

ORDINANCE NO.

19-22
Series of 2019

TITLE: AN ORDINANCE REVISING CHAPTER 2, ARTICLE 18, OF THE HUDSON MUNICIPAL CODE TO BEGIN REFERRING TO THE TOWN MARSHAL AS THE TOWN POLICE

WHEREAS, the Hudson Home Rule Charter, Section 7.02, creates a Department of Public Safety, which shall be led by the Town Marshal or the Town Chief of Police;

WHEREAS, previously the director of the Department of Public Safety has been referred to as the Town Marshal; and

WHEREAS, Town Council now desires to change the title of the director of the Department of Public Safety to Town Chief of Police, which is a more widely recognized and used title.

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Article 18 within Chapter 2 of the Hudson Municipal Code is repealed and reenacted as follows to replace references to the town marshal with references to the town chief of police.

ARTICLE 18 - Department of Public Safety

Sec. 2-240. - Reserved.

Sec. 2-241. - Departmental rules and regulations.

The department of public safety shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be adopted by the town council.

Sec. 2-242. – Chief of police; appointment; powers and duties.

(a) It shall be the duty of the chief of police to:

(1) See that the ordinances of the town and the laws of the state are duly enforced and the rules and regulations of the department of public safety obeyed, and perform such duties as may be required by the town council.

(2) Direct the operations of the department of public safety, subject to the rules and regulations thereof.

(3) Render such accounts of the department of public safety, his or her duties and receipts as may be required by the town council, and keep the records of his or her office open to inspection by the town council.

(b) Before entering upon the duties of such office, the town chief of police shall take and subscribe to an oath that he or she will support the constitution and laws of the state, the Constitution of the United States and ordinances of the town, and that he or she will faithfully perform the duties of the office upon which he or she is about to enter.

Sec. 2-243. - Duties of police deputies.

All members of the department of public safety shall have power and duties as follows:

(a) They shall perform all duties required by the town chief of police.

(b) They shall suppress all riots, disturbances and breaches of the peace and apprehend all disorderly persons in the town.

(c) They shall be the enforcement officers of the town, and shall see that the provisions of the ordinances of the town and the laws of the state are complied with. They shall be authorized to arrest without process all persons engaged in the violation in their presence of any provision of the ordinances of the town or the laws of the state.

(d) They shall execute and return all writs and processes to them directed by the municipal judge in any case arising under a town ordinance.

(e) Before entering upon the duties of his or her office, each police deputy shall take and subscribe an oath that he or she will support the Constitution and laws of the state, the Constitution of the United States and the ordinances of the town, and that he or she will faithfully perform the duties of the office upon which he or she is about to enter.

Section 2. Safety Clause. The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective ten (10) days after final publication by title only.

INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this 6 day of NOV, 2019.

TOWN OF HUDSON, COLORADO

Laura Hargis
Laura Hargis, Mayor

ATTEST:

Charity Campfield
Charity Campfield, Town Clerk

PASSED by a vote of 5 for and 0 against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the town clerk this 20 day of November, 2019.

TOWN OF HUDSON, COLORADO

Laura Hargis
Laura Hargis, Mayor

ATTEST:

Charity Campfield
Charity Campfield, Town Clerk



APPROVED AS TO FORM:

Corey Y. Hoffmann
Corey Y. Hoffmann, Town Attorney

