

**TOWN OF PALMER LAKE, COLORADO**

**ORDINANCE NO. 01-2026**

**AN ORDINANCE AMENDING SECTION 1.2.010 OF THE PALMER LAKE MUNICIPAL CODE TO LIMIT THE PENALTIES IMPOSED FOR NON-FELONY CRIMINAL VIOLATIONS TO THE MAXIMUM AMOUNTS PROVIDED FOR IDENTICAL VIOLATIONS UNDER TITLE 18 OF THE COLORADO REVISED STATUTES.**

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town; and

**WHEREAS**, pursuant to that authority, the Board has previously enacted Section 1.12.010 setting forth the penalties for violations of the Palmer Lake Municipal Code; and

**WHEREAS**, on December 22, 2025, the Colorado Supreme Court decided the case of *People v. Camp*, holding that for non-felony crimes, where the misconduct defined under a municipal ordinance is identical to the misconduct defined under a statute contained in Title 18 of the Colorado Revised Statutes, the maximum penalty that may be imposed by a municipal court for the municipal ordinance violation cannot exceed the maximum penalty provided for under the state statute; and

**WHEREAS**, the Board desires to bring the Town's penalty provisions for violations of Palmer Lake municipal ordinances into conformance with the decision of the Court in *Camp*.

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

1. Section 1.12.010 of the Palmer Lake Municipal Code, governing the penalties to be imposed for municipal ordinance violations is amended by deleting the struck through language and adding the underlined language to read in its entirety as follows:

**1.12.010. General penalty.**

(a) Except as provided in subsection (e), below, ~~U~~unless otherwise specifically provided in the relevant Code provisions, any person convicted of violating any provisions or failing to comply with any of the mandatory requirements of the ordinances of the town shall be guilty of a petty offense. A person convicted under this Code shall be punished by a fine of not more than \$2,650.00 or by imprisonment not to exceed one year, or by both such fine and imprisonment.

(b) Any such person is guilty of a separate offense for each and every day during any portion of which any violation of the ordinances of the town, is

committed, continued or permitted by any such person, and he shall be punished accordingly.

(c) In addition to the penalties set forth in subsection (a) of this section, violations of this Code may be abated by the town through injunctive or other equitable relief and by such other means as provided by law.

(d) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise or other administrative sanctions under the provisions of this Code or other applicable law.

(e) Notwithstanding any other provision of this Code to the contrary, including but not limited to the other provisions of this Section 1.12.010 or any other specific provisions throughout the Code, for non-felony crimes where the misconduct defined under any Palmer Lake Municipal Ordinance is identical to misconduct defined under a statute contained in Title 18 of the Colorado Revised Statutes, the maximum penalty that may be imposed by the Palmer Lake Municipal Court for the municipal ordinance violation shall not exceed the maximum penalty provided for under the state statute.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

**INTRODUCED AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 8<sup>th</sup> DAY OF JANUARY, 2025.**

**ATTEST:**

**TOWN OF PALMER LAKE, COLORADO**

\_\_\_\_\_  
Erica Romero  
Town Clerk

BY: \_\_\_\_\_  
Dennis Stern  
Mayor