

Carla L. Sikes
Municipal Judge

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PUEBLO MUNICIPAL COURT

ADMINISTRATIVE ORDER MUNICIPAL COURT FINES AND FEES SCHEDULE - JANUARY 15, 2020

Pursuant to Section 15-1-6(4), of the Pueblo (Model) Traffic Code, the Presiding Municipal Judge shall at least annually review the schedule of designated fines of the Traffic Violations Bureau and adopt on or before January 15th of each year a schedule of designated fines for the Municipal Court.

In interests of justice, it is also appropriate for the Presiding Municipal Judge to at least annually review the schedule of designated fines for all City of Pueblo Municipal Code Violations and adopt on or before January 15th of each year a schedule of designated fines for the Municipal Court.

The schedule of designated fines for the Municipal Court is presumptive in nature and has no impact on the inherent sentencing discretion of the Court within the limits of the City of Pueblo Municipal Code considering the unpredictable nature of mitigating and aggravating circumstances of individual cases.

The City of Pueblo Presiding Municipal Court Judge, Carla L. Sikes hereby adopts the attached Municipal Court Fines and Fees Schedule effective January 15, 2020.

DONE AND DATED THIS 11th DAY OF DECEMBER 2019.

Carla L. Sikes
CARLA L. SIKES
MUNICIPAL JUDGE

2019 City of Pueblo MUNICIPAL COURT FINES AND FEES SCHEDULE (Effective January 15, 2019)

Pursuant to P.M.C. Sec. 1-2-1(b), Where no specific penalty is provided therefore, the violation of any provision of this Code or of any secondary code adopted herein shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a term not exceeding 364 days or by both such fine and imprisonment, the amount of such fine or term of such imprisonment to rest within the discretion of the Municipal Judge. (Ord. 7937, 12-8-08)

As a result, the schedule of designated fines for the Municipal Court is presumptive in nature and has no impact on the inherent sentencing discretion of the Court within the limits of the City of Pueblo Municipal Code considering the unpredictable nature of mitigating and aggravating circumstances of individual cases.

Any cash bond posted may be forfeited or applied to fines and costs.

TRAFFIC: PART 1 - TRAFFIC REGULATIONS

Points	Section/Offense	Penalties
0	15-1-7 <u>Parking on private property – City lot</u>	\$25
<p>NOTE: Sec. 15-1-7 (Parking on Private Property – City Lot): If the alleged violator has no prior violations of a similar nature and has a valid placard when he or she appears in Court, the Clerk’s Office is authorized to accept pleas of guilty and suspend one-half of the total fine due.</p>		
0	15-1-12 <u>Usage of Medians</u>	\$50
0	107 <u>Obedience to Police Officers</u>	Mandatory Court
0	109 <u>Motorized bicycles, animals, skis, skates, toy vehicles, etc.</u>	\$25
	(2) Person failed to ride on appropriate seat	
	(3) Motorized bicycle carried more than allotted passenger(s)	
	(4) Person on motorized vehicle attached himself to outside of vehicle	
	(5) Driver failed to drive on right side of roadway	
	(6) Drivers drove more than two abreast in single lane or roadway	
	(8) Person failed to ride or lead animals on left side of roadway	
	(9) Person used sled or coasting device on roadway	
	(9) Person used toy vehicle on roadway (small cycles)	Mandatory Court
	(11) Person failed to obey traffic signage on paths and trails	
	(12) Parent authorized child to violate provisions of this section	

PART 2 - EQUIPMENT

Points	Section/Offense	Penalties
0	201 <u>Obstruction of view or driving mechanism – hazardous situation</u> (1) Number of persons in front seat obstructed view/interfered with driver (2) Driver of vehicle allowed passengers to ride in an unsafe manner (3) Television or similar device visible to driver (4) Driver’s vision obstructed through required glass (5) Passenger in vehicle interfered with driver or obstructed view (6) Person hung/attached himself to the outside of the vehicle (6) Driver allowed person to hang/attach himself to the outside of vehicle	\$50 \$250 \$250
2	202 <u>Unsafe vehicles – penalty</u>	\$75
2	203 <u>Unsafe vehicles – spot inspections-certification repairs</u>	\$50
2	204 <u>When lighted lamps are required</u> (1) Driver failed to display lamps when required	\$50
0	205 <u>Head lamps on motor vehicles</u> (1) Vehicle not equipped with two headlamps as required (2) Motorcycle not equipped with headlamps as required (3) Height of headlamps failed to meet requirements	\$50
0	206 <u>Tail lamps and reflectors</u> (1) Vehicle not equipped with tail lamp as required (2) Height of tail lamp failed to meet requirements (3) Vehicle had no/defective license plate lamps (4) Vehicle operated on and after 1958 must have one reflector (5) Vehicle sold and operated on and after 1958 must have two reflectors (6) Height of reflectors failed to meet requirements	\$50
0	207 <u>Clearance and identification</u> (2) Failed to have clearance lamps as required (3) Failed to have side marker lamps as required (4) Failed to have clearance reflectors where and when required (5) Failed to have side marker reflectors where and when required	\$50
0	208 <u>Stop lamps and turn signals</u> (1) Vehicle has no/defective stop lights as required (2) Two lamps required for sale of vehicle (3) Vehicle not equipped with turn signals as required	\$50
0	209 <u>Lamp or flag on projecting load</u>	\$50

