

ORDINANCE NO. 616

AN ORDINANCE SETTING FORTH THE MINIMUM FINE SCHEDULE AND APPEARANCE REQUIREMENTS FOR VIOLATIONS TRIED IN THE MUNICIPAL COURT FOR THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO

Section 1.

WHEREAS the Town of Berthoud has set forth below the minimum fine schedule and appearance requirements for violations tried before the Berthoud Municipal Court pursuant to Colorado Revised Statutes 13-10-113.

Section 2.

The minimum fine schedule and appearance requirements for the Municipal Court of the Town of Berthoud, State of Colorado are as follows:

All accidents require a mandatory court appearance (MCA).

The Clerk's office of the Court may accept the fines established below. No fine will be accepted until the defendant executes an appearance, plea of Guilty and Waiver.

- NOTE:
1. All second offenses within the twelve (12) month period preceding the date of the subject Summons and Complaint shall have the minimum fine increased by Fifty Percent (50%);
  2. All third offenses within the twelve (12) month period preceding the date of the Summons and Complaint, requires a mandatory court appearance (MCA); and,
  3. Two or more separate charges in one Summons and Complaint requires a mandatory court appearance (MCA) for the person so charged.

If a municipal violation is not listed herein, an appearance before the Court is mandatory. An appearance is mandatory if, in the opinion of the officer issuing the summons and complaint or the chief of police, there are aggravating circumstances which should, in the interests of justice, be brought to the attention of the court.

MODEL TRAFFIC CODE ORDINANCE VIOLATIONS

C.R.S. 42-4

<u>Part</u>	<u>Number</u>	<u>Offense</u>	<u>Fine</u>
601	1-1	Vehicle approaching and entering intersection	\$22.00
602	1-2	Vehicle turning left	22.00
603	2-2	Entering through highway - stop or yield	
	a.	stop	39.00
	b.	yield	39.00
606	3-1	Obedience to stop sign at railroad crossing	39.00
606	3-2	Obedience to railroad signal	39.00
608	3-3	Certain vehicles must stop at railroad grade crossings	39.00
609	3-4	Moving heavy equipment at railroad crossing	39.00
610	3-5	Emerging from or entering alley, driveway or building	22.00
612	3-6	Stopping for school buses	MCA
	3-7	Stop when traffic obstructed	39.00
1001	4-1(c)	Speeding:	
		1 to 9 MPH over limit	28.00
		10 to 19 MPH over limit	61.00
		20 MPH or more over limit	MCA
1001	4-4	Special hazards	44.00
1003	4-5	Minimum speed regulation	17.00
1005	4-6	Speed contests	MCA
1203	5-1	Reckless driving	MCA
1204	5-2	Careless driving	63.00
1101	6-1	Moving parked vehicle	12.00
803	6-2	When signal required	22.00
801	6-3	Position & method of turning at intersections	22.00
509	6-4	Signals by hand and arm or signal device	23.00
510	6-5	Method of giving hand and arm signals	17.00
802	6-6	Limitations of turning around	22.00
802	6-7	Obedience to turn prohibition signs	22.00
901	7-1	Drive on right side - exceptions	22.00
902	7-2	Passing oncoming vehicles	22.00
903	7-3	Overtaking a vehicle on the left	22.00
		Failure to give way	25.00
904	7-4	When overtaking on the right is permitted	22.00
904	7-5	Limitations on overtaking on the left	22.00
908	7-6	Following too closely	23.00
906	8-1	One-way streets and alleys	25.00
907	8-2	Driving on roadways laned for traffic	22.00
910	9-1	Driving on divided streets	25.00
1105	10-1	Parking at curb or edge of roadway	11.00
1105	10-2	Obedience to angle-parking signs or markings	11.00
209	10-3	Lamps on parked vehicles	18.00
1106	10-4	Unattended motor vehicle	18.00
1103	10-5	Parking not to obstruct traffic or maintenance	12.00

1104	10-6	Parking in alleys	17.00
1104	10-7	Moving unattended vehicle	11.00
	10-8	Clearance between vehicles	12.00
	10-9	Waiting for parking space being cleared	12.00
1104	11-1	Stopping, standing or parking prohibited in specified places	11.00
1104	11-2	Parking for certain purposes prohibited	17.00
1102	11-3	Stopping, standing or parking on highway	18.00
1104	12-2	Obedience to stopping, standing or parking regulations	11.00
1109	12-3	Parking privilege for the handicapped	22.00
	13-1	Standing in passenger loading zone	17.00
	13-2	Standing in freight loading zone	17.00
504	15-2	Obedience to official devices	25.00
505	15-3	Official devices required for enforcement purposes	25.00
		Steady Red	25.00
506	15-6	Flashing signals	23.00
505	15-7	Lane-use-control signal	23.00
702	15-8	Pedestrian-control signals	23.00
514	15-9	When signals are inoperative or malfunctioning	25.00
907	15-10	Traffic lanes	25.00
	15-11	Barricades	22.00
507	15-12	Unauthorized signs, signals or markings	20.00
508	15-13	Interference with official devices	58.00
701	16-1	Pedestrians to obey traffic control devices	23.00
702	16-2	Pedestrians' right of way in crosswalks	22.00
703	16-3	Crossing at right angles	11.00
704	16-4	Pedestrians to use right half of crosswalks	11.00
703	16-5	Crossing and yielding at other than crosswalk	11.00
	16-6	Pedestrian obedience to railroad signals	39.00
705	16-7	Walking along roadways, hitchhiking	11.00
706	16-8	Driving through safety zone prohibited	22.00
610	16-9	Driving on sidewalk	22.00
107	16-10	Play streets	17.00
707	16-11	Drivers to exercise due care	25.00
		Any pedestrian	25.00
		Blind person with white cane	MCA
107	17-11	Obedience to traffic control devices (bicycles)	18.00
107	17-12	Riding on bicycles & motorized bicycles	18.00
107	17-13	Riding on roadways and bicycle paths	18.00
107	17-14	Speed (bicycles)	18.00
107	17-15	Entering or emerging from alley or driveway (bicycles)	18.00
	17-16	Carrying articles (bicycles)	18.00



