

**CHAPTER 4**

**Municipal Court**

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## ARTICLE I

### In General

#### **Sec. 4-1. Created.**

A Municipal Court in and for the City is hereby established pursuant to and governed by the provisions of Title 13, Article 10 (Section 13-10-101 *et seq.*), C.R.S., as amended (Ord. 8 §1, 2006)

#### **Sec. 4-2. Court of record.**

The Municipal Court shall be a qualified municipal court of record, and the presiding Municipal Judge shall provide for the keeping of a verbatim record of the proceedings and evidence at trials by either electric devices or stenographic means. (Ord. 8 §1, 2006)

#### **Sec. 4-3. State license required for Judges.**

Any person appointed to the office of Municipal Judge shall have been admitted to and shall be at the time of his or her appointment and during his or her tenure of office, licensed in the practice of law in the State of Colorado. (Ord. 8 §1, 2006)

#### **Sec. 4-4. Judge's oath of office.**

Before entering upon the duties of his or her office, the Municipal Judge shall take and subscribe before a judge of a court of record, and file with the City, an oath of affirmation that he or she will support the Constitution of the United States, the Constitution and laws of the State and the ordinances of the City, and will faithfully perform the duties of his or her office. (Ord. 8 §1, 2006)

#### **Sec. 4-5. Court sessions.**

(A) There shall be regular sessions of court for the arraignment of defendants, the trial of cases and such other matters and proceedings as the business of the Municipal Court may require. Such sessions shall be conducted no less frequently than once per month and shall be open to the public.

(B) The Municipal Court shall be open during such hours as are set by the presiding Municipal Judge with the advice and consent of the City Council; provided, however, that the Municipal Court shall be closed on weekends and local, state and national holidays, except for extraordinary sessions. (Ord. 8 §1, 2006)

#### **Sec. 4-6. Failure of person to respond to process.**

(A) In all cases where a person is summoned as a juror or as a witness to the Municipal Court and fails to attend at the time and place appointed, the Municipal Court may issue a citation for the appearances of such juror or witness so failing to attend and direct such person to show cause why he or she should not be punished for contempt of court. Upon a satisfactory excuse being made, the Municipal Court may discharge such person and release any bond posted pursuant thereto.

(B) In all cases where a person is summoned to appear at the Municipal Court or ordered to appear by the Municipal Judge, it is unlawful for such person to fail to appear at the time and place so ordered. (Ord. 8 §1, 2006)

#### **Sec. 4-7. Restitution.**

The Municipal Court is hereby granted full power and authority to order payment of restitution to the damaged party by the person responsible for damage under all sections of this Code. (Ord. 8 §1, 2006)

**Sec. 4-8. Work program.**

No ordinance shall deprive the Municipal Judge of the authority to permit defendants to perform labor and service for the City in lieu of paying all or part of the fine or fines and costs imposed, under such terms and conditions as the Municipal Judge shall require; provided, however, that no defendant shall be ordered or required to participate in any work program. Instead, such work program alternative may be granted by the Municipal Judge only upon a defendant voluntarily requesting participation therein.  
(Ord. 8 §1, 2006)

**Sec. 4-9. Appropriations.**

The City Council shall annually appropriate an amount sufficient to pay salaries and expenses incurred in connection with carrying out the provisions of this Chapter.  
(Ord. 8 §1, 2006)

**Sec. 4-10. Applicability of Colorado Municipal Court Rules.**

The Colorado Municipal Court Rules shall apply to all proceedings in the Municipal Court, except that no arrest warrant shall issue for a defendant's failure to appear when the only violation charged would constitute a noncriminal traffic infraction and the defendant's driver's license is issued by the State of Colorado or any other state that participates in the Interstate Nonresident Violator Compact, as codified at Section 24-60-2101, C.R.S., as amended. Instead, the Municipal Court may enter a judgment of liability by default against the defendant for failure to appear, assess any penalty and costs as established by law and report the judgment to the appropriate state motor vehicle department.  
(Ord. 8 §1, 2006)

**Sec. 4-11—4-20. Reserved.**