0	210	<u>Lamps on parked vehicles</u>	\$50
		(2) Lights required for parked vehicles	
		(3) Head lamps for parked vehicles must be dimmed or depressed	
0	211	<u>Lamps on farm equipment and other vehicles and equipment</u>	\$50
		(1) Lighting required for all farm and husbandry equipment	
		(2) Reflectors required for all farm and husbandry equipment	
		(3) Lamps required/requirements for all farm and husbandry equipment	
		(4) Head lamps required for all farm and husbandry equipment	
		(5) Lamp requirements for towed farm and husbandry equipment	
		(6) Positioning requirements for all farm and husbandry equipment	
		(7) Vehicles including animal drawn vehicles must have required lamps	
0	212	<u>Spot lamps and auxiliary lamps</u>	\$50
		(1) Spot lamps failed to meet requirements	
		(2) Fog lamps failed to meet requirements	
		(3) Auxiliary lamps failed to meet requirements	
		(4) Auxiliary lamps failed to meet requirements	
0	213	<u>Audible and visual signals on emergency vehicles</u>	\$50
		(1) Audible signals requirements for emergency vehicles	
		(2) Visual signals requirements for emergency vehicles	
		(3) Police vehicles requirements when used as an emergency vehicle	
		(4) Display of green lights prohibited	Mandatory Court
0	214	<u>Visual signals on service vehicles</u>	\$50
		(1) Lamp requirements for service vehicles	
		(2) Failed to use lamps for service vehicles	
		(3) Service vehicles failed to display lamps as required	
		(4) Only service vehicles shall be equipped with warning lights	
0	215	<u>Signal lamps and devices - additional lighting equipment</u>	\$50
		(1) Stop lamps failed to meet requirements	
		(2) Signal devices failed to meet requirements	
		(3) None of these devices shall project a glaring/dazzling light	
		(4) Side cowl or fender lights failed to meet requirements	
		(5) Running-board courtesy lamp failed to meet requirements	
		(6) Back-up lamps failed to meet requirements	
		(7) Vehicles warning lamps failed to meet requirements	
		(8) Identification lamps failed to meet requirements	
0	216	<u>Multiple-beam road lights</u>	\$50
		(1) Vehicle may have an upper/lower distribution light beam	
		(2) Vehicle failed to have upper/lower beam indicator	

0	217	<u>Use of multiple-beam lights</u>	\$50
		(1) Requirements for use of distribution of lights or composite beams	
0	218	<u>Single-beam road-lighting equipment</u>	\$50
		(1) Requirements for headlamps	
0	219	<u>Number of lamps permitted</u>	\$50
		(1) Limitations on number of lamps	
0	220	<u>Motorized bicycles - motor-driven cycles - lighting equipment</u>	\$50
		(1) Requirements for motorized bicycles	
		(2) Requirements for motor-driven vehicles	
		(3)(a) Requirements for lighting on motor vehicles	
		(3)(b) Display red and blue lights	Mandatory Court
0	221	<u>Bicycle equipment</u>	\$25
		(2) Lighting requirements for bicycles	
		(3) Reflector requirements for bicycles	
		(4) Reflective material requirements for bicycles	
		(6) Bicycle shall not be equipped with a siren or whistle	
		(7) Brake requirements for bicycles	
		(8) Selling requirements for bicycles	
0	222	<u>Voluntary officials - special lights and alarm systems</u>	\$50
		(1) Requirements for use of special lights and alarm systems	
		(2) Requirements for special lights and alarm systems	
0	223	<u>Brakes</u>	\$100
		(1) Requirements for brake equipment	
		(2) Requirements for the performance ability of brakes	
0	224	<u>Horns or warning devices</u>	\$50
		(1) Requirements for motor vehicle horn	
		(2) No other audible devices permitted	
		(3) Siren or whistle not permitted on bicycles	
		(4) Requirements for warning devices on snowplows	
0	225	<u>Mufflers - prevention of noise</u>	\$100
		(1) Requirements for mufflers and exhaust systems	
0	226	<u>Mirrors - exterior placements</u>	\$50
		(1) Requirements for mirrors	
		(2) Exterior mirror stipulations	

0	227	<u>Windows unobstructed</u>	\$150
		(1) Requirements for windows	
		(2) Requirements for windshield cleaning devices	
0	228	<u>Restrictions on tire equipment</u>	\$150
		(1) Requirements for solid rubber tires	
		(2) Tire regulations on highway	
		(3) Requirements for tires	
		(5) Operating requirements for tires	
		(6) Non-highway tires operated on highway	
		(7) Defacing markings on tires	
		(8) Selling regulations for tires	
0	229	<u>Safety glazing material in motor vehicles</u>	\$100
		(1) Requirements for safety glazing material	
		(2) D.O.R. requirements on safety glazing material	
		(3) Front windshield required	
0	230	<u>Emergency lighting equipment - who must carry</u>	\$50
		(1) Emergency reflector triangles required	
		(2) Hazard warning signals required	
		(3) Requirements for bi-directional reflector triangles	
		(4) Emergency lighting regulations for wrecking cars	
0	231	<u>Parking lights</u>	\$50
		(1) Parking lights requirements for highway use	
0	232	<u>Minimum safety standards for motorcycles and motor-driven cycles</u>	\$50
		(1) Eye wear required for motor-driven cycles	
		(2) Footrests required for motorcycle passengers	
0	233	<u>Alteration of suspension system</u>	\$150
		(1) Suspension system alterations and requirements	
0	234	<u>Slow-moving vehicles - display of emblem</u>	\$50
		(1) Slow moving emblems required	
		(2) Requirements for display of slow-moving emblem	
		(3) Requirements for use of slow-moving emblem	
0	235	<u>Minimum standards for commercial vehicles</u>	\$150
		(2) Highway regulations for commercial vehicles	
		(3) Requirements for operating a commercial vehicle	

0 236 **Child restraint systems required - definitions – exemptions** \$100/\$400
(2) Requirements for child restraint systems

0 237 **Safety belt systems - mandatory use - exemptions – penalty** \$50/\$200
(2) Requirements for safety belts

PART 5 – SIZE – WEIGHT - LOAD

Points	Section/Offense	Penalties
0	501 <u>Size and weight violations – penalty</u>	\$100
0	502 <u>Width of vehicles</u> (1) Requirements for the width of vehicles (2) Requirements for loads	\$100
0	503 <u>Projecting loads on passenger vehicles</u> (1) Limitations on loads	\$100
0	504 <u>Height and length of vehicles</u> (1) Height of vehicle extended over 13 feet (2) Length of vehicle extended over 45 feet (3) Limitations on height and length of buses (4) Combination of vehicles exceeded four car units (5) Load projected beyond grill assembly or front wheels	\$100
0	505 <u>Longer vehicle combinations</u> (1) Permits for the use of longer vehicle combinations (2) Vehicle combinations requirements (3) Operation of vehicle combinations on selected highways	\$100
0	506 <u>Trailers and towed vehicles</u> (1) Requirements for towing connections (2) White flag or cloth not displayed (3) Requirements for towing vehicles	\$150
0	507 <u>Wheels and axle loads</u> (1) Requirements for gross weight of wheels and axles for vehicles (2) Requirements for gross weight upon a single axle for vehicles	\$150
0	508 <u>Gross weight of vehicles and loads</u> (1) Limitations for operating vehicles over gross weight limit	\$150

