

TOWN OF BERTHOUD

ORDINANCE 2018-1253

**AN ORDINANCE OF THE TOWN BOARD OF THE TOWN OF BERTHOUD, DECRIMINALIZING  
LOITERING FOR THE PURPOSE OF BEGGING**

**WHEREAS**, section 17.5-6.B.1 of the Berthoud Municipal Code makes it unlawful to loiter for the purpose of begging;

**WHEREAS**, numerous court decisions have held in effect that laws similar to section 17.5-6.B.1 violate the First Amendment of the Constitution of the United States;

**WHEREAS**, to protect the Town of Berthoud against possible lawsuits challenging the Constitutionality of section 17.5-6.B.1, law enforcement officers in the Town of Berthoud have been instructed by town officers not to enforce section 17.5-6.B.1 due to free speech and constitutional considerations;

**WHEREAS**, it is in the interest of the Town of Berthoud to foster the exercise of free speech rights by Berthoud citizens as well as visitors to the Town of Berthoud;

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

Section 1. Section 17.5-6.B.1 of the Berthoud Municipal Code is repealed.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 25<sup>th</sup> DAY OF SEPTEMBER, 2018**

**TOWN OF BERTHOUD**

BY:

Will Karspeck  
Will Karspeck, Mayor

ATTEST:

Christian Samora  
Christian Samora, Town Clerk

