

BY AUTHORITY

ORDINANCE NO. 649  
SERIES OF 2009

COUNCIL BILL NO. 629

COMMITTEE OF REFERENCE:

Safety

A BILL

For an ordinance increasing certain county court fees

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That section 14-32, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

**Sec. 14-32. Failure to appear; failure to pay.**

(a) *Constitutes violation.* Any person who shall fail to appear in response to any summons, summons and complaint or subpoena served on such person shall be guilty of a violation of this article.

(b) *Warrant of arrest.* Upon a finding by the county court that a person has failed to appear in response to any summons or summons and complaint in violation of section 14-32(a), the court may issue a warrant for the arrest of said person.

(c) *Costs of warrant of arrest.* Where the county court has issued a warrant for the arrest of any person pursuant to section 14-32(b), the court may assess costs against said person in an amount not to exceed ~~twenty-five dollars (\$25.00)~~ fifty dollars (\$50.00) for each such warrant of arrest issued.

(d) *Noncriminal infractions.* Subsections (a) and (b) of this section notwithstanding, if the only violations charged on a summons and complaint would constitute a noncriminal infraction as defined in the several chapters of this Code, no warrant of arrest may issue. Instead, the court may enter a judgment of liability by default against the defendant and assess any penalty and costs established by law.

1           (e) Failure to pay. Upon a failure by any person to pay any fine, restitution,  
2           fee, or costs on or before a date certain as ordered by the court, the court may  
3           assess a late fee in an amount not to exceed fifty dollars (\$50.00).  
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5           **Section 2.** That subsection 14-40 (a), D.R.M.C. shall be amended by deleting the language  
6 stricken and adding the language underlined, to read as follows:  
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8           **Sec. 14-40. Docket fees and other costs.**

9           (a) Upon a defendant's conviction of any Charter, ordinance or regulation  
10 provision of the city, the county court shall assess and collect a docket fee for court  
11 costs in ~~an amount equal to the docket fee established by state statute for violation of~~  
12 ~~any state criminal statute~~ the amount of twenty-six dollars (\$26.00). The word  
13 "conviction" as used in this section shall mean a plea of guilty, a plea of nolo  
14 contendere, a finding of guilty, a default judgment, or a deferred judgment and  
15 sentence. This docket fee shall be in addition to any jury fee, witness fee, and any other  
16 costs which may be assessed by the court. However, a ten-dollar court cost shall be  
17 assessed in those cases in which the defendant does not schedule an appearance in  
18 court but pays a court scheduled fine or penalty directly to or through the county court  
19 traffic violations bureau or the county court general sessions violations bureau.  
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21           **Section 3.** That subsection 54-813 (c), D.R.M.C., shall be amended by deleting the language  
22 stricken and adding the language underlined, to read as follows:  
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24           **Sec. 54-813. Costs.**

25           (c) Except as provided in subsection (d) of this section, the release of a motor  
26 vehicle impounded as provided in subsection 54-811(10) or 54-811(20) shall require that  
27 a \$2,500.00 bond be posted within thirty (30) days of impoundment in favor of the City  
28 and County of Denver and a ~~\$30.00~~ \$75.00 bond fee be paid, or the motor vehicle is  
29 subject to disposal by the city by auction or otherwise. This requirement is not applied  
30 when the operator of such vehicle is found to have had a valid driver's license with such  
31 vehicle being released upon payment of towing and impoundment charges by owner.  
32 This bond shall be held for a period of one (1) year and forfeited if such vehicle is  
33 operated by an unlicensed driver in Colorado within that time. For this section, a

1 \$100.00 impoundment land acquisition fee shall be paid to the city prior to the release of  
2 vehicle.

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4 **Section 4.** The fee increases set forth in this ordinance shall be effective on and after January  
5 1, 2010.

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8 COMMITTEE APPROVAL DATE: September 28, 2009 (Consent); October 7, 2009; October 21, 2009.  
9 MAYOR-COUNCIL DATE: October 6, 2009; October 13, 2009; October 27, 2009.

10  
11 PASSED BY THE COUNCIL November 9 2009

12 [Signature] - PRESIDENT

13 APPROVED: [Signature] - MAYOR Nov. 10 2009

14 ATTEST: [Signature] - CLERK AND RECORDER,  
15 EX-OFFICIO CLERK OF THE  
16 CITY AND COUNTY OF DENVER

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18 NOTICE PUBLISHED IN THE DAILY JOURNAL Nov. 6, 2009; Nov. 13, 2009

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20 PREPARED BY: David W. Broadwell, Asst. City Attorney; DATE: October 27, 2009

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22 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
23 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
24 ordinance. The proposed ordinance is **not** submitted to the City Council for approval pursuant to §  
25 3.2.6 of the Charter.

26  
27 City Attorney  
28 BY: [Signature], Asst City Attorney  
29 DATE: 28 Oct 09

