

**TOWN OF FRASER  
ORDINANCE NO. 486  
SERIES OF 2022**

**AN ORDINANCE AMENDED INT CHAPTER 1 ARTICLE 4 OF THE FRASER  
MUNICIPAL CODE REGARDING GENERAL PENALTY**

WHEREAS, Senate Bill 21-271 ("SB 271") revises sentencing for criminal offenses upon the recommendations of the Colorado Criminal and Juvenile Justice Commission;

WHEREAS, SB 271, in relevant part, reforms the maximum fines and sentences for misdemeanors and petty offenses; and

WHEREAS the Town now seeks to revise the Fraser Town Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FRASER, COLORADO, THAT:

**PART 1: AMENDMENT OF MUNICIPAL CODE.**

Chapter 1, Article 4 of the Fraser Municipal Code (herein sometimes referred to as the "Municipal Code") is hereby amended as follows [Note: additions are shown in **bold** **underlined** print; deletions are shown as ~~strikethrough~~ print]:

Article 4 General Penalty:

Se. 1-4-10: General penalty for violation:

It shall be unlawful for any person to violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this Code; and where no specific penalty is provided therefor, the violation of any provision of this Code shall be punished by a fine not exceeding ~~two thousand six hundred fifty dollars (\$2,650.00)~~ one thousand (\$1,000.00), by imprisonment for a term not exceeding three hundred sixty-four (364) days, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense.

**PART 2: REPEAL.** Any and all existing ordinances or parts of ordinances of the Town of Fraser covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

**PART 3: SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town of Fraser hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

PART 4: EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

PART 5: PUBLICATION. This Ordinance shall be published by title only.

READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES AND SIGNED THIS 16<sup>th</sup> DAY OF FEBRUARY, 2022.

Votes in favor: \_\_\_\_\_  
Votes opposed: \_\_\_\_\_  
Votes abstained: \_\_\_\_\_

BOARD OF TRUSTEES OF THE  
TOWN OF FRASER, COLORADO

BY: \_\_\_\_\_  
Philip Vandernail, Mayor

( S E A L )

ATTEST: \_\_\_\_\_  
Antoinette McVeigh, Town Clerk