

MEAD MUNICIPAL CODE

1997

A Codification of the General Ordinances
of the Town of Mead, Colorado

Republished July 2005 by

COLORADO CODE PUBLISHING COMPANY
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of the
TOWN OF MEAD

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Town Attorney

Richard E. Samson

Supplement No. 6

MEAD MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 611, 2008, adopted December 10, 2007.**

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

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

July 2008

Supplement No. 5

MEAD MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 583, 2006, adopted October 30, 2006.**

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

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

May 2007

Filed by: _____

Date: _____

Supplement No. 4

MEAD MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 534, 2005, adopted March 28, 2005. The changes implemented by this supplement have been incorporated into the Code, and the entire contents of the Code have been reprinted. The divider tabs are to be retained.**

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

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

July 2005

Filed by: _____

Date: _____

Supplement No. 3

MEAD MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time, being **Ordinance 313, 1997**.

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado
June 2001

Filed by: _____

Date: _____

Supplement No. 2

MEAD MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 403, adopted February 12, 2001.**

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
May 2001

Filed by: _____

Date: _____

Supplement No. 1

MEAD MUNICIPAL CODE
Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 362, adopted December 14, 1998.**

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

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado
March 1999

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 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 Mead Municipal Code is amended by the addition thereto of a new Section 2-1-10, 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 Mead 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 2-1-10 of the Mead 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 2-1-10 of the Mead 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 2-1-10 of the Mead Municipal Code is repealed in its entirety.

PREFACE

The Town of Mead, a statutory town, 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 and section by the subject name provided.

The *three-place section numbering system* places the chapter number first, followed by the article number and section number, separated by hyphens. Each section may be cited by the chapter, article and section number which 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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TOWN OF MEAD, COLORADO

ORDINANCE NO. 316

AN ORDINANCE OF THE TOWN OF MEAD, ADOPTING AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF MEAD; 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 Board of Trustees of the Town of Mead, Colorado:

Section 1. The code entitled *The Mead Municipal Code* 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 the adoption date of this Ordinance, which are inconsistent with the provisions of the Mead Municipal Code, to the extent of such inconsistency, are hereby repealed.

Section 3. The repeal established in Section 2 of this Ordinance 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 Mead Municipal Code. One (1) copy 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 8-1-10 *et seq.*;

(2) The *Weld County Building Code*, published by the Weld County Commissioners, as adopted and amended in Section 18-1-20 *et seq.*;

(3) The *Uniform Building Code*, 1991 edition, including the *Uniform Building Code Appendix* and the *Uniform Building Code Standards*, published by the International Conference of Building Officials, as adopted and amended in Section 18-1-30 *et seq.*;

(4) The *Uniform Mechanical Code*, 1991 edition, published by the International Conference of Building Officials, as adopted in Section 18-1-30;

(5) The *National Electrical Code*, 1990 edition, published by the National Fire Protection Association, as adopted in Section 18-1-30;

(6) The *Uniform Plumbing Code*, 1991 edition, and the *International Association of Plumbing and Mechanical Officials Installation Standards*, published by the International Association of Plumbing and Mechanical Officials, as adopted in Section 18-1-30;

(7) The *Uniform Code for the Abatement of Dangerous Buildings*, 1991 edition, published by the International Conference of Building Officials, as adopted in Section 18-1-30;

(8) The *Uniform Swimming Pool Code*, 1991 edition, published by the International Conference of Building Officials, as adopted in Section 18-1-30; and

(9) The *Uniform Fire Code*, 1994 edition, and the *Uniform Fire Code Standards*, 1994 edition, published by the International Fire Code Institute, as adopted and amended in Section 18-2-20 *et seq.*

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

(1) Sec. 1-4-20. General penalty for violation. (Article IV, General Penalty)

(a) Any person who shall violate or fail to comply with any provision of any Chapter of this Code, or any provision of any code or other regulation adopted by reference by this Code, by doing any act prohibited or declared to be unlawful thereby, or who shall engage in or exercise any business or occupation or do anything for which a license or permit is required without having a valid license or permit therefor as required, or who shall fail to do any act required by any such provision when such provision declares such failure to be unlawful or to be an offense, shall be guilty of an offense and, upon conviction, shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not exceeding one (1) year or by both such fine and imprisonment, except as hereinafter provided in Section 1-4-30, unless a specific penalty is provided for a particular offense. Upon conviction of a violation defined as noncriminal, a penalty of not more than five hundred dollars (\$500.00) may be imposed. In addition, such person shall pay all costs and expenses in the case, including attorney fees. Each day such violation continues shall constitute a separate offense unless some other specific time period is provided for any particular violation.

