

ORDINANCE NO. 13-11

**AN ORDINANCE AMENDING SECTION 9.08.080 OF THE
MUNICIPAL CODE OF THE TOWN OF ESTES PARK,
THE SAME RELATING TO HARASSMENT**

WHEREAS, the Board of Trustees of the Town of Estes Park, Colorado has determined that it is in the best interest of the Town to amend Section 9.08.080 of the Municipal Code of the Town of Estes Park, Colorado.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF ESTES PARK, COLORADO:**

Section 1. Section 9.08.080 (4) Harassment shall be amended to read as follows:

(4) Initiates communication with a person, anonymously or otherwise, by telephone, telephone network, data network, text message, instant message, computer, computer network, or computer system in a manner intended to harass or threaten bodily injury or property damage, or makes any comment, request, suggestion, or proposal by telephone, computer, computer network, or computer system that is obscene;

Section 2. Section 9.08.080 Harassment shall be amended by the addition of the following paragraphs:

As used in this Section 9.08.080 unless the context otherwise requires "obscene" 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, anilingus, or excretory functions.

Any act prohibited by sub-paragraph (4) of Section 9.08.080 may be deemed to have occurred or to have been committed at the place at which the telephone call, electronic mail, or other electronic communication was either made or received.

Section 3. This Ordinance shall take effect and be enforced thirty (30) days after its adoption and publication.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF
ESTES PARK, COLORADO, THIS 24th DAY OF MAY, 2011.



TOWN OF ESTES PARK, COLORADO

By _____
Mayor

ATTEST:

Town Clerk

I hereby certify that the above ordinance was introduced and read at a meeting of the Board of Trustees on the 24th day of MAY, 2011, and published in a newspaper of general publication in the Town of Estes Park, Colorado on the 27th day of MAY, 2011.

Town Clerk