



# Legal Notice

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**Date:** 03/03/2022

**Subject:** An ordinance of the City of Littleton, Colorado, amending certain sections of Title 6 of the Littleton City Code pertaining to police regulations

**Status:** Passed on first reading

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**CITY OF LITTLETON, COLORADO**

**ORDINANCE 04  
SERIES 2022**

1 CITY OF LITTLETON, COLORADO

2  
3 ORDINANCE NO. 04

4  
5 Series, 2022

6  
7  
8 AN ORDINANCE OF THE CITY OF LITTLETON,  
9 COLORADO, AMENDING CERTAIN SECTIONS OF TITLE  
10 6 OF THE LITTLETON CITY CODE PERTAINING TO  
11 POLICE REGULATIONS

12  
13 WHEREAS, the City Council of the City of Littleton desires to update the Littleton  
14 Municipal Code to reflect recent and upcoming changes to the State's Colorado Revised Statutes;  
15 and

16  
17 WHEREAS, the revisions align with state law, clean up language in the code,  
18 clarify process and terms, and allowing charging into municipal court.

19  
20  
21 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
22 THE CITY OF LITTLETON, COLORADO, THAT:

23  
24 Section 1: Title 6 of the Littleton City Code is hereby amended as follows:

25 6-4-23 RECKLESS ENDANGERMENT

26 It shall be unlawful to recklessly engage in conduct which THAT creates a substantial risk  
27 of serious bodily injury to another person.

28 6-4-42 CRIMINAL MISCHIEF

29 It shall be unlawful for a person to knowingly damage the real or personal property of one or  
30 more other persons, including property owned by the person jointly with another person or  
31 property owned by the person in which another person has a possessory or proprietary interest, in  
32 the course of a single criminal episode, where the aggregate damage to the real or personal  
33 property is less than ~~one thousand dollars (\$1,000.00)~~. TWO THOUSAND DOLLARS  
34 (\$2,000.00).

35 6-4-45 THEFT

36 A person commits theft when he or she knowingly obtains, retains, or exercises control  
37 over anything of value of another where the aggregate value is less than two thousand  
38 dollars (\$2,000.00) without authorization, or by threat or deception, or receives, loans  
39 money by pawn or pledge on, or disposes of anything of value or belonging to another  
40 that he or she knows or believes to have been stolen, OR PROCURES FOOD OR  
41 ACCOMMODATIONS FROM A PUBLIC ESTABLISHMENT WITHOUT MAKING  
42 PAYMENT THEREFORE, and:

43 1. Intends to deprive the other person permanently of the use or benefit of the thing of  
44 value; or

- 1 2. Knowingly uses, conceals, or abandons the thing of value in such manner as to deprive
- 2 the other person permanently of its use or benefit; or
- 3 3. Uses, conceals, or abandons the thing of value intending that such use, concealment, or
- 4 abandonment will deprive the other person permanently of its use and benefit; or
- 5 4. Demands any consideration to which he is not legally entitled as a condition of
- 6 restoring the thing of value to the other person; or
- 7 5. Knowingly retains the thing of value more than seventy-two hours after the agreed-
- 8 upon time of return in any lease or hire agreement.

#### 9 **6-4-47 MOTOR VEHICLE THEFT**

10 It shall be unlawful to commit motor vehicle theft. A person commits motor vehicle theft if he or  
11 she knowingly obtains or exercises control over a motor vehicle of another without authorization  
12 or by threat or deception **AND THE VALUE OF THE MOTOR VEHICLE IS LESS THAN**  
13 **TWO THOUSAND DOLLARS (\$2,000.00).**

#### 14 **6-4-72: DISORDERLY CONDUCT**

15 It shall be unlawful for any person to commit disorderly conduct. A person commits disorderly  
16 conduct if he or she intentionally, knowingly or recklessly:

- 17 A. Makes a coarse and obviously offensive utterance, gesture or display in a public
- 18 place and the utterance, gesture, or display may tend to incite an immediate breach of the
- 19 peace; or
- 20 B. Makes unreasonable noise in a public place or near a private residence that he or she has
- 21 no right to occupy; or
- 22 C. Fights with another in a public place except in an amateur or professional contest of
- 23 athletic skill; or
- 24 D. Not being a peace officer, discharges a firearm in a public place except when engaged in
- 25 lawful target practice or hunting; or
- 26 E. Not being a peace officer, displays a ~~deadly weapon~~ **REAL OR SIMULATED**
- 27 **FIREARM**, displays any article used or fashioned in a manner to cause a person to
- 28 reasonably believe that the article is a ~~deadly weapon~~ **FIREARM**, or represents verbally
- 29 or otherwise that he or she is armed with a ~~deadly weapon~~ **FIREARM** in a public place in
- 30 a manner calculated to alarm **AND DOES ALARM ANOTHER PERSON.**

