

TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2025-07

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
BLUE RIVER, COLORADO, AMENDING ARTICLE IV OF THE
MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION 1-4-30
AUTHORIZING ADMINISTRATIVE MONETARY PENALTIES**

WHEREAS, the Town of Blue River, Colorado (“Town”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS, the Board of Trustees for the Town of Blue River (“Board”) is authorized by the Colorado Constitution and state law to enact laws for the general health, safety, and welfare of its citizens and to impose penalties and fines for violation thereof.

BE IT ORDAINED by the Board of Trustees of the Town of Blue River, Colorado, as follows:

Section 1. **Amendment of Article IV of the Municipal Code.** Article IV of the Blue River Municipal Code is hereby amended by the addition of a new Section 1-4-30 to read in full as follows:

Sec. 1-4-30. Administrative Penalties Authorized.

- (a) The Town Manager is authorized to promulgate a policy and program for the assessment or imposition of administrative monetary penalties for violations of the Municipal Code, including the Land Use Code, in accordance with this section.
- (b) Any policy for administrative penalties promulgated by the Town Manager, and any amendment of a policy, shall be submitted to the Board of Trustees for ratification before such policy becomes effective. The Board may, at any time, direct the Manager to modify an administrative policy or rescind a policy.
- (c) Any administrative policy promulgated by the Town Manager shall meet the following requirements:
 - (1) Penalties shall not be assessed for matters which are deemed criminal by law or which are addressed by the Town-adopted Model Traffic Code;

- (2) Any penalty imposed shall be based upon evidence which reasonably establishes a basis for a violation;
- (3) Penalties imposed shall conform to a written schedule of amounts to be imposed for a violation prepared by the Town Manager and made publicly available by posting on the Town's website;
- (4) The penalty schedule may establish an increasing amount of monetary penalties based upon the number of violations of the same or similar nature;
- (5) No single administrative penalty shall be less than \$100 or exceed \$2,750;
- (6) Monetary penalties remaining unpaid after thirty (30) days may be submitted to a collection agency and, in addition, any permit or authorization related to the violation (e.g., building permit or license) may be revoked or rescinded pending full payment; and
- (7) A right of appeal of a penalty shall be provided with the right of appeal to expire thirty (30) days after notice of penalty.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 3. Repeal. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 4. Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 5. Effective Date. The provisions of this Ordinance shall become effective thirty (30) days after publication following the final passage.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the 15th day of April, 2025.

Nick Decicco
Nick Decicco (Apr 30, 2025 13:12 MDT)

Mayor

ATTEST:

Michelle Eddy
Town Clerk

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Ordinance 2025-07 Administrative Penalty Authorization

Final Audit Report

2025-04-30

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