

RESOLUTION NO. 001-2010

A RESOLUTION AMENDING RESOLUTION #011-2009 ADOPTING
A PRESUMPTIVE FINES/ASSESSMENTS SCHEDULE FOR
THE TOWN OF CRESTONE MUNICIPAL COURT

WHEREAS, the Town of Crestone has enacted the Model Traffic Code pursuant to Ordinance 2009-006; and

WHEREAS, Resolution No. 011-2009 adopted a Presumptive Fines/Assessments Schedule for the Town; and

WHEREAS, House Bill 08-1010, as adopted by the Colorado Legislature on July 15, 2008, revised standard fines and surcharges in certain traffic offense cases; and

WHEREAS, the Towns' fee schedule should incorporate and reflect the penalties prescribed by the State of Colorado for identical offenses under the Model Traffic Code; and Resolution 011-2009 should be amended to reflect State Statutory amendments; and

WHEREAS, the Town Administrator, in an effort to meet administrative expenses related to municipal court costs, suggests a \$10.00 municipal court fee increase, to be assessed as court costs.

NOW THEREFORE, be it hereby Resolved by the Board of Trustees of the Town of Crestone that Resolution 001-2009 is amended and the following schedule of fines and surcharges is hereby adopted as the *Schedule of Fines and Surcharges* to be imposed by the Town of Crestone Municipal Court for offenses committed under the provisions of the Model Traffic Code as adopted by the Town of Crestone, to be added to the tables of Municipal Court Fees and Municipal Court Presumptive Fines/Assessments as follows:

MUNICIPAL COURT FEES				
	DOCUMENT CERTIFICATION	\$5		
	DUPLICATION OF AUDIO TAPES OR CD's	\$20		
	TRANSCRIPTIONS < 15 min	\$15		
	TRANSCRIPTIONS > 15 min	\$1 per minute		
	COURT COST	\$40 20 per violation		
	BENCH WARRANT	\$50 per warrant		

	DEFERRED SENTENCE	\$20 per deferral		
Ordinance #	PRESUMPTIVE FINE SCHEDULE	FINE		
	MISCELLANEOUS OFFENSES	1st Offense	2nd Offense	3rd+ Offense
1978-5	PERMANENT BLOCKING OF PUBLIC ALLEYS	\$25	\$50	\$100
1992-2	BUSINESS LICENSE REQUIRED	\$25	\$50	\$100
2003-2	OPEN BURNING	\$25	\$50	\$100
2003-5	NUISANCE CODE	\$25	\$50	\$100
2009-006	MODEL TRAFFIC CODE - NON CRIMINAL	\$25	\$50	\$100
2009-007	OPEN CONTAINERS/ PUBLIC CONSUMPTION	\$25	\$50	\$100

**OFFENSES NOT LISTED REQUIRE
A COURT APPEARANCE**

Section Violated	Penalty	ASSESSMENT
(A) Drivers' license violations:		
101(1) or (4)	\$35.00	\$20.00
101(2), (3), or (5)	15.00	20.00
103	15.00	20.00
105	70.00	20.00
105.5(4)	65.00	20.00
106	70.00	20.00
116(6)(a)	30.00	20.00
119	15.00	20.00
134	35.00	20.00
136	35.00	20.00
139	35.00	20.00
140	35.00	20.00
141	35.00	20.00
(C) Traffic regulation generally:		
1412	15.00	20.00
109(13)(a)	15.00	20.00
109 (13)(b)	100.00	20.00
1211	30.00	20.00
1405	15.00	20.00

