

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 11
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
SECTION 10-1-40 OF THE RIFLE MUNICIPAL CODE PERTAINING TO
PENALTIES FOR THE PURCHASE OR POSSESSION OF ALCOHOL OR
FERMENTED MALT BEVERAGES BY MINORS.

WHEREAS, Chapter 10, Article 8 of the Rifle Municipal Code establishes restrictions on the purchase, sale, and possession of alcoholic beverages by persons under 18 years of age; and

WHEREAS, Section 10-8-90(d) incorporates by reference the conditions of C.R.S. § 16-11-701 for the illegal purchase and possession of alcohol by minors; and

WHEREAS, Section 16-11-701, C.R.S., was repealed by the Colorado General Assembly in 2002; and

WHEREAS, the City Council finds and believes that it is in the best interest of the City of Rifle to amend Section 10-8-90(d) to remove any reference to repealed statutory law, and to provide for more discretion in sentencing by the Rifle Municipal Court.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The aforementioned recitals are hereby fully incorporated herein.
2. Section 10-8-90(d) of the Rifle Municipal Code is hereby amended as follows, with ~~strike through language deleted~~:

Sec. 10-8-90. – Purchase or possession of alcoholic or fermented malt beverages by minors.

(d) The court, upon sentencing a defendant pursuant to this Section may, in addition to any fine, order that the defendant perform up to twenty-four (24) hours of useful public service, ~~subject to the conditions and restrictions of Section 16-11-701, C.R.S.,~~ and may further order that the defendant submit to and complete an alcohol evaluation or assessment and alcohol education program, or an alcohol treatment program, at such defendant's own expense.

INTRODUCED on April 20, 2016, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on May 4, 2016 passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of May, 2016.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk