

ORDINANCE NO. 2-2005

**AN ORDINANCE PROHIBITING NUISANCES, ESTABLISHING A
PROCEDURE FOR ABATEMENT OF NUISANCES, AND PROVIDING A
PENALTY FOR NUISANCES**

WHEREAS, pursuant to C.R.S. § 31-15-401, the Town of Fleming is authorized to declare what is a nuisance, abate the same, and impose fines upon parties who may create or continue nuisances or suffer nuisances to exist; and

WHEREAS, the Town Council finds it is in the best interest of the health, welfare and safety of its residents to prohibit nuisances as defined herein, to provide for abatement of the same, and to impose fines and other penalties for violations of the same.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
FLEMING, COLORADO:**

Section 1. Definitions. The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Person means the owner of, or resident of, any parcel of property, as well as any member of the household residing therein.

Public nuisance or *nuisance* means a thing, act, failure to act, occupation, activity, condition or use of property which:

- (1) Annoys, injures, or endangers the safety, health, comfort or repose of persons;
- (2) Offends the public decency;
- (3) Interferes with, obstructs or tends to obstruct or render dangerous for passage any lake, stream, canal or other body of water or a public park, street, alley or other public way;
- (4) In any way renders persons insecure in life or use of property; or
- (5) Otherwise constitutes or is known or declared a public nuisance by virtue of common law, state statutes, or ordinances of the Town.

Section 2. Nuisances prohibited.

(a) It is unlawful for any person to own, occupy, or have under his control any property, building, lot, or premises with any nuisance located thereon. It is unlawful and an offense for any person to:

- (1) Do any act constituting a nuisance;
- (2) Knowingly fail to act where such failure causes or continues a nuisance;
- (3) Permit any activity or condition constituting a nuisance; or
- (4) Aid or abet in the creation or maintenance of a nuisance.

(b) The prohibitions of this Section shall apply only to persons in a position to avoid, prevent, or discontinue a nuisance.

Section 3. Abatement of nuisances.

(a) Purpose. The purpose of this section is to provide a procedure by which the Town can enforce the various nuisances addressed by this Ordinance, and to establish a policy authorizing the Town to take corrective enforcement measures should any landowner, tenant, or occupant of any property located within the Town fail to voluntarily comply with any provision of this Ordinance. Abatement of any nuisance as set forth in this Section shall be optional at the sole discretion of the Town, and shall not prevent the Town from availing itself of any other enforcement or criminal action, including the issuance of a summons to appear in municipal court.

(b) Abatement procedure.

- (1) In all cases where a nuisance shall be found in any building or upon any ground or other premises within the jurisdiction of the Town, notice shall be given in writing, signed by the Mayor, Town Superintendent, or either's designee, to the owner of the premises or occupant or person in possession, charge, or control of such building or premises, or person creating such nuisance where such person is known and can be found to remove such nuisance. Should any such nuisance, within or upon any public or private premises or as aforesaid, not be corrected within the time period stated in the notice, which period shall be at least three (3) days, the Mayor, Town Superintendent, or either's designee, shall have the authority to call for the necessary assistance to abate the nuisance as provided herein.
- (2) In case of any such nuisance in or upon any street, avenue, alley, sidewalk, highway, or public grounds in the Town, the Town may abate the nuisance forthwith without such notice being given.
- (3) Any person duly authorized to abate any nuisance specified in this Ordinance shall have the authority to engage the necessary assistance and incur the necessary expense therefor.

(c) If the individual responsible does not abate the nuisance within the stated period of time, the Town may elect to abate the nuisance by entering upon the property and removing the condition or conditions constituting a nuisance. The Town may abate any nuisance by authorizing a private contractor to enter the property and remove the condition or conditions.

Section 4. Recovery of expenses; assessment policy.

(a) Upon the Town or contractor's completing abatement of the nuisance pursuant to Section 3, a notice of assessment, including the right to a hearing as set forth in this Section, shall be sent by first class mail by the Town Clerk to the property owner at the address listed for the property owner in the county records and to the property address. If any such notice is returned, the property shall be posted with the notice.

