

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2012

COUNCIL BILL NO. CB12-0444
COMMITTEE OF REFERENCE:
Health, Safety, Education and
Services

7 **A BILL**

8
9 For an ordinance amending section 14-32, D.R.M.C. to establish a warrant cancellation
10 fee in the Denver County Court

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

13 **Section 1.** That section 14-32, D.R.M.C. shall be amended by adding a new subsection (f)
14 consisting of the language underlined, to read as follows:

15 **Sec. 14-32. - Failure to appear; failure to pay.**

16 (a) *Constitutes violation.* Any person who shall fail to appear in response to any
17 summons, summons and complaint or subpoena served on such person shall be
18 guilty of a violation of this article.

19
20 (b) *Warrant of arrest.* Upon a finding by the county court that a person has failed to
21 appear in response to any summons or summons and complaint in violation of
22 subsection 14-32(a), the court may issue a warrant for the arrest of said person.

23
24 (c) *Costs of warrant of arrest.* Where the county court has issued a warrant for the
25 arrest of any person pursuant to subsection 14-32(b), the court may assess costs
26 against said person in an amount not to exceed fifty dollars (\$50.00) for each such
27 warrant of arrest issued.

28
29 (d) *Noncriminal infractions.* Subsections (a) and (b) of this section notwithstanding,
30 if the only violations charged on a summons and complaint would constitute a
31 noncriminal infraction as defined in the several chapters of this Code, no warrant of
32 arrest may issue. Instead, the court may enter a judgment of liability by default
33 against the defendant and assess any penalty and costs established by law.

34
35 (e) *Failure to pay.* Upon a failure by any person to pay any fine, restitution, fee, or
36 costs on or before a date certain as ordered by the court, the court may assess a
37 late fee in an amount not to exceed fifty dollars (\$50.00).
38

1 (f) Warrant cancellation fee. Where the county court has issued a warrant pursuant
2 to subsection 14-32 (b) for the arrest of any person who has failed to appear for
3 initial arraignment, the court may cancel the warrant if the person pays a non-
4 refundable warrant cancellation fee in the amount of one hundred dollars (\$100.00)
5 and agrees to appear before the court for arraignment; provided, however, no
6 warrant issued in any case involving domestic violence as defined in section 14-68
7 (a) shall be subject to cancellation under this subsection (f).
8

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10 COMMITTEE APPROVAL DATE: June 5, 2012.

11 MAYOR-COUNCIL DATE: June 12, 2012.

12 PASSED BY THE COUNCIL _____ 2012

13 _____ - PRESIDENT

14 APPROVED: _____ - MAYOR _____ 2012

15 ATTEST: _____ - CLERK AND RECORDER,
16 EX-OFFICIO CLERK OF THE
17 CITY AND COUNTY OF DENVER
18

19 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2012; _____ 2012

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21 PREPARED BY: David w. Broadwell, Asst. City Attorney; DATE: June 21, 2012
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23 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
24 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
25 ordinance. The proposed ordinance **is not** submitted to the City Council for approval pursuant to §
26 3.2.6 of the Charter.
27

28 Douglas J. Friednash, City Attorney
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30 BY: _____, Assistant City Attorney DATE: _____, 2012
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