0	509	<u>Vehicles weighed - excess removed</u>	\$150
		(3) Failed to stop for weighing	
0	510	<u>Permits (excess size, weight, & man. homes)</u>	\$150
		(1) Requirements for permits	
		(2) Requirements for emergency moves	
		(4) Locations for permits	
		(5) No alterations for vehicles with permits	

PART 6 – SIGNALS – SIGNS - MARKINGS

Points	Section/Offense	Penalties
4	603 <u>Obedience to official traffic control devices</u>	\$150
	(1) Failed to obey traffic control device	
3	604 <u>Traffic control signal legend (right-of-way)</u>	\$150
	(1) Driver failed to yield right-of-way	
4	604 <u>Traffic control signal legend (right-of-way)</u>	\$150
	(1) Driver failed to stop at red light	
4	605 <u>Flashing signals</u>	\$150
	(1) Failed to obey flashing signals	
0	606 <u>Display of unauthorized signs or devices</u>	Mandatory Court
	(1) Displayed unauthorized traffic control devices	
0	607 <u>Interference with official devices</u>	Mandatory Court
	(1) Damaged/altered/removed traffic control devices	
2	608 <u>Signals by hand or signal device</u>	\$50
	(1) Use of hand/arm signals in place of signal lamps	
	(2) Requirements for signals	
2	609 <u>Method of giving hand and arm signals</u>	\$50
	(1) Requirements for hand signals	
0	610 <u>Unauthorized insignia</u>	Mandatory Court
	(1) Displayed unauthorized insignia	
0	611 <u>Paraplegic persons or persons with disabilities - distress flag</u>	\$75
	(1) Requirements for distress flag	
	(2) Displayed flag when not authorized	

0/2	612	<u>When signals are inoperative or malfunctioning</u>	\$25/\$75
2		(1) Requirements for inoperative signals	
0		(2) Pedestrian requirements for inoperative signals	

PART 7 – RIGHTS-OF-WAY

Points	Section/Offense	Penalties
3	701 <u>Vehicles approaching or entering intersection</u>	\$150
	(1) Driver failed to yield right-of-way at intersection	
3	702 <u>Vehicle turning left</u>	\$150
	(1) Driver failed to yield right-of-way turning left	
3	703 <u>Entering through highway - yield intersection</u>	\$150
	(3) Driver failed to yield at right-of-way at intersection	
	(4) Driver failed to yield right-of-way at yield sign at intersection	
4	703 <u>Entering through highway – stop intersection</u>	\$150
	(3) Driver failed to stop at stop sign	
3	704 <u>Vehicle entering roadway</u>	\$150
	(1) Driver failed to yield right-of-way to vehicles entering any roadway	
4	705 <u>Operation on approach of emergency vehicles</u>	\$150
	(1) Driver failed to yield right-of-way to emergency vehicle	
3	706 <u>Obedience to railroad signal</u>	\$100
	(1) Driver disregarded stopping devices at railroad crossing	
	(1) Driver disregarded railroad crossing signals	
3	707 <u>Certain vehicles must stop at railroad grade crossings</u>	\$100
	(1) School bus/commercial vehicle failed to stop at railroad crossing	
	(3) Driver formed to lanes of traffic at railroad crossing	
3	708 <u>Moving heavy equipment at railroad grade crossing</u>	\$100
	(1) Unlawful moving of heavy equipment across railroad grade crossing	
	(3) Vehicle failed to stop at railroad grade crossing	
3	709 <u>Stop when traffic obstructed</u>	\$100
	(1) Vehicle failed to stop when traffic was obstructed	
3	710 <u>Emerging from or entering alley, driveway, or building</u>	\$100
	(1) Failed to yield right-of-way to pedestrian	

		(2) Failed to yield right-of-way to pedestrian	
		(3) Drove vehicle other than bicycle on sidewalk	
3	711	<u>Driving on mountain highways</u>	\$100
		(1) Requirements for driving on mountain highways	
		(2) Failed to yield right-of-way to descending vehicles	
3	712	<u>Driving in highway work area</u>	\$200
		(1) Failed to yield right-of-way to vehicle/pedestrians working upon highway	
		(2) Failed to yield right-of-way to vehicle working on highway with signals	
		(3) Driver disregarded signals of flagman in highway work area	

PART 8 – PEDESTRIANS

Points	Section/Offense	Penalties
0	801 <u>Pedestrian obedience to traffic control devices</u>	\$25
	(1) Pedestrian failed to obey traffic control devices	
0/4	802 <u>Pedestrians' right-of-way in crosswalks</u>	
	(1) Failed to yield right-of-way to pedestrian when traffic devices not operational	\$100
	(3) Pedestrian walked into path of moving vehicle	\$25
	(4) Driver overtook/passed vehicle stopped for pedestrian	\$100
	(5) Pedestrians right-of-way signals	\$25
0	803 <u>Crossing at other than crosswalks</u>	\$25
	(1) Pedestrian failed to yield right-of-way to vehicles at intersection	
	(2) Pedestrian failed to yield right-of-way to vehicles in tunnel/overhead	
	(3) Pedestrian failed to yield to walk in designated areas	
	(4) Pedestrian walked diagonally across intersection	
0	804 <u>Pedestrian to use right half of crosswalk</u>	\$25
	(1) Pedestrian failed to walk along right side of highway	
0/3	805 <u>Pedestrians walking or traveling in a wheelchair on highways</u>	\$25/\$75
0	(1) Pedestrians failed to walk or travel where required	\$25
0	(2) Pedestrian solicited rides on roadway	\$25
0	(3) Pedestrian in highway under the influence of alcohol/drugs	\$25
0	(6) Pedestrian solicited rides on highway	\$25
3	(7) Vehicle impeded traffic to pick up pedestrian	\$75
0	(8) Pedestrian failed to yield to emergency vehicle	\$25

3	806	<u>Driving through safety zone prohibited</u>	\$100
		(1) Driver drove through/within a safety zone	
4	807	<u>Drivers to exercise due care</u>	\$75
		(1) Driver failed to exercise due care/failed to sound warning	
0/6	808	<u>Drivers and peds. to yield to person w/disability</u>	\$25/Mandatory Court
0		(1) Pedestrian failed to stop	\$25
6		(2) Driver failed to stop	Mandatory Court

