

AN ORDINANCE AMENDING CHAPTER 16 OF THE "MEAD MUNICIPAL CODE" BY THE ADDITION OF A SECTION 16-5-13 THERETO WHICH PROVIDES THAT THE HARASSMENT OF MUNICIPAL OFFICIALS, MUNICIPAL OFFICERS, OR MUNICIPAL EMPLOYEES SHALL BE AN OFFENSE, AND PROVIDING A PENALTY.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, COLORADO:

Section 1. Chapter 16 of the "Mead Municipal Code" is hereby amended by the addition of Section 16-5-13 to read as follows:

16-5-13. Harassment of Municipal Officials, Officers, or Employees.

13.1 Obstructing Governmental Operations. It shall be unlawful for any person to obstruct governmental operations. Obstructing governmental operations includes any activity in which the offender intentionally obstructs, impairs, or hinders the performance of a governmental function by an officer or employee by using or threatening to use violence, force, physical interference or obstacle.

13.2 Refusal to Leave After Request. It shall be unlawful for any person to refuse to leave a public building or public property after requested to do so by a municipal official, officer or employee. Refusal to leave after request includes any activity in which the offender knowingly refused or failed to leave any public building or property of the Town upon being requested to do so by a municipal official, officer or employee and the offender committed, was committing, threatened to commit, or incited others to commit any act which did or would if completed disrupt, impair, interfere with, or obstruct the lawful missions, processes, procedures or functions being carried on in the public building or property.

13.3 Trespass, Interference. It shall be unlawful for any person to trespass or interfere with the activities of a municipal official, officer or employee. Trespass or interference includes any activity in which the offender knowingly denies to any officer or employee or invitee on such premises the lawful rights of such municipal official, officer or employee or an invitee to enter, use the facilities or leave the premises.

13.4 Impeding Through Use of Restraint, Coercion, Force or Violence. It shall be unlawful for any person to impede through the use of restraint, coercion, force or violence the lawful activities of a municipal official, officer or employee. Impeding through the use of restraint, coercion, force or violence includes any activity in which the offender knowingly impedes any municipal official, officer or employee in the lawful performance of duties or activities through the use of restraint, abduction, coercion, intimidation, by force, violence, threat of force, or threat of violence.

- 13.5 Impeding Proceedings in Public Buildings. It shall be unlawful for any person to impede proceedings in public buildings. Impeding proceedings in public buildings includes any activity in which the offender knowingly impedes, disrupts, or hinders the normal proceedings of any meeting session by any act of intrusion into the chamber or areas designated for the use of the body, official or employee conducting the meeting session or by any act designed to intimidate, coerce, or hinder any member of such body, official or employee engaged in the performance of duties at such meeting.
- 13.6 Intrusion into Public Buildings. It shall be unlawful for any person to intrude into public buildings. Intrusion into public buildings includes any activity in which the offender intrudes into the chamber area designated for the use of any executive body, municipal official, officer or employee at or in any public building and knowingly impedes, disrupts, or hinders the normal proceedings or such body, official, officer or employee.
- 13.7 Harassment. It shall be unlawful for any person to harass any municipal official, officer, or employee. Harassment includes any activity in which the offender with the intent to harass, annoy or alarm an officer or employee did one of the following:
- 13.7.1 struck, shoved, kicked or touched a municipal official, officer or employee or subjected him to physical contact; or
 - 13.7.2 directed obscene language, or made an obscene gesture to or at a municipal official, officer or employee in a public place; or
 - 13.7.3 followed a municipal official, officer, or employee in or about a public place; or
 - 13.7.4 initiated communication with a municipal official, officer or employee anonymously or otherwise by telephone in a manner intended to harass or threaten bodily harm or property damage or made an obscene comment, request or suggestion; or
 - 13.7.5 made a telephone call or caused a telephone to ring repeatedly, whether or not a conversation ensued with no purpose or legitimate conversation; or
 - 13.7.6 made repeated communications at inconvenient hours or in offensively coarse language; or
 - 13.7.7 repeatedly insulted, taunted or challenged a municipal official, officer or employee in a manner likely to provoke a violent or disorderly response.

13.8 Definitions.

- 13.8.1 Alarm - means to arouse to a sense of danger; to put on alert; to strike with fear, fill with anxiety as to threaten danger or harm.
- 13.8.2 Annoy - means to irritate with a nettling or exasperating effect.
- 13.8.3 Governmental Function - includes any activity which an officer or employee is legally authorized to undertake on behalf of the Town.
- 13.8.4 Public Building -includes any premises being temporarily used by a officer or employee in the discharge of his official duties.
- 13.8.5 Obscene - as used in this section, unless the context otherwise requires, means a patently offensive description of ultimate sexual acts or solicitation to commit ultimate sexual acts, whether or not said ultimate sexual acts are normal or perverted, actual or simulated, including masturbation, cunnilingus, fellatio, analingus, or excretory functions.

Section 2. Validity. The provisions of this ordinance are hereby declared to be severable and if any section, provision or part thereof shall be held unconstitutional or invalid, the remainder of this ordinance shall continue in full force and effect, it being the intent of the Board of Trustees that this ordinance would have been adopted even if such unconstitutional or invalid matter had not been included herein. It is further declared that if any section, provision or part of this ordinance or the application thereof to any person or circumstances, if held invalid, the remainder of this ordinance and the application thereof to other persons or circumstances shall not be affected thereby.

Section 3. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD AND ORDERED PUBLISHED THIS 8th DAY OF May, 1989, AND ORDERED TO BECOME EFFECTIVE 30 DAYS FROM THE DATE OF ADOPTION.

PUBLISHED IN FULL IN "THE LONGMONT TIMES-CALL" ON THE 14th DAY OF MAY, 1989.

Harvey O. Potts
MAYOR, TOWN OF MEAD
Harvey O. Potts

ATTEST:

Bertina B. Willden
Town Clerk

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