

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: IX.2
Meeting Date: 5/1/2023**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Brandon Dittman, Town Attorney

DATE: May 1, 2023

ITEM: **Ordinance 1146 – An Ordinance of the Town of Lyons, Colorado Amending Chapter 1, Article 4, Section 40 of the Lyons Municipal Code Concerning the Failure to Pay Fines and the Collection of Municipal Court Monetary Sentences and Fees**

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE:

The Town of Lyons Municipal Court has requested changes to the Lyons Municipal Code (“LMC”) to create more effective mechanisms for the collection of unpaid Municipal Court sentences and fees.

II. RECOMMENDED ACTION / NEXT STEP:

Town Staff recommends that the BOT approve the ordinance on the first reading and schedule a public hearing and second reading.

III. FISCAL IMPACTS:

It is predicted that the Town will be able to recover more of its costs related to the operation of the Municipal Court through this ordinance thereby defraying expenditures and potentially increasing net revenue.

IV. BACKGROUND INFORMATION:

The LMC currently contains limited provisions concerning sending unpaid fines and fees to a collection agency or special counsel for recovery. The current code language also does not specifically allow for the recovery of collection costs. The recommended changes would permit the Town to refer unpaid fines and fees to a collection agency and to recover its costs in doing so.

V. LEGAL ISSUES:

None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None

VII. SUMMARY AND ALTERNATIVES:

The Proposed ordinance would create additional mechanisms for the collection of unpaid Municipal Court sentences and fees.

The Board of Trustees may:

- 1) Deny the Ordinance on First Reading
- 2) Approve the Ordinance on First Reading
- 3) Continue the Ordinance to a date certain.

VII. PROPOSED MOTION:

“I move to approve Ordinance 1146 – An Ordinance of the Town of Lyons, Colorado Amending Chapter 1, Article 4, Section 40 of the Lyons Municipal Code Concerning the Failure to Pay Fines and the Collection of Municipal Court Monetary Sentences and Fees”