

ORDINANCE NO. 27

SERIES 1991

AN ORDINANCE REPEALING AND READOPTING WITH
AMENDMENTS SECTION 6-3B-17 OF THE BRECKENRIDGE
TOWN CODE CONCERNING THE MUNICIPAL OFFENSE OF
ISSUANCE OF A BAD CHECK

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Section 6-3B-17 of the Breckenridge Town Code is hereby repealed and readopted with amendments so as to read in its entirety as follows:

6-3B-17 ISSUANCE OF BAD CHECK:

A. It shall be unlawful for any person to issue or pass a check or similar sight order for the payment of money if the issuer knows that he does not have sufficient funds in or on deposit with the bank or other drawee for the payment in full of the check or order as well as all other checks or orders outstanding at the time of issuance.

B. For purposes of this Section, the issuer is presumed to know that he does not have sufficient funds if:

1. He has no account with the bank or other drawee at the time he issues the check or order; or
2. He has insufficient funds upon deposit with the bank or other drawee to pay the check when presented for payment within thirty (30) days after issue, and the check or order remains unpaid for at least thirty (30) days after such presentment.

C. A bank shall not be civilly or criminally liable for releasing information relating to the issuer's account to a police officer, the town attorney, or authorized investigator for the town attorney investigating or prosecuting a charge under this Section.

Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 3. The Town Council hereby finds, determines, and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

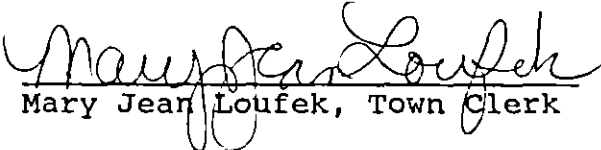
Section 4. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.


Section 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THIS 24th day of September, 1991. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 8th day of October, 1991, at 7:30 p.m. or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, Town Clerk


Stephen C. West, Mayor

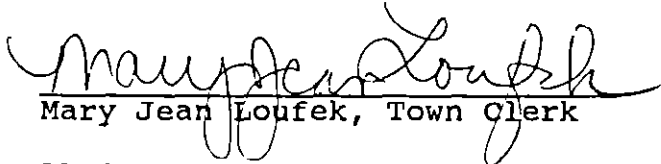
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on October 3, 1991.


READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 8th day of October, 1991.

A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney

10/8/91
Date

This Ordinance was published by title in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on October 17, 1991.