

ORDINANCE NO. 644

AN ORDINANCE ESTABLISHING ADMINISTRATIVE PROCEDURES AND COSTS TO BE IMPOSED BY THE MUNICIPAL COURT

WHEREAS, the provisions of Article XX, Section 6(a) of the Colorado Constitution and Colorado Municipal Court Rule 257 empower and authorize the City Council to enact administrative procedures and costs, by ordinance, for the regulation and administration of the Municipal Court;

NOW, THEREFORE, be it ordained by the City Council of the City of Las Animas, Colorado:

Section 1. A new Section 2.40(d) is enacted as follows:

TIME PAYMENT: The Municipal Court, in its sole discretion, may allow any convicted defendant to pay any fine, fee, or cost imposed upon said conviction on a delayed basis, and said Court, in its discretion, may impose an additional time payment fee, not to exceed \$25.00, in any instance wherein said convicted defendant does not pay any such fine, fees, or costs within 24 hours after conviction.

Section 2. A new Section 2.40(e) is enacted as follows:

LATE PAYMENT: In the event that any convicted defendant does not make timely payment of all fines, fees, and costs ordered by the Court upon conviction, said convicted defendant shall be liable for an additional fee of \$10.00 per payment for any payment not timely remitted unto the Municipal Court.

Section 3. A new Section 2.40(f) is enacted as follows:

FAILURE TO APPEAR: In the event that any defendant shall not appear before the Municipal Court as directed by summons, summons and complaint, or order of said Court, said defendant shall, upon conviction, be liable for the payment of an additional \$30.00 failure to appear fee imposed by the Municipal Court.

Section 4. A new Section 2.40(g) is enacted as follows:

SUBPOENAS - SERVICE FEE: The Las Animas Police Department shall charge and collect a fee of \$15.00 for service and return on each subpoena on each witness, plus mileage of \$.31 for each mile actually and necessarily traveled in service of the same, **PROVIDED HOWEVER**, that no such charge shall be imposed or collected for service of subpoena issued on behalf of the People of the City of Las Animas.

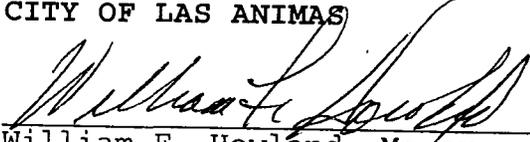
Section 5. A new Section 2.40(h) is enacted as follows:

FEES ASSESSED FOR ISSUANCE OF WARRANT: The Municipal Court shall assess, charge and collect a fee of \$25.00 for the execution of any Bench Warrant issued from the Municipal Court for any purpose whatsoever. Said execution fee shall be assessed in addition to any other fines, penalties or assessments that may be levied thereon. Said fee shall be an administrative fee. Nothing contained herein shall limit the Municipal Court from it's assessment of any associated fines or penalties assessed as a result of the violation of any other Municipal Code provision to include failure to appear.

PASSED on First Reading this 9th day of September, 2003.

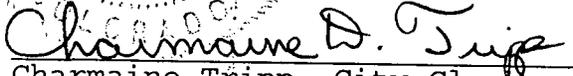
ADOPTED AND APPROVED this 14th day of October, 2003.

CITY OF LAS ANIMAS



William F. Howland, Mayor

ATTEST:

Charmaine Tripp, City Clerk