

ORDINANCE NO. 29

Series 2002

AN ORDINANCE AMENDING CHAPTER 8 OF TITLE 5 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE FROM CAR ALARMS

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

Section 1. There is hereby added to the Breckenridge Town Code a new Section 5-8-10-1, to be entitled "Car Alarm Noise", which shall read in its entirety as follows:

5-8-10-1: CAR ALARM NOISE:

A. The noise emanating from a motor vehicle burglar or theft alarm device following a false or accidental activation is declared to be a public nuisance. If it reasonably appears to a police officer of the Town, after investigation, that the motor vehicle or theft alarm device was activated falsely or accidentally, such police officer is authorized to immediately enter the motor vehicle from which the noise is emanating and summarily abate such nuisance. In entering such motor vehicle the police officer shall exercise reasonable care to avoid damaging the motor vehicle; provided, however, that neither the police officer, the Town, nor anyone acting under such officer's direction shall be liable for damage to such motor vehicle occasioned by the officer's summary abatement of the public nuisance as authorized in this Section.

Section 2. Paragraph D of Section 5-8-11 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

D. Except as provided in Section 5-8-10-1, Sound made by safety signals and warning devices; sound resulting from any emergency vehicle when responding to an emergency call or acting in time of emergency; and sound produced in connection with "emergency work" as defined in Section 5-8-3 of this chapter.

Section 3. 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 4. 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.

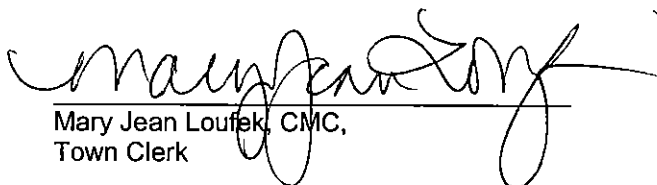
Section 5. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

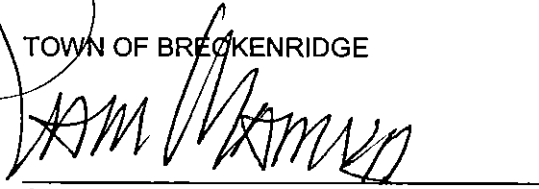
Section 6. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 27th day of August, 2002. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 10th day of September, 2002, 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, CMC,
Town Clerk


Sam Mamula, Mayor

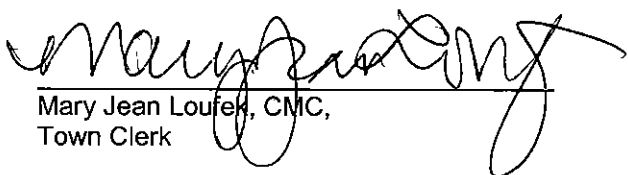
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on September 6, 2002.

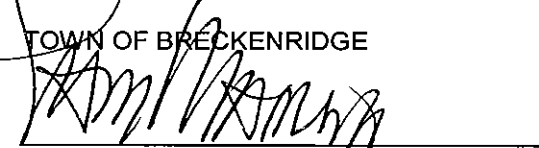
The public hearing on this ordinance was held on September 10, 2002.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 10th day of September, 2002. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

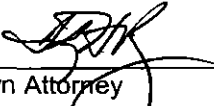
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC,
Town Clerk


Sam Mamula, Mayor

APPROVED IN FORM:


Town Attorney

9/10/02
Date

This Ordinance was published by title in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on September 20, 2002.