BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB18-1308

SERIES OF 2018 COMMITTEE OF REFERENCE:

Safety, Housing, Education & Homelessness

A BILL

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

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

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

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

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

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

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Subsection (2) of the Denver Revised Municipal Code entitled "**Oath of Clerks"** relating to surety bonds is hereby repealed.

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to issue summons, subpoena and warrant as necessary"** relating to issuance of a summons and other matters is hereby repealed.

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 That Section 14-34 of the Denver Revised Municipal Code entitled "**Bond fee**" and relating to bond fees is hereby repealed.

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

"Sec. 14-43. – Clerk's report.

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

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

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

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

"Sec. 14-63. – Statement of conditions.

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

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

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

"Sec. 14-90. – Form of summons and complaint.

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

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

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

"Sec. 54-4. – Traffic Infractions.

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

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

COMMITTEE APPROVAL DATE: November 14, 2018

MAYOR-COUNCIL DATE: November 20, 2018

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

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

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

Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____