

ORDINANCE NO. 33

Series 1995

AN ORDINANCE AMENDING SECTION 6-3F-14 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE MUNICIPAL OFFENSE OF "UNLAWFUL USE OF FALSE IDENTIFICATION TO GAIN ADMISSION"; DECLARING AN EMERGENCY; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, Section 6-3F-14 of the Breckenridge Town Code describes the municipal offense of "Unlawful Use of False Identification to Gain Admission"; and

WHEREAS, Section 6-3F-14 of the Breckenridge Town Code provides that it shall be unlawful for any "minor" to take certain actions described in the Ordinance; and

WHEREAS, the term "minor" is not defined in connection with the application of Section 6-3F-14, may be ambiguous and susceptible to differing interpretations with respect to persons between the ages of eighteen and twenty-one years; and

WHEREAS, the Town Council of the Town of Breckenridge finds and determines that Section 6-3F-14 should be amended as hereafter provided in order to remove any ambiguity that may exist with respect to the applicability of the Section to persons between the ages of eighteen and twenty-one years.

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

Section 1. Section 6-3F-14 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

6-3F-14: **Unlawful Use Of False Identification To Gain Admission:** It shall be unlawful for any **underage person** to make false statements or to furnish, present or exhibit any fictitious or false registration card, identification card, or note or other document issued to a person other than the one presenting the same, for the purpose of gaining admission to any place which has established a minimum age for entrance.

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, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 5. The Town Council of the Town of Breckenridge hereby finds, determines and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety because of the urgent need to remove any ambiguity or uncertainty that may currently exist with respect to the applicability of Section 6-3F-14 of the Breckenridge Town Code. The Town Council further determines that the adoption of this Ordinance as an emergency ordinance is in the best interest of the citizens of the Town of Breckenridge.

Section 6. Pursuant to Section 5.11 of the Breckenridge Town Charter this Ordinance shall take effect and be in full force upon adoption of this Ordinance by the affirmative votes of at least five (5) members of the Town Council.


Section 7. This Ordinance shall be published in full within ten (10) days after adoption, or as soon thereafter as possible, as required by Section 5.11 of the Breckenridge Town Charter.


ADOPTED AND APPROVED as an Emergency Ordinance this 14th day of November, 1995.

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


ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM

 11/14/95
Town Attorney date

This Ordinance was published in full in The Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on November 22, 1995.

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