

CHAPTER 1

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ARTICLE I

Code

Sec. 1-1-10. Adoption of Code.

The published code known as the Mead Municipal Code, published by Colorado Code Publishing Company, of which one (1) copy is now on file in the office of the Town Clerk and may be inspected during regular business hours, is enacted and adopted by reference as a primary code and incorporated herein as if set out at length. This primary code has been promulgated by the Town of Mead as a codification of all the ordinances of the Town of Mead, Colorado, of a general and permanent nature through Ordinance No. 316 for the purpose of providing an up-to-date code of ordinances, properly organized and indexed, in published form for the use of the citizens and officers of the Town. (Ord. 316 §1, 1997)

Sec. 1-1-20. Title and scope.

This Code constitutes a compilation, revision and codification of all the ordinances of the Town of Mead, Colorado, of a general and permanent nature, and shall be known as the Mead Municipal Code. (Ord. 316 §1, 1997)

Sec. 1-1-30. Code supersedes prior ordinances.

This Code shall supersede all other general and permanent ordinances and parts of ordinances passed by the Board of Trustees, except such ordinances as are expressly saved from repeal or continued in force and effect as shall hereafter be set forth by reference. (Prior code 1-1-2; Ord. 316 §1, 1997)

Sec. 1-1-40. Adoption of codes by reference.

Codes may be adopted by reference, as provided by state law. (Ord. 316 §1, 1997)

Sec. 1-1-50. Repeal of ordinances not contained in Code.

All ordinances and parts of ordinances of a general and permanent nature adopted by the Board of Trustees and in force on the date of adoption of this Code and not contained in the Code, are hereby repealed as of the adoption date of the adopting ordinance, except as hereinafter provided. (Prior code 1-1-3; Ord. 316 §1, 1997)

Sec. 1-1-60. Matters not affected by repeal.

The repeal of ordinances and parts of ordinances of a permanent and general nature by Section 1-1-50 of this Code shall not affect any offense committed or act done, any penalty or forfeiture incurred or any contract, right or obligation established prior to the time said ordinances and parts of ordinances are repealed. (Prior code 1-1-4; Ord. 316 §1, 1997)

Sec. 1-1-70. Ordinances saved from repeal.

The continuance in effect of temporary and/or special ordinances and parts of ordinances, although omitted from this Code, shall not be affected by such omission therefrom, and the adoption of the Code shall not repeal or amend any such ordinance or part of any such ordinance. Among the temporary and/or special ordinances not repealed or amended by the adoption of this Code are ordinances:

- (1) Creating, opening, dedicating, vacating or closing specific streets, alleys and other public ways.
- (2) Naming or changing the names of specific streets and other public ways.
- (3) Establishing the grades of specific streets and other public ways.
- (4) Establishing the grades or lines of specific sidewalks.
- (5) Authorizing or relating to specific issuances of general obligation, revenue or special improvement district bonds.
- (6) Creating specific local improvement districts.
- (7) Authorizing the issuance of specific local improvement district bonds.
- (8) Making special assessments for local improvements and authorizing refunds from specific local improvement district bond proceeds.
- (9) Annexing territory to or excluding territory from the Town.
- (10) Dedicating or accepting any specific plat or subdivision.
- (11) Calling or providing for a specific election.
- (12) Authorizing specific contracts for purchase or beneficial use of water by the Town.
- (13) Approving or authorizing specific contracts with the State or other governmental bodies or with others.
- (14) Authorizing a specific lease, sale or purchase of property.
- (15) Granting rights-of-way or other rights and privileges to specific railroad companies or other public carriers.
- (16) Granting a specific gas company or other public utility the right or privilege of constructing lines in the streets and alleys or of otherwise using the streets and alleys.
- (17) Granting a franchise to a specific public utility company or establishing rights for or otherwise regulating a specific public utility company.

- (18) Appropriating money.
- (19) Levying a temporary tax or fixing a temporary tax rate.
- (20) Relating to salaries.
- (21) Amending the Official Zoning Map. (Prior code 1-1-5; Ord. 316 §1, 1997)

Sec. 1-1-80. Changes in previously adopted ordinances.

In compiling and preparing the ordinances of the Town for adoption and revision as part of the Code, certain grammatical changes and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Board of Trustees that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such. (Prior code 1-1-7; Ord. 316 §1, 1997)

ARTICLE II

Definitions and Usage

Sec. 1-2-10. Definitions.

In the construction of the Code and of all ordinances of the Town, the following definitions shall be observed, unless it shall be otherwise expressly provided in any section or ordinance, or unless inconsistent with the manifest intent of the ordinance.

