

MUNICIPAL COURT, TOWN OF MILLIKEN, STATE OF COLORADO

ORDER ESTABLISHING AND CONTINUING VIOLATIONS BUREAU AND SCHEDULE OF FINES, COSTS, SURCHARGES, FEES, AND BONDS

This Schedule of Fines, Costs, Surcharges, Fees and Bonds is authorized and published by this Court Order pursuant to Colorado Municipal Court Rule 210(b)(1)-(5) and shall be prominently posted in the Milliken Police Department as required by said Rule. Pursuant to C.R.S. §13-10-113(1), the Milliken Municipal Court is a court of record and for general offenses committed by an adult, the maximum penalty that could be imposed by the Court upon conviction for a misdemeanor offense is 364 days in jail, a fine of \$2,650, or both on each charge.

Unless prohibited by this order, the Milliken Police Department is authorized to issue penalty assessment notices for violations of the Model Traffic Code and ordinances contained in the Milliken Municipal Code adopted and as amended time to time by the Town Board and the Court Clerk, or other such persons designated by the court, are authorized to accept payment for such assessments according to this schedule of fines in lieu of court appearance. Except when a mandatory court appearance is required, any person charged with a violation listed in this schedule may pay the designated fine and surcharge for the charged violation prior to the date set for the first appearance.

A. Penalty assessments: A person may pay, at Milliken Police Department, the fine and surcharge for specific violations as shown below in Section D and E prior to the date of their scheduled first court appearance. However, the following violations may NOT be paid early without court appearance:

- a. A violation that results in personal injury, death or appreciable property damage;
- b. The violator is charged with a misdemeanor AND is under 18 years of age;
- c. The provisions of the Model Traffic code prohibit the issuance of a penalty assessment notice; or
- d. In the officer's discretion, the violation is aggravated or habitual.

B. Costs, surcharges, and fees: In addition to fines set forth in this schedule for any violation, the Court may assess the following costs, surcharges and fees:

Court costs upon plea of guilty or no contest	\$30
Surcharge as established by Town	\$varies by fine amount
Deferred Judgment and Sentence and Deferred Prosecution fee (including Community Court Program)	\$50
Active Condition fee for cases with classes, UPS, and other conditions of any sentence that has not been deferred.	\$25
Default Judgement fee	\$30
Bench/Arrest Warrant fee	\$50
Fail to Appear/Comply fee	\$25
Jury Request fee	\$25
Sealing Records fee	\$65
Certified copy of any Municipal Court Criminal Justice Records (police reports and criminal history/DL information excluded)	\$15

Municipal Court Criminal Justice Records request under CRS § 24-72-301 et seq. (police reports and criminal history/DL information excluded).	\$10 includes search, retrieval and copy or download of up to 10 pages of records, .10 per page thereafter.
Municipal Court Criminal Justice Records requests- Special Searches or redacted records	Any search and retrieval requiring more than 15 minutes-\$45 dollars an hour with deposit for estimated amount to be paid prior to search

C. Bonding instructions: If an arresting officer, pursuant to CRS § 42-4-1701 (5) and (6), has reasonable grounds to believe that a Defendant will disregard a written promise to pay or appear, the officer may require the posting of a personal recognizance bond in the amount of the fine listed on this schedule.

D. Schedule of Fines - Ordinance violations (only if 1st offense in 2 years): *The fine schedule below is presumptive and has no impact on the sentencing discretion of the Court within the limits of the Milliken Municipal Code to consider mitigating and aggravating circumstances in individual cases when offenders appear in court on their case.*

