

**CHARTER
AND CODE
OF THE
CITY OF DACONO, COLORADO**

1994

Published by

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OFFICIALS
of the
CITY OF DACONO

Mayor
Wade Carlson

City Council
Joe Baker
Steve Bruno
Kay Cole
Tim McCune
Kevin Plain
Charles Sigman

City Clerk
Valerie Elliott-Lucero

City Attorney
Kathleen Harrington

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

June 2009

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SUPPLEMENT NO. 7

DACONO MUNICIPAL CODE
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This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 641, adopted December 13, 2004.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
September 2006

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
March 2006

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DACONO MUNICIPAL CODE
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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
August 2004

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

November 1996

DACONO MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 451, adopted October 24, 1994.**

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado
December 1994

DACONO
MUNICIPAL CODE

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Editor's note: Due to the large volume of pages affected by Supplement No. 1, the entire Dacono Municipal Code was reprinted and page numbering updated. This supplementation instruction sheet is provided for informational purposes only, to indicate the pages which were affected by Supp. No. 1.

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado
April 1993

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 under the Supplementation tab, behind 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 "Dacono Municipal Code" is amended by the addition thereto of a new Section 2-121, 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 "Dacono 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 2-121 of the "Dacono 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 2-121 of the "Dacono 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 2-121 of the "Dacono Municipal Code" is repealed in its entirety.

COLORADO CODE PUBLISHING COMPANY

DACONO MUNICIPAL CODE

1990

A Codification of the General Ordinances
of the City of Dacono, Colorado

Published by
Colorado Code Publishing Company
Fort Collins, Colorado

PREFACE

The City of Dacono, a statutory city, has published its Municipal Code in a format which features the following:

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

The *two-place section numbering system* places the chapter number first, followed by a dash and section number. This two-place system is simplified by the elimination of article numbering. Each section may be cited by the chapter and section numbers which, together with reserved section numbers, are in sequence within each chapter.

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 *Code Comparison Table* and the *Disposition of Ordinances Table* identify the sources for the contents of the code. The Comparison Table is valuable for reference after a code has been republished or recodified, to identify the old and new section numbers in the former and new codes, respectively. The Ordinance 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 Ordinance Table will provide that information.

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.

COLORADO CODE PUBLISHING COMPANY
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ORDINANCE NO. 374
OF THE CITY OF DACONO, COLORADO

Adopting and Enacting a New Code for the City of Dacono; 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 Council of the City of Dacono:

Section 1. The code entitled "Municipal Code of the City of Dacono" published by Colorado Code Publishing Company, consisting of Chapters 1 through 18, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before January 1, 1990, and not included in the Code or recognized and continued in force by reference therein are repealed.

Section 3. The repeal established in the forgoing 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 4. The following codes were adopted by reference and incorporated in the Municipal Code of the City of Dacono. One (1) copy is on file in the City Clerk's office:

(1) The Uniform Building Code, 1988 Edition, including the Uniform Building Code Appendix and the Uniform Building Code Standards, 1988 Edition, copyrighted and published by the International Conference of Building Officials, as adopted with amendments in Section 18-40(1);

(2) The Uniform Mechanical Code, 1988 Edition, including Appendices A, B and C of the Uniform Mechanical Code, copyrighted and published by the International Association of Plumbing and Mechanical Officials, as adopted in Section 18-40(2).

(3) The Uniform Plumbing Code, 1988 Edition, including the appendices, adopted 1988, published by the International Association of Plumbing and Mechanical Officials, as adopted with Amendments in Section 18-40(3).

(4) The Uniform Fire Code, 1988 Edition, including Appendix Chapters I-C, II-A, II-B, II-C, II-D, III-C, III-D, IV-A, V-A, VI-A, VI-B, VI-C, VI-D and VI-E, and the Uniform Fire Code Standards, 1988 Edition, published by the International Conference of Building Officials, as adopted with amendments in Section 18-70 et seq.

(5) The "Model Traffic Code for Colorado Municipalities" 1977 Edition, Articles I through XXVI, as published by the state Department of Highways, as adopted and amended in Section 8-2 et seq.