(b) For purposes of this Section, "property owner" shall include renters, lessees, occupants or persons in possession of the property.

(c) The property owner shall have forty-five (45) days from the date the notice of assessment is mailed, or if the notice is returned from the date the property was posted, to pay the assessment. Failure to pay within the time allotted will cause the assessment to be recorded against the property. The assessment will constitute a continuing lien against such property.

(d) The amount of the assessment shall include, in addition to all contractors' charges, all direct Town costs including inspection costs, attorney fees, court costs, and all other associated costs. The assessment may be paid any time prior to the assessment being certified to the county treasurer. All payments must be made directly to the Town Clerk.

(e) A property owner may file a written objection to such assessment with the Town Clerk within thirty (30) days from the date the notice of assessment was mailed, or if the notice is returned from the date the property was posted. The objection must include a phone number and address of the objecting party, and must state with specificity the basis for the objection.

(f) Upon receipt of an objection, the Town Clerk or a designated hearing officer shall set a hearing date, which hearing shall be held within thirty (30) days from receipt of the written objection. Notice of the hearing date shall be mailed to the person making the objection. Failure to include all required information in the objection, including the address of the objecting party, will constitute a waiver of the right to file an objection.

(g) A property owner who requests a hearing pursuant to this Section will be charged an additional administrative cost in the amount of the actual cost of the hearing, as determined by the Town Clerk or hearing officer, should the Town Clerk or hearing officer find in favor of the Town. Failure of such person to attend the hearing at the date and time scheduled shall constitute a waiver of such right to a hearing and a determination of all issues regarding the assessment.

(h) The hearing held pursuant to this Section shall be conducted in an informal manner, and shall not strictly follow the technical rules of evidence. The Town shall have the

burden of establishing there was probable cause to determine a violation existed on the property prior to abatement, and that an abatement was conducted by the Town. The standard of proof at such hearing shall be by a preponderance of the evidence. A written decision shall be prepared at the conclusion of the hearing and mailed to the property owner, which decision shall be deemed effective upon execution of the written decision.

Section 5. Abatement of nuisances; emergencies. Where, in the opinion of the Town Attorney, Mayor, or Town Superintendent, a nuisance constitutes an immediate and serious danger to the public health, safety, or welfare, the Mayor, Town Superintendent, or either's designee shall have the authority to summarily abate the nuisance without notice of any kind. Recovery of expenses for such emergency abatement may be pursued in accordance with Section 4 of this Ordinance.

Section 6. Authority to enter on property. The Mayor, Town Superintendent, or either's designee may, where reasonable cause exists, with or without a warrant issued by a court of competent jurisdiction, including the municipal court, enter upon any land to examine the same to ascertain whether any nuisance exists, or to abate a nuisance in the manner provided in this Ordinance. The Town, the Mayor, the Town Superintendent, and each such duly authorized designated agent of the Town shall be free from any action or liability on account thereof. Such authority does not allow entry into any building or structure without consent, a court order or under other circumstances allowed by law.

Section 7. Interpretation; effect on other ordinances. Notwithstanding the provisions of any zoning ordinance or other ordinance, now or hereafter enacted, authorizing certain uses or location of property, it is the intention of the Town Council, and is hereby so declared, that any use, location, or activity otherwise authorized by zoning ordinances or any other ordinance shall be subject to this Ordinance prohibiting nuisances.

Section 8. Nuisances affecting cleanliness and health.

(a) Any unclean, foul, unsafe, unhealthy, dangerous, defective, or filthy drain, ditch, tank, or gutter, or any leaking or broken slop, garbage, or manure box or receptacle of like character shall be deemed a nuisance.

(b) Any accumulation of manure on premises where animals are kept, unless the premises are kept clean and the manure kept in a box or vault that is screened from flies and emptied at least once a week, shall be deemed a nuisance.

