

ORDINANCE NO. 2543

CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That Sections 18.5-2 and 18.5-5 of the Code of Ordinances of the City of Grand Junction, be amended by including the following paragraphs all to read as follows:

Additions and/or alterations appear in all capitals.

18.5-2 The municipal court shall have original jurisdiction of all cases arising under the CHARTER, the code and other ordinances of the City of Grand Junction with full power to ASSESS AND COLLECT PENALTIES, punish violators, ABATE NUISANCES, ENFORCE ORDERS OF THE COURT BY CONTEMPT POWERS AND EFFECT THE RESPONSIBILITIES prescribed by ordinance or court rule.

THE MUNICIPAL COURT HAS JURISDICTION AND POWERS OF AN ADMINISTRATIVE HEARING OFFICER WHERE SO PROVIDED BY THE CODE OF ORDINANCES OR OTHER ORDINANCES OF THE CITY.

THE JUDGE IS AUTHORIZED TO ISSUE SEARCH/INSPECTION WARRANTS FOR PREMISES OR PROPERTY BY MUNICIPAL OFFICIALS OR INSPECTORS IN ACCORDANCE WITH THE COLORADO MUNICIPAL COURT RULES. THE JUDGE MAY ALSO ISSUE SUCH INSPECTION WARRANTS FOR THE INSPECTION AND EXAMINATION OF ANY STRUCTURE OR PROPERTY IF IT SATISFACTORILY APPEARS THAT THE APPLICANT FOR THE WARRANT IS REQUIRED TO MAKE THE INSPECTION BY ANY PROVISION OF THIS CODE OR OTHER ORDINANCE OF THE CITY OR ANY REGULATION OR ROUTINE POLICY OF INSPECTION AND ENFORCEMENT AND THAT FOR THE PURPOSE OF MAKING A COMPLETE INSPECTION THE APPLICANT IS REQUIRED TO GO ONTO PRIVATELY OWNED PROPERTY OR ENTER INTO PRIVATELY OWNED PREMISES. NOTHING IN THIS SECTION SHALL BE DEEMED TO REQUIRE THE ISSUANCE OF A WARRANT FOR EMERGENCY INSPECTIONS OR IN ANY OTHER CASE WHERE WARRANTS ARE NOT REQUIRED BY LAW.

FOR PURPOSES OF HEARING CASES, INVOLVING PERSONS ACCUSED OF VIOLATING ANY PROVISION OF THE CHARTER, THIS CODE OR ANY OTHER ORDINANCE OF THE CITY, OTHER THAN THOSE ARISING UNDER TITLE 28, THE MUNICIPAL COURT IS A QUALIFIED COURT OF RECORD AND SHALL COMPLY WITH REQUIREMENTS OF STATE LAW AND REGULATIONS FOR COURTS OF RECORD. THE MUNICIPAL COURT SHALL FURNISH THE RECORD OF THE PROCEEDINGS TO ANY PARTY WISHING TO APPEAL FROM A JUDGMENT OF THE MUNICIPAL COURT, ACTING AS A COURT OF RECORD, FOR TRANSCRIPTION AT SUCH PARTY'S SOLE EXPENSE.

EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, THE MUNICIPAL COURT SHALL BE CONDUCTED UNDER THE PROCEDURES PRESCRIBED BY THE COLORADO MUNICIPAL COURT RULES AND TITLE 13 OF THE COLORADO REVISED STATUTES, 1973 AS AMENDED.

18.5-5 The presiding judge may designate a person to serve as clerk of the court whose duties shall be those assigned by the presiding judge and SHALL INCLUDE BUT NOT NECESSARILY BE LIMITED TO THE FOLLOWING. KEEPING A REGISTER OF THE ACTIONS IN THE COURT, INCLUDING ALL FEES AND MONEY DISBURSED AND COLLECTED; DELIVERING ALL MONEY RECEIVED AS FEES, FINES AND PENALTIES TO THE DIRECTOR OF FINANCE WHO SHALL DEPOSIT SAID FUNDS INTO THE GENERAL FUND OF THE CITY; PREPARING AND KEEPING A DOCKET FOR THE COURT NOTING ALL JUDGMENTS MADE; PREPARING OF ALL WRITS AND PAPERS PERTAINING TO THE BUSINESS OF THE COURT; AND MAKING AND MAINTAINING ALL NECESSARY COURT RECORDS. THE COURT CLERK MAY ISSUE NOTICES INCLUDING SUBPOENAS IN ALL CASES COMING BEFORE THE COURT AND ADMINISTER OATHS AND AFFIRMATIONS TO PERSONS APPEARING BEFORE THE COURT. ASSISTANTS APPOINTED AS DEPUTY COURT CLERKS SHALL HAVE ALL OF THE POWERS OF THE COURT CLERK.

Introduced this 16th day of October, 1991.

PASSED and ADOPTED this 6th day of November, 1991.

Conner W. Shepherd

President of the Council

Attest:

Theresa F. Martinez, CMC\Deputy City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2543, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 16th day of October, 1991, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of November, 1991.

Theresa F. Martinez

Theresa F. Martinez, CMC
Deputy City Clerk

Published: October 25, 1991

Published: November 8, 1991

Effective: December 8, 1991