

**TOWN OF LOCHBUIE  
COUNTIES OF WELD AND ADAMS, COLORADO**

**ORDINANCE NO. 2022-673**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF  
LOCHBUIE, COLORADO, ADDING A NEW SECTION 2-5-45 TO  
ARTICLE V OF CHAPTER 2 OF THE LOCHBUIE TOWN CODE  
GOVERNING THE POLICE DEPARTMENT**

WHEREAS, the Town of Lochbuie (the “Town”) is a statutory municipality, governed by its elected Mayor and Board of Trustees; and

WHEREAS, the Town has adopted provisions in its Municipal Code that are historically enforced by a community service officer who works under the supervision of the Police Chief and who may or may not be a peace officer; and

WHEREAS, the Town Board of Trustees desires to amend the Code to clarify that such appointed community service officer has authority under state and local law to issue summons and complaints and to execute process stemming from allegations of violation of certain provisions of the Municipal Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE, WELD AND ADAMS COUNTIES, COLORADO, AS FOLLOWS:**

**Section 1. Incorporation of Recitals.** The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Board of Trustees.

**Section 2. Addition of new Section 2-5-45 to Chapter 2 of the Lochbuie Municipal Code.** Article V of Chapter 2 of the Lochbuie Municipal Code (“Code”) is hereby amended by the addition of a new Section 2-5-45 to read as follows in its entirety:

**Sec. 2-5-45. – Community Service Officer; Authority.**

- (a) Appointment. The Police Chief may assign one or more member(s) of the Police Department or such other persons, who may or may not be police officers as set forth in this Article, to serve as community service officer(s) for the Town.
- (b) Authority. The community service officer(s) shall be authorized law enforcement officer(s) for the purpose of executing processes from the Lochbuie Municipal Court in accordance with C.R.S. Section 13-10-111(2) and peace officer(s) for the limited purpose contemplated by Colo. Mun. Ct. R. P. 204(b)(3) of issuing summons and complaints for an offense constituting a violation which was

committed in such officer's presence or, if not committed in the officer's presence, when the officer has reasonable grounds for believing that the offense was committed in fact and that the offense was committed by the person charged.

- (c) In acting within the authority set forth in subsection (b) of this section, community service officer(s) shall be limited to issuing summons and complaints only for alleged violations of this Lochbuie Municipal Code, and not to include any allegations of violations under Chapter 10 or under Chapter 8 if involving a moving vehicle.

**Section 3. Severability.** If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Board of Trustees hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term "provision" means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term "application" means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.


**Section 4. Safety Clause.** The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Lochbuie, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relationship to the proper legislative object sought to be obtained.

**Section 5. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

**Section 6. Effective Date.** This Ordinance shall take effect thirty (30) days after publication, as provided by C.R.S. § 31-16-105 and Sections 1-3-60 and 2-2-110 of the Lochbuie Municipal Code.

ADOPTED by a vote of 6 in favor, 0 against and 0 abstaining, AND ORDERED PUBLISHED by title only following public hearing, this 5 day of July, 2022.

TOWN OF LOCHBUIE, COLORADO

  
Michael Mahoney, Mayor

I hereby certify that the above Ordinance was adopted by the Board of Trustees of the Town of Lochbuie at its meeting of July 5, 2022 and ordered published by title only one time by *The Brighton Blade* newspaper on July 14, 2022.

[SEAL] Heather Meierkort

Heather Meierkort, Town Clerk

