

**ORDINANCE NO. 12
SERIES 2019**

**AN ORDINANCE AMENDING SECTION 5-14-8 OF THE VAIL TOWN
CODE REGARDING STREAM TRACT PROTECTION AND RELATED
VIOLATIONS AND PENALTIES**

**NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL,
COLORADO, THAT:**

Section 1. Section 5-14-8.B. of the Vail Town Code is hereby amended as follows:

5-14-8: VIOLATION AND PENALTY:

* * *

B. Violations of this Chapter shall be punished as follows, and such penalties shall not be waived, reduced or deferred by the Municipal Court:

First offense in any twelve (12) month period: ~~Five hundred~~
_____ dollars (~~\$500.00~~ _____).

Second offense in any twelve (12) month period: ~~Seven hundred fifty~~
_____ dollars (~~\$750.00~~ _____).

Third offense in any twelve (12) month period: Mandatory appearance in the municipal court and the general penalty provided in Section 1-4-1 of this Code.

* * *

Section 2. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. The amendment of any provision of the Vail Town Code in this Ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or ordinance previously repealed or superseded unless expressly stated herein.

Section 4. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This

repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 3rd day of September, 2019 and a public hearing for second reading of this Ordinance is set for the ___ day of _____, 2019, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED this ___ day of _____, 2019.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk