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ORDINANCE NO. 600

AN ORDINANCE AMENDING CHAPTER 17, MUNICIPAL OFFENSES, OF THE BERTHOUD MUNICIPAL CODE WITH SECTION 17.10, CRIMINAL TRESPASS.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO, THAT CHAPTER 17 OF THE BERTHOUD MUNICIPAL CODE IS HEREBY AMENDED WITH THE ADDITION OF THE FOLLOWING SECTION:

CHAPTER 17

MUNICIPAL OFFENSES

Section 1.

17.10 CRIMINAL TRESPASS. A person commits the crime of criminal trespass if he unlawfully enters or remains in or upon the real property or personal property of another which property is closed or enclosed in a manner designed to exclude intruders or; if, he knowingly and unlawfully enters or remains in or upon the premises of a hotel, motel, condominium, or apartment building; or, who enters or remains in or upon the real or personal property, the equitable title to which is vested in a third person/s without their prior consent.

(a) A person "unlawfully enters or remains" in or upon premises when he is not licensed, invited, or otherwise privileged to do so. A person who, regardless of his intent, enters or remains in or upon premises which are at the time open to the public does so with license and privilege unless he defies a lawful order not to enter or remain, personally communicated to him by the owner of the premises or some other authorized person. A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of the building which is not open to the public.

Section 2. Penalties

It shall be unlawful to violate any provision of this ordinance and upon conviction the guilty party may be sentenced to a \$300.00 fine, ninety (90) days in jail or both such fine and imprisonment.

Section 3. Effective Date

This ordinance was introduced and read and a public hearing set for January 26, 1988, by the Board of Trustees of

the Town of Berthoud at its meeting held on this 12th day of January, 1988. After a public hearing, this ordinance was read, passed, and ordered published by the Board of Trustees at its meeting this 26th day of January, 1988.

ATTEST:

Orahbelle Patterson  
Orahbelle Patterson  
Town Clerk

TOWN OF BERTHOUD:

Tommy S. Fellows  
Tommy Fellows - Mayor

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