(D) Equipment violations:		
201	35.00	20.00
202	35.00	20.00
204	15.00	20.00
205	15.00	20.00
206	15.00	20.00
207	15.00	20.00
208	15.00	20.00
209	15.00	20.00
210	15.00	20.00
211	15.00	20.00
212	15.00	20.00
213	15.00	20.00
214	15.00	20.00
215	15.00	20.00
216	15.00	20.00
217	15.00	20.00
218	15.00	20.00
219	15.00	20.00
220	15.00	20.00
221	15.00	20.00
222(1)	15.00	20.00
223	15.00	20.00
224	15.00	20.00
225(1)	15.00	20.00
226	15.00	20.00
227(1)	50.00	20.00
227(2)	15.00	20.00
228 (1), (2), (3), (5), or (6)	15.00	20.00
229	15.00	20.00
230	15.00	20.00
231	15.00	20.00
232	15.00	20.00
233	75.00	20.00
234	15.00	20.00
235	50.00	20.00
236	65.00	20.00
237	65.00	20.00

1411	15.00	20.00
1412	15.00	20.00
1901	35.00	20.00
(G) Signals, signs, and marking violations:		
603	100.00	20.00
604	100.00	20.00
605	70.00	20.00
606	15.00	20.00
607(1)	50.00	20.00
607(2)(a)	100.00	20.00
608 (1)	70.00	20.00
608 (2)	15.00	20.00
609	15.00	20.00
610	15.00	20.00
612	70.00	20.00
613	35.00	20.00
(H) Rights-of-way violations:		
701	70.00	20.00
702	70.00	20.00
703	70.00	20.00
704	70.00	20.00
705	70.00	20.00
706	70.00	20.00
707	70.00	20.00
708	35.00	20.00
709	70.00	20.00
710	70.00	20.00
711	100.00	20.00
712	70.00	20.00
(G) Pedestrian violations:		
801	15.00	20.00
802(1)	30.00	20.00
802(3)	15.00	20.00
802(4)	30.00	20.00
802(5)	30.00	20.00
803	15.00	20.00
805	15.00	20.00
806	70.00	20.00
807	70.00	20.00

808	70.00	20.00
(J) Turning and stopping violations:		
901	70.00	20.00
902	70.00	20.00
903	70.00	20.00
(K) Driving, overtaking, and passing violations:		
1001	70.00	20.00
1002	100.00	20.00
1003	100.00	20.00
1004	100.00	20.00
1005	100.00	20.00
1006	70.00	20.00
1007	100.00	20.00
1008	100.00	20.00
1009	70.00	20.00
1010	70.00	20.00
1011	200.00	20.00
1012(3)(a)	65.00	0.00
1012(3)(b)	125.00	0.00
1013	100.00	0.00
(L) Speeding violations:		
1101 (1) or (9) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	30.00	32.00
1101 (1) or (8)(b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	70.00	32.00
1101(1) or (8)(b)(10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	135.00	32.00

1101(1) or (8) (b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	200.00	32.00
1101(3)	100.00	20.00
1103	50.00	20.00
1104	30.00	20.00
(M) Parking violations:		
1201	30.00	20.00
1202	30.00	20.00
1204	15.00	20.00
1205	15.00	20.00
1206	15.00	20.00
1207	15.00	20.00
1208(6) or (9)	100.00	20.00
(N) Other offenses:		
1301 (2)(a.5)	100.00	20.00
1305	50.00	20.00
1402	150.00	20.00
1403	30.00	20.00
1404	15.00	20.00
1406	35.00	20.00
1407(3)(a)	35.00	20.00
1407(3)(b)	100.00	20.00
1407(3)(c)	500.00	20.00
314	35.00	20.00
1408	15.00	20.00
1414(2)(a)	500.00	157.00
1414(2)(b)	1,000.00	313.00
1414(2)(c)	5,000.00	1,560.00
109(2)	250.00	20.00
(O) Motorcycle violations:		
1502(1), (2), (3), or (4)	30.00	20.00
1502(4.5)	100.00	20.00
1503	30.00	20.00
1504	30.00	20.00

APPROVED and ADOPTED this 11th day of January, 2010.


Ralph Abrams, Mayor

Attest:


Akia Tanara, Town Clerk