

**TOWN OF HUGO
ORDINANCE NO. 297**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
HUGO, COLORADO REPEALING AND REPLACING ORDINANCE NO.
271, REGARDING THE MAXIMUM PENALTY FOR ORDINANCE AND
CODE VIOLATIONS**

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Hugo as follows:

Section 1. Ordinance No. 271 of the Town of Hugo is hereby repealed and replaced by the following language:

GENERAL PENALTY.

(A) *Violation and punishment.*

(1) It is unlawful for any person to violate any provision or to fail to comply with any of the requirements of any ordinance within the Town. Unless otherwise specifically provided, any person 18 years of age or older violating any ordinance shall be punished by a fine of not more than \$2,650, or by incarceration not to exceed 180 days or by both such fine and incarceration.

(2) Any person under 18 years of age convicted of violating any provision of such ordinances may be punished by a fine of not more than \$2,650.

(a) Any person under the age of 18 years convicted of violating any provision of the Model Traffic Code may be punished by a fine of not more than \$300 or by incarceration not to exceed 90 days, or by both such fine and incarceration.

(b) Any such person shall be guilty of a separate offense for each and every day during any portion of which a violation of any applicable provision of any ordinance is committed, continued or permitted by such person and shall be punished accordingly.

(3) For any criminal offense for which a maximum penalty is established by Title 18, C.R.S., the maximum penalty set forth in Title 18 shall apply in lieu of any penalty set forth by the Town.

(B) *Public nuisance.* In addition to penalties provided in this Section, any condition caused or permitted to exist in violation of any provisions of the nuisance provisions of the Town shall be deemed a public nuisance and may be by this Town similarly abated as such and each day that such condition continues shall be regarded as a new and separate offense.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that anyone, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after publication.

Adopted and ordered published this 9 day of March, 2026.

(Seal)

Kara Emmerling, Mayor

Attest:

Sara Lancaster, Town Clerk Administrator