

ORDINANCE NO 17-A

AN ORDINANCE DECLARING SHOPLIFTING A CRIMINAL OFFENSE  
AND PROVIDING A PENALTY ON CONVICTION THEREOF

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON:

Section 1. It shall be unlawful for any person to willfully conceal unpurchased goods, wares, or merchandise owned or held by and offered or displayed for sale by any store or other mercantile establishment, whether the concealment by on his own person or otherwise or whether on or off the premises of said store or mercantile establishment. Such concealment shall constitute prima facie evidence that the person intended to commit the crime of theft as defined by the Colorado Criminal Code -- 1973 C R S 18-4-401.

Section 2. If any person conceals upon his person or otherwise carried away any unpurchased goods, wares, or merchandise held or owned by any store or mercantile establishment, the merchant or any employee thereof or any peace officer, acting in good faith and upon probable cause based upon reasonable grounds therefor, may detain and question such person, in a reasonable manner for the purpose of ascertaining whether the person is guilty of theft. Such questioning of a person by a merchant, merchant's employee, or peace or police officer does not render the merchant, merchant's employee, or peace officer civilly or criminally liable for slander, false arrest, false imprisonment, malicious prosecution, or unlawful detention.

Section 3 Any person who shall violate this Ordinance where the value of the goods, wares, or merchandise involved is less than \$100.00 shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than \$50.00 nor more than \$250.00 or by six months imprisonment, or both.

Section 4. The Board of Trustees finds and declares that because of the alarming increase in the incidence of shoplifting in the Town of Stratton, this Ordinance is necessary for the immediate preservation of the public peace, health and safety and, therefore, an emergency exists and this Ordinance shall become effective five (5) days after the publication thereof.

READ, ADOPTED AND ORDERED PUBLISHED By the unanimous vote of said Board of Trustees this 1st day of March, 1979.

E. L. KERL, MAYOR

(SEAL)

ATTEST: JACKIE L. GARRETT, TOWN CLERK

ORDINANCE 17-A

AN ORDINANCE CHANGING THE PENALTY ON CONVICTION OF THE CRIMINAL OFFENSE OF SHOPLIFTING, AMENDING SECTION 3 OF ORDINANCE NO. 17-A OF THE TOWN OF STRATTON, COLORADO

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON:

Section 1. Section 3 of Ordinance No. 17-a of the Town of Stratton, Colorado is hereby amended to read as amended as follows:

any person who shall violate this Ordinance where the value of the goods, wares, or merchandise involved is less than \$100.00, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than \$50.00 nor more than \$250.00 or by three months imprisonment, or both.

Section 2. The Board of Trustees finds and declares that because of the alarming increase in the incidents of shoplifting in the Town of Stratton, this Ordinance is necessary for the immediate preservation of the public peace, health and safety, and therefore, an emergency exists and this Ordinance shall become effective five (5) days after the publication thereof.

READ, ADOPTED AND ORDERED PUBLISHED by the unanimous vote of said Board of Trustees this 5th day of April, 1979.

E. L. KERL, MAYOR

(SEAL)

ATTEST: JACKIE L. GARRETT, TOWN CLERK