

**TOWN OF MORRISON NOTICE OF
PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN of a public hearing before the Town of Morrison Board of Trustees at the following date, time and place:

**Tuesday May 2, 2023
Commencing at 6:00 PM
Morrison Town Hall
110 Stone Street
Morrison, Colorado**

The hearing is for the purpose of considering the adoption by reference of the "Model Traffic Code" 2020 edition, as the traffic ordinance of the Town of Morrison, Colorado.

Copies of the Model Traffic Code are on file at the office of the Town Clerk and may be inspected during regular business hours. If enacted as an ordinance of this Town the Model Traffic Code will not be published in full, but in accordance with state law, copies will be kept on file.

The "Model Traffic Code" 2020 edition is published by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 West Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town of Morrison. The purpose of the Ordinance and the Code adopted therein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

At the May 2, 2023 Board Meeting the Town of Morrison Board of Trustees will consider passage of the adopting Ordinance.

This notice given and published by the order of the Town of Morrison Board of Trustees

Dated this 13th day of April, 2023

TOWN OF MORRISON, COLORADO


Ariana Neverdahl, Town Clerk



Posted on the Town website and Post Office on April 13, 2023

First notice of hearing in the Canyon Courier on: April 13, 2023

Second notice of hearing in the Canyon Courier on: April 20, 2023

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 531

AN ORDINANCE ADOPTING BY REFERENCE THE 2020 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO, ADOPTING AMENDMENTS THERETO, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, PROVIDING PENALTIES FOR MODEL TRAFFIC CODE VIOLATIONS AND MAKING CONFORMING AMENDMENTS TO TITLE 6 OF THE MORRISON MUNICIPAL CODE

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees (the “Board”); and

WHEREAS, the Board has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-15-702(1)(a)(I), C.R.S., the Town is authorized to regulate the use of streets; and

WHEREAS, the Board previously adopted the 2010 edition of the Model Traffic Code for Colorado, as promulgated and published by the Colorado Department of Transportation; and

WHEREAS, the Colorado Department of Transportation has prepared and published a 2020 edition of the Model Traffic Code for Colorado; and

WHEREAS, the Board recognizes the value of the Model Traffic Code for Colorado as providing a uniform system of traffic regulation within the Town that is consistent with state law and with traffic regulations throughout the state and nation; and

WHEREAS, the Board finds it is necessary to update and amend Title 6 of the Morrison Municipal Code to protect public health and safety by adopting penalties for such actions; and

WHEREAS, the Board has caused this Ordinance to be introduced at a public meeting of the Board, and subsequently has caused notice of a public hearing of the same to be published, and has conducted said hearing, all in compliance with C.R.S. § 31-16-203.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado:

Section 1. Municipal Code amended. Title 6 Chapter 1 of the Morrison Municipal Code, entitled “Traffic Code” is amended in its entirety to read:

6-1-1: MODEL TRAFFIC CODE ADOPTED:

- A. Adoption: Pursuant to parts 1 and 2 of article 16 of title 31 of Colorado Revised Statutes, there is hereby adopted by reference ~~article I and appendix I, inclusive,~~ of the

2020 edition of the "~~m~~Model ~~t~~Traffic ~~e~~Code" promulgated and published by the Colorado ~~d~~Deartment of ~~t~~Transportation, ~~T~~Traffic ~~s~~Safety and ~~t~~Traffic ~~e~~Engineering ~~branch~~ ~~S~~Services, ~~W Howard Place~~ 4201 East Arkansas Avenue, EP-700, Denver, CO 8020422. The subject matter of the ~~m~~Model ~~t~~Traffic ~~e~~Code relates primarily to comprehensive traffic control regulations for the town. The purpose of this chapter and the code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the model traffic code adopted herein are now filed in the office of the town clerk and may be inspected during regular business hours.

B. Deletions: The 20210 edition of the model traffic code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable or unnecessary and are therefore expressly deleted:

1. Section 101.
2. Section 102.
3. Section 113.
4. Section 117.
5. Section 1210.
6. Section 1701.
7. Section 1702.

8. Section 1705.

98. All subsections of the 20210 edition of the model traffic code for Colorado that categorize violations into classes of traffic violations, traffic offenses, misdemeanors, or which set forth a specific penalty for a violation, whether monetary or otherwise.

