

**TOWN OF RED CLIFF, COLORADO
ORDINANCE 4, SERIES 2013**

AN ORDINANCE AMENDING ARTICLE 5 OF CHAPTER 7 OF THE TOWN OF RED CLIFF MUNICIPAL CODE BY REVISING SECTIONS 7-5-20 AND 7-5-30 TO CLARIFY ITS WILDLIFE PROTECTION PROVISIONS.

WHEREAS, the Town of Red Cliff is a municipal corporation and body politic organized under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law; and,

WHEREAS, the Town of Red Cliff, by virtue of its status, may adopt ordinances relative to local municipal matters as are necessary to effectuate the purposes and intent of the powers granted to municipalities.

NOW, THEREFORE, THE TOWN OF RED CLIFF ORDAINS:

Section 1: Amendment. Section 7-5-20 of the Town of Red Cliff Municipal Code is revised to state:

Sec. 7-5-20. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

Resident means any person, firm, corporation, commercial entity or organization within the Town or on Town-controlled land.

Wildlife means any undomesticated animal including, but not limited to, elk, deer, sheep, lynx, skunks, bears, raccoons, coyotes, beavers, porcupines, mountain lions, bobcats, foxes and squirrels.

Wildlife-proof refuse container means any refuse container which has been certified to be wildlife-proof by the Colorado Division of Wildlife, the U.S. Park Service or the U.S. Forest Service.

Wildlife-resistant refuse container means a fully enclosed metal or plastic refuse container with a metal or plastic lid where the lid has a latching mechanism which prevents access to the contents by wildlife.

Section 2: Amendment. Section 7-5-30 of the Town of Red Cliff Municipal Code is revised to state:

Sec. 7-5-30. Residential refuse disposal.

(a) All refuse containers that receive garbage and/or refuse edible by wildlife from residents must be a wildlife-resistant refuse container, a wildlife-proof refuse container or be kept within a fully enclosed and secured structure.

(b) Residents with curbside pickup shall place their refuse containers at the curb, alley or public right of way at or after 6:00 a.m. on the day of pickup

except that wildlife-proof refuse containers may be placed at the curb, alley or public right of way after 6:00 a.m. on the day before pickup. After pickup, all refuse containers must be resecured in an appropriate manner before the end of the day.


Section 3. Severability. If any section, provision or part of this Ordinance is for any reason held to be unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance would have been adopted even if such unconstitutional or invalid matter had not been included therein. It is further declared that if any section, provision or part of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance and the application thereof to other persons shall not be affected thereby.

Section 4: Effective Date. This Ordinance shall become effective thirty (30) days after publication thereof.

Section 5: The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Red Cliff and the inhabitants thereof.

INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING, APPROVED AND ORDERED POSTED IN FULL THIS 2nd DAY OF July, 2013. A public hearing on the SECOND READING of this Ordinance shall be held at the regular meeting of the Board of Trustees of the Town of Red Cliff, Colorado, on the 16th day of July, 2013 at 7:00 p.m. in the Town Hall of the Town of Red Cliff, Colorado.

TOWN OF RED CLIFF, COLORADO



Scott Burgess, Mayor

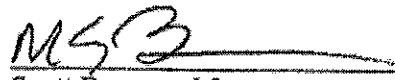
ATTEST:



Barb Smith, Town Clerk & Administrator

ADOPTED AND ORDERED PUBLISHED on this 16th day of July, 2013.

TOWN OF RED CLIFF, COLORADO




Scott Burgess, Mayor

ATTEST:



Barb Smith, Town Clerk & Administrator

APPROVED AS TO FORM:



Michael J. Heaphy, Town Attorney