

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER DiTULLIO
COUNCIL BILL NO. 05
ORDINANCE NO. 1566
Series 2015

**TITLE: AN ORDINANCE ADOPTING A NEW SECTION (16-160) OF THE
WHEAT RIDGE CODE OF LAWS REQUIRING THE PAYMENT
OF SEX OFFENDER FEES AT THE TIME OF REGISTRATION**

WHEREAS, the City of Wheat Ridge, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

WHEREAS, pursuant to C.R.S. § 16-22-108(1)(a)(II), the Wheat Ridge Police Department (WRPD) is required to accept and process sex offender registrations from City residents who are required by law to register as sex offenders; and

WHEREAS, in association with sex offender registration, the WRPD is authorized by C.R.S. § 16-22-108(7) to impose and collect a registration fee, which fee recoups a portion of the City's cost in staff time and resources necessary to process sex offender registrations, including but not limited to maintaining the City's public sex offender list; and

WHEREAS, when a sex offender fails to pay the applicable registration fee, the WRPD may not lawfully refuse to process the offender's registration, and the Council finds that the WRPD *should* not refuse to process such a registration, it being of critical importance that sex offenders are timely registered and that public registration lists remain current and accurate; and

WHEREAS, for calendar years 2012 and 2013, the WRPD reports that it carries two thousand seven hundred eighty-four dollars (\$2,784.00) in outstanding unpaid sex offender registration fees; and

WHEREAS, the collection of registration fees is necessary to continue to fund the City's obligations concerning sex offender registration and there is currently no effective means of enforcing the requirement to pay such fees; and

WHEREAS, the City Council therefore finds that it is necessary and desirable to adopt local Code requirements concerning sex offender registration and the payment of registration fees so that such requirements may be quickly and effectively pursued in the Wheat Ridge Municipal Court.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Chapter 16 of the Wheat Ridge Code of Laws, concerning Offenses, is hereby amended by the addition of a new Section 16-160, concerning sex offender registration and fees, to read in its entirety as follows:

Sec. 16-160. Sex Offender Registration and Fee Required.

(a) Every person who is required by statute, ordinance, law, rule, regulation or any other legal obligation to register as a sex offender with the Wheat Ridge Police Department shall register with the Wheat Ridge Police Department in the time frame prescribed by such statute, ordinance, law, rule, regulation or other legal obligation. It is unlawful to fail to register as required by this subsection.

(b) Every person who is required to register as a sex offender with the Wheat Ridge Police Department pursuant to subsection (a) of this Section shall, at the time of registration, pay the applicable sex offender registration fee as set forth in the Wheat Ridge Police Department Fee Schedule, as adopted and amended by the City Council from time to time. It is unlawful to fail to timely pay the registration fee required by this subsection.

Section 2. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 3. Severability; Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 7 to 1 on this 9th day of February, 2015, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for February 23rd, 2015, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 1, this 23rd day of February, 2015.

SIGNED by the Mayor on this 23rd day of February, 2015.



Joyce Jay, Mayor

ATTEST:

Janelle Shaver
Janelle Shaver, City Clerk

Approved As To Form
Gerald E. Dahl
Gerald E. Dahl, City Attorney

First Publication: February 12, 2015
Second Publication: February 26, 2015
Wheat Ridge Transcript
Effective Date: March 13, 2015