109. Appendices 2H through 2VIII.

C. Additions Or Modifications: The adopted code is subject to the following additions or modifications:

1. Section 110, "Provisions Uniform Throughout Jurisdiction," subsection (24) is amended to read: "The Morrison municipal court shall have jurisdiction over violations of traffic regulations enacted or adopted by the board of trustees."

2. Section 221, "Bicycle And Personal Mobility Device Equipment," is amended so that the title reads, "Bicycle Equipment" and each reference to "EPAMD" in the body of the section is deleted.

3. Section 223, "Brakes," all references to "section 235(1)(a)" in subsection (1), are modified to read "section 42-4-235(1)(a), C.R.S."

4. Section 225, "Mufflers - Prevention Of Noise," in subsection (1.5), the reference to "section 235(1)(a)" is modified to read "section 42-4-235(1)(a), C.R.S."

~~5. Section 225, "Mufflers - Prevention Of Noise," in subsection (3), the reference to "section 205(5.5)(a)" is modified to read "section 43-4-205(5.5)(a), C.R.S."~~

56. Section 228, "Restrictions On Tire Equipment," in subsection (5)(c)(III), the reference to "section 235(1)(a)" is modified to read "section 42-4-235(1)(a), C.R.S."

~~7. Section 229, "Safety Glazing Material On Motor Vehicles," in subsection (4), the reference to "section 229" is modified to read "section 42-4-229, C.R.S."~~

~~8. Section 236, "Child Restraint System Required - Definitions - Exemptions," in subsection (1)(a), the reference to "code 6" is modified to read "article 6."~~

69. Section 237, "Safety Belt Systems - Mandatory Use - Exemptions - Penalty," in subsection (3)(g), the reference to "section 235(1)(a)" is modified to read "section 42-4-235(1)(a), C.R.S."

740. Section 239, "Misuse Of A Wireless Telephone - Definitions - Penalty - Preemption," subsections (5)(a) and (b) are deleted.

844. Section 509, "Vehicles Weighed - Excess Removed," in subsection (2)(b), the reference to "section 102(32)" is modified to read "section 42-1-102(32), C.R.S."

942. Part 5 of the model traffic code is amended to add a new section 513 to read as follows:

513. Weight Limits On Certain Streets Or Parts Thereof. When official signs are erected giving notice thereof, no person shall operate any vehicle with a weight limit in excess of the amount specified on such signs at any time upon any of the streets or parts thereof or upon any of the bridges or viaducts in this town.

103. Section 613, "Failure To Pay Toll Established By Regional Transportation District," the reference to "code 4" is modified to read "article 4."

114. Part 6 of the model traffic code is amended to add a new section 6176 to read as follows:

6176. Barricades. Whenever barricades are erected to close off part or all of a highway, as authorized by 42-4-111, C.R.S., no person shall drive around, through, or between such barricades or into the barricaded area except as directed or permitted by

official signs or in compliance with the directions of a police officer or other authorized person.

125. Section 710, "Emerging From Or Entering Alley, Driveway, Or Building," subsection (3) is modified to read as follows:

(3) No person shall drive any vehicle other than a bicycle, electric assisted bicycle, or any other human-powered vehicle upon a sidewalk or sidewalk area, except upon a permanent or duly authorized temporary driveway and except as may be permitted in this code or other Morrison regulations.

136. Section 805, "Pedestrians Walking Or Traveling In A Wheelchair On Highways," in subsection (5), the reference to "section 110" is modified to read "section 42-4-110, C.R.S." and the reference to "section 111" is modified to read "section 42-4-111, C.R.S."

147. Section 1010, "Driving On A Divided Or Controlled Access Highway," subsection (3) is modified to read as follows:

(3) Local authorities may by ordinance consistent with the provisions of section 43-2-135(1)(g), C.R.S., with respect to any controlled-access highway under their respective jurisdictions, prohibit the use of any such highway by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic. After adopting such prohibitory regulations, local authorities, or their designees, shall install official traffic control devices in conformity with the standards established by sections 601 and 602 at entrance points or along the highway on which such regulations are applicable. When such devices are so in place, giving notice thereof, no person shall disobey the restrictions made known by such devices.

~~18. Section 1012, "High Occupancy Vehicle (HOV) And High Occupancy Toll (HOT) Lanes," in subsection (2.5)(c), the reference to September 1, 2003, is deleted.~~

159. Section 1012, "High Occupancy Vehicle (HOV) And High Occupancy Toll (HOT) Lanes," in subsection (3)(b), the reference to "section 1701(4)(a)(I)(K)" is amended to read "section 42-4-1701(4)(a)(I)(K), C.R.S."

