIL INFRACTION, THE BURDEN OF PROOF SHALL BE UPON THE PEOPLE OR THE CITY TO PROVE THE CIVIL INFRACTION BEYOND A REASONABLE DOUBT.

IF A PERSON CHARGED WITH A CIVIL INFRACTION FAILS TO APPEAR AT A HEARING BEFORE THE COURT AT THE DATE AND TIME SPECIFIED IN THE SUMMONS AND COMPLAINT, OR AT SUCH OTHER TIME AS THE COURT MAY ORDER, THE MUNICIPAL COURT SHALL ENTER A DEFAULT JUDGMENT, ASSESS AN APPROPRIATE CIVIL PENALTY AND ASSESS APPLICABLE COURT COSTS AGAINST SUCH PERSON. A DEFAULT JUDGMENT SHALL HAVE THE SAME LEGAL EFFECT AS A PLEA OF GUILTY OR A CONVICTION AT TRIAL. UPON MOTION MADE NOT LATER THAN ONE HUNDRED EIGHTY (180) DAYS FOLLOWING AN ENTRY OF A DEFAULT JUDGMENT, THE MUNICIPAL COURT MAY VACATE A DEFAULT JUDGMENT UPON ADEQUATE

SHOWING OF EXCUSABLE NEGLIGENCE, OR THAT THE DEFAULT JUDGMENT VIOLATES THE CONSTITUTION OR LAWS OF THE UNITED STATES, THE CONSTITUTION OR LAWS OF COLORADO, OR THE CHARTER OR ORDINANCES OF THE CITY, OR FOR ANY OTHER REASON JUSTIFYING RELIEF FROM THE OPERATION OF A DEFAULT JUDGMENT.

Section 2. Section 9-2-3 of the Northglenn Municipal Code shall be amended as follows:

Section 9-2-3. Street Signs.

It is unlawful for any unauthorized person to willfully remove, deface, injure, damage or destroy any street sign or traffic control or warning sign or device erected or placed in or adjacent to any street. It is further provided that this Section shall not apply where the aggregate damage to such street sign or traffic control or warning device is four hundred dollars (\$400.00) or more.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 3. Section 9-2-4 of the Northglenn Municipal Code shall be amended to read as follows:

Section 9-2-4. Public Signs.

It is unlawful for any person without proper authorization to remove, deface, damage, or destroy any official sign erected or installed by the City of Northglenn in or upon any park, park building, recreational facility, public property, or any street, highway, walkway, boulevard or sidewalk within or adjacent to any park. It is further provided that this Section shall not apply where the aggregate damage to such public sign is four hundred dollars (\$400.00) or more.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 4. Section 9-2-5 of the Northglenn Municipal Code shall be amended as follows:

Section 9-2-5. Destroying Posters.

It is unlawful for any person to intentionally tear down, deface or cover up any lawfully posted advertisement or bill of any person or entity; provided, that this Section shall not apply to any person showing the lawful right or authority to tear down, deface or cover up any such advertisement or bill.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 5. Section 9-2-13 of the Northglenn Municipal Code shall be amended as follows:

Sec 9-2-13. Illegal Use of Municipal Recycling Facilities.

It is unlawful for any non-resident of the City of Northglenn, or for any business entity, not doing business in the City of Northglenn, to deposit material in any City Recycling facility. It is also unlawful for any business within the City of Northglenn to deposit material in any City recycling facility, without specific prior approval of the City Manager or his designee. The City Manager or his designee may establish rules and regulations for the use of City recycling facilities which shall be posted at all such recycling facilities and it is unlawful for any person or business entity to violate such posted rules and regulations.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 6. Section 9-3-8 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (c) to read as follows:

Section 9-3-8. Urination and Defecation in Public.

(C) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A

VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 7. Section 9-3-10 of the Northglenn Municipal Code shall be amended to read as follows:

Section 9-3-10. Unlawful Visual Observation.

It is unlawful for any person to look into any house, room, building or structure, through any window, door skylight or other opening, in order to observe the actions of any person within, for the purpose of sexual gratification or arousal.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 8. Section 9-4-12 of the Northglenn Municipal Code shall be amended with a new subsection (e) to read as follows:

Section 9-4-12. Street Vending.

(E) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 9. Section 9-4-14 of the Northglenn Municipal Code, subsection (f), shall be amended as follows:

Section 9-4-14. Sitting or Lying Down in Designated Areas.

(f) Penalties.