#### 31 **6-4-104: POSSESSION AND CONSUMPTION OF MARIJUANA**

- 32 A. Age Restriction: It shall be unlawful for any person less than twenty one (21) years of age
- 33 to possess marijuana. Full compliance with the provisions of article XVIII, section 14, of
- 34 the Colorado Constitution and with Colorado Revised Statutes 23-1.5-106 (2.5) and (14)
- 35 shall constitute an affirmative defense to a charge under this provision.
- 36 B. Possession: Unless otherwise provided by law, it shall be unlawful for any person
- 37 regardless of age to possess more than ~~one ounce~~ **TWO OUNCES** of marijuana.
- 38 C. Public Consumption Unlawful: It shall be unlawful for any person to openly and publicly
- 39 consume marijuana. (Ord. 26, Series of 2013)
- 40 D. Cultivation:
  - 41 1. Except for a person who lawfully cultivates medical marijuana pursuant to the
  - 42 authority granted in section 14 of article XVIII of the State Constitution, it shall be
  - 43 unlawful for a person under twenty one (21) years of age to knowingly cultivate,
  - 44 grow or produce marijuana plants or knowingly allow marijuana plants to be
  - 45 cultivated, grown or produced on land that the person owns, occupies or controls.

1 2. Except for a person who lawfully cultivates medical marijuana pursuant to the  
2 authority granted in article XVIII, section 14, of the Colorado Constitution, it shall be  
3 unlawful for a person twenty one (21) years of age or older to:

- 4 a. Knowingly cultivate or have growing at any one time in excess of six  
5 (6) marijuana plants per resident, regardless of their stage of development; or  
6 b. Knowingly cultivate, grow, or produce more than twelve (12) marijuana plants  
7 on or in a residential property; or to knowingly allow more than twelve  
8 (12) marijuana plants to be cultivated, grown, or produced on or in a residential  
9 property; or  
10 c. To knowingly be cultivating or growing more than three (3) mature  
11 flowering marijuana plants at any one time; or  
12 d. To knowingly cultivate or grow any marijuana plants in violation of provisions  
13 set forth in Title 3 of this Code; or  
14 e. To knowingly cultivate or grow any marijuana plants in any area that is not an  
15 enclosed locked space, not in public view, and which space does not reasonably  
16 preclude access to those plants by persons not lawfully entitled to possess or  
17 grow such plants. (Ord. 30, Series of 2018)

18 E. Penalties:

- 19 1. Persons who are convicted, plead guilty or no contest to possession of less than two  
20 (2) ounces of marijuana **OR LESS** under subsections (A) and ~~(B)~~ of this section shall  
21 be punished by a fine not to exceed one hundred dollars (\$100.00).  
22 2. Persons who are convicted, plead guilty or no contest to possession of more than two  
23 (2) ounces of marijuana **UNDER SUBSECTION (B)** or to a violation of subsection  
24 (C) or (D) of this section shall be punished by a fine of not more than one hundred  
25 dollars (\$100.00) and twenty four (24) hours of community service.

26  
27 **6-4-121 OBSTRUCTING PEACE OFFICER FIREFIGHTER, EMERGENCY MEDICAL**  
28 **SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER**

29 A. Peace Officer: A person commits obstructing a peace officer when, by using or threatening to  
30 use violence, force, or physical interference or obstacle, he or she knowingly obstructs, impairs,  
31 or hinders the investigation or enforcement of any law or the preservation of the peace by a  
32 peace officer, acting under the color of official authority.

33 B. Firefighter: A person commits obstructing a firefighter when, by using or threatening to use  
34 violence, force, or physical interference or obstacle, he or she knowingly obstructs, impairs, or  
35 hinders the prevention, control, or abatement of fire by a firefighter, acting under the color of  
36 official authority.

37 C. Emergency medical service provider or rescue specialist: A person commits obstructing an  
38 emergency medical service provider or rescue specialist when, by using or threatening to use  
39 violence, force, or physical interference or obstacle, he or she knowingly obstructs, impairs, or  
40 hinders the administration of medical treatment or emergency assistance by an emergency  
41 medical service provider or rescue specialist, acting under the color of official authority.

