

AN ORDINANCE TO ADOPT A PLAN TO IDENTIFY, CONTROL, ERADICATE, AND MANAGE UNDESIRABLE PLANTS WITHIN THE TOWN OF ARRIBA, COLORADO; PROVIDE FOR DESIGNATION OF AUTHORIZED AGENT; CLASSIFIES UNDESIRABLE PLANTS AS A NUISANCE; ALLOWS FOR ENFORCEMENT AND PROVIDES PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, The Town of Arriba, Colorado, in the county of Lincoln, is the body corporate operating as a town pursuant to the general Statutes of the State of Colorado; and

WHEREAS, Colorado Revised Statute 35-5.5-106 provides that each municipality shall adopt a plan for the control of, eradication of, and management of certain undesirable plants, ie., Diffuse, Russian and Spotted Knapweed and Leafy Spurge.

BE IT ORDAINED by the Board of Trustees of the Town of Arriba, Colorado as follows:

SECTION 1. NUISANCE.

- 1.1 The Board of Trustees of the Town of Arriba, Colorado do hereby list: Diffuse, Russian and Spotted Knapweed and Leafy Spurge as undesirable plants and regard all plants so listed, to be a nuisance and as such, subject to all provisions of Ordinance 112, of the Town of Arriba, Colorado, with the exception of 112-1.3.
- 1.2 The Board of Trustees of the Town of Arriba, Colorado, shall, by resolution and as deemed necessary, add to the list of undesirable plants.

SECTION 2. DESIGNATION OF AUTHORITY.

- 2.1 The Board of Trustees of the Town of Arriba, Colorado hereby designates the Town Maintenance person to include in his or her duties, the observation of and location of undesirable plants, and the treatment of said plants.
- 2.2 The Town Maintenance person shall obtain such training and or information from the State of Colorado as is necessary, to allow for the performance of his or her duties in enforcing the plan.
- 2.3 The Town of Arriba, Colorado shall cooperate with and integrate its plan with the Lincoln County undesirable plant authority when possible.

SECTION 3. PENALTIES

- 3.1 Undesirable plants, being deemed a nuisance, fall within Ordinance 112, of the Town of Arriba, Colorado, and are

subject to penalty assessment under that same ordinance.

SECTION 4. SEVERABILITY. If any one or more of the sections or subsections of this Ordinance shall be adjudged unenforceable or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intent that the various provisions hereof are severable.

SECTION 5. REPEALER. All acts, orders, resolutions, ordinances, or parts thereof, of the Town of Arriba, Colorado that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency or conflict.

IT IS THE OPINION OF THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, COLORADO THAT THIS ORDINANCE IS necessary for the immediate protection and preservation of the public health, safety, and welfare and it is enacted for that purpose and shall be in full force and effect after final passage and publication.

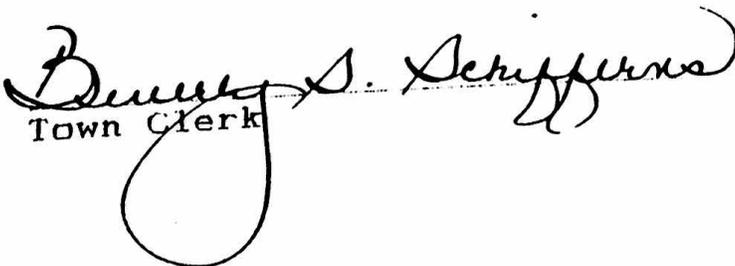
Approved, adopted, and ordered published on second reading by the Board of Trustees of the Town of Arriba, Colorado on this

14th day of September, 1992

Published 9/24/92


Mayor

ATTEST:


Town Clerk