

**HOME RULE CHARTER**

**AND CODE**

**OF THE**

**TOWN OF AVON, COLORADO**

2004

COLORADO CODE PUBLISHING COMPANY  
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**OFFICIALS**  
of the  
**TOWN OF AVON**

*Mayor*  
Rich Carroll

*Mayor Pro Tem*  
Kristi Ferraro

*Town Council*  
David Dantas  
Chris Evans  
Todd Goulding  
Amy Phillips  
Albert "Buz" Reynolds, Jr.

*Town Manager*  
Larry Brooks

*Town Clerk*  
Patty McKenny

*Town Attorney*  
Eric Heil

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 11-16, 2011, adopted January 10, 2012**, including Ordinance Nos. 11-10, 11-13, 11-14 and 11-16.

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COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

February 2012

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 11-07, 2011, adopted June 28, 2011**, including Ordinance Nos. 10-18, 11-03, 11-04, 11-05, 11-06, and 11-07.

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COLORADO CODE PUBLISHING COMPANY  
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September 2011

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 10-14, 2010, adopted November 9, 2010**, including Ordinance Nos. 10-09, 10-10, 10-11 and 10-12.

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March 2011

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all provisions of **Ordinance No. 10-14, 2010, adopted November 9, 2010.**

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Insert this instruction sheet behind the Supplementation tab in the front of the volume. File removed sheets for future reference.

Please note: Title 7 Development Code has been added in its entirety. Titles 16 and 17 have been repealed, therefore the divider tabs and all contents will be removed.

COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

February 2011

SUPPLEMENT NO. 14

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 10-07, 2010, adopted April 27, 2010.**

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

September 2010

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 10-07, 2010, adopted April 27, 2010.**

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COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

July 2010

SUPPLEMENT NO. 12

AVON MUNICIPAL CODE

Supplementation Instructions

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

February 2010

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 11, 2008, adopted December 9, 2008.**

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COLORADO CODE PUBLISHING COMPANY  
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February 2009

AVON MUNICIPAL CODE

Supplementation Instructions

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COLORADO CODE PUBLISHING COMPANY  
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May 2008

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 07-06, adopted July 10, 2007.**

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COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

September 2007

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 06-13, adopted July 11, 2006.**

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COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

August 2006

Filed by: \_\_\_\_\_

Date: \_\_\_\_\_

Supplement No. 7

AVON MUNICIPAL CODE

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This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 05-14, adopted January 10, 2006.**

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COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

February 2006

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 05-07, adopted May 24, 2005.**

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

July 2005

Filed by: \_\_\_\_\_  
Date: \_\_\_\_\_

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 04-19, adopted September 14, 2004.**

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

February 2005

Filed by: \_\_\_\_\_  
Date: \_\_\_\_\_

Supplement No. 4

AVON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 04-14, adopted September 14, 2004.**

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

November 2004

Filed by: \_\_\_\_\_  
Date: \_\_\_\_\_

## SUPPLEMENTATION

Supplements to this Code provide periodic updating through the removal and replacement of pages. This inter-leaf supplementation system requires that each page which is to be removed and replaced is identified so that the updating may be accurately accomplished and historically maintained.

Instructions for supplementation are provided for each supplement, identified by Supplement number, date and inclusive ordinance numbers. The Instructions for posting the removal and replacement of pages must be followed and accomplished in sequence, with the most recent supplementation posted **last**.

When supplementation is completed and the removal and replacement of all pages are accomplished, the Instructions should be placed behind the Supplementation tab, ahead of this page, with the most recent Instruction sheet on top. Previous Instructions should not be removed, so that the user may refer to this tab section to verify whether the code book is fully updated with all supplements included.

The maintenance of a Municipal Code with all supplementation is an important activity which deserves close attention so that the value of the code is maintained as a fully comprehensive compilation of the legislative ordinances of the municipality.

