

ORDINANCE NO. 02
Series 2008

December 11, 2007: Introduced as Council Bill 16, Series 2007 by Councilmember Doug Tisdale, seconded by Councilmember Klasina VanderWerf, and considered by the title only on first reading. Passed by a vote of 5 yes and 0 no.

January 15, 2008: Considered in full text on second reading. Passed by a vote of 5 yes and 0 no.

A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
AMENDING CHAPTER 2 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE,
CONCERNING ADMINISTRATION AND PERSONNEL,
BY AMENDING SECTION 2-3-50, CONCERNING CODE ENFORCEMENT

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, the City of Cherry Hills Village is authorized to adopt and enforce police power regulations in furtherance of the health, safety and welfare of its citizens.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. That Section 2-3-50 of the City of Cherry Hills Village Municipal Code is hereby amended to read as follows:

Sec. 2-3-50. Code enforcement.

- (a) Definitions. Unless otherwise required by context or use, words and terms shall be defined as follows:

Code enforcement means the act of carrying out and implementing the laws and regulations contained in this Code.

Code Enforcement Officer means a City employee who is a designated specialist to *enforce* Chapters 7, 10, 11, 13, 16, and 18 and 19 of this Code.

- (b) Authority. Code Enforcement Officers are appointed as limited and restricted peace officers with authority only for the purpose of investigating, issuing and serving summonses and complaints for offenses committed in violation of the particular Chapters they are empowered to enforce and such traffic regulations as they may be assigned to enforce under the provision of Section 8-1-30(1) of this Code.

- (c) Restrictions. The aforementioned limited appointments do not permit the designated appointees to carry firearms, make arrests or exercise any other duties of law enforcement officers, except as herein provided; however, the appointees shall be included in the definition of peace officers or firemen engaged in the performance of their duties within the meaning of Section 18-3-201, C.R.S., and Sections 10-2-50 and 10-2-70 of this Code, even though such employees, by their limited appointments as specified in Subsection (b) above, are not subject to certification requirements of Part 93, Article 31, Title 1824, C.R.S.

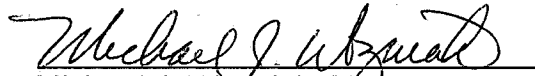
Section 2. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have

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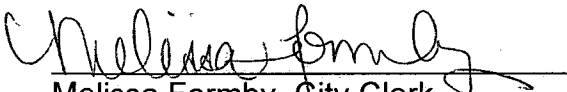
adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

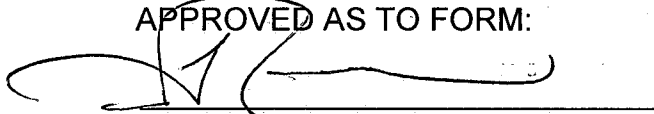
Adopted as Ordinance No. 2 Series 2008, by the City Council of the City of Cherry Hills Village, Colorado this 15th day of January, 2008.


Michael J. Wozniak, Mayor

ATTEST:


Melissa Formby, City Clerk

APPROVED AS TO FORM:


Thad W. Renaud, City Attorney

Published in the Villager
Published _____
Legal # _____