Section 5. The penalties provided by the Municipal Code of the City of Dacono are hereby adopted as follows:

(1) **Sec. 1-70. Designated.**

(a) Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the city shall be guilty of a violation. Except in cases where a different punishment is prescribed by any ordinance of the city, any person convicted of a violation under the ordinances of the city shall be punished by a fine of not

more than three hundred dollars (\$300.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

(b) Each such person shall be guilty of a separate violation for each and every day during any portion of which any violation of any provision of the ordinances of the city is committed, continued or permitted by any such person, and he or she shall be punished accordingly. (Prior code 1.20.010)

(2) **Sec. 1-71. Application of penalties to juveniles.**

Notwithstanding any provision of this chapter to the contrary, or any other ordinance of the city to the contrary, imprisonment shall not be imposed on any person who has not become eighteen (18) years of age as of the date of a violation of any city ordinance, except any traffic ordinance. Nothing in this section shall be deemed to prohibit the imposition of imprisonment on such a person for a violation of a traffic ordinance, for failure to comply with a lawful order of court, or for contempt of court. (Prior code 1.20.015; Ord. 338 Sec. 1, 1987)

(3) **Sec. 6-125. Violation – penalty - Alarm systems licenses.**

Notwithstanding suspension and revocation authority of the building official, failure to comply with any provision of this article shall, upon conviction, be punishable by a fine of up to three hundred dollars (\$300.00). (Ord. 225 Sec. 6, 1980)

(4) **Sec. 6-158. Penalty - Security services license.**

It is a violation of this article for any person to do any act which is forbidden or declared to be unlawful or declared to be a nuisance or to fail to do or perform any act required in this article. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this article is committed, continued or permitted. Upon conviction thereof, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00), by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. (Prior code 5.30.190; Ord. 361 Sec. 1, 1989)

(5) **Sec. 6-214. Violation – Penalty – Business license.**

Any person, either for himself or as agent, servant or employee, who knowingly violates any of the provisions of this article or who engages in any work or the erection of any structures which he knows to be in violation of any such provision of this article, upon conviction shall be fined a sum not exceeding three hundred dollars (\$300.00) plus costs, and each day such violation is continued or any structure is maintained or permitted to exist in violation of this article is a separate offense. If a temporary suspension has been imposed under Section 6-210, and if the court finds that the condition or operation of the well in question directly and imminently endangers the safety of persons or property in the city, the court may extend such suspension until the permittee makes a showing to the court that such endangerment has ceased. The court shall give docket priority to all matters arising under this article so as to minimize economic loss and ensure consideration of such matters by the court during the period of temporary suspension. (Prior code 13.12.350)

(6) **Sec. 7-27. Violation - Penalty - Weeds and brush.**

Any person residing on or owner of any lot(s), parcel(s) and tract(s) of real property subject to this article who fails to comply with the provisions of this article, as provided in this article, shall be fined the sum not exceeding twenty-five dollars (\$25.00) for each said offense. The notice provision found at Section 7-23 is required just once per season, after which a summons may be issued without prior notice. (Prior code 8.08.080; Ord. 279 Sec. 2, 1983)

(7) **Sec. 8-41. Violation – Penalty - Abandoned and junked vehicles.**

(a) It shall be a violation of this chapter for any person to do any act which is forbidden or declared to be unlawful or declared to be a nuisance, or to fail to do or perform any act required in this chapter. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this chapter is committed, continued or permitted. Upon conviction thereof, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00).

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the city 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 7. Ordinances adopted after January 1, 1990, 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 8. The City Council herewith finds, determines and declares that this ordinance is necessary for the immediate preservation of the public health and safety in order to make this ordinance applicable to the city at the earliest possible date and to assure that the purposes of this ordinance shall be effective upon adoption on second reading and approval by the Mayor.

INTRODUCED, READ IN FULL, ADOPTED AND ORDERED PUBLISHED ONCE IN FULL this 26th day of February, 1990.

CITY OF DACONO, COLORADO

SEAL

(signature)

James Hodge, Sr., Mayor

Attest:

(signature)

Nancy Elliott, City Clerk

PASSED ON SECOND AND FINAL READING this 26th day of March, 1990.

CITY OF DACONO, COLORADO

SEAL

(signature)
James Hodge, Sr., Mayor

Attest:

(signature)
Nancy Elliott, City Clerk

APPROVED AS TO FORM:

(signature)
Tami Tanoue, City Attorney

CITY OF DACONO

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