

ORDINANCE
NUMBER 240

THE BOARD OF TRUSTEES OF THE TOWN OF HUGO, LINCOLN COUNTY, COLORADO, DOES HEREBY ORDAIN AND RESOLVE TO IMPOSE A PAYMENT PLAN FEE CONCERNING CERTAIN HUGO MUNICIPAL COURT CASES AND TO DESIGNATE THE FEE BE RECEIPTED IN AND DESIGNATED TO THE GENERAL FUND, FINE REVENUE.

Whereas, the Town of Hugo, hereinafter referred to as the “Town”, in the County of Lincoln, and the State of Colorado, is the body corporate operating as a statutory town pursuant to the general statutes of the state of Colorado; and

Whereas, Colorado Revised Statutes, 13-10-113(3) empowers the municipal judge of a municipal court, in his or her discretion, to assess costs, or fees, as established by the municipal governing body by ordinance, against any defendant who pleads guilty or no contest, who enters into a plea agreement or who, after trial, if found guilty of a Town ordinance violation; and

Whereas, the Board of Trustees of the Town, hereinafter referred to as the “Board” has determined that it is appropriate to assess a fee under the above stated conditions to cover the administrative costs of establishing a payment plan pursuant to a promissory note, or other form of promise to pay.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUGO, COLORADO;

SECTION 1-IMPOSITION OF PAYMENT PLAN FEES

Upon the adoption of the Ordinance, the Town of Hugo Municipal Court shall assess a Thirty Dollar (\$30.00) fee to all defendants wanting to set up a payment plan schedule, and an additional Five Dollar (\$5.00) fee attached to each scheduled payment.

SECTION II- ADMINISTRATION OF COLLECTED FEES

All payment plan fees collected by the Hugo Municipal Court shall be deposited into the General Fund and will be used for the purposes of general operating expenses for the Town of Hugo, Colorado.

SECTION III-VALIDITY

If any part or parts of this Ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this Ordinance. The board hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any part or parts be declared invalid.

SECTION IV- REPEAL

Existing or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of the ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

SECTION V- EFFECTIVE PERIOD

This Ordinance shall be effective thirty days following publication and shall be filed in the Town Book of Ordinances.

Adopted and approved this _____ day of _____ 2014

Patsie E. Smith; MAYOR

ATTEST:

Maria Nestor; TOWN CLERK

Published on _____ in the Eastern Colorado Plainsman.