## AMENDMENTS

Amendments may be made to the Code by additions, revisions or deletions therefrom. Those changes may be made as follows:

**Additions:** Additions may be made by ordinance to the Code as follows:

The Avon Municipal Code is amended by the addition thereto of a new Section 2.24.010, which is to read as follows:

(Set out full section number, title and contents)

or if the location of the new section number or numbers is undetermined, the Code may be amended as follows:

The Avon Municipal Code is amended by the addition of the following:

(Set out section title and contents)

**Revisions:** A revision of the Code may be accomplished as follows:

Section 2.24.010 of the Avon Municipal Code is repealed in its entirety and readopted to read as follows:

(Set out section number, title and entire contents of the readopted code section)

or as follows:

Section 2.24.010 of the Avon Municipal Code is amended to read as follows:

(Set out section number, title and entire contents of the amended code section)

**Repeal:** Sections, articles and chapters may be repealed as follows:

Section 2.24.010 of the Avon Municipal Code is repealed in its entirety

COLORADO CODE PUBLISHING COMPANY

**TOWN OF AVON**  
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**AVON**

**MUNICIPAL**

**CODE**

**2004**

A Codification of the General Ordinances  
of the Town of Avon, Colorado,  
A Home Rule Municipality

COLORADO CODE PUBLISHING COMPANY  
Fort Collins, Colorado

## PREFACE

The Town of Avon, a home rule town, has published its Municipal Code in a format which features the following:

The *Table of Contents* is the table containing each title and chapter title, with reference to page location. Preceding each title is a title table of contents, also identifying each chapter by the subject name provided.

The *three-place section numbering system* places the title number first, followed by the chapter number and section number, separated by decimals. Each section may be cited by the title, chapter and section number which are in sequence within each title.

The *open chapter and page numbering system* creates reserved chapter and page numbers for expansion or revision of the code without undue complication when changes are made to the code by supplementation.

The *Disposition of Ordinances Table* identifies the source for the contents of the code. This table provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether an ordinance, or a portion thereof, is contained within the code, the Disposition of Ordinances Table will provide that information. The *Table of Up-to-Date Pages* lists all of the current pages through the most recent supplementation.

The *Index* provides references by common and legal terminology to the appropriate code sections. Cross references are provided with the Index when appropriate.

*Supplements* to the code provide regular updating of the code to maintain it as a current compilation of all the legislation which has general and continuing effect. Without regular supplementation, the code would soon lose its usefulness as a complete source of the general law of the municipality. Supplementation is accomplished by the periodic publication of additions and amendments to the code.

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**TOWN OF AVON, COLORADO  
ORDINANCE NO. 04-05  
SERIES OF 2004**

**AN ORDINANCE OF THE TOWN OF AVON, ADOPTING BY REFERENCE AND REENACTING THE MUNICIPAL CODE FOR THE TOWN OF AVON; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

*Be It Ordained by the Town Council of the Town of Avon, Colorado:*

*Section 1.* The Code entitled *The Avon Municipal Code* published by Colorado Code Publishing Company, consisting of Chapters 1 through 17, is adopted.

*Section 2.* All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the Avon Municipal Code, to the extent of such inconsistency, are hereby repealed. The repeal established in this Section shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

*Section 3.* The following codes were adopted by reference and incorporated in the Avon Municipal Code. One (1) copy of each is on file in the Town Clerk's office:

(1) The *Model Traffic Code for Colorado Municipalities*, 1995 edition, published by the Colorado Department of Transportation, as adopted and amended in Section 10.04.010 et seq.;

(2) The *Uniform Building Code*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.08.010 et seq.;

(3) The *National Electrical Code*, 1999 edition, published by the National Fire Protection Association, as adopted and amended in Section 15.12.010 et seq.;

(4) The *Uniform Plumbing Code*, 1997 edition, published by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Section 15.20.010 et seq.;

(5) The *International Mechanical Code*, 1997 edition, published by the International Code Council, as adopted and amended in Section 15.24.010 et seq.;

(6) The *Uniform Fire Code*, 1997 edition, published by the International Fire Code Institute, as adopted and amended in Section 15.32.010 et seq.; and

(7) The *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.44.010 et seq.

*Section 4.* The penalties provided by the Municipal Code of the Town of Avon are hereby adopted as follows:

**(1) 1.08.010 Designated. (Chapter 1.08, General Penalty)**

With the exception of traffic offenses and the possession of cannabis under Section 9.16.080, whenever in any section of this Code or any section of a rule or regulation promulgated hereunder the doing of any act is required, prohibited or declared to be unlawful, any person who shall be convicted of, or plead guilty or no contest to a violation of any such section shall, for each offense, be fined in a sum not more than one thousand dollars (\$1,000.00) or imprisoned not to exceed one (1) year, or both such fine and imprisonment. Each day an offense continues shall constitute a separate offense.

