

ORDINANCE NO. 4-1990

ARCHULETA COUNTY, COLORADO

AN ORDINANCE REGULATING THE DUMPING OF TRASH, JUNK AND GARBAGE FROM VEHICLES ON PUBLIC OR PRIVATE PROPERTY IN ARCHULETA COUNTY, COLORADO.

Be it ordained by the Board of County Commissioners of the County of Archuleta, State of Colorado, as follows:

SECTION 1.00 TITLE

1.01 This Ordinance shall be known as the Archuleta County Covered Vehicle Ordinance.

SECTION 2.00 PURPOSE

2.01 This Ordinance is for the purpose of controlling and regulating the dumping of trash, junk and garbage on public or private property from vehicles.

SECTION 3.00 AUTHORITY

3.01 The authority of the Board of County Commissioners of Archuleta County, Colorado to adopt ordinances to control and regulate the dumping of rubbish, trash, junk or garbage from uncovered vehicles onto public or private property from Colorado Revised Statute Section 30-15-401(a)(v)(A) and said section is specifically incorporated herein by reference and shall not be limited by any language contained in this Ordinance.

SECTION 4.00 REGULATIONS ESTABLISHED

4.01 The Board of County Commissioners of Archuleta County, Colorado hereby controls and regulates the dumping of rubbish, trash, junk or garbage from vehicles as follows:

4.01(a) Regulation Established

No covered or uncovered vehicles may either intentionally or unintentionally dump rubbish, trash, junk or garbage onto public or private property located within Archuleta County, Colorado. All vehicles carrying rubbish, trash, junk, garbage shall have said load covered in such a manner as to prohibit said refuse from dumping onto either public or private property.

SECTION 5.00 EFFECTIVE DATE

This Ordinance shall be effective upon adoption by the Board of County Commissioners of Archuleta County, Colorado after proper legal process pursuant to C.R.S. 30-15-405, through C.R.S. 30-15-407.

SECTION 6.00 ENFORCEMENT

6.01 The Sheriff of Archuleta County, Colorado and duly authorized deputies of said Sheriff shall be charged with the enforcement of this Ordinance.

6.02 The officers of the Colorado State Patrol shall have concurrent authority to enforce this Ordinance.

SECTION 7.00 PENALTY

7.01 The summons and complaint issued to persons for the violation of the ordinance shall be filed in the County Court of Archuleta County, Colorado, and the persons so cited shall be tried in said Court. All persons found guilty of violating this ordinance shall be fined an amount not to exceed Three Hundred and No/100 Dollars (\$300.00) in the discretion of the judges of the County Court of Archuleta County, Colorado, plus the costs of Court.

7.02 All fines collected from violation of the provision of this ordinance shall be directed to the Treasurer of Archuleta County, Colorado who shall deposit said sums in the Archuleta County General Fund.

SECTION 8.00 JURISDICTIONAL AREA

8.01 The provisions of this ordinance shall apply only to private and public property located in Archuleta County, Colorado.

SECTION 9.00 CONFLICTS

9.01 This ordinance does not conflict with any statute or provisions thereof of the State of Colorado.

SECTION 10.00 VALIDITY AND SEVERABILITY

10.01 Should any section, clause, sentence or part of this

ordinance be adjudged by any Court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 11.00 EMERGENCY

11.01 In the opinion of the Board of County Commissioners of the County of Archuleta, State of Colorado, an emergency exists for the immediate preservation of the health and safety of the citizens of the County of Archuleta, State of Colorado, therefore this ordinance shall become effective upon final adoption.

Adopted this 31 day of July, 1990.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF ARCHULETA, STATE OF
COLORADO


CHAIRMAN


ATTEST:


COUNTY CLERK

CERTIFICATION

I, June Madrid, Clerk and Recorder of the County of Archuleta, State of Colorado, do hereby attest and certify that Ordinance No. 4-1990, known as the Archuleta County Covered Vehicle Ordinance, introduced and read to the Board of County Commissioners of the County of Archuleta, State of Colorado, at a Regular meeting held on June 29, 1990, and that ordinance was published in the Pagosa Springs SUN on July 5, 1990, and that the Board of County Commissioners of the County of Archuleta, State of Colorado, at a Regular meeting held on July 31, 1990 had final reading of said ordinance and adopted same at said meeting in accordance with the law.

Certified this 31st day of July, 1990.


JUNE MADRID, CLERK AND RECORDER
County of Archuleta
State of Colorado