

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 994**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
SECTION 8-5-140 OF THE MEAD MUNICIPAL CODE TO ALLOW FOR THE
ASSESSMENT OF COSTS AND FEES ON PARKING ASSESSMENT
DEFAULT JUDGMENTS**

WHEREAS, the Board of Trustees of the Town of Mead (“**Board of Trustees**”) has the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety, and welfare of the citizens of the Town of Mead (“**Town**”); and

WHEREAS, under Section 8-5-140 of the Mead Municipal Code (“**MMC**”), if a defendant in a municipal court action fails to appear for any hearing, the Municipal Court is required to enter judgment against the defendant and to assess the appropriate penalty, outstanding judgment fee, and additional costs assessable to municipal code violations generally upon conviction of noncivil municipal charges; and

WHEREAS, under MMC Section 8-5-140(b), the Municipal Court is prohibited from assessing the fees and costs discussed above on parking assessment default judgments; and

WHEREAS, the Board of Trustees desires to amend Section 8-5-140 to allow the Municipal Court to assess such fees and costs on parking assessment default judgments.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Section 8-5-140 of the MMC, titled “Default,” is hereby amended as follows, with portions to be removed struck through and portions to be added in italics and underlined:

Sec. 8-5-140. – Default.

- (a) If the defendant fails to appear for any hearing, the Court shall enter judgment against the defendant. The record of such judgment, including the points assessed, shall be forwarded to the State Division of Motor Vehicles.
- (b) The amount of the judgment shall be the appropriate penalty assessed after a finding of guilt or liability, outstanding judgment fee and additional costs assessable to municipal violations generally upon conviction of noncivil municipal charges, ~~except such fees and additional costs shall not be added to parking assessment default judgments.~~
- (c) The Court may set aside a judgment entered under this Section on a showing of good cause or excusable neglect by the defendant. A motion to set aside the judgment shall be made to the Court not more than seven (7) calendar days after entry of judgment.
- (d) The defendant may satisfy a judgment entered under this Section by paying the

Clerk.

- (e) No warrant shall issue for the arrest of a defendant who fails to appear at a hearing or fails to satisfy a judgment.

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Remaining provisions. Except as specifically amended hereby, all other provisions of the Mead Municipal Code shall continue in full force and effect.

Section 4. Codification Amendments. The codifier of Mead's Municipal Code is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Mead Municipal Code.

Section 5. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 6. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

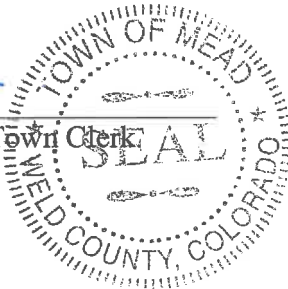
INTRODUCED, READ, PASSED, AND ADOPTED THIS 11TH DAY OF APRIL, 2022.

ATTEST:

TOWN OF MEAD

By: 

Mary E. Strutt, MMC, Town Clerk



By: 

Colleen Whitlow, Mayor