**(2) 1.08.020 Public work. (Chapter 1.08, General Penalty)**

In lieu of the penalties provided in Section 1.08.010, the Municipal Judge may require any person convicted of any offense to engage in public works for the Town or for any charity, the terms and conditions thereof to be set forth by the Municipal Judge.

**(3) 1.08.030 Minors. (Chapter 1.08, General Penalty)**

Any provision hereof to the contrary notwithstanding, any person who is convicted of a violation hereof and who has not attained the age of eighteen (18) years at the time of such conviction shall not be imprisoned, provided that a child under the age of eighteen (18) years may be confined as provided in Section 13-10-113, C.R.S. (1973), as amended.

**(4) 2.08.040 Jurisdiction, powers and procedures. (Chapter 2.08, Municipal Court)**

The Municipal Court shall have original jurisdiction of all cases arising under the Municipal Code and other ordinances of the Town with the authority to punish violators thereof in accordance with the provisions of Section 1.08.010, together with court costs in the amount of fifteen dollars (\$15.00). The procedures of the Court shall be in accordance with the Municipal Court Rules of Procedure as promulgated by the Colorado Supreme Court.

**(5) 3.08.140 Penalty – disregard for rules. (Chapter 3.08, Sales Tax)**

If any part of the deficiency is due to negligence or intentional disregard of authorized rules and regulations with knowledge thereof, but without intent to defraud, there shall be added ten percent (10%) of the total amount of the deficiency; and in such case, interest shall be collected at the rate of one and one-half percent (1½%) per month on the amount of the deficiency from the time the return was due, from the person required to file the return, which interest and addition shall become due and payable within fifteen (15) days after written notice and demand by the Director of Finance.

**(6) 3.08.150 Penalty – fraud. (Chapter 3.08, Sales Tax)**

If any part of the deficiency is due to fraud with the intent to evade the tax, then there shall be added fifty percent (50%) of the total amount of the deficiency, and in such case the whole amount of the tax unpaid, including the additions, shall become due and payable fifteen (15) days after written notice and demand by the Director of Finance, and an additional one and one-half percent (1½%) per month on said amounts shall be added from the date the return was due until paid.

**(7) 3.08.210 Estimated taxes and assessment thereof. (Chapter 3.08, Sales Tax)**

(a) If any person neglects or refuses to make a return for, or payment of any of the taxes levied by this Chapter when the same become due, the Director of Finance shall, at some date subsequent to five (5) days after the date for the making of such return or the payment of such taxes, give written notice to the person responsible for making the return or paying the taxes or the lack of the filing of

such return or payment of said taxes, which notice shall notify the taxpayer, or other person responsible for the return of the tax, that the same must be paid within five (5) days from the date of the receipt of said notice.

(b) If the return is not filed, or the taxes are not paid, within five (5) days after receipt of such notice, the Director may make an estimate, based upon such information as may be available to him or her, of the amount of taxes due for the period or periods for which taxpayer is delinquent and shall add thereto a penalty in an amount equal to ten percent (10%) of the estimated tax, together with interest on the estimated tax at the rate of one and one-half percent (1½%) per month from the due date thereof, and may assess said amount against the delinquent taxpayer by giving the taxpayer written notice thereof, which notice shall require the taxpayer either to pay the amount assessed by the Director of Finance or to petition him or her for a correction of the estimate within a period of ten (10) days thereafter. Any such petition for correction shall be in writing, and any facts or figures in support thereof shall be submitted upon the oath of the taxpayer. The Director shall consider the matters submitted by the taxpayer, and shall make a decision as to the proper amount of taxes, penalty and interest due, which decision shall be final and binding.

**(8) 3.08.350 Sales tax – neglect or refusal to make return or to pay. (Chapter 3.08, Sales Tax)**

If a person neglects or refuses to make a return in payment of the sales tax or to pay any sales tax as required, the Director of Finance shall make an estimate, based upon such information as may be available, of the amount of taxes due for the period for which the taxpayer is delinquent and shall add thereto a penalty equal to the sum of fifteen dollars (\$15.00) for such failure or ten percent (10%) thereof and interest on such delinquent taxes at the rate imposed under Section 3.08.353 plus one-half percent (0.5%) per month from the date when due, not exceeding eighteen percent (18%) in the aggregate.