PART 9 – TURNING - STOPPING

Points	Section/Offense	Penalties
3	901 <u>Required position and method of turning</u>	\$100
	(1) Driver failed to properly turn as required	
	(2) Driver turned where prohibited by traffic control devices	
3	902 <u>Limitations on turning around</u>	\$100
	(1) Driver made U-turn on hill or curve	
	(2) Made unsafe U-turn at intersection	
2	903 <u>Turning movements and required signals</u>	\$75
	(1) Requirements for turning	
	(2) Driver failed to use turn signals as required	

PART 10 – DRIVING – OVERTAKING - PASSING

Points	Section/Offense	Penalties
4	1001 <u>Drive on right side – exceptions</u>	\$150
	(1) Driver failed to drive on right side of roadway	
	(2) Driver failed to drive on right side of roadway (less than normal speed)	
	(3) Driver drove on left side of roadway	
4	1002 <u>Passing oncoming vehicles</u>	\$150
	(1) Driver failed to yield one-half of roadway to oncoming traffic	
4	1003 <u>Overtaking a vehicle on the left</u>	\$150
	(1) Driver passed on left in unsafe manner	
	(1) Driver failed to give way when overtaken	

4	1004	<u>When overtaking on the right is permitted</u>	\$150
		(1) Passed on right when not permitted/safe	
4	1005	<u>Limitations on overtaking on the left</u>	\$150
		(1) Passed on left when not clear to traffic	
		(1) Passed without giving oncoming traffic sufficient clearance	
		(2) Driver drove on left side of roadway when not permitted/safe	
		(3) Passed on left when prohibited by signs/markings	
3	1006	<u>One-way roadways and rotary traffic islands</u>	\$100
		(1) Drove vehicle wrong way on one-way street or roadway	
		(2) Drove vehicle wrong way around rotary island	
3	1007	<u>Driving on roadways laned for traffic</u>	\$100
		(1) Driver failed to drive in a single lane	
		(1) Drove in center lane when unnecessary	
		(1) Passed on shoulder on right of vehicle in right hand lane	
		(1) Changed lanes when unsafe	
4	1008	<u>Following too closely</u>	\$150
		(1) Following too closely	
		(1) Unlawful following by vehicle drawing another vehicle	
		(2) Following too closely in motorcade	
3	1009	<u>Coasting prohibited</u>	\$100
		(1) Driver coasted vehicle with clutch in neutral	
		(1) Driver of bus/truck traveling on a downgrade while clutch disengaged	
3	1010	<u>Driving on divided or controlled-access highways</u>	\$100
		(1) Vehicle crossed roadway dividing in an unlawful manner	
		(1) Failed to drive as required on divided/controlled access highway	
		(2) Improper freeway entry	
3	1011	<u>Use of runaway vehicle ramps</u>	\$100
		(1) Unlawful use of runaway ramps	
		(2) Person shall not stop/stand/park on or in path of runaway ramp	
0	1012	<u>High occupancy vehicle lanes</u>	\$50
		(1) HOV lane	

PART 11 – SPEED REGULATIONS

Points	Section/Offense	Penalties
0	1101 <u>Speed limits</u> (1 – 4 m.p.h.) over posted limit	\$50
1	1101 <u>Speed limits</u> (5 – 9 m.p.h.) over posted limit	\$75
3	1101 <u>Speed limits</u> (excessive speed for conditions)	\$100
4	1101 <u>Speed limits</u> (10 – 19 m.p.h.) over posted limit	\$125
6	1101 <u>Speed limits</u> (20+ m.p.h.) over posted limit	Mandatory Court
12	1101 <u>Speed limits</u> (40+ m.p.h.) over posted limit	Mandatory Court
3	1103 <u>Minimum speed regulation (impeding)</u> (1) Driver impeded flow of traffic	\$50
3	1104 <u>Speed limits on elevated structures</u> (1) Driver exceeded posted safe speed on elevated structures	\$50
12	1105 <u>Speed contests</u> (1) Driver engaged in an acceleration/speed contest/exhibition (1) Aiding and abetting an acceleration/speed contest/exhibition (2) Obstructed highway incident to a speed contest	Mandatory Court

NOTE Speeding offenses, which occur in an appropriately designated “Construction Zone,” pursuant to the Pueblo (Model) Traffic Code, Section 613, with appropriate signage indicating double fines, results in the standard fine being doubled.

NOTE Speeding offenses, which occur in an appropriately designated “School Zone,” with appropriate signage indicating “School Zone,” results in the standard fine being doubled.

PART 12 – PARKING

Points	Section/Offense	Penalties
3	1201 <u>Starting parked vehicle</u> (1) Improper starting from parked position	\$75

Points	Section/Offense	Penalties
0	1202 <u>Parking or abandonment of vehicles</u> (1) Stopped/Parked/Standing vehicle on paved highway	\$50
0	1203 <u>Parking of heavy and unlicensed vehicles</u> (1) Driver parked vehicle carrying more than one-ton load (2) Driver parked unlicensed vehicle where prohibited (3) Unlicensed vehicle left on property longer than 72 hours (4) Unlicensed/Expired Plates	\$25/Mandatory Court

NOTE Sec. 1203 (Vehicle Tag/Lic. Violations): If the ticket alleges a misuse of plates rather than just expired plates, the violation requires a mandatory Court

NOTE Sec. 1203 (Vehicle Tag/Lic. Violations): If the ticket alleges just expired plates and the alleged violator has no prior violations of a similar nature and has valid tags when he or she appears in Court, the Clerk's Office is authorized to accept pleas of guilty and suspend one-half of the total fine due.

