

Town of Lyons, Colorado  
Board of Trustees  
BOT Agenda Cover Sheet  
Agenda Item No: V I I I . 1 .  
Meeting Date: 20 May 2024

TO: Mayor Rogin and Members of the Board of Trustees  
FROM: Sergeant Cody Sears  
DATE: 14 May 2024  
ITEM: Town of Lyons Ordinance 1159

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☒ ORDINANCE  
☐ MOTION / RESOLUTION  
☐ INFORMATION

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I. **REQUEST OR ISSUE:**

Sergeant Sears recommends adopting the 2024 Colorado Model Traffic Code (MTC) from the 2010 Colorado MTC and updating the fine schedule for civil traffic infractions and court surcharges outlined in Town of Lyons, Colorado Ordinance 1159.

II. **RECOMMENDED ACTION / NEXT STEPS:**

Review of Town of Lyons, Colorado Ordinance 1159 by the Mayor and Board of Trustees and to adhere to the procedures outlined in Section 2-2-150 - Adoption of Ordinances and Resolutions, as stipulated in Article 2 of the Municipal Code of the Town of Lyons, Colorado.

III. **FISCAL IMPACTS:**

In recent years, the cost of conducting business and contracting with the Boulder County Sheriff's Office has steadily risen, which is expected to continue. To address this challenge, the proposal aims to raise court surcharges and adjust the fine schedule for civil traffic infractions. These adjustments will assist the town in mitigating the escalating expenses while also bringing our fines in line with those of neighboring municipalities, Boulder County, and state traffic infraction penalties.

IV. **BACKGROUND INFORMATION:**

Following a comprehensive review and analysis by town staff, the court, our attorney, and myself, we have identified critical areas for improvement. This update is essential to ensure our laws remain current, efficient, and consistent with neighboring municipalities and the county.

### **Rationale for Updating the Model Traffic Code:**

1. *Modernization:* The 2010 MTC, currently adopted by the town, has become outdated, necessitating the adoption of the 2024 edition. This updated code includes new regulations and standards for modern traffic issues, ensuring safer roadways.
2. *Consistency with Other Jurisdictions:* Most other municipalities and counties have either adopted the 2024 MTC or are in the process. We will align with neighboring jurisdictions by updating our code, facilitating seamless enforcement across municipal lines.
3. *Enhanced Safety:* The 2024 MTC incorporates new traffic ordinances that address evolving road safety challenges, thereby improving overall safety within our town.

### **Proposed Adjustments to Civil Traffic Infractions Point Fine Schedule and Court Surcharges:**

1. *Increase in Civil Traffic Infraction Point Fine Schedule:* The average fine per point for traffic infractions in nearby municipalities, Boulder County, and State traffic infractions is between \$30 and \$50 per point. Our town's fine schedule is currently set at \$30 per point. To align with regional standards, I propose increasing the fine schedule for traffic infractions from \$30 per point to \$35 per point.
2. *Ticket Surcharges:* The town currently only assesses a \$25 surcharge on animal ordinance violation tickets. I recommend adding a \$35 surcharge to every case charged into the Municipal Court that results in a conviction, reflecting the rising costs of managing tickets entered into the court.
3. *Accident Fine:* Currently, the court assesses a \$30 accident fee for all accidents as part of the defendant's court costs. I propose increasing this fee to \$50, reflecting the rising costs of managing traffic accidents.

### **Justification:**

1. *Rising Law Enforcement Costs:* Contracting with the Boulder County Sheriff's Office as our town's law enforcement has become more expensive due to inflation and increasing costs in law enforcement resources.
2. *Help Offset Rising Costs:* The proposed adjustments to the fine schedule and surcharges will help offset rising costs and provide additional revenue to support law enforcement services and increasing costs for the town.
3. *Legal Consistency and Fairness:* Updating our ordinances, traffic codes, and fine schedules ensures our town remains consistent and fair in applying and enforcing laws.

**LEGAL ISSUES:** The town attorney has reviewed the ordinance.

**CONFLICTS OR ENVIRONMENTAL ISSUES:** None known.

**SUMMARY AND ALTERNATIVES:** .

Adopting the 2024 MTC and increasing the civil traffic infraction fine schedule and surcharges are necessary to keep our town's laws current and effective. These changes will enhance road safety, align us with neighboring jurisdictions, and provide additional revenue to cover rising law enforcement, court, and town costs.

**PROPOSED MOTION:** “I move to approve Ordinance 1159 on the second reading.”

Attachments: Ordinance 1159