MMC §	Description	Fine Amount	Surcharge
Chapter 6 Business Licenses And Regulations			
6-1-20(a)	Conducting Business Without a License	\$100	\$10
6-1-20(b)	Failure to Register With Town (per day)	\$100	\$10
Chapter 7 Health, Sanitation & Animals			
7-5-20	License Tag Required	\$25	\$5
7-5-30	Dog License Required	\$25	\$5
7-5-50(a)	Dog at Large	\$75	\$10
7-5-50(c)	Dog Barking/ Disturbance	\$75	\$10
7-5-50(d)	Limit on Number of Animals	\$75	\$10
7-5-80	Impoundment of Stray Animals	\$25	\$5
7-5-90(e)	Animal Defecation	\$50	\$5
7-5-90(h)(1), (4)	Tethering Prohibited	\$50	\$5
7-5-120	Animal at Large	\$75	\$10
7-6-10	Well Water Sign Displayed	\$25	\$5
Chapter 8 Vehicle Regulations			
8-2-30	Improper Parking	\$50	\$5
8-2-40	Parking of Semi Trailers or Truck Tractors	\$50	\$5
8-2-50	Use of Jake Brakes	\$300	\$30
Chapter 10 General Offenses			
10-5-120(a)	Littering	\$150	\$15
10-5-140	Abandonment of Motor Vehicle	\$50	\$5
10-6-160	Throwing Missiles at Vehicles	\$150	\$15
10-6-190	Public Urination	\$50	\$5
10-6-200	Door to Door Solicitation	\$300	\$30
10-8-50	Alcoholic Beverages in Certain Places	\$100	\$10
10-8-60	Open Container	\$100	\$10
10-10-10	Fireworks	\$750	\$80
10-11-10	Unreasonable Noise	\$150	\$15
10-11-30	Noisy Animals	\$75	\$10
10-12-10	Littering	\$150	\$15

10-12-40	Open Fires	\$300	\$30
10-12-60	Motorbikes	\$50	\$5

E. Schedule of Fines - Model Traffic Code violations: *The fine schedule below is presumptive and has no impact on the sentencing discretion of the Court within the limits of the Milliken Municipal Code to consider mitigating and aggravating circumstances of individual cases.*

a. Except as otherwise indicated in section b. below, the fines for point violations issued as a penalty assessment shall be as follows:

0 point - \$50 + \$5 surcharge	4 point - \$150 + \$15 surcharge
1 point - \$75 + \$10 surcharge	5 point - \$175 + \$20 surcharge
2 point - \$100 + \$10 surcharge	6 point - \$200 + \$20 surcharge (20-24 mph over)
3 point - \$125 + \$15 surcharge	

b. Fine Schedule for exceptions to above:

MTC §	Description	Fine + surcharge
107	Obedience to police officer	\$150 + \$15
225(1)	Inadequate muffler (non-CMV)	\$100 + \$10
225(1.5)	Inadequate brake muffler	\$250 + \$25
236 and 237	Seat belts/Child	\$100 + \$10
239	restraints Misuse of wireless devices-1 st offense only	\$100 + \$10
507	Wheel Axle Loads exceeded limit	\$150 + \$15
508	Overweight vehicles: 1-2500 pounds overweight 2501-5000 pounds overweight 5001 – 7500 pounds overweight 7501-10,000 pounds overweight Over 10,000 pounds overweight	\$100 + \$10 \$200 + \$20 \$400 + \$40 \$800 + \$80 SUM + **
509(3)	Failure to stop and weigh	\$300 + \$30
510	Overweight/oversize permit violations	\$150 + \$15
607(1)	Interference with official devices	\$100 + \$10
607(2)(a)	Sell/possess electronic device to change traffic control device	\$500 + \$50
1101	Speeding in school, safety, or construction zone	Fine 2x + surcharge
1208 (5) and (7)	Handicap parking -1 st offense	\$350 + \$40
1402	Reckless -bicycle	\$150 + \$15
1404	Crossing fire hose	\$300 + \$30
1406	Throwing matter on highway	\$300 + \$30
1407(2)	Uncovered loads - no injury or damage	\$100 + \$10
1415	Radar jamming devices	\$500 + \$50

Signed and effective this 26th day of April, 2023.

Teresa Ablao, Municipal Court Judge