0	1204 <u>Stopping, standing, or parking prohibited in specified places</u> (1) Driver parked/stopped/left standing vehicle where prohibited (specify) (2) Driver parked/stopped/left standing vehicle where prohibited (specify) (3) Driver parked vehicle where prohibited (specify) (5) Unlawful moving of parked vehicle into prohibited area	\$25
0	1205 <u>Parking at curb or edge of roadway</u> (1) Parked vehicle 12 inches from curb on two-way roadway (1) Failed to park as close as practical to edge of shoulder on two-way road (2) Parked vehicle 12 inches from curb on one-way roadway (2) Failed to park as close as practical to shoulder on one-way road (2) Parked vehicle on wrong side/wrong direction on roadway (3) Driver parked vehicle when signs/markings did not permit (4) Parked vehicle in more than one designated parking space (5) Failed to park vehicle as to leave two feet of clearance space	\$25
0	1206 <u>Unattended motor vehicle</u> (1) Failed to stop engine, lock ignition, remove key	\$75

	(2)	Failed to set brake	\$50
	(3)	Failed to turn wheels to curb when standing upon any grade	\$25
0	1207	<u>Opening and closing vehicle doors</u>	\$25
	(1)	Driver opened/left open door into lane of traffic	
0	1208	<u>Parking privilege for persons with disabilities</u>	\$100
	(3)	Driver failed to display placard or distinguishing license plate	
	(5)	Driver parked in space reserved for persons with disabilities	
	(7)	Improper use of placard/license plate to receive disability privileges	
	(10)	Driver blocked access for persons with disabilities	

NOTE Sec. 1208 (Handicap Parking Violations): If the alleged violator has no prior violations of a similar nature and did in fact have a Handicap Placard which was not appropriately in use or was expired and has since been renewed, the Clerk's Office is authorized to accept pleas of guilty and suspend \$80 of the \$100 fine, leaving a balance of \$20 due.

Points	Section/Offense	Penalties
2	1211 <u>Limitations on backing</u>	\$50
	(1) Driver failed to back vehicle safely	
	(2) Drive vehicle on shoulder or roadway of controlled access highway	
0	1212 <u>Standing, parking, or storing of major recreation equipment prohibited</u>	\$25
	(1) Driver parked/left standing recreational equipment on street	
	(2) Recreational equipment obstructed/interfered with vision	
0	1213 <u>Standing in freight curb loading zone; permits</u>	\$25
	(1) Driver parked/stopped/left standing vehicle in freight loading zone	
	(5) Vehicle failed to display loading zone permits as required	
0	1214 <u>Permits for loading zones</u>	\$25
	(1) Driver violated terms of loading zone permit	
0	1215 <u>Parking permits for metered and limited time parking zones</u>	\$25
	(1) Driver parked vehicle in metered zone without depositing coinage	
	(2) Driver parked vehicle longer than allowed time	
	(9) Driver violated terms of permit for metered/limited time zones	
0	1216 <u>Parking for certain purposes prohibited</u>	\$25
	(1) Driver parked vehicle on street with intent to sell vehicle	
	(2) Driver parked vehicle on street to wash/repair/paint/grease vehicle	
	(3) Driver parked vehicle on street to display advertising	

PART 13 – PARADES AND FUNERALS

Points	Section/Offense	Penalties
0	1301 <u>Permits required for parades and races; conduct</u>	\$100
	(1) Operated parade/marathon/foot race/bicycle race without permit	
	(6) Person obstructed/interfered the line of movement	
0	1302 <u>Funeral processions</u>	\$100
	(1) Vehicles failed to display identification by keeping headlights burning	
	(2) Driver failed to keep as close as practicable to the other drivers	
	(4) Procession failed to keep speed within the speed limit	
	(5) Procession failed to yield right-of-way to emergency vehicles	
	(6) Driver failed to yield right-of-way to funeral processions	
	(7) Procession drove against traffic on one-way street	
	(8) Driver drove between vehicles in procession	

PART 14 – OTHER OFFENSES

Points	Section/Offense	Penalties
8	1401 <u>Reckless driving – penalty</u>	Mandatory Court
	(1) Driver drove in manner to indicate disregard for the safety of others	
4	1402 <u>Careless driving – penalty</u>	\$150
	(1) Driver drove in careless and imprudent manner	
3	1403 <u>Following fire apparatus prohibited</u>	Mandatory Court
	(1) Driver drove less than 500' behind fire apparatus	
	(1) Driver drove into/parked on block where apparatus has stopped	
0	1404 <u>Crossing fire hose</u>	Mandatory Court
	(1) Driver drove over unprotected fire hose	
0	1405 <u>Riding in trailers</u>	\$100
	(1) Person occupied trailer while being moved on highway	
0	1406 <u>Foreign matter on highway prohibited</u>	Mandatory Court
	(1) Person left/deposited harmful material on highway	
	(2) Person failed to remove burning/destructive/lighted material	
	(3) Person failed to remove glass/objects when removing damaged vehicle	
	(4) Person evacuated ditch/aqueduct without consent	

0/3 0 3	1407	<u>Spilling loads on streets or highways</u>	Mandatory Court
		(2) Driver drove with load uncovered	
		(3) Driver spilled/leaked/dropped/deposited litter on street or highway	
0	1408	<u>Oper. of motor vehicle on property under cont. of parks and rec. dist.</u>	\$100
		(2) Unlawful operation of vehicle in area owned by recreation district	
0/4	1409	<u>Compulsory Insurance</u>	\$300 First Offense/ \$600 Second Offense
		(1) Owner: no complying policy or certificate of self-insurance	
		(2) Operator: no complying policy or certificate of self-insurance	
		(3) Failed to present proof of complying policy or certificate of self-insurance	
		(7) Failed to sign affirmation of insurance	\$25
<u>NOTE</u> The standard deferred sentencing guidelines apply; however, an additional condition of deferred sentencing on Compulsory Insurance charges includes the requirement that the Defendant have in place a minimum of ninety (90) days pre-paid insurance coverage at the time the guilty or no contest plea is entered.			
0	1411	<u>Use of earphones while driving</u>	\$50
		(1) Driver operated motor vehicle while wearing headphones	
0	1412	<u>Bicycle Violations</u>	\$25
		(3) Unlawful number of persons on bicycle	
		(4) Bicycle rider attached himself to motor vehicle	
		(5) Bicycle rider failed to ride in right hand lane as required	
		(5) Bicycle rider failed to ride on right side of lane when being overtaken	
		(5) Bicycle rider failed to ride on suitable paved shoulder	
		(6) Bicycle rider failed to ride in single file when required	
		(6) Bicycle rider failed to ride in single lane when riding two abreast	
		(7) Bicycle rider failed to keep at least one hand on handlebars	
		(8) Bicycle rider made improper left turn	
		(8) Bicycle rider intending to turn left disregarded traffic control device	
		(9) Bicycle rider failed to signal intention to turn/stop	
		(10) Bicycle rider failed to yield right-of-way to pedestrian	
		(10) Rode bicycle on sidewalk/roadway when prohibited by sign/markings	
		(10) Bicyclist on sidewalk failed to dismount before entering roadway	
		(11) Improper parking of a bicycle	
12	1413	<u>Eluding or attempting to elude a police officer</u>	Mandatory Court
		(1) Driver attempted/eluded police officer	
3	1414	<u>Moving construction related equipment</u>	\$75
		(1) Unlawful moving of cargo/supplies	

