

ORDINANCE NO. 973

AN ORDINANCE REPEALING AND RE-ENACTING SECTION
8.04.540 OF THE GOLDEN REVISED ORDINANCES
RELATING TO TRESPASSING AND PRESCRIBING A
PENALTY FOR VIOLATION THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN,
COLORADO:

Section 1. Section 8.04.540 of the Golden Revised
Ordinances of 1965 is hereby repealed and re-enacted as follows.

8.04.540 Trespassing - Penalty. (a) A person commits the offense of trespassing if he unlawfully enters or remains in or upon premises.

(b) Definitions. (1) As used in this section, "premises" means real property, buildings (including but not limited to apartments, condominiums, townhomes, and detached residences), and other improvements thereon, and the stream, banks and beds of any nonnavigable freshwater streams flowing through such real property.

(2) As used in this section, 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. Except as is otherwise provided in 33-6-123, CRS, a person who enters or remains upon unimproved and apparently unused premises which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the

premises or some other authorized person, or unless notice forbidding entry is given by posting with signs at intervals of not more than four hundred forty yards or, if there is a readily identifiable entrance to the premises, by posting with no trespassing signs at such entrance to the private premises or the forbidden part of the premises.

Section 2. Penalty Provision. Unless otherwise provided in the respective chapters, the penalty for violating the provisions of the within ordinance shall be as prescribed in Section 1.01.110 of the Golden Revised Ordinances of 1965, which is the general penalty provision thereof.

Section 3. Any ordinances or portions of ordinances in conflict herewith are hereby repealed.

Introduced, read and orderd published this 11th day of October, 1984.

Adopted, approved and ordered published this 25th day of October, 1984.

Dr. Ruth A. Maurer
Mayor

ATTEST:

Sharon L. Bennetts
City Clerk

Approved as to form:

Russell J. Sindt
City Attorney

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I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said city, held on the 11th day of October, 1984 and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 25th day of November, 1984, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 26th day of October, 1984.

Attest:

Sharon L. Bennetts
City Clerk of the City of
Golden, Colorado

(SEAL)