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James DePue, *City Manager*
Emily J. Ellis, *City Clerk/Treasurer*
Alvin R. Wall, *City Attorney*

ORDINANCE No. 645

AN ORDINANCE AMENDING TITLE 9, CHAPTER 9.12 OF THE WRAY MUNICIPAL CODE ADDING A NEW SECTION 9.12.020.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WRAY:

Section 1: The Wray Municipal Code, Title 9, Chapter 9.12 Offenses Against the Person is amended by addition of a new section as follows:

Sec. 9.12.020 Harassment

- (a) It is unlawful for any person, with the intent to harass, annoy or alarm another person, to:
 - (1) Strike, shove, kick or otherwise harm a person or subject him to physical contact;
 - (2) Direct obscene language to or at another person in a public place;
 - (3) Follow a person in or about a public place;
 - (4) Initiate communication with a person, anonymously or otherwise, by telephone, in a manner intended to harass or threaten bodily injury or property damage, or make any comment, request, suggestion or proposal by telephone which is obscene;
 - (5) Make a telephone call or cause a telephone to ring repeatedly, whether or not a conversation ensues, with no purpose of legitimate conversation;
 - (6) Make repeated communication at inconvenient hours that invades the privacy of another and interferes in the use and enjoyment of another's home or private residence or other private property; or
 - (7) Repeated insult, taunt, challenge or make communications in offensively coarse language to another in a manner likely to provoke a violent or disorderly response.
- (b) As used in this section, unless the context otherwise requires, the term "obscene" means a patently offensive description of ultimate sexual acts or solicitation to commit ultimate sexual acts, whether or not said ultimate sexual acts are normal or perverted, actual or simulated, including masturbation, cunnilingus, fellatio, anilingus or excretory functions.

- (c) Any acts prohibited by subsection (a)(4) of this section may be deemed to have occurred or to have been committed at the place at which the telephone call was either made or received.
- (d) Violation of this section shall be punishable by a fine of up to a maximum of \$1,000 for each violation. There shall be no jail sentence or other form of imprisonment imposed. A fine being the exclusive punishment.

Introduced and approved on first reading, and ordered published this 14th day of March, 2023 and set for final reading and passage on April 11, 2023 at public meeting to be held at 7:30 P.M. at the City Council chambers located at 304 W 3rd Street, Wray, CO 80758.

CITY OF WRAY

By: Robert Kraus
Mayor, Robert Kraus

ATTEST:

Emily J. Ellis
City Clerk, Emily J. Ellis

Publish: 3-22-2023

PASSED, APPROVED AND ADOPTED ON FINAL READING THIS 11TH day of April, 2023.

CITY OF WRAY

By: Robert Kraus
Mayor, Robert Kraus

ATTEST:

Emily J. Ellis
City Clerk, Emily J. Ellis