

TOWN OF SUPERIOR
ORDINANCE NO. O-6
SERIES 2024

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AMENDING ARTICLE VIII OF CHAPTER 10 OF THE SUPERIOR MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION 10-8-90, PROHIBITING THE INHALATION OF TOXIC VAPORS

WHEREAS, the inhalation of toxic vapors is damaging to an individual's health and illegal under C.R.S. § 18-18-412; and

WHEREAS, the Board of Trustees desires to prohibit the inhalation of toxic vapors in the Town.

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

Section 1. Article VIII of Chapter 10 of the Superior Municipal Code is hereby amended by the addition of a new Section 10-8-90, entitled "Inhalation of Toxic Vapors", to read as follows:

Sec. 10-8-90. Inhalation of Toxic Vapors.

(a) No individual shall knowingly smell or inhale the fumes of toxic vapors in the Town for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction or dulled senses of the nervous system, or possess, buy or use any such substance for the purpose of violating or aiding another to violate this Section. This Section does not apply to the inhalation of anesthesia for medical or dental purposes.

(b) As used in this Section, the term *toxic vapors* means the following substances or products containing such substances: alcohols (methyl, isopropyl, propyl or butyl), aliphatic acetates (ethyl, methyl, propyl or Methyl Cellosolve acetate), acetone, allyl isothiocyanate, nitrous oxide, benzene, carbon tetrachloride, cyclohexane, Freons (Freon 11 and Freon 12), hexane, methyl ethyl ketone, methyl isobutyl ketone, naphtha, perchloroethylene, toluene, trichloromethane or xylene. Evidence that a container, or similar container if the label is missing, lists one (1) or more of these substances is *prima facie* evidence that the substance in such container contains toxic vapors and emits the fumes thereof.

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 22nd day of April, 2024.



Mark Lacis, Mayor

ATTEST:



Lydia Yecke, Town Clerk

