

ORDINANCE NO. 278

AN ORDINANCE CONCERNING THE QUALIFICATIONS AND DUTIES OF THE MAYOR OF THE TOWN OF RICO, COLORADO.

WHEREAS, the Town of Rico, has its option under 31-4-102 CRS as amended to automatically allow the Mayor as the presiding officer of the City Council to have the same voting power as any member of said Council, and

WHEREAS, said Statute further provides that the Town may provide by ordinance that the Mayor shall not be entitled to vote on any matter before the Council, among other limitations, and

WHEREAS, the Board of Trustees of the Town of Rico desires to avail itself of said Statute in the manner prescribed by law,

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Rico, Colorado:

SECTION I.

The Mayor of the Town of Rico shall not be considered a member of the governing body in the City Council and the Board of Trustees for voting purposes.

SECTION II.

In accordance with Statute, the Board of Trustees states that the Mayor shall vote on all matters in which there is a tie vote.

SECTION III.

In accordance with Statute, it is further provided that any Ordinance adopted and all resolutions authorizing the expenditure of money for the entering into of a contract, shall be subject to the disapproval by the Mayor as provided in 31-16-104 CRS as amended.

SECTION IV.

All ordinances adopted and all resolutions authorizing the expenditure of money or the entering into of a contract shall be presented to the mayor within 48 hours after the action of the governing body for his signature approving the same. If he disapproves, he shall return such ordinances or resolution of the governing body at its next regular meeting with his objections in writing. The governing body shall cause such objections to be entered at large upon the record and shall proceed at the same or next subsequent meeting to consider the question:

"shall the ordinances or resolution, notwithstanding the mayor's objections, be passed."

If 2/3rds of the members elected to the governing body vote in the affirmative, such resolution shall be valid and such ordinance shall become a law the same as if it had been approved by the Mayor. If the Mayor fails to return to the next subsequent meeting of the governing body, any resolution or ordinance presented to him for his approval, the same shall become a valid ordinance or resolution, as the case may be, in like manner as if it had been approved by him.

SECTION V.

In accordance with Statute, this ordinance is read, published and adopted within 60 days preceeding the election of a Mayor to the Town of Rico, Colorado, and this ordinance shall take effect upon the election of such Mayor.

The invalidity or unconstitutionality of any section, clause, or provision of this ordinance shall not effect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Adopted this 9th day of March, 1984.

Town of Rico

Wayne Sheperek  
Mayor

ATTEST:

Linda Yellowman  
Town Clerk

TRUSTEES VOTING AYE  
Patricia O. Moses  
Ronald P. Evers  
Freda R. Engel  
Martha Sheperek

TRUSTEES VOTING NAY

This Ordinance was introduced and read at the March meeting of the Town of Rico and shall be considered adopted in full force and effect 10 days after its publication.

I, Linda Yellowman, the Town Clerk of the Town of Rico hereby certify and attest that this Ordinance was published on the 15th day of March, 1984, and adopted 10 days thereafter.

Linda Yellowman

## ORDINANCE 279

AN ORDINANCE RELATING TO DOGS, THE VACCINATION AGAINST RABIES OF SAME, VICIOUS DOGS, POISONING OF DOGS, AND PENALTIES FOR VIOLATION THEREOF.

### SECTION 1 - DEFINITIONS

Within the provisions of this ordinance the following definitions shall have the meanings indicated:

A. Owner: Any person, firm corporation, partnership, trust or association of persons owning, or having an interest in, or having control or custody of possession or supervision of any dog.

B. Vaccination: Medical inoculation using type of vaccine and method of vaccination recommended by the Colorado Department of Health.

C. Vicious: Dog of a cross or savage or vicious temper or disposition or a dog who attacks and/or bites people.

D. Loose: Outside the property of the owner and not under restraint by a leash or chain held by a competent person.

### SECTION 2 - VACCINATION OF DOGS

After the effective date of this ordinance it shall be unlawful for any owner to allow any dog of the age of six months or more to be within the Town of Rico, Colorado, unless said dog has been vaccinated with anti-rabies vaccine and tagged with proof of vaccination.

### SECTION 3 - VICIOUS DOGS

It shall be unlawful for any owner to allow any vicious dog to be loose within the Town of Rico unless said dog be securely muzzled.

### SECTION 4 - POISONING OF DOGS

It shall be unlawful for any person to poison or cause to be poisoned any dog within the Town of Rico, or to distribute or leave any poison in any manner with the intent or for the purpose of poisoning any dog within the Town.

### SECTION 5 - PENALTIES

The violation of Section 2 of this Ordinance, concerning vaccination for rabies, shall be punished by a fine of twenty-five dollars. The owner shall have seven days to produce a certificate of vaccination. If proof of vaccination is not provided to the Mayor, Town Clerk, or Marshall within said seven day period, the following penalties shall apply:

Violation of the provisions of this Ordinance shall be declared to be a misdemeanor and the violation of any provision of this Ordinance shall be punished by fine, not exceeding \$300.00, or imprisonment for a term not exceeding ninety days, or by both such fine and imprisonment in the discretion of the Court. Unless otherwise indicated, each day or portion thereof in violation of this Ordinance shall constitute a separate

offense.

SECTION 6 - SEVERABILITY

This Ordinance is hereby declared to be severable and in the event any Section hereof is declared unconstitutional it shall not effect the validity of any other Section or Sections.

SECTION 7 - EFFECTIVE DATE

The provisions of this Ordinance shall be in effect on the 8th day of March, 1988, and thereafter until repeal.

Read, passed, approved and adopted by the Board of Trustees of the Town of Rico, Colorado, on this 8th day of March, 1988.

ATTEST:

TOWN OF RICO:

Linda Yellowman  
Town Clerk

M.G. Maxwell  
Mayor