(c) It shall be unlawful to deposit in or on or to litter any street, alley, or public place with garbage, rubbish, debris, sod, earth, sand, gravel, concrete, or any other construction waste or material. Such actions shall be deemed a nuisance; provided, however, the Mayor, Town Superintendent, or either's designee may allow temporary storage of dirt, gravel, and other landscaping materials during landscaping projects being conducted on the property where such material is stored. Such temporary storage shall be subject to time limitations and other conditions as provided in writing by the Mayor, Town Superintendent, or either's designee.

(d) Any pond, pool, stream, ditch, or deposit of water or other liquid or viscous body that is unsafe, dangerous, or detrimental to the public health or safety, or unwholesome or offensive in odor, shall be deemed a nuisance.

Section 9. Graffiti nuisances.

(a) As used in this Section, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

Graffiti means the defacing of public or private property by means of painting, drawing, writing, etching, or carving with paint, spray paint, ink, knife, or any other similar method.

Owner means each person who owns, occupies, or has under the person's control any building, property, lot, or premises.

(b) Upon the discovery of graffiti on public or private property, the Town may send a notice to the owner thereof directing the removal of the graffiti. The notice shall state that the owner may elect to remove the graffiti or to have the graffiti removed by the Town, shall include provisions for the owner to make the election and to defend, indemnify, and hold the Town, its officers, and its employees harmless from any and all liability, claims, and demands resulting therefrom, and shall include such other information as determined appropriate by the Town.

(c) If the owner does not remove the graffiti within the time allotted in the notice, or if the owner elects to have the graffiti removed by the Town, the Town may proceed to enter the property and remove the graffiti. Recovery of costs for such removal may be pursued in accordance with Section 4 of this Ordinance.

(d) The failure of an owner to remove the graffiti within the time allotted in the notice shall be conclusively deemed to be an election by the owner to have the Town enter the property and remove the graffiti.

(e) Nothing in this Section shall create any duty to any person with regard to the enforcement thereof. No person shall have any civil liability remedy against the Town, its officers, employees, or agents for any damages arising out of or in any way connected with the enforcement or non-enforcement of this Section, including but not limited to any acts of omissions of any Town officer, employee, or agent who undertakes any action to enter property and remove graffiti therefrom.

Section 10. Nuisances affecting garbage, trash, and junk.

(a) In the interpretation of the definitions of litter, garbage, trash, and junk set forth in this Section, it is the express intent of the Town Council that such definitions be liberally construed to include like matters, materials, objects, or substances whether or not the same are specifically identified. It is further the expressed legislative intent of the Town Council that the definitions not be considered mutually exclusive, and that in the interpretation of such definitions, it is recognized that any substance or material or object may constitute litter, trash,

garbage, and junk at the same time. Liberal construction of definitions is deemed necessary by the Town Council in order to fulfill the public purpose of this Ordinance, which is to ensure the Town is maintained in a clean, healthy, and attractive condition by eliminating all outside storage of garbage, trash, junk, and related matters, objects, or materials as set forth in this Ordinance.

(b) In this Section, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

Code enforcement officer means the Mayor, Town Superintendent, or either's designee.

Garbage means wastes resulting from the handling, preparation, cooking, or consumption of food and wastes from the handling, storage, or sale of produce.

Junk means scrap brass, scrap copper, scrap iron, scrap lead, scrap zinc and all other scrap metals and alloys, bones, rags, used cloth, used rope, used rubber, used tinfoil, used bottles, old or used machinery of any type, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates (fabricated of any material), used pipe or pipe fittings, used conduit or conduit fittings, used tires and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition.

Litter means and includes any manmade or man-used waste that, if deposited within the Town other than in a litter receptacle, tends to create a danger to public health, safety, and welfare or to impair the environment of the people of the Town. "Litter" includes any garbage, trash, refuse, confetti, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazine, glass, metal, plastic or paper container, used construction materials, motor vehicles or parts thereof, furniture, appliances such as refrigerators, freezers, ranges, stoves, washers, and dryers, carcass of a dead animal, nauseous or offensive (as related to the senses of a person of ordinary intelligence, sensibility and reasonableness within the community) matter of any kind, or any object that does or may tend to injure any person or create a traffic hazard.

