

ORDINANCE NO. 407

AN ORDINANCE AMENDING THE PENALTIES FOR VIOLATION OF ORDINANCES OF THE CITY OF CREEDE, A COLORADO TOWN

WHEREAS, the Board of Trustees seeks to preserve and facilitate the safety, health and well-being of the community;

WHEREAS, Creede does not operate a municipal jail in which to house violators of Town ordinances;

WHEREAS, the cost of housing and transporting violators of municipal ordinances to other jurisdictions which maintain jail facilities has become cost-prohibitive;

WHEREAS, the Town seeks to balance the needs of the community for effective policing and punishment of violators of Town ordinances with the cost to the citizenry of same;

WHEREAS, the Board of Trustees has determined that a more effective use of resources to enforce Town ordinances is through increased fines.

NOW THEREFORE, be it ordained by the Board of Trustees of the City of Creede, Colorado, that the *Creede Municipal Code* shall be amended in the following manner:

Section 1. Section 1-4-20 is repealed in its entirety and readopted to read as follows:

Any person who is convicted of a violation of any provision of this Code for which a different penalty is not specifically provided shall be punished by a fine of not more than one thousand dollars (\$1,000). In addition, such person shall pay all costs and expenses associated with the case, including attorney's fees.

Section 2. Section 1-4-30 is repealed in its entirety and readopted to read as follows:

Every person who, at the time of commission of the offense, was at least ten (10) but not yet eighteen (18) years of age and who is subsequently convicted of or pleads guilty or *no lo contendere* to a violation of any provision of this Code shall be punished by a fine of not more than one thousand dollars (\$1,000) per violation or count. In addition, such person shall pay all costs and expenses associated with the case, including attorney's fees.

Section 3. Section 2-4-170 is repealed in its entirety and readopted to read as follows:

The Municipal Court shall have the power to compel attendance of witnesses and to punish for contempt of court. Where the Court finds any person to be in contempt, the Court may impose a fine on the contemnor not to exceed one thousand (\$1,000) per violation.

Section 4. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the Town Book of Ordinances kept for that purpose, and published according to law.

Section 5. Publication and Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

Section 6. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety welfare, and to serve the best interests of the citizens of the City of Creede, Colorado.

Section 7: Codification Amendments. The codifier of the City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Creede Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

INTRODUCED, APPROVED, PASSED ON FIRST AND FINAL READING, ON THIS 5TH DAY OF DECEMBER, 2017.


Jeffrey Larson, Mayor

ATTEST:


Randi Snead, City Clerk/Treasurer