

**TOWN OF SUPERIOR
ORDINANCE NO. O-11
SERIES 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR AMENDING SECTION 10-7-60 OF THE SUPERIOR
MUNICIPAL CODE, REGARDING HARASSMENT**

WHEREAS, the Colorado Supreme Court's recent decision in *People v. Moreno*, 22 CO 15 (2022) modified C.R.S. § 18-9-111(1)(e) by striking language that it found created an impermissible restriction on free speech; and

WHEREAS, Superior Municipal Code § 10-7-60(b)(4) contains substantially similar language to C.R.S. § 18-9-111(1)(e).

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Section 10-7-60 of the Superior Municipal Code is amended to read as follows:

10-7-60 – Harassment

(b) It is unlawful for a person, with intent to harass, annoy or alarm another person to:

* * *

(4) Initiate communication in any medium with a person, anonymously or otherwise, in a manner intended to threaten bodily injury or property damage, or make any comment, request, suggestion, or proposal in any medium that is obscene;

* * *

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

Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 27th day of June, 2022.



Clint Folsom, Mayor

ATTEST:



Patricia Leyva, Town Clerk

