

ORDINANCE NO. 3-1, Series 2021

AN ORDINANCE ELIMINATING THE POSSIBILITY OF IMPRISONMENT AS A PENALTY FOR MUNICIPAL OFFENSES IN THE TOWN OF JAMESTOWN, COLORADO

WHEREAS, pursuant to Senate Bill 18-203, municipalities are now required to provide independent indigent defense counsel for each indigent defendant charged with a crime that has a possible sentence of imprisonment; and

WHEREAS, the Board of Trustees finds that such requirement would place insurmountable financial burdens on the Town; and

WHEREAS, the Board of Trustees finds it is in the Town's best interest to eliminate the possibility of imprisonment in connection with all Town of Jamestown ordinance violations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. The following sections of the Jamestown ordinances are hereby amended by eliminating imprisonment as a penalty for a municipal ordinance violation; provided however, this ordinance shall have no effect on any other portion of such sections of the Jamestown Ordinances, including those portions providing for monetary fines:

Ordinance No. 40, Series 1934 - Driving while Intoxicated, Motor Vehicle Regulations –
Section 10 - Imprisonment

Ordinance No.3, Series 1966 - Creation, Composition and Jurisdiction of Municipal Court –
Section 12 - Violation of this Article - Imprisonment

Ordinance No.4, Series 1966 - Adoption of Model Traffic Code for Colorado Municipalities –
Section II (b) - Penalties for Violations - Imprisonment

Ordinance No.3, Series 1994 - Road Permits and Standards and Requirements – Section 9 -
Penalties - Imprisonment

Ordinance No. 5, Series 1994 – Explosives – Section 5 – Penalties - Imprisonment

Ordinance No. 4, Series 1995 – Use of Mobile Homes – Section 4 - Penalty - Imprisonment

Ordinance No. 1, Series 1997 – Control of Nuisance Garbage Weeds – Section 7 - Violation -
Imprisonment

Ordinance No. 5, Series 1997 – Display of Advertising and Signs – Section 5 - Violation -
Imprisonment

Ordinance No. 6, Series 1997 – Animal Control – Section 4 – Violation - Imprisonment

Ordinance No. 7, Series 2004 – Driveway Construction & Emergency Access – Section 4 –
Penalty - Imprisonment

Ordinance No. 7, Series 2010 - Prohibiting Medical Marijuana Establishments – Section 6 –
Enforcement - Imprisonment

Ordinance No. 1, Series 2013 - Recreational Marijuana – Section 2 – Imprisonment

Ordinance No. 12, Series 2014 – Speed Limit – 15 mph – Section 2 – Imprisonment

Ordinance No. 9-05, Series 2016 – Prohibiting Discharge of Firearms – Amended – Section 6 –
Violation – Imprisonment

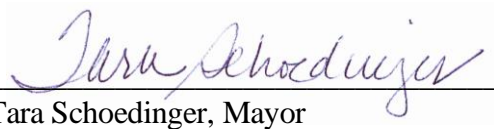
Any other section of the Town of Jamestown ordinance providing for the possibility of imprisonment as a penalty for a municipal ordinance violation.

Section 2. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Board hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.


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

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED BY
TITLE ONLY this 1 day of March, 2021.

TOWN OF JAMESTOWN, COLORADO


Tara Schoedinger, Mayor

ATTEST:


Kristi Rutledge, Town Clerk