

TOWN OF HOTCHKISS

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE TOWN OF HOTCHKISS, COLORADO

WHEREAS, the Town of Hotchkiss (the “Town”) is a statutory Town in accordance with C.R.S. 31-1-203; and

WHEREAS, the Town has those powers vested to pursuant to C.R.S. 31-15-101 et. seq.; and

WHEREAS, the Town has general police powers vested pursuant to C.R.S. 31-15-401, which includes the power to pass and enforce all necessary police ordinances; and

WHEREAS, the Town operates a municipal court in accordance with Chapter V, Municipal Court, of the Town Municipal Code; and

WHEREAS, pursuant to Section 5-1-11 of the Municipal Code, the Municipal Court has the authority to impose fines and penalties as provided by the Town Municipal Ordinances;

WHEREAS, the Town wishes to authorize the Town Municipal Court, working with the Town Treasurer to contract for the collection of past due fines and penalties as imposed by the Town Municipal Court.

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

SECTION 1. ADDITION TO THE TOWN MUNICIPAL CODE:

The following provision is added to the Town Municipal Code:

Chapter V, Article 1, Section 17. ASSIGNMENT FOR COLLECTION OF UNPAID FEES, COSTS AND FINES ASSESSED BY THE MUNICIPAL COURT. In the event a defendant fails to pay any fine, penalty, cost, fee, or restitution ordered by the Municipal Judge by the date so ordered, the Municipal Judge, in conjunction with the Town Clerk, may refer a portion or all of the unpaid amount to a collection agency for collection, and the Municipal Judge may order the defendant to pay an additional amount, not to exceed twenty-five percent (25%) or any lesser amount authorized by law, of the amount collected. The Municipal Judge shall have such authority regardless of the date upon which the fine, penalty, cost, fee or restitution order was issued.

SECTION 2. ORDINANCE EFFECT. Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided however, that the repeal of any ordinance or parts of ordinances of the Town shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded and further provided that this repeal

shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

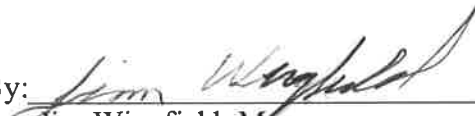
SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect thirty days after publication.

SECTION 4. PUBLIC HEARING.

A public hearing on this Ordinance was held on the 11th day of April 2024, at Town Hall for the Town of Hotchkiss, 276 W. Main Street, Hotchkiss, CO 81419.

INTRODUCED, READ AND REFERRED to public hearing before the Board of Trustees of the Town of Hotchkiss, Colorado on the 14th day of March 2024.

TOWN OF HOTCHKISS

By: 
Jim Wingfield, Mayor

ATTEST:


Ginger Redden, Town Clerk

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Hotchkiss, Colorado, this 11th day of April, 2024

TOWN OF HOTCHKISS

By: 
Jim Wingfield, Mayor

ATTEST:


Ginger Redden, Town Clerk