1620. Section 1105, "Speed Contests - Speed Exhibitions - Aiding And Facilitating - Immobilization Of Motor Vehicle - Definitions," subsection (7)(c) is amended to read as follows:

(c) The failure of the owner of the immobilized motor vehicle to request removal of the immobilization device and pay the fee within fourteen days after the end of the immobilization period ordered by the court or within the additional time granted by the court pursuant to paragraph (d) of this subsection (7), whichever is applicable, shall result in the motor vehicle being deemed an 'abandoned vehicle', as defined in section 1802(1)(d) and section 42-4-2102(1)(d), C.R.S., and subject to the provisions of part 18 of this code and part 21 of article 4 of title 42, C.R.S., whichever is applicable. The law enforcement

agency entitled to payment of the fee under this subsection (7) shall be eligible to recover the fee if the abandoned motor vehicle is sold, pursuant to section 1809(2)(b.5) or section 42-4-2108(2)(a.5), C.R.S.

1721. Section 1105, "Speed Contests - Speed Exhibitions - Aiding And Facilitating - Immobilization Of Motor Vehicle - Definitions," subsection (8)(b) is amended to read as follows:

(b) No person may remove the immobilization device after the end of the immobilization period except the law enforcement agency that placed the immobilization device and that has been requested by the owner to remove the device and to which the owner has properly paid the fee required by subsection (7) of this section. Nothing in this subsection (8) shall be construed to prevent the removal of an immobilization device in order to comply with the provisions of part 18 of this code or part 21 of article 4 of title 42, C.R.S.

1822. Section 1204, "Stopping, Standing, Or Parking Prohibited In Specified Places," new subsections (4)(d) and (e) are added to read as follows:

(d) Subsection (1) shall not apply to official law enforcement or emergency vehicles in the course of performing law enforcement duties or providing emergency services.

(e) Paragraph (a) of subsection (1) shall not apply to authorized service vehicles parked by public employees or their agents in the course of providing public service functions.

~~—23. Section 1208, "Parking Privileges For Persons With Disabilities—Applicability," all references to "section 204(2)" are amended to read "section 42-3-204(2), C.R.S."; all references to "section 204(1)" are amended to read "section 42-3-204(1), C.R.S."; all references to "section 204(1)(b)" are amended to read "section 42-3-204(1)(b), C.R.S."; all references to "section 204" are amended to read "section 42-3-204, C.R.S."; and all references to "section 102(17)" are amended to read "section 42-1-102(17), C.R.S."~~

~~—24. Section 1208, "Parking Privileges For Persons With Disabilities—Applicability," subsection (6) is amended to read as follows:~~

~~—(6) Any person who is not a person with a disability and who exercise the privilege defined in subsection (2) of this section or who violates the provisions of subsection (5) or subsection (10) of this section commits a traffic infraction and shall receive the maximum fine thereunder. Any person who violates this subsection (6) by parking a vehicle owned by a commercial carrier, as defined in section 42-1-102(17), C.R.S., shall be subject to an enhanced fine.~~

~~—25. In section 1208, "Parking Privileges For Persons With Disabilities—Applicability," subsection (7) is modified to read as follows:~~

~~—(7) Any person who is not a person with a disability and who uses a license plate or placard issued pursuant to section 42-3-204, C.R.S., to receive the benefits or privileges available to a person with a disability under this section commits a traffic infraction and shall be subject to an enhanced fine.~~

~~—26. Section 1208, "Parking Privileges For Persons With Disabilities—Applicability," subsection (11) is modified to read as follows:~~

~~—(11) Any person who knowingly and fraudulently obtains, possesses, uses, or transfers a placard issued to a person with a disability pursuant to section 42-3-204, C.R.S., is guilty of a misdemeanor. Any person who knowingly and willfully receives remuneration for committing a misdemeanor pursuant to this subsection (11) shall be subject to twice the civil and criminal fine that would otherwise be imposed.~~

~~—27. Section 1401, "Reckless Driving—Penalty," in subsection (1), the reference to "section 127" is amended to read "section 42-2-127, C.R.S.," and subsection (2) is deleted in its entirety.~~

~~—28. Section 1402, "Careless Driving—Penalty," in subsection (1), the reference to "section 127" is modified to read "section 42-2-127, C.R.S.," and subsection (2) is deleted in its entirety.~~

29. Section 1406, "Foreign Matter On Highway Prohibited," subsection (5)(b)(II), specifying a \$500.00 penalty, is deleted.

