

ORDINANCE NO 110

AN ORDINANCE PRESCRIBING A METHOD OF HANDLING CERTAIN OF THE MISDEMEANORS DEFINED BY THE MODEL TRAFFIC ORDINANCE

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA, CONEJOS COUNTY, COLORADO:

1. That whereas the Model Traffic Ordinance heretofore adopted by said Town of La Jara defined a number of offenses thereunder as misdemeanors and prescribed a method of handling them, and it has appeared that certain of said misdemeanors might be handled in an alternate manner in order to expedite the handling of cases and prevent injustice by the assessing of costs in the handling of minor violations of said ordinance, upon the election of the person charged with said violation, it is hereby ordained and provided that the violations hereinafter listed may be handled in the following manner:

2. At the discretion of the arresting officer, the arresting officer may give notice at the time of the arrest to the person in charge of or operating such motor vehicle, which notice shall be in the form of a penalty assessment for any misdemeanor defined in the Model Traffic Ordinance which is hereinafter listed, if the person in charge of said motor vehicle, or who appears to be guilty of such misdemeanor elects forthwith and at the time of such arrest to accept and agree to pay such penalty assessment in lieu of further proceeding or defense against such misdemeanor in court. Acceptance and payment of the prescribed penalty assessment hereinafter set forth shall be deemed a complete satisfaction for the violation, and the violator shall be given a receipt which so states. Such penalty assessment hereinafter set forth must be paid at the office of the Town Clerk either in person or by registered or certified mail within five days from the date of the arrest.

3. If such penalty assessment be not so paid, said violator shall be proceeded against as is provided by said Model Traffic Ordinance for such misdemeanor, and if found guilty, shall be subject to all fines, jail sentences and other penalties provided by such Model Traffic Ordinance.

4. The notice specified in section 2 hereof shall be construed to be a summons as for a charge of misdemeanor under the said Model Traffic Ordinance in the event that the violator fails or refuses to pay the penalty assessment herein prescribed within five days to the Town Clerk, and such notice shall be in such form as to show the nature of the charge and the venue of the Police Magistrate's Court in which such charge shall be heard in the event that the penalty assessment prescribed herein is not paid, and the prosecution as for misdemeanor shall be thereafter heard in such court. In the event that a prosecution be had hereunder, the violator shall be privileged to answer the charge made against him in the manner and within the time as is provided for other misdemeanors within said Town of La Jara.

5. The penalty assessments prescribed and the nature of the violation for which such penalty assessments are prescribed shall be as follows:

Speeding	\$10.00
Careless Driving	10.00
Wrong side of road or improper lane	5.00
Improper passing	5.00
Failure to yield right of way	5.00
Spilling loads on road	5.00
Failure to stop at stop sign	3.00 \$ 00
Improper turning	3.00
Following too closely	3.00
Failure to dim lights	3.00
Improper lights	3.00
Improper parking	2.00
Driver operation interference	2.00
Improper safety equipment	2.--

6. The schedule of penalties as set forth in Section 5 hereof shall not apply to any violation of this article or the Model Traffic Ordinance which is tried in the Police Magistrate Court.

7. This Ordinance shall become effective five days after its publication as is provided by law.

PASSED, ADOPTED AND APPROVED this 8th day of November, 1955.

 P. W. Residen
MAYOR

ATTEST:

 Bonnie D. Sullivan
TOWN CLERK