Board of Trustees means the Board of Trustees of the Town of Mead, consisting of one (1) Mayor and six (6) Trustees.

Code means the Mead Municipal Code as published and subsequently amended, unless the context requires otherwise.

County means the County of Weld, Colorado.

C.R.S. means Colorado Revised Statutes, as amended.

Day means the period of time between any midnight and the midnight following.

Daytime means the period of time between sunrise and sunset.

In the Town means and includes all territory over which the Town now has, or shall hereafter acquire, the jurisdiction for the exercise of its police powers or other regulatory powers.

Law denotes applicable federal law, the Constitution and statutes of the State of Colorado, the ordinances of the Town and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

May is permissive.

Misdemeanor means and is to be construed as meaning violation and is not intended to mean crime or criminal conduct.

Month means a calendar month.

Nighttime is the period of time between sunset and sunrise.

Oath shall be construed to include an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words *swear* and *sworn* shall be equivalent to the words *affirm* and *affirmed*.

Ordinance means a law of the Town; provided that a temporary or special law, administrative action, order or directive may be in the form of a resolution.

Owner, applied to a building, land, motorized vehicle, animal or other real or personal property, includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety or any other person with a possessory interest in the whole or a part of said building or land, including owners of mineral, oil and gas rights, motor vehicles, animals or other real or personal property.

Person means natural person, joint venture, joint stock company, limited liability company, firm, partnership, corporation, association, club, company, business, trust or other organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Personal property includes money, goods, chattels, things in action and evidences of debt.

Preceding and *following* means next before and next after, respectively.

Property includes real, tangible and intangible personal property.

Public way includes any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

Real property includes lands, tenements and hereditaments.

Shall and *must* are both mandatory.

Sidewalk means that portion of the street between the curblines and the adjacent property line intended for the use of pedestrians.

State means the State of Colorado.

Street includes all streets, highways, avenues, boulevards, lanes, alleys, courts, places, squares, curbs or other public ways in the Town which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this State.

Tenant or *occupant*, applied to a building or land, includes any person who occupies the whole or a part of such building or land, whether alone or with others.

Town or *this Town* means the Town of Mead, Colorado, or the area within the territorial limits of the Town of Mead, Colorado, and such territory outside of the Town over which the Town has jurisdiction or control by virtue of any constitutional or statutory provision.

Written includes printed, typewritten, mimeographed or multigraphed, or otherwise reproduced in permanent visible form.

Year means a calendar year, unless otherwise expressed. (Prior code 1-1-17; Ord. 316 §1, 1997)

Sec. 1-2-20. Computation of time.

The time within which an act is to be done shall be computed by excluding the first and including the last day; but if the time for an act to be done shall fall on Saturday, Sunday or a legal holiday, the act shall be done upon the next regular business day following such Saturday, Sunday or legal holiday. (Prior code 1-1-17; Ord. 316 §1, 1997)

Sec. 1-2-30. Title of office.

Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the Town, or his or her designated representative. (Ord. 316 §1, 1997)

Sec. 1-2-40. Usage of terms.

All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such peculiar and appropriate meaning. (Prior code 1-1-17)

Sec. 1-2-50. Grammatical interpretation.

The following grammatical rules shall apply to Town ordinances:

- (1) Any gender includes the other genders.
- (2) The singular number includes the plural, and the plural includes the singular.
- (3) Words used in the present tense include the past and future tenses and vice versa, unless manifestly inapplicable.
- (4) Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Prior code 1-1-17; Ord. 316 §1, 1997)

ARTICLE III**General****Sec. 1-3-10. Titles, headings and notes not part of Code.**

(a) Chapter and Article titles, headings, numbers and titles of sections and other divisions in the Code or in supplements made to the Code are inserted in the Code, may be inserted in supplements to the Code for the convenience of persons using the Code, and are not part of the Code.

(b) Notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the ordinances or resolutions. (Prior code 1-1-8, 1-1-9, 1-1-17; Ord. 316 §1, 1997)

Sec. 1-3-20. Authorized acts.

When this Code requires an act to be done which may as well be done by an agent or representative as by the principal, such requirement shall be construed to include all such acts performed when done by an authorized agent or representative. (Prior code 1-1-17; Ord. 316 §1, 1997)

Sec. 1-3-30. Prohibited acts.

Whenever in Town ordinances any act or omission is made unlawful, it includes causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission. (Ord. 316 §1, 1997)

Sec. 1-3-40. Purpose of Code.