Trash means combustible refuse, including but not limited to paper, cartons, boxes, barrels, wood (except stacked firewood and stacked construction materials), tree branches, yard trimmings, dead plant material, wood or upholstered furniture or bedding, or similar substance or material, noncombustible refuse including but not limited to metals, tin, or aluminum cans, metal furniture, dirt, rock, pieces of concrete, glass, crockery, or other minerals or mineral wastes, street rubbish including but not limited to street sweepings, dirt, leaves, catch bag dirt, and contents of litter receptacles; provided, however, that "trash" does not include earth and waste from building construction during the period in which a valid building permit issued by the Town is active.

(c) It is unlawful:

- (1) For any person to store upon his property, place upon his property, or allow to remain upon his property any litter, junk, trash or garbage;

- (2) For any person to dump or deposit, or to cause to be dumped or deposited, litter, garbage, trash, or junk on the property of another or on property owned by the Town unless such property is clearly marked and designated as a proper dump or receptacle for the deposit of trash, garbage, junk, or litter;
- (3) For any person to place or to permit to remain anywhere in the Town any garbage or other material subject to decay other than leaves or grass, except in watertight and airtight cans or containers, which neither creates an odor or stench or is accessible to animals. No section of this Ordinance shall apply to vegetable materials in any properly layered, actively working compost pile, pit or trench;
- (4) For any person to drive or move any loaded truck or other loaded vehicle within the Town, unless such vehicle is loaded or covered so as to prevent any load, contents, or litter from being blown or deposited upon any street, alley, or other public place;
- (5) For any person to operate or cause to be operated on any highway or public way in the Town, any truck or vehicle transporting garbage, trash, or junk unless such vehicle or truck is fitted with a substantial, tight box or other container thereon so that no portion of such garbage, trash, or junk shall be thrown or fall upon the highway or public way;
- (6) For any person to cause or permit to accumulate any litter, ashes or trash, or any such material that can be blown away by the wind anywhere in the Town except in a container awaiting pickup and disposal;
- (7) For any person to cause or permit to accumulate any grass clippings or leaves anywhere in the Town except in a container or a sealed, thirty (30) gallon capacity plastic bag awaiting pickup and disposal. No section of this Ordinance shall apply to vegetable materials in any properly layered, actively working compost pile, pit, or trench, or to a thin layer of grass clippings used as mulch, provided the grass clippings are not able to blow from the property and do not cause an odor that can be detected from any adjacent property;
- (8) For any person to display, or cause or allow to be displayed, upon his property any junk, unless the junk is completely shielded and screened from the view of any member of the general public by a wall, fence, or other similar barrier constructed in conformance with all ordinances of the Town;
- (9) For any person to keep or store any construction materials for construction at that location unless such materials are covered;

- (10) For any person to store upon his property or to allow to be viewed by the general public, or any member thereof, goods, material, or substances not otherwise or specifically defined or definable as litter, trash, garbage, or junk but which goods, materials, or substances are of a type, kind, quantity or description not commonly associated with the zoning classification or permitted use of the property; or
- (11) For any person to use any trailer, whether covered or uncovered, to store any items upon his property.
- (12) For any person to burn or allow the burning of refuse, rubbish, trash, wastepaper, wood, or other flammable material on any open premises, or on any public street, alley, or other land adjacent to such premises, or in any barrel or other trash receptacle, except pursuant to written authorization of the Town Council or its designee. All such authorized burning will be done under such proper safeguards as may be required, including conditions as to time and weather.

Section 11. **Nuisances creating annoying conditions.** The creation of dense smoke, noxious fumes or odors, gas, soot, or cinders in such quantities as to render the same objectionable to the public or harmful to people or property shall be deemed a nuisance; provided, however, this shall not apply to fireplaces, wood stoves, or barbeque facilities.

