

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 02

Series, 2026

**AN EMERGENCY ORDINANCE OF THE CITY OF
LITTLETON, COLORADO, REPEALING AND
REENACTING TITLE 1 ADMINISTRATIVE, CHAPTER 4
GENERAL PENALTY OF THE LITTLETON CITY CODE
REGARDING MAXIMUM SENTENCING PROVISIONS
FOR CITY ORDINANCE VIOLATIONS**

WHEREAS, Section 6, of Article XX of the Colorado Constitution gives home-rule municipalities to creation municipal courts as well as impose penalties for city ordinance violations; and

WHEREAS, C.R.S. § 13-10-113 sets the maximum penalties that municipal courts can sentence individuals to up to 364 days in jail and/or a fine of up to \$2,650; and

WHEREAS, 1-4-1 of the Littleton City Code sets the maximum penalty to also be at up to 364 days in jail and/or a fine of up to \$2,650; and

WHEREAS, the Colorado Supreme Court has ruled that for when there is a non-felony criminal violation at the municipal level that is identical to a state law provision, the maximum sentence at state law shall prevail; and

WHEREAS, in order to comply with state law and to avoid confusion, the City Council wishes to amend and clarify its general penalty provision.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LITTLETON, COLORADO, THAT:**

Section 1: 1-4-1: GENERAL PENALTY, is hereby repealed and readopted to read as follows:

“1-4-1: GENERAL PENALTY:

1. Whenever in this code or any other ordinance of the city hereinafter enacted any act is prohibited or is declared to be unlawful or an offense, or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, where no specific penalty is provided therefor, any person eighteen (18) years of age or older who pleads guilty, no contest, or is convicted of the violation of any such provision of this code or other ordinance of the city hereinafter enacted, shall be punished by a fine of not more than two thousand six hundred fifty

dollars (\$2,650.00); or by imprisonment in jail not exceeding three hundred sixty-four (364) days, or by probation not exceeding one year, or by such fine, imprisonment, probation and restitution as provided for in this code.

Excluding those violations committed under Title 9 of this code, and any codes adopted by reference therein for which penalties as specified in the first paragraph of this section may be applied, all violations of this code or any other ordinance of the city hereinafter enacted by any minor under the age of eighteen (18) years shall not be punishable by imprisonment, but shall be punishable by a fine of not more than two thousand six hundred fifty dollars (\$2,650.00) or by probation not exceeding one year, or by such fine, probation and restitution as provided for in this code.

Every day that a violation of any provision of this code, or any other ordinance of the city hereafter enacted or any rule or regulation promulgated under the provisions of this code, continues, it shall be deemed to constitute a separate offense regardless of whether or not any specific penalty clause, if applicable, so provides.

The limitation on fines set forth herein shall be adjusted for inflation on January 1, 2014, and on January 1 of each year thereafter; "inflation" means the annual percentage change in the United States department of labor, bureau of labor statistics, consumer price index for Denver-Boulder, all items, all urban consumers, or its successor index. (Ord. 37, Series of 2013)

2. NOTWITHSTANDING SECTION 1, WHENEVER THERE EXISTS A NON-FELONY CRIMINAL VIOLATION WHERE THE PROHIBITED CONDUCTS IS IDENTICAL TO A CORRESPONDING CHARGE IN COLORADO STATE LAW, THE MAXIMUM SENTENCE AT THE COLORADO STATE LAW SHALL CONTROL.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS AN EMERGENCY ORDINANCE and adopted at a regularly scheduled meeting of the City Council of the City of Littleton on the 6th day of January, 2026, by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center,

86 Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

87 ATTEST:

88 _____

89 Colleen L. Norton

90 CITY CLERK

91

92 APPROVED AS TO FORM:

93

94 _____

95 Reid Betzing

96 CITY ATTORNEY

Kyle Schlachter

MAYOR

