

[TABLE OF CONTENTS](#)[ARTICLE I Littering](#)[ARTICLE II Water Testing](#)[ARTICLE III Cistern Water](#)[ARTICLE IV Animals](#)[ARTICLE V Body Art Establishments](#)[ARTICLE VI Domestic Septage](#)[ARTICLE VII Biosolids](#)[ARTICLE VIII Methamphetamine Lab Cleanup](#)[ARTICLE IX Noise](#)[ARTICLE X Pandemic Health Emergency](#)[APPENDIX](#)

ARTICLE I

Littering

Sec. 14-1-10. Definitions.

As used herein, the following words have the following meanings:

Litter means all rubbish, waste material, refuse, garbage, trash, debris or other foreign substances, solid or liquid, of every form, size, kind and description.

Public or private property includes, but is not limited to, the right-of-way of any road or highway, any body of water or water course, including frozen areas or the shores or beaches thereof, any park, playground or building, any refuge, conservation or recreation area, and any residential, farm or ranch properties, timberlands or grasslands. (Weld County Codification Ordinance 2000-1)

Sec. 14-1-20. Littering on public and private property.

A. It shall be unlawful for any person to deposit, throw or leave, or to allow, sanction, suffer or permit any person to deposit, throw or leave any litter on any public or private property or in any waters within the County, except those portions of the County which are within the limits of any incorporated municipality, unless such municipality has specifically consented to the application of this Article within the corporate limits of the incorporated municipality pursuant to Section 30-15-401(8), C.R.S.

B. A person shall be deemed to be littering public and private property, and therefore in violation of this Article, if he or she is driving or moving a vehicle on any highway and such vehicle is not constructed or loaded or the load thereof is not securely covered to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom; except that sand may be dropped for the purpose of securing traction, or water or another substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

C. Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle in violation of this Article, the operator of said motor vehicle is presumed to have caused or permitted the litter to be so thrown, deposited, dropped or dumped therefrom.

D. Each twenty-four-hour period during which said litter is allowed to remain on public or private property shall constitute a separate offense under this Article. (Weld County Codification Ordinance 2000-1)

Sec. 14-1-30. Affirmative defenses.

It shall be an affirmative defense to the crime of littering of public and private property that:

A. Such property is an area designated by law, pursuant to the Solid Waste Site and Facilities Act, Section 30-20-101 et seq., C.R.S., for the disposal of such material and the person is authorized by the proper public authority to so use the property;

B. The litter is placed in a receptacle or container installed on such property for that purpose; or

C. Such person is the owner or tenant in lawful possession of such property.

Sec. 14-1-40. Violations and penalties.

A. Any violation of this Article is a Class 2 petty offense punishable, upon conviction, by a mandatory fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) upon a first conviction; by a mandatory fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) upon a second conviction; and by a mandatory fine of not less than one hundred seventy-five dollars (\$175.00) nor more than three hundred dollars (\$300.00) upon a third or subsequent conviction.

B. It is in the discretion of the Court, upon the conviction of any person and the imposition of fine under this Section, to suspend any or all of the fine in excess of the mandatory minimum fine upon the condition that the convicted person pick up litter at a time prescribed by and at a place within the jurisdiction of the Court, for not less than eight (8) hours upon a first conviction or for not less than sixteen (16) hours upon a second or subsequent conviction.

Sec. 14-1-50. Penalty assessment and schedule.

Notwithstanding the provisions of Section 14-1-40 hereof, the person charged with one (1) or more violations of this Article shall have the option of paying the below-specified penalty assessments therefor to the County Treasurer in lieu of further proceedings or defense of such violation in Court, or of appearing in Court to defend such charge. If such person elects to appear in Court, he or she shall be proceeded against as otherwise provided by law for the violations charged and shall be subject to the penalties provided in Section 14-1-40 hereof if found guilty of such charge. In the event a person elects to pay the prescribed penalty assessment as permitted herein, such payment shall constitute an acknowledgment of guilt by such person of the offense charged and shall be deemed a complete satisfaction for such violation. Upon accepting the prescribed penalty assessment, the County Treasurer shall issue a receipt to the violator acknowledging payment thereof. The penalty assessment which may be accepted and paid by the violator under the privileges of this Section shall be as follows:

First Offense \$ 50.00

Second Offense \$100.00

Third Offense \$175.00

Four or More Offenses The penalty assessment shall not apply and the violator shall be prosecuted under the provisions of Section 14-1-40, upon the issuance of a Summons to Appear.

Sec. 14-1-60. Nonliability.

The Sheriff, the Board of County Commissioners, their assistants and employees, and any person enforcing the provisions of this Article shall not be held responsible for any accident, injury or subsequent disease, of whatever kind or character, which may occur in connection with the administration of this Article. No portion of this Article shall be deemed to constitute a waiver of any immunities which the

Sheriff, the Board of County Commissioners, their assistants and employees may possess, nor shall any portion of this Article be deemed to have created a duty of care with respect to any persons.