

CITY OF SALIDA, COLORADO
ORDINANCE NO. 35
(Series of 2013)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO AMENDING SALIDA MUNICIPAL CODE SECTION 1-4-20 GENERAL PENALTY FOR VIOLATIONS OF THE MUNICIPAL CODE.

WHEREAS, recent changes in state law require the appointment of a public defender for all cases where a defendant is indigent and the possible penalty for conviction includes jail time; and

WHEREAS, previously a prosecutor could waive seeking jail time for such offenses when in the prosecutor's discretion jail time was unwarranted removing the requirement to appoint a public defender; and

WHEREAS, in order to avoid unnecessary costs associated with municipal prosecution the Municipal Judge has recommended that jail time be removed as a possible penalty for municipal violations; and

WHEREAS, the City Council finds that it is in the best interests of the City to remove jail time as a possible penalty for municipal violations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:

1. The aforementioned recitals are hereby fully incorporated herein as findings of the City Council.

2. Section 1-4-20 of the Salida Municipal Code is hereby amended as follows:

(a) Any person who violates or fails to comply with any provision of this Code for which a different penalty is not specifically provided shall, upon conviction thereof, be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00) ~~and/or imprisonment for a term not to exceed one (1) year~~, except as hereinafter provided in Section 1-4-30. In addition, such person shall pay all costs and expenses in the case, including attorney fees. Each day such violation continues shall be considered a separate offense.

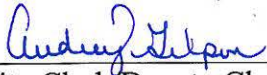
INTRODUCED ON FIRST READING, on December 3, 2013, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 3rd day of December, 2013, and set for second reading and public hearing on the 17th day of December, 2013.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED
PUBLISHED BY TITLE ONLY, by the City Council on the 17th day of December, 2013.

CITY OF SALIDA, COLORADO



Mayor



City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the 6th day of
December, 2013, and BY TITLE ONLY, after final adoption on the 20th day of December,
2013.



City Clerk/Deputy City Clerk