

The public hearing was called to order by the Chairman, with the following persons present:

Lewis H. Bantz, Chairman
Phillip M. Lorton, Vice Chairman
Timothy M. Gallagher, Member
Gary T. Sulter, Administrative Asst.
Paul E. Motz, County Attorney
Marjorie A. Galpro, County Clerk
Mary D. Sparrow, Secretary of the Board

County Attorney Paul Motz presented proof of publication of Ordinance No. 1 published pursuant to order of the Board, August 27, 1981. Mr. Motz stated that the reading of the ordinance should be done at this time.

Vice Chairman Lorton read the ordinance:

COUNTY OF ALAMOSA

ORDINANCE NO. 1

AN ORDINANCE CONCERNING THE DISPOSAL OF REFUSE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY:

Section 1. Purpose. The purpose of this ordinance is to prevent the spillage and scattering of litter and debris along roadsides, streets, highways, alleys and public places of Alamosa County.

Section 2. Definitions. For the purpose of this Ordinance the terms "trash", "garbage" or "rubbish" shall mean any waste, useless, unwanted, or worthless matter, materials, debris or discarded articles; building rubbish, such as waste materials from the construction on houses, buildings and other structures; and yard rubbish, including tree branches, trunks and clippings.

Section 3. General Provisions.

3.1 Littering Roadways Prohibited. No persons shall dump, deposit litter or scatter any trash, garbage, rubbish, scrap construction materials, refuse, debris or waste of any kind whatsoever upon the roadways, streets, highways, alleys or public places within Alamosa County.

3.2 Transportation of Loose Materials. It shall be unlawful for any person, firm or corporation to move or convey any truck or other vehicle carrying rubbish, garbage or loose material of any kind on any highway or public way within Alamosa County unless such rubbish, garbage or loose material is secured so as to prevent such load contents or litter from being blown, scattered, or deposited upon any street, highway, alley or public place.

3.3 Applicability. This ordinance shall apply throughout the unincorporated areas of Alamosa County, including public lands, and to any incorporated Town which elects by ordinance or resolution to have the provisions of this Alamosa County Ordinance apply.

Section 4. Penalties. Any person convicted of violating any of the provisions of this ordinance shall be subject to a fine of not more than Three hundred Dollars (\$300.00) for each violation, or by imprisonment in the County Jail for not more than Ninety (90) days, or by both such fine and imprisonment.

Section 5. Enforcement and Jurisdiction. It is the duty of the Alamosa County Sheriff to enforce the provisions of this Ordinance.

The Alamosa County Court shall have jurisdiction in prosecution of violations of this Ordinance. Any summons and Complaint brought the County Court shall be filed in the name of Alamosa County by and on behalf of the people of the State of Colorado.

Section 6. Disposition of Fines. All fines collected for the violation of this Ordinance shall be paid into the Alamosa County general fund at monthly intervals by the Clerk of the Alamosa County Court.

Section 7. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance declared to be severable.

Section 8. Effective Date. This Ordinance shall be in full force and effect upon the expiration of Thirty (30) days after its passage and publication.

M/S Lorton, Gallagher: That Ordinance No. 1 be adopted by the Board of Alamosa County Commissioners on this date, and ordered published. Motion carried unanimously.

The public hearing was closed at 11:15AM.

ATTEST:

Marjorie A. Galpro
Clerk of the Board
Mary D. Sparrow
Secretary of the Board

Lewis H. Bantz
Chairman
Phillip M. Lorton
Vice Chairman
Timothy M. Gallagher
Member