0	1415	<u>Skateboard use, on sidewalks</u>	\$25
		(1) Person rode skateboard where prohibited	
		(2) Person rode skateboard where prohibited by signs/markings	
		(3) Person on skateboard failed to yield right-of-way to pedestrian	
3	1416	<u>Obstruction of the public way</u>	\$100
		(1) Person obstructed highway/street/sidewalk/sidewalk area	
3	1417	<u>Driving Under Restraint (OJW)</u>	\$100

PART 15 – MOTORCYCLES

Points	Section/Offense	Penalties	
2	1502	<u>Riding on Motorcycles</u>	\$75
		(1) Driver failed to ride on proper seat	
		(1) Driver carried more than allotted passengers	
		(2) Rider failed to face forward while riding	
		(3) Driver carried bundle that prevented him keeping hands on handlebars	
		(4) Driver carried person that interfered with operation of motorcycle	
4	1503	<u>Operating motorcycles on roadways laned for traffic</u>	\$75
		(2) Driver overtook/passed vehicle in same lane	
		(3) Person operated motorcycle between lanes/rows of vehicles	
		(4) Motorcycles operated more than two abreast in single lane	
2	1504	<u>Clinging to other vehicles</u>	\$100
		(1) Person riding motorcycle attached himself to another vehicle	

PART 19 – SCHOOL BUSES

Points	Section/Offense	Penalties	
6	1903	<u>School buses - stops - signs – passing</u>	Mandatory Court
		(1) Driver passed school bus when lights were flashing	
		(2) School bus failed to activate visual signals as required	
		(5) School bus failed to stop as required	

PART 20 – PARKING METER REGULATIONS

Points	Section/Offense	Penalties
0	2001 <u>Parking meter zones</u>	\$25
0	2002 <u>Parking meters</u>	\$25
0	2003 <u>Parking meter spaces</u>	\$25
0	2004 <u>Deposit of coins or tokens and time limits</u>	\$25
0	2005 <u>Tampering with meter</u>	\$300

FINES SUMMARY

Most Zero (0) Point Violations	\$25
Most Two (2) Point Violations	\$50
Most Equipment Violations	\$50
Most Three (3) Point Violations	\$100
Most Four (4) Point Violations	\$150
Six (6) Point Violations	Mandatory Court
Eight (8) Point Violations	Mandatory Court
Twelve (12) Point Violations	Mandatory Court

COURT APPEARANCES / COSTS AND FEES

Most Traffic Offense cases can be paid over the counter or by mail and without a court appearance except for six (6) point violations, eight (8) point violations, twelve (12) point violations, and any violation in which the issuing officer has specifically noted in the actual charge that the violation involves personal injury or appreciable property damage. Six (6) point violations, eight (8) point violations, twelve (12) point violations, and any violation in which the issuing officer has specifically noted in the actual charge that the violation involves personal injury or appreciable property damage will require a mandatory court appearance on the arraignment date (NOTE: The mandatory court appearance will not affect eligibility for deferred sentencing).

Absent a Court Order otherwise, the expectation is that Fines and Costs will be paid immediately.

A statutorily mandated “School Crossing Guard Surcharge” of \$10 is applied to all moving/point violations and a “School Crossing Guard Surcharge” of \$4 is applied to all parking violations.

A “Failure to Appear Warrant” (FTA) Fee of \$35 and “Contempt Warrant” (Contempt) Fee of \$100 is applied whenever a warrant is issued for FTA, or Contempt.

A Department of Motor Vehicles Outstanding Judgment Warrant Fee (OJW) / Administrative Processing Fee (APF) of \$30 is applied whenever a warrant is issued for any traffic offense, a default judgment has entered on a traffic infraction and whenever a warrant is issued in any non-traffic case in which the defendant is a juvenile.

Failure to resolve a traffic infraction or parking ticket on or before the court date or otherwise appear for a court appearance, will result in default being entered and fine imposed. Any and all outstanding fines and fees may be sent to collections.

DEFERRED SENTENCING TRAFFIC MUNICIPAL ORDINANCE VIOLATIONS

A deferred sentence is a way you avoid a conviction on your record and avoid points being assessed against your driver’s license. It requires you to plead guilty or no contest to the charges and pay the fine and costs; however, the conviction and points are not reported to the Department of Motor Vehicles (and are not reported to your insurance company).

Deferred sentences are deferred for a period of up to twelve (12) months. If you are not adjudicated, convicted, or found guilty of any additional traffic offenses which occur after the plea date, and you pay the fine and costs, and you comply with any other conditions ordered by the Court, the conviction of a traffic offense will never enter and the case will be entered as dismissed in its entirety after the expiration of the deferred sentence period.

You are eligible for a deferred sentence if you have a clean driver history for the last three (3) years (including deferred sentences). There is an additional \$20 deferred sentence fee for a deferred sentence under these circumstances.

You are eligible for a deferred sentence if you have a relatively minor driver history for the last three (3) years ((no more than two (2) violations (including deferred sentences) with no more than a total point assessment of eight (8) points)). There is an additional \$50 deferred sentence fee for a deferred sentence under these circumstances.

You are not eligible for a deferred sentence if you have a previous deferred sentence still pending or any previous cases are in collections.

If you are under twenty-one (21) years of age on the date of offense, a condition of every deferred sentence will include a Traffic School.

If you are charged with any violation which carries six (6) points or more, you may be eligible for deferred sentencing; however, only after appearing in front of the Judge following an arraignment / advisement of rights session of court and making that specific request.

If your case is set for trial, you will not be given any further opportunity to receive the benefits of deferred sentencing.

Some specific offenses are not eligible for deferred sentencing under any circumstances.

To achieve consistency regarding situations in which defendants on pending traffic deferred sentences are issued new traffic tickets, the following policy is implemented:

If a Defendant with a pending traffic deferred sentence is issued a new traffic ticket, the Defendant will have several options:

- (1) The Defendant may plead not guilty and set the matter for trial. If the Defendant is found not guilty, there will be no impact on the pending traffic deferred sentence. If the Defendant is found guilty, the Court may or may not revoke the pending traffic deferred sentence.
- (2) The Defendant may plead guilty or no contest (no deferred sentence), pay the standard fine, pay the costs, and the pending traffic deferred sentence will be revoked (conviction and points certified to D.M.V.).
- (3) The Defendant may plead guilty or no contest (no deferred sentence), pay twice the standard fine (up to \$1,000), pay the costs, and the pending traffic deferred sentence will not be revoked. NOTE: This option is available one (1) time during any pending deferred sentence.