	17-17	Parking (bicycles)	18.00
107	17-18	Riding on sidewalks (bicycles)	18.00
218	17-19	Equipment on bicycles & motorized bicycles	18.00
107	17-20	Clinging to vehicles (bicycle rider)	18.00
410	18-1	Restricted use of streets	25.00
401	18-2	Size and weight restrictions-applicability	44.00
402	18-3	Height, width and length of vehicles and loads	85.00
403	18-4	Projecting loads on vehicles	24.00
1208	18-5	Spilling loads on streets or highways	45.00
405	18-6	Trailers and towed vehicles	18.00
406	18-7	Wheel and axle loads	MCA
401	18-8	Gross weight of vehicles and loads	MCA
410	18-9	Weight limits on certain streets or parts thereof	25.00
408	18-10	Vehicles weighed, excess removed	55.00
411	18-12	Liability for damage to street or structure	MCA
202	19-1	Unsafe vehicles prohibited	45.00
220	19-2	Lights, brakes and other required equipment	18.00
		Brakes required	18.00
203	19-3	When lighted lamps required	20.00
224	19-4	Windows unobstructed, wipers	18.00
512	19-5	Unauthorized insignia	MCA
612	19-6	School bus lights and markings	MCA
	19-7	Inspection of vehicles (no valid sticker)	17.00
233	19-8	Emblem for slow moving vehicles	17.00
201	20-1	Obstruction of view or driving mechanism	40.00
201	20-1	Unlawful riding	40.00
	20-3	Boarding or alighting from vehicles	17.00
113	20-4	Riding in trailers	20.00
1107	20-5	Opening and closing vehicle doors	20.00
112	20-6	Limitations on backing	20.00
909	20-7	Coasting prohibited	20.00
1205	20-8	Following fire apparatus	MCA
1206	20-9	Crossing fire hose	20.00
1207	20-10	Foreign matter on street or highway prohibited	MCA
	20-11	When permits required for parades or processions	MCA
908	20-12	Funeral processions	23.00
1301	20-13	Motorcycle rules	18.00
1003	20-14	Impeding traffic	20.00
215	20-15	Use of multiple-beam headlights	18.00
105	21-3	Obedience to police and fire department officials	MCA
107	21-5	Restricted use of snowmobiles, skis, toboggans, coasters, skates, and similar devices	18.00
	21-7	Authorized emergency vehicles	MCA
605	21-8	Operation of vehicles and actions of pedestrians on approach of authorized emergency vehicles	57.00

1506      22-10      Failure to obey summons or notice      MCA

BERTHOUD MUNICIPAL ORDINANCE VIOLATIONS

6.15	Wasting water	\$22.00
6.18	Sprinkling restrictions	22.00
15.12	Removal of snow and ice (first offense only)	17.00
17.31	Curfew (first offense only)	17.00
18.6-2	Number of dogs (first offense only)	22.00
18.6-5	Dogs must be licensed (first offense only)	17.00
18.6-10	Dogs kept on premises (first offense only)	17.00

Section 3. - Repeal

Existing ordinances or parts of ordinances, resolutions or regulations covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this 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.

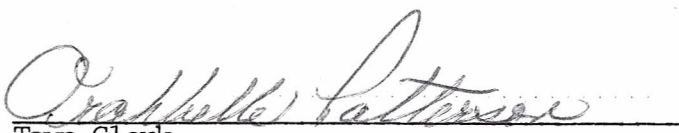
Section 4. Emergency Clause

The Board of Trustees of the Town of Berthoud herewith finds that the adoption of a minimum fine schedule helps to ensure the prompt and equitable resolution of municipal violations and thereby is necessary to ensure the health, safety and welfare of the Town and an emergency exists justifying the adoption of this ordinance to take effect immediately upon passage.

TOWN OF BERTHOUD

  
\_\_\_\_\_  
Mayor - Tommy Fellows

ATTEST:

  
\_\_\_\_\_  
Town Clerk  
Orahbelle Patterson