

**TOWN OF LA JARA
ORDINANCE NO. 2020 - 3**

AN ORDINANCE OF THE TOWN OF LA JARA, COLORADO, IMPOSING A SURCHARGE UPON VIOLATION OF THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES AS ADOPTED BY THE TOWN OF LA JARA OR VIOLATION OF OTHER TOWN ORDINANCES RESULTING IN A CONVICTION OR A DEFERRED JUDGMENT AND SENTENCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Town of La Jara, Colorado (the "Town") is a Statutory Town under the laws of the State of Colorado; and

WHEREAS, the Board of Trustees for the Town of La Jara, Colorado finds and determines that, in the interest of preserving the public peace, health, safety and welfare within the incorporated limits of the Town, it is necessary and appropriate that an Ordinance should be enacted setting forth the surcharges to be imposed upon the conviction of a violation of any provision of the Model Traffic Code for Colorado Municipalities as adopted by the Town of La Jara or the violation of any other Ordinance providing penalties for the violation thereof as such ordinances may be amended from time to time.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA, COLORADO, AS FOLLOWS:

SECTION 1. SURCHARGES FOR TRAFFIC CODE OFFENSES. A surcharge equal to **40% (forty percent)** of the fine imposed is hereby levied on each offence under the Model Traffic Code for Colorado Municipalities as adopted by the Town of La Jara, resulting in a conviction or a deferred judgment and sentence, which Municipal Court action is charged pursuant to Summons and Complaint issued by the La Jara Police Department. These surcharges shall be paid to the Clerk of the La Jara Municipal Court by the defendant, and such sums paid shall be added to the General Fund of the Town of La Jara.

SECTION 2. SURCHARGES FOR ANY AND ALL OTHER OFFENSES. A surcharge equal to **40% (forty percent)** of the fine imposed is hereby levied on each offence under with respect to a violation of any ordinance of the Town of La Jara providing for fines and penalties for the violation thereof, resulting in a conviction or a deferred judgment and sentence, which Municipal Court action is charged pursuant to Summons and Complaint issued by the La Jara Police Department. These surcharges shall be paid to the Clerk of the La Jara Municipal Court by the defendant, and such sums paid shall be added to the General Fund of the Town of La Jara.

SECTION 3. REPEAL. Any or all ordinances or parts of ordinances of the Town of La Jara in conflict with or inconsistent herewith are hereby repealed, provided, however, that the repeal of any ordinance or parts of ordinances shall not revive any other sections of any ordinance or ordinances heretofore repealed or superseded.

SECTION 4. SEVERABILITY. If any section, subsection, part, subpart, paragraph, subparagraph, sentence, clause, word, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and every section, subsection, part, subpart, paragraph, subparagraph, sentence, clause, word, or phrase irrespective of the fact that any other section, subsection, part, subpart, paragraph, subparagraph, sentence, clause, word, or phrase is declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. Whereas, in the opinion of the Board of Trustees of the Town of La Jara, an emergency exists and this ordinance is necessary for the immediate preservation of the public peace, safety and welfare, and this ordinance shall be in full force and effect immediately after its final passage and publication.

INTRODUCED, READ, APPROVED, AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA AT A REGULARLY SCHEDULED MEETING OF THE BOARD AT WHICH A MAJORITY OF THE BOARD WAS PRESENT.

Dated this 8th day of October, 2020.

TOWN OF LA JARA, COLORADO:

By: *Paul Medina*
Mayor

ATTEST:

Shawn Regueta
Town Clerk

