

ORDINANCE NO. 323

AN ORDINANCE ESTABLISHING DISORDERLY CONDUCT AS AN OFFENSE UNDER
THE TOWN OF SUGAR CITY MUNICIPAL CODE

WHEREAS, the Town of Sugar City (the "Town") is a Colorado statutory municipality created and organized pursuant to Title 31 of Colorado Revised Statutes; and

WHEREAS, by virtue of Title 31 of Colorado Revised Statutes, and as further authorized by state law, including but not limited to, Section 31-15-401 of Colorado Revised Statutes, the Town has broad authority to exercise its police powers to promote and protect the health, safety, and welfare of the community and its inhabitants; and

WHEREAS, Section 31-15-401, C.R.S. grants the Town the power "[t]o prevent fighting, quarreling...and all disorderly conduct;" and

WHEREAS, the Town of Sugar City, by and through its Board of Trustees, finds that the proposed ordinance is appropriate and necessary to promote and protect the health, safety, and welfare of the community and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF SUGAR CITY, COLORADO, as follows:

DISORDERLY CONDUCT:

Section 1. A person commits disorderly conduct if he intentionally, knowingly, or recklessly :

- (a) Makes a coarse and obviously offensive utterance, gesture, or display in a public place and the utterance, gesture, or display tends to incite an immediate breach of the peace; or
- (b) Makes unreasonable noise in a public place or near a private residence that he has no right to occupy; or
- (c) Fights with another in a public place except in an amateur or professional contest of athletic skill; or
- (d) Not being a peace officer, discharges a firearm in a public place except when in defense of self or others, and except when engaged in lawful target practice or hunting or the ritual discharge of blank ammunition cartridges as an attendee at a funeral for a deceased person who was a veteran of the armed forces of the United States; or
- (e) Not being a peace officer, displays a deadly weapon, displays any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents verbally or otherwise that he or she is armed with a deadly weapon in a public place in a manner calculated to alarm.

Section 2. Any person who pleads guilty, nolo contendere or who is convicted of violating any provision of this Ordinance shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

Section 3. If any provision of this Ordinance is found to be invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance that can be implemented without the invalid provision, and to this end, the provisions in this Ordinance are declared to be severable.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

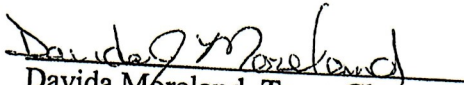
PASSED on first reading this 18 day of November, 2020.

ADOPTED on second reading this 2 day of December, 2020.

Town of Sugar City, Colorado


By: Nathanael Dinsmore, Mayor

ATTEST:


Davida Moreland, Town Clerk