**(9) 3.12.090 Due dates, delinquencies, penalties and interest. (Chapter 3.12, Real Property Transfer Tax)**

The tax imposed under this Chapter is due and payable at the time the deed, instrument or writing effecting a transfer subject to the tax is delivered, and is delinquent if unpaid within thirty (30) days thereafter. In the event that the tax is not paid prior to becoming delinquent, a delinquency penalty of ten percent (10%) of the amount of tax due shall accrue. In the event a portion of the tax is unpaid prior to becoming delinquent, the penalty shall only accrue as to the portion remaining unpaid. Interest shall accrue at the rate of one percent (1%) per month, or fraction thereof, on the amount of tax, exclusive of penalties, from the date the tax becomes delinquent to the date of payment. Interest and penalty accrued shall become part of the tax.

**(10) 3.16.060 Failure to pay or file – penalty. (Chapter 3.16, Telephone Utility Tax)**

(a) If any telephone utility subject to this Chapter fails to pay the taxes as provided herein, the full amount thereof shall be due and collected from each company and the same, together with an addition of ten percent (10%) of the amount of taxes due, shall be and is declared to be a debt due and owing from such utility to the Town.

(b) If any officer, agent or manager of a telephone utility which is subject to the provisions of this Chapter fails, neglects or refuses to file any statement required by this Chapter within the time herein prescribed, such officer, agent or manager shall be punished in accordance with the provisions of Section 1.08.010; provided, that each day after such statement becomes delinquent, during which

said officer, agent or manager so fails, neglects or refuses to file such statement, shall be considered a separate offense.

**(11) 3.28.080 Interest penalties. (Chapter 3.28, Public Accommodations Tax)**

If remittances and reports are not received on the due dates specified in Section 3.28.070, a penalty shall be imposed in the amount of ten percent (10%) of the tax liability, and the total amount due, including tax and penalty, will bear interest at the rate of one and one-half percent (1½%) per month or fraction thereof until such reports and remittances are received by the Town Manager.

**(12) 5.08.160 Suspension and revocation – written complaints. (Chapter 5.08. Liquor Licenses)**

(a) The Local Liquor Licensing Authority has the power and authority upon its own motion or complaint to:

...

(3) Fine in lieu of suspension.

a. Whenever a decision suspending a retail license for fourteen (14) days or less becomes final, whether by failure of the retail licensee to appeal the decision or by exhaustion of all appeals and judicial review, the retail licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of having his or her retail license suspended for all or part of the suspension period. Upon the receipt of the petition the Local Liquor Licensing Authority may, in its sole discretion, stay the proposed suspension and cause any investigation to be made which it deems desirable and may, in its sole discretion, grant the petition if it is satisfied:

1. That the public welfare and morals would not be impaired by permitting the retail licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes;

2. That the books and records of the retail licensee are kept in such a manner that the loss of sales of alcoholic beverages which the retail licensee would have suffered had the suspension gone into effect can be determined with reasonable accuracy therefrom; and

3. That the retail licensee has not had his or her license suspended or revoked, nor had any suspension stayed by payment of a fine, during the two (2) years immediately preceding the date of the motion or complaint which has resulted in a final decision to suspend the retail license.

b. The fine accepted shall be the equivalent to twenty percent (20%) of the retail licensee's estimated gross revenues from sales of alcoholic beverages during the period of the proposed suspension; except that the fine shall be not less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00).

c. Payment of any fine pursuant to the provisions of this Subsection shall be in the form of cash or in the form of a certified check or cashier's check made payable to the Local Liquor Licensing Authority. . . .

**(13) 9.16.080 Penalty for possession. (Chapter 9.16, Offenses Against Public Peace)**

Any person who possesses not more than one (1) ounce of cannabis shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100.00).

**(14) 9.16.100 Penalty for public display or consumption. (Chapter 9.16, Offenses Against Public Peace)**

Any person who openly and publicly displays or consumes not more than one (1) ounce of cannabis is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100.00).

**(15) 10.04.040 Violation – penalties. (Chapter 10.04, Model Traffic Code)**

The following penalties, herewith set forth in full, shall apply to this Chapter:

(1) It is unlawful for any person to violate any of the provisions adopted in this Chapter.

(2) Every person convicted of a violation of any provision adopted in this Chapter shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not to exceed one (1) year, or by both such fine and imprisonment.

