

ORDINANCE NO.

NO. 10-09
Series of 2010

TITLE: A BILL FOR AN ORDINANCE REGARDING COURT COSTS FOR THE TOWN OF HUDSON MUNICIPAL COURT.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Section 2-114(a) of the Hudson Municipal Code is hereby repealed and reenacted to read as follows:

- (a) Whenever the municipal judge imposes any fine for any violation of a municipal ordinance, in addition to such fine or any other sentence, the municipal judge may also assess the following costs:
- (1) Twenty dollars (\$20.00), ten dollars (\$10.00) of which shall be a surcharge used to offset the costs paid to the Weld County Sheriff's Office for law enforcement services provided to the Town;
 - (2) Forty five dollars (\$45.00) plus all actual juror costs upon a finding of guilty after a trial to a jury or the entry of a plea of guilty or no contest prior to the commencement of a trial to a jury but after a jury has been summoned, unless the court has been notified of the prospective plea at least forty eight (48) hours prior to the date of trial.
 - (3) Fifty dollars (\$50.00) upon the issuance of a bench warrant for failing to appear in court for any offense, and for failing to pay fines and costs or failing to comply with any order of the court regarding any offense.
 - (4) Five dollars (\$5.00) for each subpoenaed town witness who appears at trial upon a finding of guilty by the court, by the jury, or upon the entry of a plea of guilty or no contest on the date of trial.
 - (5) Thirty five dollars (\$35.00) upon the entry of a plea of guilty or no contest on a deferred judgment and sentence at the time of arraignment or prior to trial.
 - (6) Ten dollars (\$10.00) upon the issuance of a stay of execution of any order of the court.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The

Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 6th day of October, 2010.



ATTEST:

Linnette Barker
Linnette Barker, CMC, Town Clerk

TOWN OF HUDSON, COLORADO

Neal Pontius
Neal Pontius, Mayor

PASSED ON SECOND AND FINAL READING this 20th day of October, 2010, AND ORDERED PUBLISHED ONCE IN FULL.



ATTEST:

Linnette Barker
Linnette Barker, CMC, Town Clerk

TOWN OF HUDSON, COLORADO

Neal Pontius
Neal Pontius, Mayor

APPROVED AS TO FORM:

Corey Hoffmann
Corey Y Hoffmann, Town Attorney