

ORDINANCE NO. 2013-008

AN ORDINANCE REPEALING ORDINANCE #1978-2 AND ORDINANCE #2-1993
CONCERNING INDIVIDUAL SEWAGE DISPOSAL SYSTEMS AND ESTABLISHING THE
MUNICIPAL COURT'S JURISDICTION OVER VIOLATIONS OF REGULATIONS AND
PERMITS CONCERNING SUCH SYSTEMS

WHEREAS, Ordinance 1978-2, established the Municipal Court's jurisdiction over violations, permitting and regulation of individual sewage disposal systems in the Town of Crestone; and

WHEREAS, Ordinance 2-1993, provided that the District Court would have jurisdiction over such violations; and

WHEREAS, the Board of Trustees and Town Administrator have determined that it would be a saving of time and expense to return jurisdiction to the Municipal Court; and

WHEREAS, Ordinance 2-1993, did not expressly repeal Ordinance 1978-2, which results in confusion in determining the appropriate forum for cases arising under such ordinance;

NOW THEREFORE, be it hereby ordained by the Board of Trustees of the Town of Crestone:

A. The substantive provisions of said ordinances are combined and reenacted to read as follows:

1. The Board of Trustees of the Town of Crestone is hereby designated as the Local Board of Health.
2. No person shall install any individual sewage disposal system as defined in C.R.S. § 25-10-103, within the Town of Crestone without first obtaining a permit from the Town of Crestone and complying with Colorado State regulations regarding individual sewage disposal systems.
3. The Municipal Court of the Town of Crestone shall have jurisdiction over violations of this Ordinance. Each and every day of a continual or continuous violation of this ordinance shall be considered a separate offense.
4. Any person who violates the provisions of this Ordinance shall be subject to a fine not exceeding \$1000.00 and/or imprisonment not exceeding one year.

THE TOWN BOARD OF TRUSTEES FINDS THAT THIS ORDINANCE IS NECESSARY
TO THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND

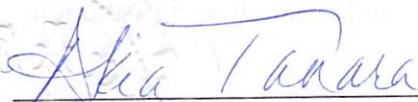
SAFETY, DUE TO CONFUSION IN EXISTING ORDINANCES CONCERNING JURISDICTION OF APPROPRIATE COURT, AND SHALL TAKE EFFECT AND BE ENFORCED FROM AND AFTER THE ADOPTION OF THIS ORDINANCE.

Introduced, read in full, adopted and signed this 12th day of August, 2013.



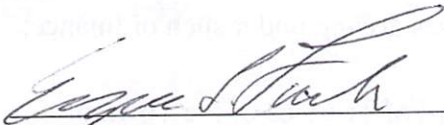
Kairina Danforth, Mayor

Attest:



Akia Tanara, Town Clerk

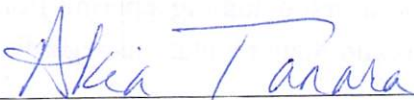
Approved as to form:



Eugene L. Farish, Town Attorney

CERTIFICATION

I HEREBY CERTIFY that the within Ordinance was introduced, read in full, approved and adopted at the regular meeting of the Board of Trustees of the Town of Crestone, Colorado on the 12th day of August, 2013, and published by title in The Crestone Eagle, a legal newspaper in the Town of Crestone on September 1st, 2013 .



Akia Tanara, Town Clerk

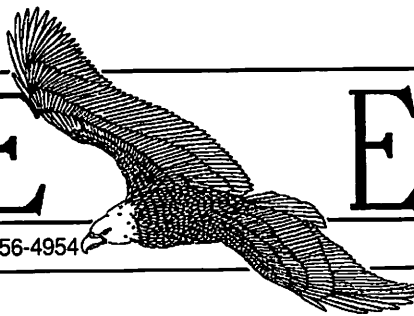
The

CRESTONE

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**TOWN OF CRESTONE
PUBLIC NOTICE**

Ordinance No. 2013-008 "An Ordinance Repealing Ordinance # 1978-2 and Ordinance # 2-1993 Concerning Individual Sewage Disposal Systems And Establishing The Municipal Courts Jurisdiction Over Violations Of Regulations And Permits Concerning Such Systems"

Was adopted, approved and signed on August 12, 2013. Approved: Kairina Danforth, Mayor

Notice of Ordinance

Published October 1, 2013

Size: 1 column x 2.5"

Cost: \$25.00

Bill:

Town of Crestone

P.O. Box 64

Crestone, CO 81131