**(16) 10.04.090 Section 1709 amended – penalty assessment notice for traffic offenses. (Chapter 10.04, Model Traffic Code)**

Section 1709 of the *Model Traffic Code* is amended by the addition of the following language:

"1709(5.5). If a person receives a penalty assessment notice for a violation under Section 1709 and such person pays the fine and surcharge for the violation on or before the date the payment is due, the points assessed for the violation are reduced as follows:

"(a) For a violation having an assessment of three (3) or more points under Section 42-4-1701 (5), Colorado Revised Statutes, the points are reduced by two (2) points;

"(b) For a violation having the assessment of two (2) points under Section 42-4-1701(5), Colorado Revised Statutes, the points are reduced by one (1) point.

"1709(6). Whenever the Town of Avon reduces a traffic offense the reduced offense and the points assessed for such reduced offense shall conform to the point assessment schedule under Section 42-2-127(5), Colorado Revised Statutes."

**(17) 10.04.120 Section 1701 amended – traffic offenses and infractions classified – penalties – penalty and surcharge schedule. (Chapter 10.04, Model Traffic Code)**

Section 1701 of the *Model Traffic Code* is amended by the addition of the following language:

"1701(5). The penalty and surcharge schedule imposed for any moving traffic violation under subparagraph 3 of Section 1701 are doubled if the violation occurs within a school zone pursuant to Section 1415 or if a violation of Section 1903(1)(a) occurs.

"1701(6). The penalty and surcharge schedule imposed for any moving violation under subsection 3 of Section 1701 are doubled if the violation occurs within any of the residential areas as designated pursuant to Section 1416."

**(18) 10.18.040 Violation and penalties. (Chapter 10.18, Safety Belt Systems)**

It is unlawful for any person to violate any provision hereof. Any person who violates any provision of this Chapter shall be punished by a fine of ten dollars (\$10.00).

**(19) 13.04.150 Water restrictions – penalties for violation. (Chapter 13.04, Use of Water System)**

Any person using water in violation of Sections 13.04.120 through 13.04.140 shall be fined in accordance with Subsection 13.04.010(d) and shall be charged at triple the ordinary rate for the applicable billing period. Upon a second violation, the property shall be disconnected from service.

**(20) 13.08.100 Penalty for late payment. (Chapter 13.08, Rates and Charges)**

(a) At any time the customer is thirty (30) days past due in payment of charges due the Town, the Town shall assess an interest rate of one percent (1%) per month on the unpaid balance including accrued interest, but not to exceed the maximum effective interest rate permitted by state law. Customers will be notified on their bills when they are thirty (30) days past due. If the charges become sixty (60) days past due, the customers will be notified on their bill and notice will be mailed by first class mail and posted on the premise that they have twenty (20) days from the date of notice to pay the bill in full, including current, past due, penalty and interest charges or their service will be terminated, a fee will be assessed in accordance with Section 13.05.180 and all charges due the Town must be paid in full to return water service to the customer.

(b) The Town shall assess to any customer who is past due in payment of his or her account, all legal, court, disconnection and other costs necessary to or incidental to the collection of said account.

**(21) 15.08.310 Penalty. (Chapter 15.08, Uniform Building Code)**

Any person, firm or corporation violating any of the provisions of this Chapter or of the provisions of the *Uniform Building Code*, Volumes 1, 2 and 3 named in the title of this Chapter, as adopted and modified herein, shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes and standards named in the title of this Chapter is committed, continued or permitted, and upon conviction of any such violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for one (1) year, or by both such fine and imprisonment.

**(22) 15.12.070 Penalty. (Chapter 15.12, National Electrical Code)**

Any person, firm or corporation violating any of the provisions of this Chapter, or of the *National Electrical Code* named in the title of this Chapter, shall be deemed guilty of a misdemeanor, and such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes and standards named in the title of this Chapter is committed, continued or permitted, and upon conviction of any such violation, such person, firm or corporation shall be guilty of a misdemeanor and punishable by a fine of not more than one thousand dollars (\$1,000.00) or ninety (90) days in jail or both.

**(23) 15.20.120 Penalty. (Chapter 15.20, Uniform Plumbing Code)**

Any person, firm or corporation violating any of the provisions of this Chapter or of the provisions of the *Uniform Plumbing Code* named in the title of this Chapter, as adopted and modified herein, shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes and standards named in the title of this Chapter is committed, continued or permitted, and upon conviction of any such violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for one (1) year, or by both such fine and imprisonment.

