

FORT LUPTON
MUNICIPAL CODE

1993

A Codification of the General Ordinances
of the City of Fort Lupton, Colorado

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OFFICIALS
of the
CITY OF FORT LUPTON

Mayor
Shannon Crespin

Mayor Pro Tem
Louis A. Salas

City Council
Christopher Cross
Jimmy Dominguez
Robert B. McWilliams
S. David Norcross
James Shank

City Administrator
Mike Konefal

City Clerk
Barbara Rodgers

City Attorney
T. William Wallace

Supplement No. 14

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2008-901, effective June 25, 2008.**

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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 that the entire contents of the Code are being replaced. **Please retain the divider tabs.**

COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

November 2008

Supplement No. 13a

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement consists of an updated Officials Page current through **February 28, 2008** and the Table of Up-to-date Pages that reflects this change.

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

February 2008

Supplement No. 13

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2007-897, effective February 15, 2008.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
January 2008

Supplement No. 12

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2006-869, effective September 1, 2006.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

October 2006

Supplement No. 11

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2005-850, adopted September 14, 2005.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

December 2005

Supplement No. 10

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2004-828, adopted July 14, 2004.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

October 2004

Supplement No. 9

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2003-817, adopted July 23, 2003.**

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COLORADO CODE PUBLISHING COMPANY
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December 2003

Supplement No. 8

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2002-803, adopted August 28, 2002.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
October 2002

Supplement No. 7

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2001-785, adopted August 22, 2001.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

September 2001

Supplement No. 6

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 00-766, adopted September 13, 2000.**

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FORT LUPTON MUNICIPAL CODE
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This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 99-746, adopted September 8, 1999.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
October 1999

Supplement No. 4

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This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 98-721, adopted June 17, 1998.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

August 1998

Supplement No. 3

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 97-712, adopted August 13, 1997.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

October 1997

Supplement No. 2

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 96-695, adopted July 31, 1996.**

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Supplement No. 1

FORT LUPTON MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 95-673, adopted March 22, 1995.**

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

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 Fort Lupton 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 Fort Lupton 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 Fort Lupton 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 Fort Lupton 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 Fort Lupton Municipal Code is repealed in its entirety.

PREFACE

The City of Fort Lupton, 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 hyphen 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 *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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ORDINANCE NO. 645

AN ORDINANCE OF THE CITY OF FORT LUPTON, ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF FORT LUPTON; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; 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 CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO:

Section 1. The code entitled *Municipal Code of the City of Fort Lupton*, 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 October 27, 1993, and not included in the Code or recognized and continued in force by reference therein are repealed.

Section 3. The repeal established in the foregoing 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 Fort Lupton. One (1) copy is on file in the City Clerk's office:

A. Title 49, Part 172, Transportation, of the *Code of Federal Regulations*, known as Hazardous Materials Tables and Hazardous Materials Communications Regulations, as promulgated by the Department of Transportation of the Executive Department and Agency of the Federal Government, National Archives and Records Service, as adopted and amended in Section 6-201 et seq.;

B. Title 49, Parts 200-399 Transportation, of the *Code of Federal Regulations* also known as Federal Motor Carrier Safety Regulations, as promulgated by the Department of Transportation of the Executive Department and Agency of the Federal Government, National Archives and Records Service, as adopted and amended in Section 6-209 et seq.;

C. The *Model Traffic Code for Colorado Municipalities*, C.R.S., Articles I to XXVI, inclusive, 1977 edition, as promulgated by the State Department of Highways, adopted and amended in Section 8-1 et seq.;

D. The *Colorado Cross Connection Control Manual*, 1983 edition, as promulgated by the State Department of Health, as adopted and amended in Section 13-85 et seq.;

E. The *Uniform Fire Code and Uniform Fire Code Standards*, 1991 editions, as promulgated by the International Conference of Building Officials as adopted and amended in Section 18-131 et seq.;

Section 5. The following codes are hereby adopted by reference and incorporated in the Municipal Code of the City of Fort Lupton. One (1) copy is on file in the City Clerk's office:

A. The *Uniform Building Code, Uniform Building Code Standards, and Dwelling Construction* under the Uniform Building Code 1991 editions, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-51 et seq.;

B. The *National Electrical Code*, 1993 edition, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-71 et seq.;

C. The *Uniform Mechanical Code* 1991 edition as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-91 et seq.;

D. The *Uniform Plumbing Code* 1991 edition, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-111 et seq.;

E. The *Uniform Administrative Code* 1991 edition, as promulgated by the International Conference of Building Officials as adopted and amended in Section 18-161 et seq.;

F. The *Uniform Code for the Abatement of Dangerous Buildings Code* 1991 edition, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-181 et seq.;