(2) Sec. 1-4-30. Application of penalties to juveniles. (Article IV, General Penalty)

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 Code, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) per violation or count. Upon conviction of a violation defined as noncriminal, a penalty of not more than five hundred dollars (\$500.00) may be imposed. Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person so pleading to all fines and/or penalties applicable to the original charge. Nothing in this Section shall be construed to prohibit incarceration in an appropriate facility, at the time of charging, of a juvenile violating any section of this Code.

(3) Sec. 2-5-100. Contempt power. (Article V, Municipal Court)

(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 one thousand dollars (\$1,000.00) and imprisonment not to exceed one (1) year.

(4) Sec. 5-2-250. Construction approved; inspection; correction of defects; breach or default. (Article II, Cable Television Franchise)

(2) Secure the proceeds from any financial performance instrument posted by the Grantee or impose the sum of fifty dollars (\$50.00) per day for each day of breach or violation following the cure date that the Grantee fails to meet an agreed-upon limit for such activity or its contractual or legal obligations; and/or

(5) Sec. 5-2-260. Liquidated damages. (Article II, Cable Television Franchise)

(1) Failure to complete system construction or reconstruction in accordance with Section 5-2-250, unless the Board of Trustees specifically approves the delay by motion or resolution, due to the occurrence of conditions beyond the Grantee's control, the Grantee shall pay to the Town one hundred dollars (\$100.00) per day for each day or part thereof the deficiency continues.

(2) Failure to provide, upon written request, data, documents, reports information, or to cooperate with the Town during an application process or CATV system review, the Grantee shall pay to the Town fifty dollars (\$50.00) per day for each day or part thereof the violation occurs or continues.

(3) Failure to test, analyze and report on the performance of the system following a written request pursuant to this Article, the Grantee shall pay to the Town one hundred dollars (\$100.00) per day for each day or part thereof that such noncompliance continues.

(4) Failure to provide in a continuing manner the types of services proposed in the accepted franchise application, unless the Board of Trustees specifically approves the Grantee a delay or change, or the Grantee has obtained modifications of its obligation under Section 625 of the Cable Communications Policy Act of 1984; the Grantee shall pay to the Town one hundred dollars (\$100.00) per day for each day or part thereof that each noncompliance continues.

(6) Sec. 5-5-50. Failure to pay. (Article V, Telephone Utility Tax)

If any telephone utility company shall fail to pay the taxes as herein provided, the full amount thereof shall be due and collected from such company, and the same, together with an addition of ten percent (10%) of the amount of taxes due as a nonpayment penalty shall be and hereby is declared to be a debt due and owing from such company to the Town. The Town Attorney, upon the direction of the Board of Trustees, shall commence any legal action necessary to recover any amount so due and owing.

(7) Sec. 7-1-130. Assessment and collection of costs of abatement. (Article I, General Provisions, Administration and Abatement of Nuisances)

(b) If the cost of abatement has not been otherwise collected, the Town Clerk shall prepare a statement stating the date of performance of the work, the nature of the work and demanding payment of the actual cost of abatement and collection plus five percent (5%) of the abatement costs for inspection and other additional administrative costs. The costs enumerated in this statement shall be a first and prior lien upon the property relating back to the date upon which the abatement was performed. The Town Clerk shall send by certified mail, return receipt requested, a copy of the statement to the owner of the premises at his or her last known address. Any such owner may file objections to such assessment within ten (10) days from the date said notice is sent; said objections shall be filed with the Town Clerk. The Town Clerk shall issue notice to said owner, by certified mail, return receipt requested, of the date the Board of Trustees will hold a public hearing to review the assessment. Failure of said owner to file objections shall result in said assessment becoming a permanent lien on the property. In the event the Board of Trustees determines the assessment to be proper, the Town Clerk on or before thirty (30) days after said assessment hearing shall certify to the County Treasurer said assessment which is to be levied on said lot, parcel and tract. The County Treasurer shall collect the assessment, together with a ten-percent penalty for cost of collection, in the same

manner as other taxes are collected. The laws of the State for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of such assessments.