**(24) 15.24.120 Penalty. (Chapter 15.24, International Mechanical Code)**

Any person, firm or corporation violating any of the provisions of this Chapter or of the provisions of the *International Mechanical Code* named in the title of this Chapter, as adopted and modified herein, shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes and standards named in the title of this Chapter is committed, continued or permitted, and upon conviction of any such violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for one (1) year, or by both such fine and imprisonment.

**(25) 15.28.090 Maintenance, variances, construction code. (Chapter 15.28, Sign Code)**

(a) Sign maintenance, repair and removal.

(1) Violation – notice. If the sign administrator finds that any sign is maintained in violation of the provisions of this Code, said administrator shall give written notice of the violation, by certified mail, to the owner or person entitled to possession of the sign, or the owner of the property where the sign is located.

(2) Failure to comply – Town abatement. If the person fails to alter or remove the sign so as to comply with this Code within fifteen (15) days after receipt of the notice, the sign administrator may cause the sign to be altered or removed at the expense of the owner or person entitled to possession of the property or sign, and shall, upon determination of the expenses, certify them to the Town Clerk.

(3) Lien. The Town Clerk shall notify the owner or person entitled to possession of the sign or property of the total costs incurred for the alteration or removal of the sign. If that person fails, within thirty (30) days after the date of notification, to pay the entire costs and expenses of the repair, alteration or removal, then the costs and expenses shall become a lien against the property, and the Town Clerk shall certify them to the County Treasurer for collection in the same manner as general property taxes are collected.

(4) Costs. The amount certified by the Town Clerk to the County Treasurer for collection shall include the actual cost of repair or removal of the sign plus fifteen percent (15%), and, in addition thereto, shall include an amount equal to ten percent (10%) representing penalty and interest for the cost of collection.

(5) Maintenance required – enforcement. All signs in the Town shall be properly maintained, to the satisfaction of the Planning and Zoning Commission, at all times. The Commission shall have the authority to order the painting, repair or removal of a sign, and accompanying landscaping, that constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. Their decision

shall be subject to review by the Town Council, in accordance with the provisions of Chapter 2.16. Notification shall be by certified mail. If, within fifteen (15) days, the maintenance orders are not complied with, the sign administrator may order the sign removed, at the owner's expense, under the provisions of Subparagraphs (1) through (4) of this Subsection. . . .

**(26) 15.28.110 Penalty. (Chapter 15.28, Sign Code)**

Any person, firm or corporation violating any of the provisions of this Chapter or of the provisions of this Code shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes and standards named in the title of this Chapter is committed, continued or permitted, and upon conviction of any such violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for one (1) year, or by both such fine and imprisonment.

**(27) 15.32.260 Penalty. (Chapter 15.32, Uniform Fire Code)**

Any person, firm or corporation violating any of the provisions of the *Uniform Fire Code* or Uniform Fire Code Standards named in the title of this Chapter shall be deemed guilty of a misdemeanor, and any such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes and standards named in the title of this Chapter is committed, continued or permitted and upon conviction of any such violation, such person, firm or corporation shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

**(28) 15.44.050 Penalty. (Chapter 15.44, Uniform Code for the Abatement of Dangerous Buildings)**

Any person, firm or corporation violating any of the provisions of this Chapter or of the provisions of the *Uniform Code for the Abatement of Dangerous Buildings* named in the title of this Chapter shall be deemed guilty of a misdemeanor, and any such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted, and upon conviction of any such violation, such person, firm or corporation shall be guilty of a misdemeanor and punishable by a fine of not more than one thousand dollars (\$1,000.00) or ninety (90) days imprisonment, or by both.

*Section 5.* Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

*Section 6.* Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

*Section 7.* This Ordinance shall become effective seven (7) days after public notice following final passage.

INTRODUCED this 23rd day of March, 2004.

TOWN OF AVON , COLORADO

ATTEST:

/s/

\_\_\_\_\_  
Howard (Mac) McDevitt, Mayor Pro Tem

/s/  
Patty McKenny, Town Clerk

(SEAL)

ADOPTED AND ORDERED PUBLISHED on this 13 day of April, 2004.

TOWN OF AVON, COLORADO

ATTEST:

/s/  
Albert D., Reynolds, Mayor

/s/  
Patty McKenny, Town Clerk

(SEAL)

APPROVED AS TO FORM:

/s/  
John Dunn, Town Attorney

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