G. The *Uniform Housing Code* 1991 edition, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-201 et seq.;

H. The *Uniform Sign Code* 1991 edition, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-221 et seq.;

I. The *Uniform Building Security Code* 1991 edition, as promulgated by the International Conference of Building Officials, as adopted and amended in Section 18-241 et seq.;

J. The *Life Safety Code Handbook*, 1991, as promulgated by the National Fire Protection Association, Inc., as adopted and amended in Section 18-261 et seq.;

K. The *Uniform Swimming Pool, Spa and Hot Tub Code*, 1991 edition, as promulgated by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Section 18-281 et seq.;

L. The *Uniform Solar Energy Code*, 1991 edition, as promulgated by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Section 18-301 et seq.; and

M. The *Colorado Model Energy Efficiency Construction and Renovation Standards for Nonresidential Buildings*, 1978 edition, published by the State Office of State Planning and Budgeting, Board for Energy Efficient Nonresidential Building Standards and the Colorado Recommended Energy Conservation Performance Code for New Construction and Renovation of Residential Buildings, 1978 edition, published by the Division of Housing, State Housing Board, as adopted and amended in Section 18-101 et seq.

Section 6. The penalties provided by the Municipal Code of the City of Fort Lupton are hereby adopted as follows:

A. Sec. 1-72. General penalty for violation.

Any person convicted of violating this Code may be incarcerated for a period not to exceed one (1) year or fined an amount not to exceed one thousand dollars (\$1,000.00), or both (notwithstanding any lower maximums or limitations upon sentences that may be contained in this Code and any such previous limitations that are hereby rescinded and nullified, including convictions for violation of traffic offenses under the Model Traffic Code adopted by ordinance. In addition, such person shall pay all court costs imposed by the court. Each day such violation continues shall be considered a separate offense.

B. Sec. 1-73. Application of penalties to juveniles.

Every person who, at the time of commission of the offense, was at least ten (10) but not yet eighteen (18) years of age, and who is subsequently convicted of or pleads guilty or nolo contendere to, a violation of any provision of this Chapter, shall be punished by a fine of not more than one thousand dollars (\$1000.00) per violation or count. In addition, in nontraffic cases any person who has not become eighteen (18) years of age as of the date of the violation shall not be subject to incarceration as provided in Section 1-72 unless such incarceration is for failure to comply with a lawful order of the Court or for contempt of court.

C. Sec. 2-129. Contempt power.

(a) When the Court finds any person to be in contempt, the Court may vindicate its dignity by imposing on the contemnor a fine not to exceed three hundred dollars (\$300.00) and imprisonment not to exceed a term of ten (10) days.

D. Sec. 5-135. Penalty clause. (Chapter 5 - Franchises and Communication Systems)

If any officer, agent or manager of a telephone utility company which is subject to the provisions of this Article shall fail, neglect, refuse to make or file the annual statement of accounts provided in Section 5-133, said officer, agent, manager or person shall, on conviction thereof, be punished by a fine not less than twenty-five dollars (\$25.00) or more than three hundred dollars (\$300.00); provided that each day after said statement shall become delinquent during which said officer, agent, manager or person shall so fail, neglect or refuse to make and file such statement shall be considered a separate and distinct offense.

E. Sec. 6-38. Violation. (Chapter 6 - Business Licenses and Regulations)

Failure to comply with the terms of this Article by payment of taxes, securing and posting a receipt therefor, and to otherwise comply with the terms of this Article shall constitute an offense and violation of this Article. Every person violating this Article shall be fined not more than fifty dollars (\$50.00) for each offense and delinquency, and each calendar month shall constitute a separate offense; but no conviction for such violation shall work a revocation of the license of the defendant issued under state law.

F. Sec. 18-341. Penalties. (Chapter 18 - Building Regulations)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City or cause or permit the same to be done, contrary to or in violation of any of the provisions of any of the codes adopted by reference in this Chapter.

(b) Any person violating any of the provisions of these codes shall be punished.

(c) The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

(d) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 7. 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 8. Ordinances adopted after October 27, 1993, 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 9. 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 so that administrative efficiency may be obtained therefrom and to assure that the purposes of this Ordinance are met. This Ordinance shall become effective seven (7) days after publication thereof.

INTRODUCED this 13th day of October, 1993.

CITY OF FORT LUPTON, COLORADO

ATTEST: signature
Gene Reynolds, Mayor

signature
Barbara Rodgers, City Clerk

(SEAL)

ADOPTED AND ORDERED PUBLISHED on this 27th day of October, 1993.

ATTEST: signature
Gene Reynolds, Mayor

signature
Barbara Rodgers, City Clerk

(SEAL)

APPROVED AS TO FORM:

signature
Leonard McCain, City Attorney

CITY OF FORT LUPTON

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