

TOWN OF OAK CREEK

ORDINANCE NO. 641

AN ORDINANCE AMENDING AND MODIFYING THE OAK CREEK MUNICIPAL CODE AT SECTION 9.24.090, LOITERING

WHEREAS, the Town of Oak Creek was contacted on August 31, 2016 as one of 34 municipalities in the State of Colorado having regulations contrary to recent legal findings and decisions concerning begging or panhandling; and

WHEREAS, Section 9.24.090(B)(1), was deemed "legally indefensible" due to these recent legal findings and decisions; and

WHEREAS, upon receiving direction from the Town's attorney and liability insurance carrier, the Town has determined it should repeal Section 9.24.090(B)(1), Oak Creek Municipal Code.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

SECTION 1. AMENDMENTS. The Oak Creek Municipal Code, Section 9.24.090, is hereby amended as follows (deletions are shown stuck through, additions are shown in bold).

Section 9.24.090 – Loitering.

- A. "Loiter" means to be dilatory, to stand idly around, to linger, delay, or wander about, or to remain, abide, or tarry in a public place.
- B. A person commits loitering if he does any of the following:
 - 1. ~~Loiters for the purpose of begging; or~~ **Reserved.**

SECTION 2. SEVERABILITY, CONFLICTING ORDINANCES REPEALED. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.


SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

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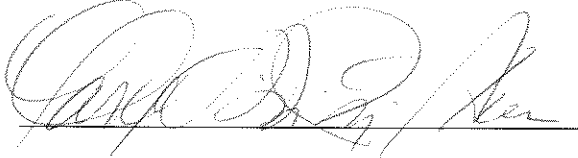
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INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this 13th day of
October, 2016.


Nikki Knoebel, Mayor

ATTEST:



Mary Alice Page-Allen
Town Administrator/Clerk

