



ORDINANCE NO. 997

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 4, DIVISION 1 OF THE ROCKY FORD MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION 2-4-120 ENTITLED "MUNICIPAL PENALTIES"

WHEREAS, pursuant to the consolidated cases, *In re People v. Camp* and *In re People v. Simons*, 2025 CO 64 (Colo. Dec. 22, 2025) (the "Camp Decision"), where a municipal ordinance and state statute prohibit the same criminal conduct, "the municipal penalties for such conduct may not exceed the corresponding state penalties for that conduct";

WHEREAS, the City is required to modify the maximum penalties imposed by the City in accordance with the Camp Decision; and

WHEREAS, City Council wishes to amend Chapter 2, Article 4, Division 1 of the Rocky Ford Municipal Code by the addition of a new Section 2-4-120, entitled "Municipal Penalties."

NOW THEREFORE, IT HEREBY BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKY FORD, COLORADO AS FOLLOWS:

Section 1. Chapter 2, Article 4, Division 1 of the Rocky Ford Municipal Code is hereby amended by the addition of a new Section 2-4-120, entitled "Municipal Penalties," as follows:

Sec. 2-4-120 – Municipal Penalties

For any criminal offense imposed by the Municipal Court for which a maximum penalty is established by Title 18, C.R.S., and such maximum penalty is less severe (lower in amount and/or jail time) than the maximum penalty established by this Code, the maximum penalty set forth in Title 18 shall apply in lieu of any penalty set forth in this Code.

Section 2. The City Council hereby finds, determines and declares that this ordinance is promulgated under the general police power of the City of Rocky Ford, 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 obtained.

Section 3. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

PASSED on the first reading the 10th day of March 2026.

ADOPTED this 24th day of March 2026.

By:



Duane L. Gurulé, Mayor

Attest:



Michelle Grasmick, City Clerk