

ORDINANCE NO. 800

**AN ORDINANCE OF THE TOWN OF MILLIKEN, COLORADO,
ADOPTING ENHANCED COLLECTION PROCEDURES FOR
THE MILLIKEN MUNICIPAL COURT**

WHEREAS the Colorado Department of Revenue formerly had the authority to withhold issuance or renewal of a driver's license where a licensee was the subject of an outstanding judgment or warrant;

WHEREAS with the passage of 2021 Colorado HB 1314, the state legislature removed much of the authority of the Department to withhold issuance or renewal of a driver's license based on outstanding judgments or warrants;

WHEREAS the Town of Milliken Municipal Court ("Court") formerly relied on the authority of the Department to withhold issuance or renewal of a driver's license to motivate payment of citations and judgments in the Court;

WHEREAS Court experiences a substantial amount of failures to appear and failures to pay in response to citations issued by the Milliken police department and judgments entered by the Court; and

WHEREAS the Board of Trustees desires to enhance the collection procedures available to the Court Clerk in order to facilitate collection of unpaid fines, fees, judgments, personal recognizance bond forfeitures, civil penalties, and other amounts owed to the Court;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO, AS FOLLOWS:

Section 1. Section 2-4-120 of the Milliken Municipal Code is amended with the addition of subsection (d), which shall read in its entirety as follows:

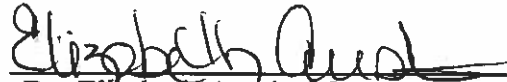
(d) The Court Clerk is authorized to use any lawful method of collecting fines, fees, default judgments, personal recognizance bond forfeitures, civil penalties, and other amounts due from any person assessed such sums by the Municipal Court, including reasonable costs of collection. The Town shall be entitled to receive the reasonable costs of collection in addition to the amounts otherwise due, and interest at the statutory rate for unpaid civil judgments. Reasonable costs of collection shall include, without limitation, the fees and costs of the Town Attorney or of private counsel or a collection agency, which the Court Clerk is hereby authorized to engage, but such fees and costs shall not exceed twenty-five percent (25%) of the amount collected. Any agreement for collection services shall be signed by the Town Administrator.

Section 2. Effective Date. This ordinance shall take effect thirty days after publication as provided by law.

Section 3. Prior Conflicting Ordinances. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 20th DAY OF JUNE, 2022.

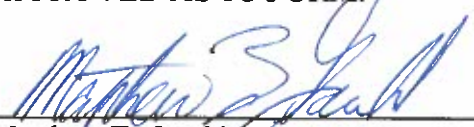
TOWN OF MILLIKEN


By: Elizabeth Austin, Mayor

ATTEST:


Caree Rinebarger, Town Clerk

APPROVED AS TO FORM:


Matthew T. Gould, Town Attorney