

BILL/ RESOLUTION REQUEST

1. Title: This ordinance request is revise parts of Denver's Municipal Code 14-123 to comply with the changes made to Colorado Revised Statutes 30-1-104 thru 107 and 116, including by House Bill 10-1057, passed on April 15, 2010

2. Requesting Agency: Public Safety

3. Contact Person *with actual knowledge of proposed ordinance*

Name:Sergeant Thomas Frank

Phone:720-865-9563

Email:Thomas.Frank@denvergov.org

4. Contact Person *with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary*

Name:See above

Phone:

Email:

5. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved

a. Scope of Work

Due to the passing of House Bill 10-1057 and other state changes, there will be changes to Colorado Revised Statute 30-1-104 through 107 and 116. In order to be in compliance with these statutes, the same changes need to be made to Denver Municipal Code 14-123. These changes include:

- Changes the fee for making a return on a summons, in other than a criminal action, not served from \$16.00 to \$20.00. [DMC 14-123(a)(4)]
- Changes the fee for making a return on a subpoena, in other than a criminal action, not served from \$16.00 to \$20.00. [DMC 14-123(a) (8)]
- Updates hourly rates for sheriffs and deputy sheriffs. [DMC 14-123(a)(10), (15), (16), and (38)]
- Allows the Sheriff to establish a Zone- or Zip Code-Based mileage reimbursement fee structure and eliminate the constructive mileage statute for non-criminal matters. [DMC 14-123(a)(13)]
- Updates mileage language for criminal matters. [DMC 14-123(a)(12)]
- Updates amounts for commitment and discharge of prisoners. [DMC 14-123(a)(19)]
- If the county has adopted a zone or zip code based mileage fee structure, allows the Sheriff if serving two or more papers on the same person, or serving papers on different persons at the same time and place in the same action, to charge the single zone or zip code based mileage fee for the first process and an additional \$10.00 for each subsequent process served. [DMC 14-123(c)]

- **Allows the Sheriff to establish billing accounts for licensed attorneys and licensed collection agencies that have a principal office located in the state. [DMC 14-123(d)]**

b. Duration

Revised State Law

c. Location

City and County of Denver

d. Affected Council District

All

e. Benefits

See above description

f. Costs

6. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.

No

Bill Request Number: BR10-0616

Date: 7/13/2010