

ORDINANCE NO. 420

AN ORDINANCE OF THE CITY OF CREEDE, A COLORADO TOWN, AMENDING CHAPTER 11, ARTICLE 1 OF THE CITY OF CREEDE MUNICIPAL CODE TO INCLUDE SECTION 11-1-30 (“DISPOSAL OF SNOW AND ICE IN THE WILLOW CREEK FLUME PROHIBITED”)

WHEREAS, the City of Creede, Colorado, a Colorado Town (the "Town"), is a statutory municipality organized and operating under the laws of the State of Colorado;

WHEREAS, the Board of Trustees of the Town (the “Board”) recognizes that disposal of snow and/or ice in the Willow Creek Flume can lead to the creation of hazardous situation through the formation of ice dams and as such, presents a public safety concern; and

WHEREAS, the Board is desirous of enacting legislation that prohibits the disposal of snow in the Willow Creek Flume in order to address this public safety concern;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO THAT:

Section 1. Creation of Chapter 11, Article 1, Section 30 (11-1-30) “Disposal of Snow and Ice in the Willow Creek Flume Prohibited”. The City of Creede Municipal Code shall be amended with the addition of Chapter 11, Article 1, Section 30 (11-1-30) “Disposal of Snow and Ice in the Willow Creek Flume Prohibited”. to read in its entirety as:

Sec. 11-1-20. Disposal of snow and ice in the Willow Creek Flume Prohibited.

(a) Purpose and scope. The purpose of this Article is to prohibit the disposal of snow and ice by any responsible party in the Willow Creek Flume and to provide for penalties associated with the violation of this provision.

(b) Definitions. The following definitions shall apply herein:

Period of time means a twenty-four-hour period from the point in time that snow, as defined herein, commences to fall or that point in time when an accumulation of snow creates a hazardous condition, whichever comes sooner.

Responsible party means any person, partnership, corporation or other legal entity against which action may be taken for violation of this Article.

Snow means any form of precipitation in the frozen form, be it snow, sleet, hail, freezing rain or a build-up and accumulation of any of the foregoing, causing a hazardous condition to persons attempting to use the sidewalk.

(c) Penalty.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

INTRODUCED, APPROVED, PASSED ON FIRST AND FINAL READING, ON THIS
3rd DAY OF JANUARY, 2020.

By Jeffrey A Larson 1/7/2020
Mayor

ATTEST:

By [Signature]
City Clerk