42 D. Volunteer: A person commits obstructing a volunteer when, by using or threatening to use  
43 violence, force, or physical interference or obstacle, he or she knowingly obstructs, impairs, or  
44 hinders the administration of emergency care or emergency assistance by a volunteer, acting in

1 good faith to render such care or assistance without compensation at the place of an emergency  
2 or accident

3 E. To ensure that animals used in law enforcement or fire prevention activities are protected from  
4 harm, a person commits obstructing a peace officer or firefighter when, by using or threatening  
5 to use violence, force, physical interference, or obstacle, he or she knowingly obstructs, impairs  
6 or hinders any such animal.

7 F. It is no defense to a charge brought under this section that the peace officer or firefighter was  
8 acting in an unlawful manner if the peace officer or firefighter was acting under the color of  
9 official authority.

10 **G. A PERSON SHALL NOT BE CHARGED WITH THIS OFFENSE BECAUSE THE**  
11 **PERSON REMAINED SILENT OR BECAUSE THE PERSON STATED A VERBAL**  
12 **OPPOSITION TO AN ORDER BY A GOVERNMENT OFFICIAL.**

13 **~~6-4-122: REFUSING TO AID A PEACE OFFICER:~~**

14 ~~A person, eighteen (18) years of age or older, commits an offense when, upon command by a~~  
15 ~~person known to him or her to be a peace officer, he or she unreasonably refuses or fails to aid the~~  
16 ~~peace officer in the discharge of his or her duties~~

17

18 **6-4-131 TAMPERING WITH PHYSICAL EVIDENCE:**

19 **A PERSON COMMITS TAMPERING WITH PHYSICAL EVIDENCE OF A MUNICIPAL**  
20 **ORDINANCE VIOLATION IF, BELIEVING THAT AN OFFICIAL PROCEEDING IS**  
21 **PENDING OR ABOUT TO BE INSTITUTED AND ACTING WITHOUT LEGAL RIGHT OR**  
22 **AUTHORITY, HE OR SHE:**

23 **A. DESTROYS, MUTILATES, CONCEALS, REMOVES, OR ALTERS PHYSICAL**  
24 **EVIDENCE OF AN ORDINANCE VIOLATION WITH INTENT TO IMPAIR ITS**  
25 **VERITY OR AVAILABILITY IN THE PENDING OR PROSPECTIVE OFFICIAL**  
26 **PROCEEDING; OR**

27 **B. KNOWINGLY MAKES, PRESENTS, OR OFFERS ANY FALSE OR ALTERED**  
28 **PHYSICAL EVIDENCE OF AN ORDINANCE VIOLATION WITH INTENT THAT IT**  
29 **BE INTRODUCED IN THE PENDING OR PROSPECTIVE OFFICIAL PROCEEDING.**

30 **C. "PHYSICAL EVIDENCE", AS USED IN THIS SECTION, INCLUDES ANY ARTICLE,**  
31 **OBJECT, DOCUMENT, RECORD, OR OTHER THING OF PHYSICAL SUBSTANCE;**  
32 **EXCEPT THAT "PHYSICAL EVIDENCE" DOES NOT INCLUDE A HUMAN BODY**  
33 **OR PART OF A HUMAN BODY.**

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

42

43 **Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in conflict  
44 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer

1 clauses of such ordinance nor revive any ordinance thereby.

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INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

5 of the City of Littleton on the 1<sup>st</sup> day of March, 2022, passed on first reading by a vote of 7

6 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,

7 the Municipal Courthouse and on the City of Littleton Website.

8 PUBLIC HEARING on the Ordinance to take place on the 5<sup>th</sup> day of April, 2022,

9 in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the

10 hour of 6:30 p.m., or as soon thereafter as it may be heard.

11

12 PASSED on second and final reading, following public hearing, by a vote of \_\_\_\_\_FOR

13 and \_\_\_\_\_ AGAINST on the 5<sup>th</sup> day of April, 2022 and ordered published by posting at Littleton

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

15 ATTEST:

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17 \_\_\_\_\_  
Colleen L. Norton  
18 CITY CLERK

19 \_\_\_\_\_  
Kyle Schlachter  
20 MAYOR

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20

21 \_\_\_\_\_  
Reid Betzing  
22 CITY ATTORNEY

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