

ORDINANCE NO. 34

Series 2001

AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE AND THE TOWN OF BRECKENRIDGE TRAFFIC CODE BY REQUIRING THE IMPOSITION OF A LAW ENFORCEMENT TRAINING SURCHARGE ON CERTAIN MUNICIPAL COURT VIOLATIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. There is hereby added to the Breckenridge Town Code a new Section 1-4-7, to be entitled "Law Enforcement Training Surcharge", which shall read in its entirety as follows:

**1-4-7: LAW ENFORCEMENT TRAINING SURCHARGE:** Upon sentencing any person for a misdemeanor violation of this Code, or upon imposing a fine upon any person who has been found to be in violation of, or against whom a default judgment has been entered for, any infraction of this Code (but excluding a violation of the Town's Traffic Code adopted by Chapter 1 of Title 7 of this Code), the Municipal Judge shall impose upon the offender a surcharge in the amount established from time to time by Resolution of the Town Council. No portion of the surcharge may be suspended. The surcharge shall be paid to the Clerk of the Municipal Court. All surcharge funds collected by the Clerk of the Municipal Court shall be deposited into the general fund of the Town and used to reimburse the Town for the cost of providing job-related education and training for the personnel of the Town of Breckenridge Police Department.

Section 2. Section 7-1-6 of the Breckenridge Town Code is hereby amended by the addition of a new subparagraph E, which shall read in its entirety as follows:

E. Upon sentencing any person for a misdemeanor violation of the traffic code, or upon imposing a fine upon any person who has been found to be in violation of, or against whom a default judgment has been entered for, any infraction of the traffic code (but excluding parking and other non-moving traffic offenses), the Municipal Judge shall impose upon the offender a surcharge in the amount established from time to time by Resolution of the Town Council. No portion of the surcharge may be suspended. The surcharge shall be paid to the Clerk of the Municipal Court. All surcharge funds collected by the Clerk of the Municipal Court shall be deposited into the general fund of the Town and used to reimburse the Town for the cost of providing job-related education and training for the personnel of the Town of Breckenridge Police Department.

Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 4. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 5. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.


Section 6. This Ordinance shall be published as provided by Section 5.9 of the Breckenridge Town Charter, and shall apply to any of the enumerated municipal


offenses set forth in Sections 1 and 2 of this Ordinance which occur on or after January 1, 2002.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 13<sup>th</sup> day of November, 2001. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 27<sup>th</sup> day of November, 2001, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE

  
Mary Jean Loufek, CMC,  
Town Clerk

  
Sam Mamula, Mayor

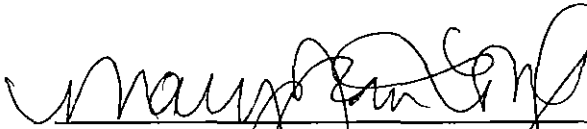
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on November 16, 2001.

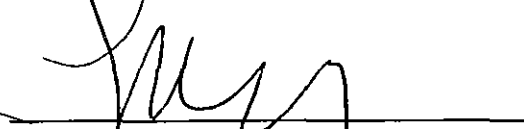
The public hearing on this ordinance was held on November 27, 2001.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 27<sup>th</sup> day of November, 2001. A copy of this Ordinance is available for inspection in the office of the Town Clerk.


ATTEST:

TOWN OF BRECKENRIDGE

  
Mary Jean Loufek, CMC, Town Clerk

  
Sam Mamula, Mayor

APPROVED IN FORM

  
Town Attorney

11/27/01  
Date

This Ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on December 7, 2001.