

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 530

**AN ORDINANCE AMENDING THE MORRISON TOWN CODE BY
THE ADOPTION OF A NEW SECTION 4-1-6 CONCERNING
HARASSMENT**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees (the “Board”); and

WHEREAS, the Board has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, *et seq.* to adopt and enforce all ordinances; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-15-103, the Town, acting through its Board is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, pursuant to such authority, the Council has previously defined and adopted certain general offenses, codified in Chapter 1 of Title 4 of the Town Code of Morrison; and

WHEREAS, the Board finds it is necessary to adopt a harassment ordinance to protect and preserve the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado:

Section 1. Chapter 1 of Title 4 of the Morrison Town Code is hereby amended by the addition of a new Section 4-1-6, entitled Harassment, to read as follows:

4-1-6: HARASSMENT:

- A. It is unlawful to commit harassment. A person commits harassment if, with intent to harass, annoy or alarm any other person, the person:
1. Strikes, shoves, kicks or otherwise touches a person or subjects him or her to physical contact;
 2. In a public place directs obscene language or communications or makes an obscene gesture to or at another person;
 3. Follows a person in or about a public place;

4. Initiates communication with a person, anonymously or otherwise, by telephone, telephone network, data network, text message, instant message, computer, computer network or computer system or any other digital or electronic medium, in a manner intended to threaten bodily injury or property damage, or makes any comment, request, suggestion or proposal by telephone, computer, computer network or computer system or other digital or electronic medium which is obscene and unwanted.
 5. Makes a telephone call or causes a telephone to ring repeatedly, whether or not a conversation ensues, with no purpose of legitimate conversation;
 6. Makes repeated communications at inconvenient hours that invade the privacy of another and interfere in the use and enjoyment of another's home or private residence or other private property; or
 7. Repeatedly insults, taunts, challenges or makes communications in offensively coarse language to another in a manner likely to provoke a violent or disorderly response.
- B. As used in this Section, unless the context otherwise requires, obscene means a patently offensive description of sexual acts or solicitation to commit sexual acts, whether or not the sexual acts are normal or perverted, actual or simulated, including masturbation, cunnilingus, fellatio, anilingus or excretory functions.
- C. Any act prohibited by Paragraph (A)(4) or (A)(5) hereof may be deemed to have occurred or to have been committed at the place at which the telephone call, electronic mail or other electronic or digital communication was either made or received.

Section 2. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will 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 hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

Section 3. Effective Date. This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Sections 3.9 and 3.14 of the Home Rule Charter.

INTRODUCED at a public meeting of the Board of Trustees on April 18, 2023.

HEARD AT A PUBLIC HEARING, READ, PASSED AND ADOPTED this ____ day of _____, 2023, by a vote of _____ ayes and _____ nays.

TOWN OF MORRISON:

Chris Wolfe, Mayor

ATTEST:

Ariana Neverdahl, Town Clerk