~~(1) — Upon a conviction for a first offense for violating this section, the court shall impose a fine of not more than five hundred dollars (\$500.00), or a sentence of probation, or both.~~

~~(2) — Upon a conviction for a second or subsequent offense for violating this section, the court shall impose a fine of not more than five hundred dollars (\$500.00), or imprisonment in jail for a period of not more than~~

~~ninety (90) days, or a sentence of probation or by a combination of fine, imprisonment, and a sentence of probation.~~

(1) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 10. Section 9-4-15 of the Northglenn Municipal Code, subsection (e), shall be amended as follows:

Section 9-4-15. Pedestrian Access to Medians.

(e) Penalties.

~~(1) Upon a conviction for a first offense for violating this section, the court shall impose a fine of not more than five hundred dollars (\$500.00), or a sentence of probation, or both.~~

~~(2) Upon a conviction for a second or subsequent offense for violating this section, the court shall impose a fine of not more than five hundred dollars (\$500.00), or imprisonment in jail for a period of not more than ninety (90) days, or a sentence of probation or by a combination of fine, imprisonment, and a sentence of probation.~~

(1) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 11. Section 9-8-10 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (d) to read as follows:

Section 9-8-10. Curfew Hours and Exceptions.

(D) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL

TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 12. Section 9-8-11, subsection c, of the Northglenn Municipal Code is hereby amended as follows:

Section 9-8-11. Unlawful Possession or Consumption of Tobacco or Nicotine Products by Juveniles.

~~(e)(D) Any juvenile who is convicted of or enters a plea of guilty or no contest to a violation under this Section shall be fined not more than \$499.00 per offense, or shall be sentenced to perform useful community service, or shall be both fined and ordered to perform useful community service.~~ ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 13. Section 9-9-2 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (f) to read as follows:

Section 9-9-2. Possession of Marijuana.

(F) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 14. Section 9-9-4 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (e) to read as follows:

Section 9-9-4. Control of Drug Paraphernalia.

(E) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 15. Section 9-11-14 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (c) to read as follows:

Section 9-11-14. Littering of Public and Private Property.

(C) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 16. Section 9-11-15 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (i) to read as follows:

Section 9-11-15. Littering of Public Streets, Highways, Alleys, Buildings, Streams, and Water.

(i) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 17. Section 9-11-16.5 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-16.5. Obstructing Street and Sidewalks.

It is unlawful for any person to willfully, maliciously or recklessly place in any doorway or driveway not owned by him or under his lawful control or on any sidewalk, public highway, street or alley in the City any object which causes or tends to cause the obstruction thereof or of any part thereof.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 18. Section 9-11-17 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (c) to read as follows:

Section 9-11-17. Discharge of Noxious Liquids.

(C) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 19. Section 9-11-18 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (c) to read as follows:

Section 9-11-18. Stale Matter.

(C) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 20. Section 9-11-19 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-19. Sewer Inlet.

It is unlawful and deemed a nuisance to deposit in or throw, or permit to be deposited in or thrown, into any sewer, sewer inlet, or privy vault that shall have a sewer connection, any article whatsoever that might cause such sewer, sewer inlet, or privy vault, to become noxious or offensive to others or injurious to public health.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 21. Section 9-11-21.5 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-21.5. Vision Triangle.

On corner lots, shrubs, trees, flowers, other plants, or structures more than thirty (30) inches above the level of the flow line of the street shall not substantially

obstruct vision within a triangle measured from the point of intersection of the flow lines abutting the streets a distance of twenty-five (25) feet along each such flow line.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 22. Section 9-11-22 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-22. Stagnant Ponds.

Any cellar, vault, drain, sewer, pond of water, swimming pool or other place in this City, that shall be noxious or offensive to others, or injurious to public health, through an accumulation or deposition of noxious, offensive or foul water, or other substances, or be conducive to the breeding of mosquitoes, shall be deemed a nuisance.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 23. Section 9-11-23 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-23. Open Wells, Cisterns, or Excavations.

It is hereby declared that excavations, other than excavations made during raw construction, exceeding five (5) feet in depth, cisterns and wells or an excavation used for storage of water are public nuisances unless the same are adequately covered with a locked lid, or other covering weighing at least sixty (60) pounds or are securely fenced with a solid fence to a height of at least five (5) feet and it shall be unlawful for any person to permit such nuisance to remain on premises owned or occupied by him.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL

TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 24. Section 9-11-24 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (d) to read as follows:

Section 9-11-24. Handbills, Posters, and Placards.

(D) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 25. Section 9-11-25.5 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-25.5. Junk Storage.

The placement and use of dumpsters, roll-offs, portable storage containers, as those terms are defined in the Northglenn Zoning Ordinance, or similar containers or structures that are designed for the disposal of trash or the storage of household items and have a capacity of one (1) cubic yard or more shall be prohibited for any length of time exceeding sixty (60) days unless the placement and use of such containers or structures is incident to an active building permit properly issued by the City for property.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 26. Section 9-11-27.5 of the Northglenn Municipal Code shall be amended as follows:

Section 9-11-27.5. Residing in Vehicles.

At no time shall any parked or stored vehicle, boat, or truck camper be occupied or used for living or housekeeping purposes or for the housing or keeping of animals, except as provided for in this Chapter, or as may be allowed by a temporary use permit granted in accordance with Section 11-29 of this Code. The use of a motor home, truck camper, travel trailer, camping trailer, semi-trailer or specialized trailer for temporary sleeping quarters only, for a period not in excess of fourteen (14) days, shall not be deemed occupancy for living or housekeeping purposes. This

exception shall only apply on private property with the permission of the property owner or on-street in residential zones when visiting an adjacent residence.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 27. Section 9-11-28 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (f) to read as follows:

Section 9-11-28. Dead or Diseased Trees and Shrubs.

(F) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 28. Section 9-11-28.5 of the Northglenn Municipal Code shall be amended with the addition of a new subsection (b) to read as follows:

Section 9-11-28.5. Parking of Vehicles.

(B) ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 29. Section 9-12-11 of the Northglenn Municipal Code shall be amended to read as follows:

Section 9-12-11. Penalties.

In addition to any other remedies set forth above, ~~violations of the requirements of this Chapter are unlawful and shall be punishable in accordance with Section 1-1-10 of this Municipal Code.~~ ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE

PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 30. Section 9-13-10 of the Northglenn Municipal Code, subsection a, shall be amended as follows:

Section 9-13-10. Penalties; Other Remedies.

(a) Violations and Penalties. ~~Any person who violates the construction activities prohibition is guilty of a misdemeanor and a nuisance pursuant to Section 9-11-3 of this Code. Any persons convicted of a violation of the construction activities prohibition shall be punished as provided in Section 1-1-10(a)(2) of this Code.~~ ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 31. Section 9-14-8 of the Northglenn Municipal Code, subsection 3, shall be amended as follows:

Section 9-14-8. Penalty.

(3) ~~The penalty for a violation of any provision of this article is a fine of not more than four hundred ninety nine dollars (\$499.00). In determining the sentence to be imposed, the municipal judge shall consider the frequency and duration of the violation, the size of the establishment, whether it was knowingly made or not, and other relevant factors. Each day of a continuing violation shall be deemed to be a separate violation.~~ ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 32. Section 9-15-10 of the Northglenn Municipal Code, subsection 3, shall be amended as follows:

Section 9-15-10. Procedures and Remedies not Exclusive

The procedures and remedies set forth in this Chapter are not exclusive, and the City may utilize the procedures and remedies set forth in the Colorado Noxious Weed Act, C.R.S. § 35-5.5-101, *et seq.*, as amended, in addition to or in lieu of the procedures set forth in this Chapter.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 33. Section 9-16-5 of the Northglenn Municipal Code, subsection a, shall be amended as follows:

Section 9-16-5. Violations and Penalties.

(a) ~~Any person who violates any section of this Article is guilty of a misdemeanor and a nuisance pursuant to Section 9-11-3 of this Code. Any persons convicted of a violation of any section of this Article shall be punished as provided in Section 1-1-10(a)(2) of this Code, and may also be punished pursuant to the provisions of Article 11 of Chapter 9 as the same may be applicable.~~ ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 34. Article 17 of Chapter 9 of the Northglenn Municipal Code, shall be amended with a new Section 9-17-10 entitled "Procedures and Remedies not Exclusive" to read as follows:

SECTION 9-17-10. PROCEDURES AND REMEDIES NOT EXCLUSIVE

THE PROCEDURES AND REMEDIES SET FORTH IN THIS CHAPTER ARE NOT EXCLUSIVE, AND THE CITY MAY UTILIZE THE PROCEDURES AND REMEDIES SET FORTH IN THE COLORADO NOXIOUS WEED ACT, C.R.S. § 35-5.5-101, *ET SEQ.*, AS AMENDED, IN ADDITION TO OR IN LIEU OF THE PROCEDURES SET FORTH IN THIS CHAPTER.

ANY VIOLATION OF THIS SECTION IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

Section 35. Section 10-2-8 of the Northglenn Municipal Code shall be amended as follows:

Section 10-2-8. Violations—Penalties

(a) It shall be unlawful for any person to violate any of the provisions of the International Building Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Building Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of this Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL BUILDING CODE, 2018 EDITION, AS ADOPTED, SHALL UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THIS CODE.

Section 36. Section 10-3-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-3-7. Violations—Penalty.

