

**CITY OF SHERIDAN, CO
ORDINANCE NO. 1-2025**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERIDAN,
COLORADO, REPEALING IN ITS ENTIRETY SECTION 50-16 DOMESTIC
VIOLENCE OF THE SHERIDAN MUNICIPAL CODE**

WHEREAS, Section 50-16 of the Sheridan Municipal Code prohibiting domestic violence is based upon State law, Domestic Violence C.R.S. Sec. 18-6-800.3 et seq. which sets forth a comprehensive set of procedures including protective orders, central registry for protective orders, forfeiture of weapons, sentencing requirements including treatment, and the duties of peace officers and prosecutors and guidelines for the preservation of evidence; and

WHEREAS, C.R.S. Secs. 13-10-104.5 and 13-10-108 require that municipalities which prosecute domestic violence must adopt an ordinance that the local law enforcement agency, city attorney, municipal court and municipal court probation officer must all ensure that all victims are provided all the rights required under the State's Victim Rights Act, (C.R.S. 24-4.1-300.1 et. seq.) which includes for example an extensive list of notifications and forms and services such as counseling, transportation, housing, assistance with creditors, child care, compensation for loss, notification of all those involved in the victims case and updates as to the victims case, while also ensuring that each case is overseen by a municipal probation officer and that all sentencing probation, release upon bond, protection orders adhere to state law, that all information be submitted to the Colorado Crime Information Database and the National Crime Center Database and all data bases be searched for other offenses of the defendant; and

WHEREAS, the City having only a part-time court does not have the staff nor resources to meet all of the State's requirements and finds that domestic violence victims will be better served by having their cases handled by the Arapahoe County, District Attorney's Office, Courts and Social Services.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN COLORADO THAT:

Section 1. Section 50-16 Domestic Violence of the Sheridan Municipal Code is repealed in its entirety.

Section 2. 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 city council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. 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 4. The repeal or modification of any provision of the Sheridan Municipal Code 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. 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 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 5. This ordinance is deemed necessary for the preservation of the public, health, welfare, peace and safety.

PASSED AND APPROVED on first reading the 27th day of January, 2025 and ordered published.

PASSED AND APPROVED on second reading the 10th day of February, 2025 and ordered published.



Tara Beiter-Fluhr, Mayor

ATTEST: Jenna DiRubbo

Jenna DiRubbo, MMC, City Clerk

APPROVED AS TO FORM:



Hayashi & Macsalka, LLC City Attorney



Published:

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