

TOWN OF WINDSOR

ORDINANCE NO. 2022-1649

AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE WINDSOR MUNICIPAL CODE AMENDING ARTICLE IV, CHAPTER 1, AND ARTICLE III, CHAPTER 8, CONCERNING SURCHARGES AND TOWING HEARING REQUIREMENTS

WHEREAS, the Town of Windsor is a home rule municipality with all powers conferred under Colorado law; and

WHEREAS, the Town has deemed it to be in the best interests of the health, safety, and welfare of the residents of Windsor to keep the content of the *Windsor Municipal Code* ("Code") current by making certain corrections and amendments from time to time; and

WHEREAS, the exponential growth within the Town, and legislative changes, has created increased service demands of staff without any changes in the existing surcharge and fee structures related to police and prosecution services; and

WHEREAS, in an effort to make operations more efficient and feasible, the following amendments address some of the increased service demands; and

WHEREAS, the amendment of the foregoing codes serves to promote the public health, safety and welfare of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

**Section 1.** Section 1-4-20(b) is repealed, amended, and replaced, adding (c) and (d) and shall read as follows:

**1-4-20(b). General penalty for violation.**

(b) In addition to the aforesaid fine, the Municipal Judge shall add a surcharge in the amount of ten dollars (\$10.00) for each ordinance violation, but the total fine imposed under Subsections (a) and (b) of this Section may not exceed the maximum fine established in Subsection (a) above. All proceeds generated by the surcharge under this Subsection shall be paid into separate accounts of the Town, \$3.50 shall be used for the purpose of funding the participation of the Town in the Weld County Drug Task Force, \$3.00 shall be deposited into a separate account for the police department to be used to fund court security, and \$3.50 shall be deposited into a Town Remediation Fund (RF) account, with such RF funds being dedicated to defraying the cost of methamphetamine laboratory remediation costs, grow house remediation costs and any remediation or abatement that is not able to be charged to the property or person that is incurred by the Town. The balance in the RF fund shall not exceed fifty thousand dollars (\$50,000.00); any excess accumulation in the RF fund shall be

reallocated for the purpose of law enforcement training, administration and/or acquisition of equipment.

(c) *Traffic violation surcharge:* In addition to the foregoing surcharges and penalties, there shall be an additional \$15 surcharge assessed on all traffic violations, to go into a separate account for the police department, to assist with additional officers, staff, equipment, and training.

(d) *Code enforcement surcharge:* In addition to the foregoing surcharges and penalties, there shall be an additional \$15 surcharge assessed on all code and parking violations, to go into a separate account for the police department, to assist with additional officers, staff, equipment, training, abatements, and impoundment fees.

**Section 2.** Section 8-3-50(c) is repealed, amended, and replaced, and shall read as follows:

(c) Hearings may be requested by delivering a written request to the Municipal Court Clerk. If the request for a hearing is at least seven days before the next regularly scheduled court date, the Hearing shall then be scheduled for the next regularly scheduled court date. If the request for Hearing will result in less than a seven (7) day notice, then the Hearing shall be scheduled for the following month's regularly scheduled court date. Hearings requested hereunder shall be conducted by the Municipal Judge. The failure of the owner of a motor vehicle to request or to attend a scheduled hearing shall be conclusive of the validity of the impoundment and shall satisfy the hearing requirement of this Section.

Introduced, passed on first reading and ordered published this 9<sup>th</sup> day of May, 2022.

TOWN OF WINDSOR, COLORADO

  
Paul Rennemeyer, Mayor


ATTEST:

  
Karen Frawley, Town Clerk



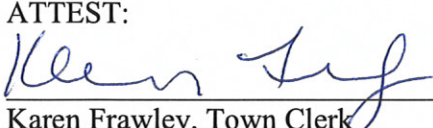
Introduced, passed on second reading and ordered published this 23<sup>rd</sup> day of May, 2022.

TOWN OF WINDSOR, COLORADO

  
~~Paul Rennemeyer, Mayor~~

Ken Bennett, Mayor Pro Tem

ATTEST:

  
Karen Frawley, Town Clerk