As a result of this policy, the Court will apply a strict adherence to deferred sentencing dismissal dates.

Any deviations from this policy must be approved by the Court Administrator or the Judge.

POLICE REGULATIONS:

Section/Offense

Penalties 1st / 2nd Offense

NOTE: Any 3rd or subsequent offense requires a mandatory court appearance

Chapter 1 General Offense Code

Sec. 11-1-106	Attempt	Same as Underlying Offense
Sec. 11-1-107	Conspiracy	Same as Underlying Offense
Sec. 11-1-108	Complicity	Same as Underlying Offense
Sec. 11-1-201	Disorderly conduct (fighting)	Mandatory Court
Sec. 11-1-201	Disorderly conduct	\$200/400
Sec. 11-1-201	Disorderly conduct (discharging firearm)	Mandatory Court

Sec. 11-1-202	Loitering	\$50/100
Sec. 11-1-203	Indecent exposure	Mandatory Court
Sec. 11-1-204	Littering	\$100/200
Sec. 11-1-205	Urinating or defecating in public	\$100/200
Sec. 11-1-206	Invasion of privacy	Mandatory Court
Sec. 11-1-207	Unlawful possession of an alc. bev. (< 21 YOA)	Mandatory Court
Sec. 11-1-207	Unlawful possession of an alc. bev. (> 21 YOA)	\$100/200
Sec. 11-1-207	Unlawful possession of an alc. bev. (Contributing)	Mandatory Court
Sec. 11-1-208	Tobacco vending machines	\$25/50
Sec. 11-1-209	Sale, possession and use of tobacco products	\$100/150
Sec. 11-1-301	Battery	Mandatory Court
Sec. 11-1-301	Battery (On a Police Officer)	Mandatory Court
Sec. 11-1-302	Menacing	Mandatory Court
Sec. 11-1-303	Harassment	\$200/400
Sec. 11-1-401	Theft from a merchant	\$350/500
Sec. 11-1-402	Damaging, defacing or destruction of private property	\$150/300
Sec. 11-1-403	Damaging, defacing or destruction of City property	\$150/300
Sec. 11-1-404	Throwing stones or missiles	\$150/300
Sec. 11-1-405	Nuisances	Mandatory Court
Sec. 11-1-406	Trespass	\$150/300
Sec. 11-1-407	Theft	\$350/500
Sec. 11-1-501	Resisting arrest	Mandatory Court
Sec. 11-1-502	Interference (with violence)	Mandatory Court
Sec. 11-1-502	Interference (without violence)	\$200/400
Sec. 11-1-503	Escape from custody	Mandatory Court
Sec. 11-1-504	False reporting	\$200/400
Sec. 11-1-505	Impersonating a City officer or employee	Mandatory Court
Sec. 11-1-506	Curfews in public parks	\$150/300
Sec. 11-1-507	Unlawfully riding public conveyances	\$150/300
Sec. 11-1-601	Carrying weapons	Mandatory Court
Sec. 11-1-602	Substance abuse	\$150/300
Sec. 11-1-603	Unused refrigerators	\$150/300

Sec. 11-1-604	Sunday auto sales	\$150/300
Sec. 11-1-605	Fortune-telling	\$150/300
Sec. 11-1-606	Smoking in elevators and in public conveyances	\$150/300
Sec. 11-1-607	Noise	\$150/300
Sec. 11-1-608	Possession of cannabis (< 21YOA)	Mandatory Court
Sec. 11-1-608	Possession of cannabis (> 21YOA)	\$150/300
Sec. 11-1-609	Possession of Drug Paraphernalia	\$150/300
Sec. 11-1-610	Prostitution	Mandatory Court
Sec. 11-1-701	Misrepresentation of age	Mandatory Court
Sec. 11-1-702	Regulation of air guns	Mandatory Court
Sec. 11-1-703	Loitering by minors after curfew	Mandatory Court
Sec. 11-1-704	Sale or exhibition of matter harmful to minors	Mandatory Court
Sec. 11-1-705	Carrying knives by minors	Mandatory Court
Sec. 11-1-707	Tattooing of minors	Mandatory Court

Chapter 2 Jails and Prisoners

Sec. 11-2-5	Obedience to orders	Mandatory Court
Sec. 11-2-6	Introducing contraband	Mandatory Court

Chapter 3 Alcoholic Beverages

Sec. 11-3-21	Disorderly conduct; permitting	Mandatory Court
Sec. 11-3-22	Participation; exceptions	\$150/300
Sec. 11-3-23	Report to police	Mandatory Court
Sec. 11-3-25	Securing credit by pledge	\$150/300
Sec. 11-3-27	Weapons prohibited in premises	Mandatory Court

Chapter 4 Animals

Sec. 11-4-2	Vaccinations	\$125/200
Sec. 11-4-3	Certificate of Vaccination	\$125/200
Sec. 11-4-4	Vaccination tags	\$125/200
Sec. 11-4-7	Restrictions on use of vaccination tag and certificates	\$125/200
Sec. 11-4-9	Kennel and cattery licenses	\$125/200
Sec. 11-4-12	Duty to report animal bite	Mandatory Court
Sec. 11-4-13	Quarantine of animals	Mandatory Court
Sec. 11-4-14	Vicious animals	Mandatory Court
Sec. 11-4-15	Restraining (at large)	\$150/300
Sec. 11-4-17	Pueblo Animal Shelter; interference; false reports	Mandatory Court
Sec. 11-4-19	Poisoning of animals	Mandatory Court
Sec. 11-4-21	Animals; cruelty to	Mandatory Court
Sec. 11-4-23	Manure; accumulation; disposition	\$150/300
Sec. 11-4-24	Disposition of animal carcasses	Mandatory Court
Sec. 11-4-26	Maiming; abandoning; rendering aid	Mandatory Court
Sec. 11-4-27	Picketing and grazing animals forbidden	\$150/300
Sec. 11-4-28	Driving or herding animals forbidden	\$150/300
Sec. 11-4-31	Keeping of animals and fowl which disturb...	\$150/300

Sec. 11-4-32	Nuisances; certain fowl and animals	\$150/300
Sec. 11-4-33	Prohibited animals	Mandatory Court
Sec. 11-4-43	Licenses	\$125/200
Sec. 11-4-46	License tags	\$125/200
Sec. 11-4-47	Litter permits	\$125/200
Sec. 11-4-48	Sale in public places	\$50/100

NOTE: Tag, License, & Permit Violations (including Sec. 11-4-2, 11-4-3, 11-4-4, 11-4-7, 11-4-9, 11-4-43, 11-4-46, & 11-4-47): If the alleged violator has no prior violations of a similar nature and has valid tags and/or licenses when he or she appears in Court, the Clerk's Office is authorized to accept pleas of guilty and suspend one-half of the total fine due.

