

## **TITLE 1**

### **General Provisions**

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## **Chapter 1.01**

### **Code Adoption**

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- 1.01.090 Violation.**

#### **1.01.010 Code Adopted.**

The Hayden Municipal Code, as promulgated by the Town of Hayden, Colorado, is adopted and enacted by reference. The purpose of this code is to codify the ordinances of the Town which are of a general and permanent nature. The subject matter of this code includes provisions concerning the application and interpretation of the code, the administration and organization of the Town, animals, buildings, abandoned automobiles, peddlers, finances, streets, libraries, nuisances, traffic, offenses, elections and zoning. (Ord. 437 § 1, 1995)

#### **1.01.020 Repeal of Prior Ordinances.**

All ordinances of the Town of Hayden, of a general and permanent nature which were finally adopted on or before December 7, 1985, whether or not in legal effect at that date, are repealed, except the following numbered ordinances: 74, 87, 103, 166, 178, 180, 234, 247, 262, 272 and 352, and except as hereinafter provided. (Ord. 437 § 2, 1995)

#### **1.01.030 Matters not Affected by Repeal.**

The repeal of ordinances and parts of ordinances of a permanent or general nature by Section 1.01.020 shall not affect any offense committed or act done, any penalty or forfeiture incurred or any contract, right or obligation established prior to the time when such ordinances and parts of ordinances are repealed. (Ord. 437 § 3, 1995)

#### **1.01.040 Ordinances Saved From Repeal.**

The repeal of ordinances of a general and permanent nature by Section 1.01.020 shall not repeal any ordinance or part thereof saved from repeal specifically by the Hayden Municipal Code, nor shall such repeal affect any ordinance:

- A. Promising, guaranteeing or authorizing the payment of money by or for the Town;
- B. Authorizing or relating to specific issuances of bonds or other evidences of indebtedness;
- C. Granting a franchise;

- D. Establishing the compensation of Town officers or employees;
- E. Levying taxes, making appropriations or adopting a budget;
- F. Creating specific local improvement districts;
- G. Making special assessments for local improvements;
- H. Vacating, accepting, establishing, locating, relocating or opening any street or public way;
- I. Affecting the corporate limits of the Town;
- J. Which is of a special or temporary nature;
- K. Dedicating or accepting any plat or subdivision. (Ord. 437 § 4, 1995)

**1.01.050 Severability of Ordinance Provisions.**

Each section of the ordinance codified in this chapter is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof. (Ord. 437 § 5, 1995)

**1.01.060 Severability of Code Provisions.**

If any section, subsection or provision of this code of ordinances, or the application thereof to any person or circumstances, is declared unconstitutional or otherwise invalid by any competent court, such invalidity shall not affect the other sections, subsections, provisions or applications of this code if they can be given effect without the invalid section, subsection, provision or application. (Ord. 437 § 6, 1995)

**1.01.070 Codes Kept on File.**

A. At least three copies of the Hayden Municipal Code, and of each secondary code adopted therein, all certified by the Mayor and Town Clerk to be true copies of such codes as they were adopted by this chapter, shall be kept on file in the office of the Town Clerk available for public inspection. One copy of each such code may be kept in the office of the Chief of Police for the Town of Hayden rather than in the office of the Clerk.

B. The Town Clerk shall prepare and publish revised sheets of every loose leaf page in need of revision by reason of amendment, addition or repeal. The Town Clerk shall distribute such revised loose leaf sheets for such fee as the board of Trustees may direct.

C. In addition to those copies of this code specified in subsection A of this section, a copy of this code shall be kept on file in the office of the Town Clerk in which it shall be the express duty of the Town Clerk to insert in their designated places all amendments or ordinances which are intended to become a part of the Hayden Code when the same have been printed or reprinted in page form, and to extract from such code all provisions which may from time to time be repealed. This copy of the

Hayden Municipal Code shall be available to all persons desiring to examine it and shall be considered the official code of the Town of Hayden, Colorado. (Ord. 437 § 7, 1995)

**1.01.080 Sale of Code Copies.**

The Town Clerk shall maintain a reasonable supply of copies of this code to be available for purchase by the public at a moderate price. (Ord. 437 § 8, 1995)

**1.01.090 Violation.**

Conviction of a violation of any provision of this code may be punished by a fine of not more than three hundred dollars or imprisonment not to exceed ninety days, or by both such fine and imprisonment. (Ord. 437 § 9, 1995)

**Chapter 1.04**

**General Provisions**

**1.04.010 Definitions.**

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The following words and phrases, whenever used in the ordinances of the Town of Hayden, Colorado, shall be construed as defined in this section unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

A. "Board" means the Board of Trustees of the Town of Hayden. "All its members" and "all board members" means the total number of board members holding office.

B. "City" and "Town" each mean the Town of Hayden, Colorado, or the area within the territorial limits of the Town of Hayden, Colorado, and such territory outside of the Town over which the Town has jurisdiction or control by virtue of any constitutional or statutory provision.

C. "County" means the County of Routt.

D. "Law" denotes applicable federal law, the constitution and statutes of the State of Colorado, the ordinances of the Town of Hayden, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

E. "May" is permissive.

F. "Month" means a calendar month.

G. "Must" and "shall" are each mandatory.

H. "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

I. "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, or tenant by the entirety, of the whole or a part of such building or land.

J. "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

K. "Personal property" includes money, goods, chattels, things in action and evidences of debt.

L. "Preceding" and "following" mean next before and next after, respectively.

M. "Property" includes real and personal property.

N. "Real property" includes lands, tenements and hereditaments.

O. "Sidewalk" means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

P. "State" means the State of Colorado.

Q. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this Town which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this State.

R. "Tenant" and "occupant," applied to a building or land, includes any person who occupies the whole or a part of such building or land, whether alone or with others.

S. "Written" includes printed, typewritten, mimeographed, multi-graphed, or otherwise reproduced in permanent visible form.

T. "Year" means a calendar year. (Ord. 216, 1976)

## **Chapter 1.08**

### **General Penalty**

**1.08.010 Violation of Ordinances – Penalty.**

**1.08.020 Separate Offense.**

**1.08.010 Violation of Ordinances – Penalty.**

No person shall violate any of the provisions of the ordinances of the Town. Any person who violates any of the provisions of the ordinances of the Town shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than one year, or by both such fine and imprisonment. (Ord. 618 § 1, 2009)

**1.08.020 Separate Offense.**

Each such person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of the Ordinances of the Town is committed, continued or permitted by any such person, and he shall be punished accordingly. (Ord. 217 § 2, 1976)