(8) Sec. 8-2-90. Violation; penalty. (Article II, Abandoned and Junked Vehicles)

All provisions of this Article are designated noncriminal violations. Any person violating any provision of this Article shall, upon conviction thereof, be fined as set forth in Section 1-4-20 of this Code. In addition to any other penalty provided herein, any such vehicle found on any property within the Town to be in violation of the provisions hereof shall constitute a public nuisance, and the Town Attorney shall be authorized to bring a civil action before any court of competent jurisdiction to secure abatement thereof. All costs incurred by the Town in securing the abatement, including impoundment and storage expenses, and reasonable attorney's fees, shall be assessed against the person owning said vehicle and otherwise having occupancy of the private property affected or custody of the junked or abandoned vehicle involved.

(9) Sec. 8-4-10. Safety belt systems; mandatory use; exemptions. (Article IV, Safety Regulations)

(f) Penalty. Any person violating the provisions of this Section shall, upon conviction thereof, be punished by a fine of ten dollars (\$10.00).

(10) Sec. 8-4-20. Child restraint systems required. (Article IV, Safety Regulations)

(h) It shall be unlawful for any person to operate a motor vehicle while he or she is in violation of the requirement of Subsections (b) and (c) above. Any violation of this Section shall be deemed a noncriminal traffic infraction. Every person convicted of a violation of this Section shall be punished by a fine of not more than fifty dollars (\$50.00).

(11) Sec. 8-5-170. Penalties. (Article V, Traffic Infractions)

(b) Penalties for civil traffic infractions, as defined in Section 8-5-20. Upon conviction, or entry of guilty plea or plea of nolo contendere, to a civil traffic infraction, penalties shall be imposed at twenty dollars (\$20.00) for each point assessed, as set forth below. The penalty for a zero-point violation shall be twenty dollars (\$20.00).

<u>Points assessed</u>	<u>Penalty</u>
0 point violation	\$ 20.00
1 point violation	20.00
2 point violation	40.00
3 point violation	60.00
4 point violation	80.00
6 point violation	120.00
8 point violation	160.00
12 point violation	240.00

(c) Penalties for noncivil traffic offenses.

(1) Any person convicted of a traffic offense as set forth in Subparagraph (2) below may be

incarcerated for a period not to exceed one hundred eighty (180) days or fined by an amount not to exceed one thousand dollars (\$1,000.00), or both.

(2) Noncivil traffic offenses subject to penalties as set forth in Subparagraph (1) above are as follows:

MTC §1903	failure to stop for school bus	6 points
MTC §1101	speeding violations 25 mph or more over limit	6 points
MTC §1105	speed contest	12 points
MTC §1401	reckless driving	8 points
MTC §1402	careless driving	4 points
MTC §1413	eluding or attempting to elude police	12 points
MMC Ch. 8, Art. III	compulsory motor vehicle insurance	4 points

MTC refers to Model Traffic Code

MMC refers to Mead Municipal Code

(12) Sec. 10-1-60. Fines and penalties. (Chapter 10, General Offenses, Article I, General Provisions)

(a) Any person convicted of a noncriminal violation, as designated in Section 10-1-100(c) of this Chapter, may be fined by an amount not to exceed five hundred dollars (\$500.00).

(b) Any person convicted of a criminal violation, as designated in Section 10-1-100(d) of this Chapter, may be incarcerated for a period not to exceed one (1) year or fined by an amount not to exceed one thousand dollars (\$1,000.00), or both.

(13) Sec. 10-1-70. Application of penalties to juveniles. (Chapter 10, General Offenses, Article I, General Provisions)

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 classified as noncriminal pursuant to Section 10-1-100(c) herein, shall be punished by a fine of not more than five hundred dollars (\$500.00). Every such juvenile who is subsequently convicted of or pleads guilty or nolo contendere to a violation of any provision of this Chapter classified as criminal pursuant to Section 10-1-100(d) herein, shall be punished by a fine of not more than one thousand dollars (\$1,000.00). Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person so pleading to all fines and/or penalties applicable to the original charge.

(14) Sec. 10-11-50. Underage possession, consumption or sale of alcohol prohibited. (Article XI, Offenses Relating to Alcohol)

(c) Any person under the age of twenty-one (21) years convicted of this offense may be punished by a fine not to exceed five hundred dollars (\$500.00) and a term of probation not to exceed one (1) year.

(15) Sec. 10-12-30. Curfew. (Article XII, Miscellaneous Offenses)

(c) Any person found guilty of violating this Section shall be fined not less than ten dollars (\$10.00) but not more than one hundred dollars (\$100.00) for each violation.

