

ORDINANCE NO. /- - SERIES 1970

AN ORDINANCE ENACTING AND ADOPTING BY REFERENCE A PRIMARY CODE OF ORDINANCES FOR THE TOWN OF BRECKENRIDGE, COLORADO, IN PUBLISHED FORM TO BE KNOWN AS THE "MUNICIPAL CODE OF THE TOWN OF BRECKENRIDGE" WHICH SAID PRIMARY CODE IN TURN ADOPTS BY REFERENCE AS SECONDARY CODES THE RULES OF CRIMINAL PROCEDURE IN COUNTY COURTS AS APPROVED AND ADOPTED ON JANUARY, 1965, FOR USE IN COUNTY COURTS IN THE STATE OF COLORADO, WHICH DOCUMENT IS PUBLISHED IN COLORADO REVISED STATUTES, 1963, AS AMENDED, VOLUME 9, THE UNIFORM BUILDING CODE, 1967 CONFERENCE OF BUILDING OFFICIALS, THE NATIONAL ELECTRIC CODE, 1966 EDITION, ISSUED AND PUBLISHED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS, THE TECHNICAL PLUMBING CODE, AS ISSUED AND PUBLISHED IN 1968 BY THE COLORADO STATE DEPARTMENT OF PUBLIC HEALTH, THE FIRE PREVENTION CODE, 1965 ABRIDGED EDITION, ISSUED AND PUBLISHED BY THE AMERICAN INSURANCE ASSOCIATION, THE MODEL TRAFFIC CODE FOR MUNICIPALITIES, ISSUED AND PUBLISHED BY THE COLORADO HIGHWAY SAFETY COUNCIL, A DIVISION OF THE EXECUTIVE DEPARTMENT OF THE STATE GOVERNMENT, FEBRUARY, 1966; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BRECKENRIDGE, COLORADO:

SECTION I.

Municipal Code of the Town of Breckenridge.

The published code known as the "Municipal Code of the Town of Breckenridge" at least three copies of which have been properly certified as true copies by the Mayor and Clerk of the Town of Breckenridge and are now on file in the office of the Town Clerk, is hereby enacted and adopted by reference as a primary code and incorporated herein. The said primary code has been promulgated by the Town of Breckenridge as a codification and revision of all the ordinances of the Town of Breckenridge which are of a general nature 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 said Town.

SECTION II.

The Rules of Criminal Procedure in County Courts.

The Rules of Criminal Procedure in County Courts as approved and adopted in January, 1965, for the State of Colorado and as published in Colorado Revised Statutes, 1963, as amended, Volume 9, is hereby enacted and adopted by reference as a secondary code and incorporated herein. The said rules regulate and control the administration of justice in the

Municipal Court for the Town of Breckenridge and will govern the rights of defendants and the procedures of the Court in all actions coming on for hearing before the said Court.

#### SECTION III.

The Uniform Building Code. The Uniform Building Code, 1967 Edition of the International Conference of Building Officials, 50 South Los Robles, Pasadena, California, 91101, including all appendices, at least three copies of which have been certified as true copies by the Mayor and Clerk of the Town of Breckenridge and are now on file in the office of the Town Clerk, is hereby enacted and adopted by reference as a secondary code and incorporated herein. The said code regulates and controls the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the Town of Breckenridge and provides for the issuance of building permits and the collection of fees therefore. The purpose of this secondary code is to protect the health, safety, property and public welfare of the citizens of the Town of Breckenridge.

#### SECTION IV.

The National Electric Code. The National Electric Code, 1966 Edition, issued and published by the National Board of Fire Underwriters, 465 California Street, San Francisco, California, 94111, at least three copies of which have been certified as true copies by the Mayor and Clerk of the Town of Breckenridge and are now on file in the office of the Town Clerk, is hereby enacted and adopted by reference as a secondary code and incorporated herein. The said code regulates and controls all electrical wiring, fixtures and appliances, installed, altered or repaired in any building in the Town of Breckenridge, as to design, construction, quality of materials, workmanship and location. The purpose of this secondary code is to protect the life, property, health, and safety of the citizens of the Town of Breckenridge.

#### SECTION V.

The Technical Plumbing Code. The Technical Plumbing Code, issued and published by the Colorado State Department of Public Health, 4210 East 11th Avenue, Denver, Colorado, 80220, as adopted on October 28, 1953 and amended on August 21, 1968, as least three copies of which have been properly certified as true copies by the Mayor and Clerk of the Town of Breckenridge and are now on file in the office of the Town Clerk, is hereby enacted and adopted by reference as a secondary code and incorporated herein. The said code regulates and controls the design, construction, quality of materials, workmanship

and location of all water, sewer and drainage pipes and all plumbing fixtures which are installed, altered, or repaired for use in connection with any building in the Town of Breckenridge. The purpose of the said code is to protect the health, safety, property, and public welfare of the citizens of the Town of Breckenridge.

#### SECTION VI.

The Fire Prevention Code. The Fire Prevention Code of 1965, abbreviated edition, published by the American Insurance Association, 222 West Adams Street, Chicago, Illinois, 60606, at least three copies of which have been properly certified as true copies by the Mayor and Clerk of the Town of Breckenridge and are now on file in the office of the Town Clerk, is hereby enacted and adopted by reference as a secondary code and incorporated herein. The purpose of this secondary code is to protect the health, safety, property and public welfare of the citizens of the Town of Breckenridge.

#### SECTION VII.

The Model Traffic Code for Municipalities. The Model Traffic Code for Colorado Municipalities issued and published by the Colorado Highway Safety Council, a division of the Executive Department of the State Government, under the date of January 15, 1952 and as amended to February 17, 1966, at least three copies of which have been certified as true copies by the Mayor and Clerk of the Town of Breckenridge and are now on file in the office of the Town Clerk, is hereby enacted and adopted by reference as a secondary code and incorporated herein; save and except such portions thereof as are deleted, modified or amended by specific provision of the primary code. The said Model Traffic Code is a complete traffic code which governs the method of operation and equipment of all motor vehicles and regulates all traffic conditions within the Town of Breckenridge. Its purpose is to provide rules and regulations which are necessary for the public health and safety and which shall at the time provide uniformity of application and interpretation with the traffic regulations in other parts of the state.

#### SECTION VIII.

Penalty Provisions. The Penalty Provisions contained in the "Municipal Code of the Town of Breckenridge" are hereinafter set forth in full:

"§21-1-1 Required Obedience to Code. It shall be 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."

"§21-1-2 Fines and Penalties. Any person who

shall be convicted of a violation of this Code shall be fined in a sum of not less than one (\$1.00) dollar nor more than three hundred (\$300.00) dollars, or imprisoned for a term not exceeding ninety (90) days, for each offense. Where any violation is a continuing offense, each day that the violation continues shall be considered and held to be a separate and distinct offense."

"§21-1-3 Failure to Pay Fine - Imprisonment. If any defendant shall neglect or refuse to satisfy any fine imposed for a violation of this Code, he shall upon order of the police magistrate, be committed to the Town jail or other place of confinement provided for that purpose until such judgment and costs are fully satisfied; provided that no such imprisonment shall exceed ninety (90) days for any one offense."

Passed on first reading on this the 14th day of  
April, 1970.

Read, approved and adopted 12th day of  
May, 1970.

TOWN OF BRECKENRIDGE

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Mayor

ATTEST:

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Irma McAdoon Moore  
Town Clerk