

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2019-O-23

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, ADDING A NEW ARTICLE 15 TO CHAPTER 10 OF THE MUNICIPAL
CODE TO PROHIBIT LITTERING AND SETTING A PENALTY FOR VIOLATIONS
THEREOF**

WHEREAS, the City of Centennial is a Colorado home rule municipality organized pursuant to Article 20 of the Colorado Constitution and the Home Rule Charter of the City of Centennial; and

WHEREAS, the City, through its Home Rule Charter and pursuant to C.R.S. § 31-15-401, has the authority to adopt police regulations as necessary to promote public health and safety; and

WHEREAS, the City has an important and substantial interest in keeping both public and private property free from the dumping or depositing of litter, whether in solid or liquid form; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety and welfare of the residents of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, ORDAINS:**

Section 1. **Addition of New Article 15 to Chapter 10.** Chapter 10 of the Centennial Municipal Code is hereby amended by the addition of a new Article 15, entitled *Littering*, to read as follows in its entirety:

ARTICLE 15

Littering

Sec. 10-15-10. Definitions.

For purposes of this Article, the following terms have the assigned meaning:

Litter means any and all solid or liquid rubbish, waste material, refuse, garbage, trash, debris, feces, urine, wastewater, or other substance, of every form, size, kind and description.

Littering means dumping, dropping, throwing or depositing any litter or otherwise causing or permitting any litter including, but not limited to, the discharge of litter from a vehicle, recreational vehicle holding tank, or otherwise.

Sec. 10-15-20. Littering prohibited.

- (a) It is unlawful for any person to litter on any public or private property or to litter in any water course or water body, unless:
 - (1) Such property is an area designated by law, ordinance or regulation for the disposal of such material and such person is authorized by the proper public authority to so use such property; or
 - (2) The litter is placed in a receptacle or container used on the property for such purpose and the property owner, lessee, or person in control of the property has provided either express or implied permission to use such receptacle or container for such litter.
- (b) It is unlawful for any person to allow litter to remain on the property owned or occupied by such person regardless of the source of such litter.
- (c) Any litter that becomes suspended in, carried by or mixed with stormwater or an allowed stormwater discharge may also be deemed an illicit discharge subject to Article I, Chapter 13 of this Code.
- (d) Any person who violates this Section commits a minor offense and, upon conviction thereof, shall be punished by a fine of not more than the maximum fine amount authorized in Section 1-4-10 of this Code.

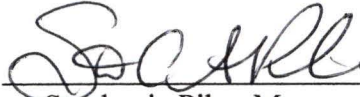
Section 2. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 3. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and 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.

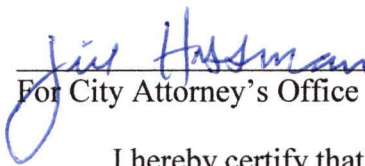
Section 4. Effective Date. This Ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 7th DAY OF Sept., 2019.

CITY OF CENTENNIAL

By: 
Stephanie Piko, Mayor

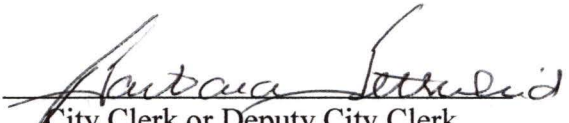
Approved as to Form:


For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of Sept. 3, 2019 and ordered published one time by title only in *The Centennial Citizen* newspaper on Sept. 5, 2019, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

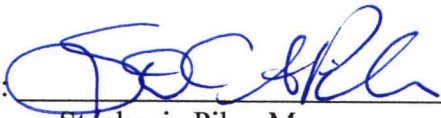
SEAL

ATTEST:

By: 
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE CENTENNIAL CITIZEN* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 16th DAY OF Sept, 2019, BY A VOTE OF 9 IN FAVOR AND 0 AGAINST.

CITY OF CENTENNIAL

By: 
Stephanie Piko, Mayor

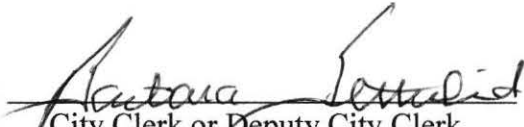
I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of Sept. 16, 2019, and ordered published by title only,

one time by *The Centennial Citizen* newspaper on Sept. 19, 2019 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By:


City Clerk or Deputy City Clerk