Section 12. **Nuisances regarding nonoperating, junked or abandoned vehicles.**

(a) In this Section, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

- (1) *Abandoned motor vehicle* means any motor vehicle that is:
 - a. Left unattended on private property for a period of twenty-four (24) hours or longer without the consent of the owner, occupant, or tenant of such property or his legally authorized agent;
 - b. Left unattended on public property, including any portion of a street or highway right-of-way, within the limits of the Town for a period of twenty-four (24) hours or longer, unless the owner or driver has conspicuously affixed thereto a dated notice, or otherwise notified the Town of his intention to remove such vehicle within seventy-two (72) hours, or the vehicle is parked on a public street within fifty (50) feet of the property of the owner; or
 - c. Any motor vehicle determined to be lost, stolen, or unclaimed.
- (2) *Antique vehicle* means any motor vehicle that is:
 - a. At least twenty-five (25) years old;

- b. A make or model of motor vehicle recognized and displaying a special registration plat pursuant to C.R.S. § 42-3-128 by the executive director of the state department of revenue as being antique; or
 - c. A make or model of motor vehicle recognized by the executive director of the department of revenue as having unique interest or historic value and displaying a special registration plat.
- (3) *Hobby* means the repairing, reconditioning, or rebuilding of all vehicles that is done for personal enjoyment or entertainment only, with no profits, compensation, or reimbursements of any kind involved.
- (4) *Junked vehicle* means any vehicle as described in paragraph (5) of this Section or any dismantled, partially dismantled, discarded, wrecked, rusted, demolished or partially demolished vehicle.
- (5) *Nonoperating vehicle* means any vehicle that is not capable of traveling under its own power in its existing mechanical condition or any vehicle not bearing a valid current registration license plate.
- (6) *Property* means any real property within the Town that is not a street or highway.
- (7) *Street* or *highway* means the entire width between the boundary lines of every right-of-way publicly maintained where any part thereof is open to the use of the public for purposes of vehicular travel.
- (8) *Vehicle* means a machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners, or slides to transport persons or property or pull machinery and includes, without limitation, automobile, airplane, truck, trailer, motorcycle, motor scooter, tractor, buggy, wagon, and recreational vehicle. "Vehicle" includes any antique vehicles.
- (b) Abandoned and junked vehicles prohibited.
 - (1) No person shall abandon any motor vehicle upon public property in the Town.
 - (2) It is unlawful for any person to own or have under his control any vehicle that is abandoned. It shall be an affirmative defense to any criminal charge arising under this paragraph that the vehicle was abandoned without the knowledge and consent of the person charged.

- (3) It is unlawful for any person to leave any abandoned or junked vehicle not in operating condition on any street or highway within the Town.
- (4) It is unlawful for any person who is the owner of any vehicle, or any person who is in charge or control of property, or any tenant, lessee, occupant, renter, or otherwise, to permit or allow any abandoned or junked vehicle or a vehicle not in operating condition to remain on such property for a time period in excess of seventy-two (72) hours, provided that this subsection shall not apply with regard to:
 - a. A vehicle or parts of a vehicle in a completely enclosed building;
 - b. A vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or
 - c. A vehicle in an appropriate storage place or depository maintained for impounded vehicles by the Town or vehicles that are each covered by a fitted, cloth car cover, manufactured for such purpose. Tarps may not be used at any time to cover such vehicles within the Town, and storage of such vehicles is limited to three (3) on any single property, unless otherwise approved in writing by the Mayor, Town Superintendent, or either's designee.

(c) Motor vehicle hobby repair. It is unlawful for any person to repair, recondition, rebuild, or work on any motor vehicle as a hobby unless such hobby is conducted in and totally contained within a residential or commercial garage, and conducted in a manner so as not to create a safety, health, or fire hazard. This paragraph shall not apply to minor repair and maintenance activities such as, by way of illustration only, the changing of oil, spark plugs, or tires, so long as such minor work does not exceed two (2) days. The sale and/or marketing of more than one (1) each calendar year of any repaired, reconditioned, or rebuilt motor vehicle and of more than one (1) each calendar year of any motor vehicle repair, rebuilding, or reconditioning for which a person receives any compensation shall be deemed a business and must be performed in accordance with all applicable Town ordinances.

Section 13. Nuisances regarding weeds, brush, and rubbish.