It shall be unlawful for any person to violate any of the provisions of the National Electrical Code, as adopted, or the provisions of this ordinance.

Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the National Electrical Code, as adopted, ~~shall, upon conviction, be punishable as provided in Section 1-1-10(a)(2) of this Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISIONS OF THE NATIONAL ELECTRICAL CODE, AS ADOPTED, SHALL, UPON CONVICTION, BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THIS CODE.

Section 37. Section 10-4-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-4-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Plumbing Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Plumbing Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 38. Section 10-5-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-5-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Fire Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Fire Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL FIRE CODE, 2018 EDITION, AS ADOPTED, SHALL,

UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 39. Section 10-6-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-6-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Mechanical Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Mechanical Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 40. Section 10-7-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-7-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Fuel Gas Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Fuel Gas Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 41. Section 10-8-8 of the Northglenn Municipal Code shall be amended as follows:

Section 10-8-8. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Residential Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Residential Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 42. Section 10-9-5 of the Northglenn Municipal Code shall be amended as follows:

Section 10-9-5. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the City of Northglenn Elevator and Escalator Code.

(b) Any FIRST violation of the provisions of this Article, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ARTICLE SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 43. Section 10-11-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-11-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Energy Conservation Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Energy Conservation Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 44. Section 10-12-15 of the Northglenn Municipal Code shall be amended as follows:

Section 10-12-15. Violations—Penalty.

(A) VIOLATIONS OF ANY OF THE PROVISIONS OF THIS ARTICLE IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(B) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION ~~Violations of any of the provisions~~ of this Article shall be punishable by a fine of not more than \$300.00 or by imprisonment in the City or County jail for not more than ninety days, or by both such fine and imprisonment, unless otherwise provided

by ordinance or statute. Each day such violation is allowed to continue shall be deemed a separate offense.

Section 45. Section 10-15-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-15-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 46. Section 10-16-6 of the Northglenn Municipal Code shall be amended as follows:

Section 10-16-6. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Property Maintenance Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Property Maintenance Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 47. Section 10-17-7 of the Northglenn Municipal Code shall be amended as follows:

Section 10-17-7. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Existing Building Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Existing Building Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 48. Section 10-18-17 of the Northglenn Municipal Code shall be amended as follows:

Section 10-18-17. Violations.

(a) It shall be unlawful for any person to violate any of the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance ~~shall, upon conviction, be punishable as provided in Section 1-1-10(a)(2) of this Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 49. Section 10-21-5 of the Northglenn Municipal Code shall be amended as follows:

Section 10-21-5. Violations—Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Swimming Pool and Spa Code, 2018 Edition, as adopted, or the provisions of this ordinance.

(b) Any FIRST violation of the provisions of this ordinance and any violation of any of the provisions of the International Swimming Pool and Spa Code, 2018 Edition, as adopted, ~~shall, upon conviction be punishable as provided in Section 1-1-10(a)(2) of the Northglenn Municipal Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(C) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS ORDINANCE AND ANY VIOLATION OF THE SAME PROVISION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION, AS ADOPTED, SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

Section 50. Section 11-3-10 of the Northglenn Municipal Code shall be amended as follows:

Section 11-3-10. Violations—Penalty.

(a) It shall be unlawful for any person to erect, construct, reconstruct, alter, maintain, or use any building or structure or to use any land in violation of this Ordinance.

(b) It shall be unlawful for any person to violate any of the provisions of this Ordinance, any condition, restriction, exclusion, or regulation established by or under the authority of this Ordinance, or any of the terms, conditions, provisions or directions of any license or permit issued under the authority of this Ordinance.

(c) Each day during which any violation of this Ordinance is committed or continues or exists shall be deemed a separate offense.

(d) AnyFIRST violation of any of the provisions of this Chapter 11 of the Northglenn Municipal Code ~~shall be punishable as provided in Section 1-1-10(a)(2) of this Code.~~ IS A CIVIL INFRACTION, PUNISHABLE ACCORDING TO SECTION 1-1-10(A)(3) OF THE MUNICIPAL CODE, AS AMENDED, OR IS A NUISANCE, PUNISHABLE ACCORDING TO THIS CHAPTER, OR BOTH. IN NO CASE SHALL A VIOLATION OF THIS SECTION BE DEEMED TO BE PUNISHABLE BY JAIL TIME. THE PENALTY SET FORTH IN SECTION 1-1-10(A)(2) OF THE MUNICIPAL CODE DOES NOT APPLY.

(E) ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION OF THIS CHAPTER 11 SHALL, UPON CONVICTION BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE.

INTRODUCED, READ AND ORDERED POSTED this 9th day of November, 2020.


MEREDITH LEIGHTY
Mayor

ATTEST:



JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2020.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney