

ORDINANCE NO. 18-99

AN ORDINANCE AMENDING SECTION 111 (CAMPING WITHIN PUBLIC STREAM / PUBLIC STREAM RIPARIAN ZONE PROHIBITED) OF PART 1 (GENERAL OFFENSES) OF ARTICLE 6 (OFFENSES AFFECTING PROPERTY) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO WASTE WITHIN PUBLIC STREAM REIPARIAN ZONE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 111 (Camping within Public Stream / Public Stream Riparian Zone Prohibited) of Part 1 (General Offenses) of Article 6 (Offenses Affecting Property) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

9.6.111: CAMPING **AND WASTE DEPOSIT** WITHIN PUBLIC STREAM / PUBLIC STREAM RIPARIAN ZONE PROHIBITED:

A. For the purposes of this section the following terms are defined as:

* * *

“Waste” includes but is not limited to: any and all rubbish; unused, rejected and/or discarded material(s); feces; garbage; trash; debris or other foreign substances, solid or liquid of every form, size, kind and description.

* * *

C. No person shall be cited for a violation of ~~this~~ **subsection (B)** unless the person engages in conduct prohibited by ~~this~~ **subsection (B)** after having been notified by a law enforcement officer that the conduct violates ~~this~~ **subsection (B)**.

D. It is unlawful for any person to knowingly or recklessly deposit, place, or permit to be deposited or placed any waste within any public stream and/or public stream riparian zone unless:

1. The area is designated by the State or any of its agencies or political subdivisions, including the City, for the disposal of the waste and the person is authorized by the proper public authority to so use the property; or

2. The waste is placed in a receptacle or container used within the area for the purpose.

Section 2. Any person convicted of violations of Section 111 (Camping and Waste Deposit within Public Stream Riparian Zone Prohibited) of Part 1 (General Offenses) of Article 6 (Offenses Affecting Property) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, shall be punished as provided in Sections 201 (General Penalty) and 202 (Minor Offenders) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs, 2001, as amended.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. City Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 25th day of September, 2018.


Finally passed: October 9th, 2018



Council President

Mayor's Action:

- Approved on October 11, 2018.
- Disapproved on _____, based on the following objections:



Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:




Sarah B. Johnson, City Clerk

CAO: T54
COS: _____

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE AMENDING SECTION 111 (CAMPING WITHIN PUBLIC STREAM / PUBLIC STREAM RIPARIAN ZONE PROHIBITED) OF PART 1 (GENERAL OFFENSES) OF ARTICLE 6 (OFFENSES AFFECTING PROPERTY) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO WASTE WITHIN PUBLIC STREAM REIPARIAN ZONE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 25th, 2018; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9th day of October, 2018, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 11th day of October, 2018.


Sarah B. Johnson, City Clerk



1st Publication Date: September 28th, 2018
2nd Publication Date: October 17th, 2018

Effective Date: October 22nd, 2018

Initial: SBS
City Clerk