~~—30. Section 1409, "Compulsory Insurance—Penalty—Legislative Intent," subsection (4)(a) is replaced and shall read in its entirety as follows: "Any person who violates the provisions of subsection (1), (2), or (3) of this section commits a criminal traffic offense." Subsections 4(b) and (c) are deleted.~~

~~—31. Section 1409, "Compulsory Insurance—Penalty—Legislative Intent," subsection (9) is deleted in its entirety.~~

32. Section 1412, "Operation Of Bicycles And Other Human Powered Vehicles," all references to "section 111" are amended to read "section 42-4-111, C.R.S."; the reference to "code 10" is amended to read "article 10_½"; and all references to "section 127" are amended to read "section 42-2-127, C.R.S."

33. Section 1805, "Appraisal Of Abandoned Motor Vehicles - Sale," the reference to "part 1 of code 6 of this title" is modified to read "part 1 of article 6 of title 42, C.R.S."; and the reference to "code 6 of title 12, C.R.S." is modified to read "article 6 of title 12, C.R.S."

34. Section 1106, "Operation of Vehicle Approached by Emergency Vehicle," any person who does not comply with C.R.S. 42-4-705(2) commits careless driving as described in Section 1402 of this Code.

35. Section 1708, "Burden of Proof - Appeals," subsection (1) is modified to read as follows:

(1) The burden of proof shall be upon the people, and the court shall enter judgment in favor of the defendant unless the people prove the elements of the offense beyond a reasonable doubt.

D. Application: This section and the Code adopted herein shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area, either within or outside the corporate limits of this Municipality, the use of which this Municipality has jurisdiction and authority to regulate. The provisions of sections 1401, 1402, 1413, and part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports shall apply not only to public places and ways but also throughout this Municipality.

6-1-2: DELETIONS, MODIFICATIONS AND ADDITIONS:

(Rep. by Ord. 332, 1-3-2006)

6-1-3: INTERPRETATION:

This chapter shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the chapter and adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

6-1-4: TRIALS:

A. Right To Trial By Jury: Any person charged with a violation of any offense specified in subsection 6-1-6D of this chapter conviction of which carries the possibility of imprisonment, shall be entitled to trial by jury upon such charge in accordance with applicable statutes and the Colorado Municipal Court Rules of Procedure.

B. No Trial By Jury: Trial by jury shall not be available for any other violation of this chapter or of the Model Traffic Code for Colorado municipalities as adopted by this chapter.

6-1-5: COMPULSORY INSURANCE:

~~A. Owner Responsibility: No owner of a motor vehicle required to be registered in this State shall operate the vehicle or permit it to be operated on a public street or highway within the Town when such owner has failed to have a complying policy or certificate of self insurance in full force and effect as required by Colorado Revised Statutes sections 10-4-705 and 10-4-716.~~

~~B. Operator Responsibility: No person shall operate a motor vehicle on a public street or highway of this Town without a complying policy or certificate of self insurance in full force and effect as required by Colorado Revised Statutes sections 10-4-705 and 10-4-716.~~

~~C. Financial Responsibility: When an accident occurs, or when requested to do so following any lawful traffic contact or during any traffic investigation by a police officer, no owner or operator of a motor vehicle shall fail to present to the requesting officer immediate evidence of a complying policy or certificate of self insurance in full force and effect as required by Colorado Revised Statutes sections 10-4-705 and 10-4-716.~~

~~D. Penalty Provisions:~~

~~1. Any person who violates the provisions of subsection A, B, or C of this section, upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00), and in addition, the court may impose imprisonment for not less than ten (10) days nor more than ninety (90) days. The minimum fine imposed by this subsection shall be mandatory, and the court shall not suspend said fine, in whole or in part, unless it is established, at or before the time of sentencing, that appropriate insurance as required under Colorado Revised Statutes sections 10-4-705 and 10-4-716 has been obtained.~~

