

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2018

COUNCIL BILL NO. CB18-1308
COMMITTEE OF REFERENCE:
4 Safety, Housing, Education & Homelessness

5 **A BILL**

6 **For an ordinance amending Articles I and III, amending and repealing Articles II**
7 **and IV of Chapter 14, and amending Article I of Chapter 54, Denver Revised**
8 **Municipal Code of the Denver County Court rules and procedures for hours,**
9 **bonds, fees, records, reports, clerk’s duties, ministerial and administrative**
10 **functions and traffic regulations.**

11
12 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

13 **Section 1.** That Section 14-3 of the Denver Revised Municipal Code is hereby amended by
14 deleting the language stricken and adding the language underlined below, to read as follows:

15 **“Sec. 14-3. – Court to be open each week day.**

16 ~~The county judges shall hold regular sessions of the county court each day, Saturdays,~~
17 ~~Sundays and legal holidays excepted, for the trial of cases arising under the Charter and ordinances~~
18 ~~of the city; provided, however, it shall be lawful for the county judges to hold sessions of court on~~
19 ~~Saturdays, Sundays, and legal holidays if an emergency shall arise making it advisable to do so.~~

20 The Presiding Judge shall designate the business hours of regular court sessions, which may
21 include weekdays, weekends, morning, afternoon, or evening dockets. If good cause exists, the
22 county court has discretion to hold court on an occasional holiday.”

23 **Section 2.** That Section 14-6, Subsection (2) of the Denver Revised Municipal Code entitled
24 **“Oath of Clerks”** relating to surety bonds is hereby repealed.

25 **Section 3.** That Section 14-28 of the Denver Revised Municipal Code entitled **“Clerk to issue**
26 **summons, subpoena and warrant as necessary”** relating to issuance of a summons and other
27 matters is hereby repealed.

28 **Section 4.** That Section 14-34 of the Denver Revised Municipal Code entitled **“Bond fee”**
29 and relating to bond fees is hereby repealed.

30 **Section 5.** That Section 14-43 of the Denver Revised Municipal Code is hereby amended by
31 adding the language underlined below, to read as follows:

32 **“Sec. 14-43. – Clerk’s report.**

33 It is the duty of the clerk of the county court to make a monthly financial report to the manager
34 of finance; a copy of which shall also be filed with the mayor upon request. The report shall show

1 the financial transactions of the court during the preceding month and such other information as may
2 be pertinent.”

3 **Section 6.** That Section 14-44 of the Denver Revised Municipal Code entitled “**Writ of**
4 **mittimus and commitment of convicted defendants in default**” and relating to the writ of mittimus
5 is hereby repealed.

6 **Section 7.** That Section 14-63 of the Denver Revised Municipal Code is hereby amended by
7 deleting the language stricken below, to read as follows:

8 **“Sec. 14-63. – Statement of conditions.**

9 Whenever probation is granted, the court shall set forth in writing the conditions under which
10 such probation is granted and shall furnish to each person released on probation a copy of the
11 statement of such conditions. Each defendant shall be required to sign an acceptance of the
12 conditions of probation before the order of probation is granted. ~~The clerk of the county court shall~~
13 ~~send a copy of the statement of conditions of probation to the police department where it shall be~~
14 ~~kept on file.”~~

15 **Section 8.** That Section 14-86 of the Denver Revised Municipal Code entitled “**Duties**” and
16 relating to certain duties of court personnel is hereby repealed.

17 **Section 9.** That Section 14-90 of the Denver Revised Municipal Code is hereby amended by
18 deleting the language stricken below, to read as follows:

19 **“Sec. 14-90. – Form of summons and complaint.**

20 The form and service of summons and complaint under this article shall be provided by article II
21 of this chapter. ~~The summons and complaint shall further require the person served to answer the~~
22 ~~charge or charges against him/her within seven (7) days at the general violations bureau.”~~

23 **Section 10.** That Section 14-91 of the Denver Revised Municipal Code entitled “**Records**”
24 and relating to recording keeping of court personnel is hereby repealed.

25 **Section 11.** That Section 54-4, Subsection (a) of the Denver Revised Municipal Code is
26 hereby amended by adding the language underlined below, to read as follows:

27 **“Sec. 54-4. – Traffic Infractions.**

28 (a) A violation of any of the following sections of this chapter is hereby declared to be a
29 class A traffic infraction: 54-68, 54-70(a), (b), (c)(3), (h); 54-72, 54-73, 54-100 through
30 54-105, 54-107, 54-124, 54-125, 54-128, 54-132, 54-136, 54-139, 54-155, 54-156 (one
31 (1) through twenty-four (24) miles per hour over the posted speed limit), 54-157 (one
32 (1) through twenty-four (24) miles per hour over the unposted speed limit), 54-160, 54-
33 178 through 54-181, 54-200 through 54-410, 54-227 through 54-237, 54-239, 54-256,

1 54-258 through 54-260, 54-278, 54-279, 54-302, 54-538, 54-544, 54-626 through 54-
2 630, 54-647, and 54-648.”

3 COMMITTEE APPROVAL DATE: November 14, 2018

4 MAYOR-COUNCIL DATE: November 20, 2018

5 PASSED BY THE COUNCIL: _____
6 _____ - PRESIDENT

7 APPROVED: _____ - MAYOR _____

8 ATTEST: _____ - CLERK AND RECORDER,
9 EX-OFFICIO CLERK OF THE
10 CITY AND COUNTY OF DENVER

11 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

12 PREPARED BY: Steven Hahn, Assistant City Attorney DATE: November 29, 2018

13 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
14 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
16 3.2.6 of the Charter.

17
18 Kristin M. Bronson, Denver City Attorney

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20 BY: _____, Assistant City Attorney DATE: _____