The provisions of this Code, and all proceedings under them, are to be construed with a view to effect their objectives and to promote justice. (Ord. 316 §1, 1997)

Sec. 1-3-50. Repeal of ordinances.

The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby. (Ord. 316 §1, 1997)

Sec. 1-3-60. Publication of ordinances.

(a) All ordinances, as soon as may be after their passage, shall be recorded in a book kept for that purpose, authenticated by the signature of the Mayor and Town Clerk and maintained on file at the Town Hall in a secure manner. The publication of all ordinances adopted by the Board of Trustees shall be accomplished by posting of said ordinances in three (3) of the following public places within the Town:

- (1) Town Hall, inside bulletin board - 441 3rd Street, Mead, Colorado.
- (2) Town Hall, outside bulletin board - 441 3rd Street, Mead, Colorado.

(3) The building at 4301 Highway 66, Longmont, Colorado.

Such ordinances shall not take effect until thirty (30) days after such publication, except for ordinances calling for special elections or necessary for the immediate preservation of public health or safety and containing the reasons making the same necessary in a separate section. The excepted ordinances shall take effect upon their final passage, adoption and the approval and signature of the Mayor, if they are adopted by an affirmative vote of three-fourths ($\frac{3}{4}$) of the members of the Board of Trustees.

(b) It shall be sufficient for the purposes of posting and publication that the top page of all ordinances indicating the title and nature of the ordinance is visible, although the additional pages of the ordinance, if any, may be obscured by the top page. Ordinances shall be posted in regular type size and not photographically reduced in such a manner as to be difficult to read. The full text of all ordinances will otherwise be available for public inspection at the Town Hall during regular business hours. (Ord. 316 §1, 1997; Ord. 407 §1, 2001; Ord. 437 §1, 2002)

Sec. 1-3-70. Amendments to Code.

Ordinances and parts of ordinances of a permanent and general nature, passed or adopted after the adoption of this Code, may be passed or adopted either in the form of amendments to the Code adopted by this Code or without specific reference to the Code. However, in either case, all such ordinances and parts of ordinances shall be deemed amendments to the Code, and all of the substantive, permanent and general parts of said ordinances and changes made thereby in the Code shall be inserted and made in the Code as provided in Section 1-3-80 hereof. (Prior code 1-1-12; Ord. 316 §1, 1997)

Sec. 1-3-80. Supplementation of Code.

(a) The Board of Trustees shall cause supplementation of the Code to be prepared and printed from time to time as it may see fit. All substantive, permanent and general parts of ordinances passed by the Board of Trustees or adopted by initiative and referendum, and all amendments and changes in temporary and special ordinances or other measures included in the appendices of the Code prior to the supplementation and since the previous supplementation, shall be included.

(b) It shall be the duty of the Town Clerk, or someone authorized and directed by the Town Clerk, to keep up-to-date the one (1) certified copy of the book containing the Code required to be filed in the office of the Town Clerk for the use of the public. (Prior code 1-1-13; Ord. 316 §1, 1997)

Sec. 1-3-90. Examination of Code.

The Town Clerk shall carefully examine at least one (1) copy of the Code. Similarly, after each supplement has been prepared, printed and inserted in the Code, the Town Clerk shall carefully examine at least one (1) copy of the Code as supplemented. The copies of the Code as originally adopted or amended shall constitute the permanent and general ordinances and resolutions of the Town and shall be so accepted by the courts of law, administrative tribunals and all other concerned. (Prior code 1-1-10; Ord. 316 §1, 1997)

Sec. 1-3-100. Copy of Code on file.

At least one (1) copy of the Code, as well as such supplementary codes as may be adopted by this Code, shall be kept in the office of the Town Clerk at all times, and may be inspected by any interested person at any time during regular office hours, but may not be removed from the Town Clerk's office except upon proper order of a court of law. (Prior code 1-1-11; Ord. 316 §1, 1997)

Sec. 1-3-110. Sale of Code books.

Copies of the Code book may be purchased from the Town Clerk upon the payment of a fee to be set by resolution of the Board of Trustees. (Ord. 316 §1, 1997)

Sec. 1-3-120. Altering or tampering with Code; penalties for violation.

Any person who shall alter, change or amend this Code, except in the manner prescribed in this Article, or who shall alter or tamper with the Code in any manner so as to cause the ordinances of the Town to be misrepresented thereby shall, upon conviction thereof, be punishable as provided by Section 1-4-20. (Ord. 316 §1, 1997)

Sec. 1-3-130. Severability.

The provisions of this Code are declared to be severable, and if any section, provision or part thereof shall be held unconstitutional or invalid, the remainder of this Code shall continue in full force and effect, it being the legislative intent that this Code would have been adopted even if such unconstitutional matter had not been included therein. It is further declared that if any provision or part of this Code, or the application thereof to any person or circumstances, is held invalid, the remainder of this Code and the application thereof to other persons shall not be affected thereby. (Ord. 316 §1, 1997)

ARTICLE IV

General Penalty

Sec. 1-4-10. Violations.

It is a violation of this Code for any person to do any act which is forbidden or declared to be unlawful, or to fail to do or perform any act required, in this Code. (Ord. 316 §1, 1997)

Sec. 1-4-20. General penalty for violation.

(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.

(b) In addition to any of the foregoing remedies, the Town Attorney, acting in behalf of the Board of Trustees, may institute injunction, abatement or any other appropriate action to prevent, enjoin, abate or remove such violations. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies. (Prior code 1-1-14; Ord. 316 §1, 1997)

Sec. 1-4-30. 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 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. (Ord. 316 §1, 1997)

Sec. 1-4-40. Penalty for violations of ordinances adopted after adoption of Code.

Any person who shall violate any provision of any ordinance of a permanent and general nature passed or adopted after adoption of this Code, either before or after it has been inserted in the Code by a supplement, shall, upon conviction thereof, be punishable as provided by Section 1-4-20 or 1-4-30, unless another penalty is specifically provided for the violation. (Ord. 316 §1, 1997)

Sec. 1-4-50. Interpretation of unlawful acts.

Whenever in this Code any act or omission is made unlawful, it is also unlawful to cause, allow, permit, aid, abet or suffer such unlawful act or omission. Concealing or in any manner aiding in the concealing of any unlawful act or omission is similarly unlawful. (Ord. 316 §1, 1997)

Sec. 1-4-60. Enforcement by citizen-initiated complaint procedure.

When a violation of the provisions of any code, ordinance or law of the Town has occurred, any person may file a sworn complaint of such violation with the Municipal Court Clerk. The complaint shall relate facts sufficient to establish probable cause that an offense has been committed and probable cause that a particular person committed that offense. The complaint shall contain the name of the defendant; the date and approximate location of the offense; identification of the offense charged, citing the code, ordinance or law of the Town alleged to have been violated; and a brief statement or description of the offense charged. Upon receipt of a signed complaint, the Code Enforcement Officer or Prosecutor shall review the complaint and determine whether there is probable cause to believe that a violation has been committed and that the defendant committed the violation. Upon a finding of probable cause, at the direction of the Code Enforcement Officer or

Prosecutor, the Clerk of the Court shall issue a summons directing the defendant to appear before a specified court at a stated date, time and place. (Prior code 1-1-15; Ord. 316 §1, 1997)

Sec. 1-4-70. Enforcement by municipal officials.

(a) When a violation of the provisions of any code, ordinance or law of the Town occurs in the presence of, or has been personally verified by a municipal official, he or she may file a sworn complaint of such violation on behalf of the Town, as provided in Section 1-4-60 of this Code. In the event it is determined by the Code Enforcement Officer or Prosecutor that probable cause exists, the Clerk of the Court shall issue a summons pursuant to Section 1-4-60.

(b) In those instances where an alleged violation takes place outside the Town's normal business hours or otherwise cannot be personally verified by a municipal official, the complainant shall be required to follow the procedures provided by Section 1-4-60 of this Code to file a sworn complaint of such violation with the Municipal Court Clerk. (Prior code 1-1-16; Ord. 316 §1, 1997)

ARTICLE V

Inspections

Sec. 1-5-10. Entry.

Whenever necessary to make an inspection to enforce any provision of this Code or ordinance, or whenever there is probable cause to believe that there exists an ordinance violation in any building or upon any premises within the jurisdiction of the Town, any public inspector of the Town may, upon presentation of proper credentials and upon obtaining permission of the occupant or if unoccupied, the owner, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him or her by ordinance. In the event the occupant, or if unoccupied, the owner, refuses entry to such building or premises, or the public inspector is unable to obtain permission of such occupant or owner to enter such building or premises, the public inspector is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry. (Ord. 316 §1, 1997)

Sec. 1-5-20. Authority to enter premises under emergency.