~~2. Upon a second or subsequent conviction under this section within a period of two (2) years following a prior conviction under this section, the defendant shall be punished by a fine of not less than two hundred dollars (\$200.00) nor more than three hundred ninety-nine dollars (\$399.00), and, in addition, the court may impose imprisonment in the county jail for not less than ten (10) days nor more than ninety (90) days. The minimum fine imposed by this subsection shall be mandatory, and the court shall not suspend said fine, in whole or in part, unless it is established, at or before the time of sentencing, that appropriate insurance as required under Colorado Revised Statutes sections 10-4-705 and 10-4-716, has been obtained.~~

~~E. Prima Facie Evidence: Testimony of the failure of any owner or operator of a motor vehicle to present immediate evidence of a complying policy or certificate of self insurance in full force and effect as required by Colorado Revised Statutes sections 10-4-705 and 10-4-716, when requested to do so by a police officer, shall constitute prima facie evidence, at a trial concerning a violation charged under subsection A or B of this section, that such owner or operator of a motor vehicle violated subsection A or B of this section.~~

~~F. Proof Of Insurance: No person charged with violating subsection A, B, or C of this section shall be convicted if he produces in court a bona fide complying policy or certificate of self insurance which was in full force and effect, as required by Colorado Revised Statutes sections 10-4-705 and 10-4-716 at the time of the alleged violation. (Ord. 255, 5-2-1995)~~

6-1-6: VIOLATIONS; PENALTIES:

A. It shall be unlawful to violate any provision of this chapter or any provision of the model traffic code for Colorado municipalities, as adopted or amended by this chapter. Such violations are traffic infractions and are hereby deemed civil matters, except those violations stated in subsection D of this section.

B. Traffic infractions as provided in this code shall be subject to the following penalties:

Minimum penalty: Fine of ten dollars (\$10.00).

Maximum penalty: Fine of one thousand dollars (\$1,000.00).

Court costs as authorized by state law shall be added to the fine.

C. The municipal court may, by order, establish a schedule of fines for violations and provide for payment through the clerk of the court or violations bureau, or by mail. The presiding municipal judge shall at least annually review the schedule of designated civil penalties of this traffic code and adopt on or before January 15 of each year a schedule of designated civil penalties for the municipal court, provided that failure to so annually adopt such a schedule of designated civil penalties shall not invalidate any such schedule previously adopted.

D. A violation of any of the following provisions of the model traffic code for Colorado municipalities, as adopted and amended by the town, shall be a criminal traffic offense punishable by a fine or by imprisonment or by both as specified in section 1-4-1 of this code.

1. Section 1101, speed limits, but only when the speed alleged is twenty ~~five~~four (254) miles per hour or more over the posted speed;
2. Section 1105, speed contests;
3. Section 1401, reckless driving;
4. Section 1402, careless driving;
5. Section 1409, compulsory insurance;
6. Section 1413, eluding or attempting to elude a police officer; and
7. Section 1903, school buses - stops - signs - passing.

E. In the event that a defendant is charged with more than one traffic offense arising out of the same incident and at least one of the charged offenses is listed in subsection D of this section, the defendant shall have the right to demand a trial by jury as to all such offenses, which shall be consolidated for purposes of trial.

~~6-1-7: POINT REDUCTIONS; PLEA AGREEMENTS:~~

~~A. If a person receives a penalty assessment notice or summons and complaint pursuant to section 1701 of the Model Traffic Code for a violation for which points may be assessed against the person's driver's license pursuant to Colorado Revised Statutes 42-2-127(5), and such person pays the fine before the date payment is due, the points assessed for the violation are reduced as follows:~~

- ~~1. For a violation having an assessment of three (3) or more points under Colorado Revised Statutes 42-2-127(5), the points are reduced by two (2) points.~~
- ~~2. For a violation having an assessment of two (2) points under Colorado Revised Statutes 42-2-127(5), the points are reduced by one point.~~

~~B. Where it appears that the efficient administration of justice will be served, the Municipal Court prosecuting attorney may agree to plea agreements notwithstanding subsection A of this section.~~

~~C. The Chief of Police shall ensure adequate notice of subsections A1 and A2 of this section appears on each penalty assessment notice issued by his department. (Ord. 331, 12-27-2005)~~

6-1-8: FAILURE TO APPEAR:

If a person receives a summons and complaint or penalty assessment notice for a violation of the Model Traffic Code, or any Town ordinance, and such person fails to pay the fine and surcharge for the violation on or before the date specified on the summons or notice and subsequently fails to appear in person or by counsel before the Municipal Court for the return date thereon, the Municipal Court may:

A. Enter a default judgment against a defendant charged with a traffic infraction offense, except those listed at subsection 6-1-6D of this chapter, and assess the fine, court costs and any surcharge, if applicable. The amount of the judgment shall be the appropriate penalty which would be assessed after a finding of guilt or liability, plus costs and other court fees regularly imposed for Municipal violations after a finding of guilt; and

B. Direct the Clerk of the Court to provide the defendant with written notice the judgment was entered and the amount thereof, together with a notice that if a defendant does not appear within fifteen (15) days from the date set forth on the notice, the court shall submit a transcript of record containing the conviction and assessment of points to the Motor Vehicle Division of the State Department of Revenue pursuant to rule 255(b) of the Colorado Rules of Municipal Court Procedure.

Any person receiving a summons and complaint for a violation of the Model Traffic Code or any Town ordinance (as opposed to penalty assessment notice), must appear before the Municipal Court and may not resolve the matter without such appearance.

6-1-9: CIVIL INFRACTIONS:

Notwithstanding any provision contained in this chapter, all violations of any provision of the ordinances of the Town, including codes adopted by reference, for which a fine only is established as a penalty for the violation thereof, shall constitute a civil matter and not a criminal violation. Civil infractions shall be tried only to the Municipal Judge. In such cases, defendants shall have no right to a jury trial.

6-1-10: IMPOSITION OF COURT COSTS:

The Municipal Court is empowered to assess the following costs against any defendant who is found guilty of violating any provision of the Town's ordinances, or who pleads guilty or no contest to any such violation, or against any defendant against whom judgment is entered pursuant to section 6-1-8 of this chapter, or who is granted a deferred prosecution or deferred judgment. The Municipal Court may in its discretion increase, decrease, or

waive any of the following fees and costs in any individual case when deemed reasonable and just:

A. Court Costs: Court costs of thirty dollars (\$30.00) shall be assessed against every defendant who enters a plea of guilty, admission of liability, or no contest to any ordinance violation before the court, or who fails to appear for a scheduled trial; court costs of fifty dollars (\$50.00) shall be assessed against every defendant who is found guilty after a trial in the Municipal Court for any ordinance violation;

B. Witness Fees: A witness fee of five dollars (\$5.00) per witness per day or part of a day in which the witness is actually in court, up to a maximum of fifty dollars (\$50.00) plus mileage to reflect the current Federal mileage allowance for each mile actually and necessarily traveled from the witness's residence to the court shall be assessed, but no Town officer or employee may receive such witness fee. A witness fee of five dollars (\$5.00) per appearing witness shall be assessed against any defendant who fails to appear for a scheduled trial;

C. Late Fee Or Time Payment Fee: A twenty five dollar (\$25.00) late fee shall be added for any payment which is not made within the time allowed by the court. ~~A twenty five dollar (\$25.00) time payment fee may be added for any payment for which the court, in its discretion, grants a stay of execution;~~

D. Insufficient Funds Fee: As provided in Colorado Revised Statutes 13-32-104(2), a thirty dollar (\$30.00) fee shall be added for any payment of court fees and costs paid by a check returned for insufficient funds;

E. Other Costs: Restitution or other costs may be assessed as deemed appropriate by the court; and

F. Collection Of Fines: The Municipal Court Judge, Town Clerk or Town Administrator are authorized to use any lawful method of collecting fines, fees, default judgments, personal recognizance bond forfeitures, and civil penalties due from any person assessed such sums by the Municipal Court, including reasonable costs of collection. The Town shall be entitled to receive the reasonable costs of collection in addition to the amounts otherwise due, and interest at the statutory rate for unpaid civil judgments. Reasonable costs of collection shall include, without limitation, the fees and costs of the Town Attorney or of private counsel or a collection agency, but such fees and costs shall not exceed twenty five percent (25%) of the amount collected.

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

Section 3. Effective Date. This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

INTRODUCED at a public meeting of the Board of Trustees on _____, 2023.

HEARD AT A PUBLIC HEARING, READ, PASSED AND ADOPTED this ____ day of _____, 2023, by a vote of _____ ayes and _____ nays.

TOWN OF MORRISON:

Chris Wolfe, Mayor

ATTEST:

Ariana Neverdahl, Town Clerk