(16) Sec. 13-1-210. Sewer user fees. (Article I, Sewer)

(c) Sewer usage charges due and payable. Sewer usage charges shall be due upon billing. The utility bill becomes delinquent if not paid in full on or before the twentieth day of the month in which the bills are mailed, and a penalty of ten dollars (\$10.00) shall be assessed the utility user. If the customer receives both water and sewer service, only one (1) penalty shall be applied. After the imposition of the above penalty and in addition thereto, if the bill is not paid in full by the fifth day of the following month, service to such delinquent account shall be discontinued until the utility user charges are paid in full. The Town Clerk is authorized to adjust any utility bill that is found to be in error.

(17) Sec. 13-2-280. Water usage charges due and payable; penalty for late payment. (Article II, Water)

Water usage charges shall be due upon billing. The utility bill becomes delinquent if not paid in full on or before the twentieth day of the month in which the bills are mailed, and a penalty of ten dollars (\$10.00) shall be assessed the utility user. If the customer receives both water and sewer service, only one (1) penalty shall be applied. After the imposition of the above penalty and in addition thereto, if the bill is not paid in full by the fifth day of the following month, service to such delinquent account shall be discontinued until the utility user charges are paid in full. The Town Clerk is authorized to adjust any utility bill that is found to be in error.

(18) Sec. 16-14-30. Requirements and procedures. (Article XIV, Oil and Gas Drilling and Production)

(c) Inspection fee.

(2) If the operator fails to pay the inspection fee imposed by this Section when due, a penalty of ten percent (10%) shall be added to the amount of the fee due, together with interest on the amount due at the rate of one percent (1%) for each month or portion thereof for which the fee is unpaid. The Town Clerk may, in his or her sole discretion, waive the penalty for good cause shown.

(19) Sec. 16-14-200. Violation and enforcement. (Article XIV, Oil and Gas Drilling and Production)

(b) Penalty. Any person, firm, corporation or legal entity that constructs, installs or uses, or which causes to be constructed, installed or used, any oil, gas or injection well, well site or production site or commits any act or omission in violation of any provision of this Article or of the conditions and requirements of the oil and gas special use permit may be punished by a

fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than one (1) year, or by both such fine and imprisonment. Each day of such unlawful operation constitutes a separate violation.

(20) Sec. 18-1-40. Amendments. (Article I, Weld County Building Code)

(19) Section 92.1.1 of the Weld County Building Code is amended to read as follows:

"92.1.1 Any person, firm or corporation violating this Building Code or any provision of applicable state law is guilty of a violation of this Article and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used or maintained in violation of this Building Code, or of any provisions of applicable state law, the Town Attorney of the Town of Mead, Weld County, Colorado, or any owner of real estate within the area, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodeling or use."

(21) Sec. 18-2-60. Amendments. (Article II, Uniform Fire Code)

(8) Article 3 is amended to read as follows:

"3.101 Any owner, lessee, agent or occupant of any building or premises maintaining any condition likely to cause fire or to constitute an additional fire hazard or any condition which impedes or prevents the egress of persons from such building or premises in violation of the provisions of Section 32-1-1002(3), C.R.S., shall be deemed to be maintaining a fire hazard. Any person who violates any provision of the Mead Fire Code is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each day in which such violation occurs shall constitute a separate violation.

(22) Sec. 18-2-80. Penalties. (Article II, Uniform Fire Code)

(a) Any owner, lessee, agent or occupant of any building or premises maintaining any condition likely to cause fire or to constitute an additional fire hazard or any condition which impedes or prevents the egress of persons from such building or premises in violation of the provisions of Section 32-1-1002(3), C.R.S., shall be deemed to be maintaining a fire hazard. Any person who violates any provision of said Subsection (3) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than one thousand dollars (\$1,000.00), or by imprisonment for not more than one (1) year. Each day in which such violation occurs shall constitute a separate violation of Section 32-1-1002(3), C.R.S.

Section 6. 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 7. 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 8. This Ordinance shall become effective November 1, 1997.

INTRODUCED this 11th day of August, 1997.

TOWN OF MEAD, COLORADO

ATTEST:

(signature)

Lisa Brown, Mayor

(signature)

Kelly Smith, Town Clerk/Administrator

(SEAL)

ADOPTED AND ORDERED PUBLISHED on this 8th day of September, 1997.

TOWN OF MEAD, COLORADO

ATTEST:

(signature)

Patrick Pepler, Mayor Pro Tem

(signature)

Kelly Smith, Town Clerk/Administrator

(SEAL)

APPROVED AS TO FORM:

(signature)

Richard E. Samson, Town Attorney

MEAD MUNICIPAL CODE

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