Law enforcement officers certified with the State, members of the Fire Department, other fire departments operating under a mutual assistance agreement or automatic aid agreement with the Town, certified emergency medical technicians and paramedics during the course of employment with a governmental agency are hereby granted the authority to enter private residences within the Town without invitation from the occupant or occupants of the residence at any time such person has reasonable grounds to believe a medical emergency is in progress within the subject premises and the occupant or occupants of such premises are incapable of consenting to the entry because of such medical emergency. (Ord. 316 §1, 1997)

Sec. 1-5-30. Announcement of purpose and authority to enter premises.

Unauthorized entry pursuant to Section 1-5-20 shall be permissible only after the individuals seeking entry have announced both their purpose and authority in a loud and conspicuous voice and have waited a reasonable period of time for the occupants to respond before making entry. (Ord. 316 §1, 1997)

ARTICLE VI

Seal

Sec. 1-6-10. Corporate seal.

A seal, the impression of which shall contain in the center the word "Seal" and around the outer edge the words "Town of Mead, Colorado," shall be and hereby is declared to be the Seal of the Town. (Ord. 316 §1, 1997)

ARTICLE VII

Unclaimed Property

Sec. 1-7-10. Purpose.

The purpose of this Article is to provide for the administration and disposition of unclaimed property which is in the possession of or under the control of the Town. (Ord. 226 §1, 1992)

Sec. 1-7-20. Definitions.

Unless otherwise required by context or use, words and terms shall be defined as follows:

Owner means a person or entity, including a corporation, partnership, association, governmental entity other than the Town or a duly authorized legal representative or successor in interest of same, which owns unclaimed property held by the Town.

Unclaimed property means any tangible or intangible property, including any income or increment derived therefrom, less any lawful charges, that is held by or under the control of the Town and which has not been claimed by its owner for a period of more than two (2) years after it became payable or distributable. (Ord. 226 §2, 1992; Ord. 316 §1, 1997)

Sec. 1-7-30. Procedure for disposition of property.

(a) Prior to disposition of any unclaimed property having an estimated value of fifty dollars (\$50.00) or more, the Town Clerk shall send a written notice by certified mail, return receipt requested, to the last known address, if any, of any owner of unclaimed property. The last known address of the owner shall be the last address of the owner as shown by the records of the Town department or agency holding the property. The notice shall include a description of the property, the amount or estimated value of the property and, when available, the purpose for which the property was deposited or otherwise held. The notice shall state where the owner may make inquiry of or

claim the property. The notice shall also state that if the owner fails to provide the Town Clerk with a written claim for the return of the property within sixty (60) days of the date of the notice, the property shall become the sole property of the Town and any claim of the owner to such property shall be deemed forfeited.

(b) Prior to disposition of any unclaimed property having an estimated value of less than fifty dollars (\$50.00) or having no last known address of the owner, the Town Clerk shall cause a notice to be published in a newspaper of general circulation in the Town. The notice shall include a description of the property, the owner of the property, the amount or estimated value of the property and, when available, the purpose for which the property was deposited or otherwise held. The notice shall state where the owner may make inquiry of or claim the property. The notice shall also state that if the owner fails to provide the Town Clerk with a written claim for the return of the property within sixty (60) days of the date of the publication of the notice, the property shall become the sole property of the Town and any claim of the owner to such property shall be deemed forfeited.

(c) If the Town Clerk receives no written claim within the above sixty-day claim period, the property shall become the sole property of the Town and any claim of the owner to such property shall be deemed forfeited.

(d) If the Town Clerk receives a written claim within the sixty-day claim period, the Town Clerk shall evaluate the claim and give written notice to the claimant within ninety (90) days thereof that the claim has been accepted or denied in whole or in part. The Town Clerk may investigate the validity of a claim and may request further supporting documentation from the claimant prior to disbursing or refusing to disburse the property.

(e) In the event that there is more than one (1) claimant for the same property, the Town Clerk may, in the Town Clerk's sole discretion, resolve said claims, or may resolve such claims by depositing the disputed property with the registry of the District Court in an interpleader action.

(f) In the event that all claims filed are denied, the property shall become the sole property of the Town and any claim of the owner of such property shall be deemed forfeited.

(g) Any legal action filed challenging a decision of the Town Clerk shall be filed pursuant to Rule 106 of the Colorado Rules of Civil Procedure within thirty (30) days of such decision or shall be forever barred. If any legal action is timely filed, the property shall be disbursed by the Town Clerk pursuant to the order of the court having jurisdiction over such claim.

(h) The Town Clerk is authorized to establish and administer procedures for the administration and disposition of unclaimed property consistent with this Article, including compliance requirements for other Town officers and employees in the identification and disposition of such property. (Ord. 226 §3, 1992; Ord. 316 §1, 1997)