Chapter 5 City Emergencies

Sec. 11-5-1		Mandatory Court
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Chapter 9 Graffiti

Sec. 11-9-3	Prohibited acts	Mandatory Court
Sec. 11-9-4	Prohibition on display and sale	\$150/300
Sec. 11-9-8	Removal of graffiti	Mandatory Court

OTHER MUNICIPAL CODE VIOLATIONS (CITY COMPLAINTS)

Section/Offense

Penalties 1st / 2nd Offense

Fire Code Violations

3-2-52	Unlawful sale, use or possession of fireworks	\$250/\$500
	(Cases involving property damage or injury will require mandatory court.)	

Health Department Violations

7-1-1	Nuisances	Mandatory Court
7-3-2	Litter	\$125/300
7-3-6	Illegal Dumping	Mandatory Court
7-3-11	Sweeping Litter into Gutters	\$125/300
7-3-12	Merchant's Duty to Keep Sidewalks	\$125/300
7-3-14	Construction Sites Maintained	\$125/300
7-3-39	Junked Vehicle	\$125/300
7-4-2	Weeds	\$125/300
	Failure to Comply with Order	\$125/300
7-6-5	Prohibition of Smoking in Public Places	\$75/150
7-6-6.1	Prohibition in public right-of-ways adjoining hospitals	\$75/150
7-6-7	Smoke-Free Entrances	\$75/150

License and Permit Violations

9-7-31 Peddlers and Solicitors License \$100/300

Water Violations

13-1-1 Levees, meddling with Mandatory Court
13-1-2 Disregarding enclosures Mandatory Court
13-1-3 Polluting Mandatory Court
13-1-4 Obstructing Mandatory Court
13-1-5 River obstructions Mandatory Court
13-3-3 Obstructing drainage easement Mandatory Court
13-3-4 Order to abate Mandatory Court
13-3-7 Failure to obey order Mandatory Court

Sales Tax Violations

14-4-37 Evasion of Tax Mandatory Court
14-4-61 Sales Tax Mandatory Court
14-4-63 Use Tax Mandatory Court
14-4-81 (a)(1) Sales Tax License Required Mandatory Court

Utility Violations

16-8-6 Maintenance, record keeping and inspections \$125/300
16-8-9 Enforcement Mandatory Court
16-12-10 Developers Obligation Mandatory Court
 (b) Lack of Construction Best Management Practices
 (c) Failure to adequately implement or maintain
16-12-14 Violate, neglect, omit, or refuse to comply Mandatory Court
16-12-21 Illicit Discharges or Connections Mandatory Court

Zoning Violations

17-4-27 Recreational Vehicle \$125/300
17-4-28 Inoperable Vehicle \$125/300

Other Municipal Code Violations

All violations of International Property Maintenance Code require Mandatory Court.

NOTE: All Marijuana-related offenses, including the cultivation, use, or sale thereof, as set forth in Title XI, Chapters 10 and 11 and Title XVII, Chapter 15 require Mandatory Court.

Any Municipal Code violation (City Complaints) not specifically set forth herein requires Mandatory Court.

All “Other Municipal Code Violations (City Complaints)” that have a presumptive fine can be paid over the counter and without a court appearance on a first or second offense. Third or subsequent offenses and mandatory court appearance offenses require a mandatory court appearance.

COURT APPEARANCES / COSTS AND FEES

All Adult Police Regulation cases can be paid over the counter and without a court appearance on a first or second offense (except for mandatory court appearance related offenses). Third or subsequent offenses and mandatory court appearance related offenses require a mandatory court appearance.

All Juvenile Police Regulation cases require a mandatory court appearance. In addition, a parent or legal guardian must be present (NOTE: The mandatory court appearance will not affect eligibility for deferred sentencing). **Failure of a parent or guardian to appear for a mandatory court appearance may result in the issuance of a bench warrant for the parent or guardian.**

Absent a Court Order otherwise, the expectation is that Fines and Costs will be paid immediately.

A statutorily mandated “D.A.R.E.” Surcharge of \$5 applies to certain offenses, including: Disorderly Conduct, Possession of an Alcoholic Beverage, Menacing, Battery, Harassment, Substance Abuse, and Possession of Cannabis.

A statutorily mandated “Community Solid Waste Clean-up” Surcharge of \$50 applies to certain offenses, including every offense charged pursuant to Title 7, Chapter 3 - Solid Wastes of the Pueblo Municipal Code.

A statutorily mandated “Keep Pueblo Beautiful” Surcharge of \$25 applies to certain offenses, including all offenses charged pursuant to Title 7, Chapter 3 - Solid Wastes, Chapter 4 - Weeds, Chapter 5 - Fugitive Dust and Other Air Pollution Emissions, Title 11, Chapter 1, Sec. 204 - Littering, Sec. 607 - Noise, Chapter 4, Sec. 15 - Restraining, Sec. 22 - Crating and Cooping Fowls; Construction; Cleanliness, Sec. 23 - Manure; Accumulation; Disposition, Sec. 24 - Disposition of Animal Carcasses, Sec. 25 - Storage of Grain Feeds in Rodent-Proof Containers, Sec. 26 - Maiming; Abandoning; Rendering Aid, Sec. 27 - Picketing and Grazing Animals Forbidden, Sec. 28 - Driving or Herding Animals Forbidden, 31 - Keeping of Animals and Fowl Which Disturb Comfort, Peace, etc., of Neighborhood, Sec. 32 - Nuisances; Certain Fowl and Animals, Sec. 33 - Prohibited Animals, Sec. 43 – