

TOWN OF BERTHOUD

ORDINANCE 2018-1253

**AN ORDINANCE OF THE TOWN BOARD OF THE TOWN OF BERTHOUD, DECRIMINALIZING
LOITERING FOR THE PURPOSE OF BEGGING**

WHEREAS, section 17.5-6.B.1 of the Berthoud Municipal Code makes it unlawful to loiter for the purpose of begging;

WHEREAS, numerous court decisions have held in effect that laws similar to section 17.5-6.B.1 violate the First Amendment of the Constitution of the United States;

WHEREAS, to protect the Town of Berthoud against possible lawsuits challenging the Constitutionality of section 17.5-6.B.1, law enforcement officers in the Town of Berthoud have been instructed by town officers not to enforce section 17.5-6.B.1 due to free speech and constitutional considerations;

WHEREAS, it is in the interest of the Town of Berthoud to foster the exercise of free speech rights by Berthoud citizens as well as visitors to the Town of Berthoud;

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

Section 1. Section 17.5-6.B.1 of the Berthoud Municipal Code is repealed.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 25th DAY OF
SEPTEMBER, 2018**

TOWN OF BERTHOUD

BY:


Will Karspeck, Mayor

ATTEST:


Christian Samora, Town Clerk

