

ORDINANCE NO. 24

Series 2016

AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO TITLE 6 OF THE  
BRECKENRIDGE TOWN CODE CONCERNING POLICE REGULATIONS

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

Section 1. Section 6-3C-2 of the Breckenridge Town Code is amended to read as follows:

6-3C-2: LOITERING:

A. It is unlawful for any person, with the intent to interfere with or disrupt a school program or with intent to interfere with or endanger schoolchildren, to loiter in a school building or on school grounds or within one hundred feet of school grounds when persons under the age of eighteen are present in the building or on the grounds, if such person does not have any reason or relationship involving custody of, or responsibility for, a pupil or any other specific, legitimate reason for being there, and such person has been asked to leave by a school administrator or his or her representative or by a peace officer.

B. It shall be an affirmative defense that the defendant's acts were lawful and he or she was exercising his or her rights of lawful assembly as a part of peaceful and orderly petition for the redress of grievances, either in the course of labor disputes or otherwise.

C. The Town Council finds and declares that the Town has a special interest in the protection of children and, particularly, in protecting children who attend schools because required to do so by state law, and the prohibition of loitering in this section is enacted in furtherance of this interest.

Section 2. Article C of Chapter 3 of Title 6 of the Breckenridge Town Code is amended by the addition of a new Section 6-3C-16, which shall read as follows:

6-3C-16: OBSTRUCTION OF HIGHWAY, SIDEWALK, OR OTHER  
PASSAGEWAY:

A. It is unlawful for any individual or corporation, without legal privilege, to intentionally, knowingly, or recklessly:

(1) Obstruct a highway, street, sidewalk, railway, waterway, building entrance, elevator, aisle, stairway, or hallway to which the public or a substantial group of the public has access or any other place used for the passage of persons, vehicles, or conveyances, whether the obstruction arises from his or her acts alone or from his or her acts and the acts of others; or

(2) Disobey a reasonable request or order to move issued by a person the individual or corporation knows to be a peace officer, a firefighter, or a person with authority to control the use of the premises, to prevent obstruction of a highway or passageway or to maintain public safety by dispersing those gathered in dangerous proximity to a fire, riot, or other hazard.

B. For purposes of this section, "obstruct" means to render impassable or to render passage unreasonably inconvenient or hazardous.

Section 3. Section 6-3D-6 of the Breckenridge Town Code is amended to read as follows:

6-3D-6: DISRUPTING LAWFUL ASSEMBLY:

It is unlawful for any person, intending to prevent or disrupt any lawful meeting, procession, or gathering, to significantly obstruct or interfere with the meeting, procession, or gathering by physical action, verbal utterance, or any other means.

Section 4. Section 10-1-14(A) of the Breckenridge Town Code is amended to read as follows:

A. No person shall place an encroachment upon any town public way or other public place except as authorized by town council or town ordinance.

Section 5. Except as specifically amended by this ordinance, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 6. The Town Council 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 7. The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to: (i) Section 31-15-103, C.R.S. (concerning municipal police powers); (ii) Section 31-15-401, C.R.S. (concerning municipal police powers); (iii) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (iv) the powers contained in the Breckenridge Town Charter.

Section 8. 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 23rd day of August, 2016.

This ordinance was published in full on the Town of Breckenridge website on August 26, August 27, August 28, August 29 and August 30, 2016.

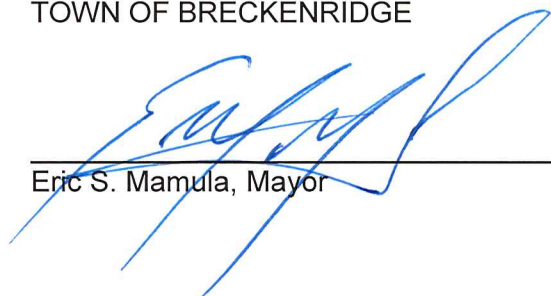
A public hearing on this ordinance was held on September 13, 2016.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 13th day of September, 2016. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

  
\_\_\_\_\_  
Helen Cospolich, Town Clerk

  
\_\_\_\_\_  
Eric S. Mamula, Mayor

APPROVED IN FORM

  
\_\_\_\_\_  
Town Attorney

9/13/16  
Date

This Ordinance was published on the Town of Breckenridge website on September 15, September 16, September 17, September 18 and September 19, 2016. This ordinance shall become effective on October 19, 2016.