

Ridgway Municipal Code

CHAPTER 5

SECTION 1

Municipal Court

Subsections:

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5-1-1 JURISDICTION.

The Municipal Court shall have jurisdiction of all causes arising under the Town's ordinances, including prosecution of any violation of any provision of an ordinance, including those ordinances which by their terms apply outside of the Town limits. The Municipal Court shall have jurisdiction of any other matters as provided by law.

5-1-2 RULES OF PROCEDURE.

(A) The Municipal Court shall be subject to the Colorado Municipal Court Rules, provisions of this Chapter, other applicable provisions of Town ordinances, the Town Charter and the provisions of C.R.S. Article 10, Title 13, except to the extent inconsistent with the Charter or ordinances of the Town.

(B) The Municipal Judge is authorized to adopt additional local rules of procedure which are not inconsistent with the Colorado Municipal Court Rules, this Chapter, or other Town ordinances.

5-1-3 JUDICIAL POWERS.

(A) The Municipal Judge shall have all judicial powers relating to the operation of the Municipal Court, including the power to impose punishment for contempt of court. Notwithstanding these judicial powers, the Municipal Judge shall not have the authority to use imprisonment when imposing punishment for contempt of court violations. (Ord 1-2017)

(B) In addition to any other acts which may be deemed contempt of court, the Municipal Judge shall have the authority to punish the following as contempt of court in accordance with the provisions of Rule 107 of the Colorado Rules of Civil Procedure, except the ability to detain or imprison: (Ord 1-2017)

(1) Failure to obey a subpoena properly served without adequate excuse.

(2) Failure to obey a summons for jury duty or to respond to inquiry from the Court requesting information necessary to choose a jury panel without adequate excuse.

(3) Failure of an attorney of record or party to appear before the Court at a scheduled appearance date without adequate excuse.

(4) Failure to obey a lawful order of the Court without adequate excuse or other behavior constituting contempt as provided in Rule 107, Colorado Rules of Civil Procedure.

(C) Repealed by Ord 1-2017

5-1-4 SENTENCING.

(A) Any person convicted of a violation of any provision of a Town ordinance shall be sentenced in accordance with provisions of this Section, or in any other lawful manner not in conflict with this Section.

(B) The minimum fine imposed shall not be less than that specified by the applicable ordinance provision, and the maximum fine shall not exceed that specified by the applicable ordinance provision.
(Ord 1-2017)

(C) Plea discussions and plea agreements may be entered into by the prosecution and approved by the Municipal Judge in accordance with the provisions of Part 3, Article 7 of Title 16, Colorado Revised Statutes, 1973, as amended, including deferred prosecution and deferred sentencing as provided in Part 4, Article 7 of Title 16, Colorado Revised Statutes, 1973, as amended.

(D) The Court may place the defendant upon probation, supervised or unsupervised, for such period and on such conditions as the Court may determine.

(E) The Court may suspend a sentence or a portion of it upon such conditions as the Court may determine.

(F) Repealed by Ord 1-2017

5-1-5 ENFORCEMENT OF FINES.

A sentence imposing a fine shall be enforceable by the Town in the same manner as a civil judgment or as other delinquent charges due the Town. A warrant for the arrest of any defendant failing to pay a fine in accordance with the Court's order may be issued.
(Ord 1-2017)

5-1-6 DEFECT IN FORM.

No action in the Municipal Court shall be dismissed for any defect in form of the summons or complaint without giving the prosecution leave to amend such summons or complaint. However, if such amendment is allowed, the defendant may be allowed additional time to prepare his defense if necessary to avoid prejudice.