(a) In this Section, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

Brush means woody shrubs not part of a planned and maintained landscape of either a highly structured, manicured type or a natural appearance.

Property means all lots and tracts of land within the Town, including all areas abutting the property to the middle of the alley, and sidewalk areas in front of a lot or tract.

Rubbish includes all garbage, junk, litter, and trash as defined in Section 10 of this Ordinance.

Weeds means any unsightly, useless, troublesome, or injurious plants, grass, brush, or other noxious vegetation and includes, but is not limited to, all noxious weeds designated in the Colorado Noxious Weed Act in C.R.S. § 35-5.5-101, *et seq.*, as may be from time to time amended. "Weeds" shall also include all rank vegetable growth that may conceal filthy deposits of rubbish, trash, garbage, junk, or litter or that may conceal any health hazards or unsafe conditions, but does include flower gardens, shrubbery, vegetable gardens, or small grain plots.

(b) It shall be the duty of the owner, his agent, or the occupant of any vacant or improved private property, including without limitation public and utility easements and drainage ways within and the gutters and streets adjacent to such private property in the Town, to keep all weeds cut or trimmed to not more than eight (8) inches in length and to keep such property free of brush and rubbish of all kinds. This requirement shall not apply to flower gardens, shrubbery, or vegetable gardens.

(c) Whenever the Mayor, Town Superintendent, or either's designee determines that the provisions of subsection (b) above have not been complied with, the Town may notify the owner, his agent, or the occupant of said property directing the removal of said weeds, brush, or rubbish. Said notice may be sent by certified mail to the last known address of the record owner, his agent, or the occupant of said property, or may be served personally upon said owner, agent, or occupant. The notice shall also be posted on the premises or property. Said notice shall direct the removal of weeds, brush, or rubbish within three (3) days from the date of receipt of the notice or posting of the notice as provided herein, whichever date is sooner. Said notice shall further advise the owner, his agent, or the occupant that, in the event said weeds, brush, or rubbish are not removed within the stated time, the Town shall do the work or cause the work to be done at the expense of the owner, and that said costs, if not promptly paid, shall constitute a lien against the property.

(d) If the owner or occupant fails to remove the weeds, brush, or rubbish within the time and manner prescribed, the Mayor, Town Superintendent, or either's designee may have the weeds, brush, or rubbish removed from the property pursuant to Section 3 of this Ordinance, and the costs therefor shall be collected pursuant to Section 4.

(e) The notice provided for in subsection (c) of this Section shall be required only if the Town elects to have weeds, brush, or rubbish removed from the property pursuant to Section 3 of this Ordinance. No such notice shall be required if the Town elects to bring a criminal prosecution for a violation of this Section. The Town's removal of such weeds, brush, or rubbish pursuant to Section 3 shall not preclude or foreclose a criminal violation for violation of this Section.

Section 14. **Penalty for violation; continuing violations.** Whenever in any section of this Ordinance the doing of any act is required, prohibited, or declared to be unlawful, any person who shall be convicted of a violation of any section of this ordinance shall be fined in a sum not more than three hundred dollars (\$300.00) or imprisoned for a period not to exceed

ninety (90) days, or both. Each day that such condition continues shall be regarded as a new and separate offense.

Section 15. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 16. The repeal or modification of any ordinance of the Town of Fleming by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

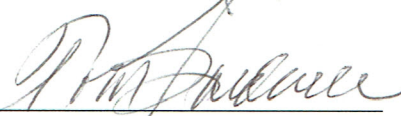
Section 17. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 18. Ordinance No. 1-2000 and Section 9-03 of Ordinance #1-1974 (Town of Fleming Zoning Ordinance) are hereby repealed.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED POSTED IN FULL
IN THE FOLLOWING THREE PLACES THIS 8th day of June, 2005:

Fleming Town Hall
First National Bank of Fleming
Fleming Post Office

SECOND READING AND ADOPTED THIS 2nd DAY OF AUGUST, 2005
TOWN OF FLEMING, COLORADO


Tom Gardiner, Mayor

ATTEST:


Susan J. Einspahr, Town Clerk