

TOWN OF LAKE CITY, COLORADO

ORDINANCE NO. \_\_-2026

**AN ORDINANCE AMENDING SECTION 1-14 OF THE LAKE CITY MUNICIPAL CODE TO LIMIT THE PENALTIES IMPOSED FOR NON-FELONY CRIMINAL VIOLATIONS TO THE MAXIMUM AMOUNTS PROVIDED FOR IDENTICAL VIOLATIONS UNDER TITLE 18 OF THE COLORADO REVISED STATUTES.**

**WHEREAS**, the Board of Trustees of the Town of Lake City, Colorado, pursuant to Colorado statute and the Lake City Municipal Code, is vested with the authority of administering the affairs of the Town; and

**WHEREAS**, pursuant to that authority, the Board has previously enacted Section 1-14 setting forth the penalties for violations of the Lake City Municipal Code; and

**WHEREAS**, on December 22, 2025, the Colorado Supreme Court decided the case of *People v. Camp*, holding that for non-felony crimes, where the misconduct defined under a municipal ordinance is identical to the misconduct defined under a statute contained in Title 18 of the Colorado Revised Statutes, the maximum penalty that may be imposed by a municipal court for the municipal ordinance violation cannot exceed the maximum penalty provided for under the state statute; and

**WHEREAS**, the Board desires to bring the Town's penalty provisions for violations of Lake City municipal ordinances into conformance with the decision of the Court in *Camp*.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO AS FOLLOWS:**

1. Section 1-14 of the Lake City Municipal Code, governing the penalties to be imposed for municipal ordinance violations is amended by deleting the ~~struck through language~~ and adding the **bold underlined language** to read in its entirety as follows:

**Sec. 1-14. General penalty; continuing violations.**

- (a) It is a violation of this Code for any person to do any act which is forbidden or declared to be unlawful or to fail to do or perform any act required by this Code.
- (b) Whenever in this Code or any other ordinance of the town hereafter enacted or any section of an order, rule or regulation promulgated under the provisions of this Code or any other ordinance hereafter enacted, any act is prohibited, made or declared to be unlawful, an offense, nuisance or misdemeanor, where no specific penalty is provided therefor, any person who is convicted of the violation of any such provision of the Code or other ordinance, or of such orders, rules or regulations shall be punished by a fine not to exceed \$2,650.00. In addition, such person shall pay all costs and expenses in the case, including attorney's fees.

- (c) Every day any violation of the Code, any other ordinance of the town or any order, rule or regulation promulgated under the provisions of this Code or ordinances continues shall constitute a separate offense. Violations of this Code may also be abated by injunctive or other equitable relief as allowed by law.
- (d) Any delinquent fines and other charges due the town may be certified to the county treasurer, together with interest or penalties as allowed by law, to be collected similarly as ad valorem taxes with respect to the real or taxable personal property concerning which such delinquent fines and charges were assessed or incurred, or in any manner authorized under C.R.S. § 18-1.3-506.
- (e) Notwithstanding any other provision of this Code to the contrary, including but not limited to the other provisions of this Section 1-14 or any other specific provisions throughout the Code, for non-felony crimes where the misconduct defined under any Lake City Municipal Ordinance is identical to misconduct defined under a statute contained in Title 18 of the Colorado Revised Statutes, the maximum penalty that may be imposed by the Lake City Municipal Court for the municipal ordinance violation shall not exceed the maximum penalty provided for under the state statute.**

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

**INTRODUCED AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY ON THIS 21<sup>ST</sup> DAY OF JANUARY, 2026.**

**ATTEST:**

**TOWN OF LAKE CITY, COLORADO**

\_\_\_\_\_  
Christina Bowman  
Town Clerk

BY: \_\_\_\_\_  
Dave Roberts  
Mayor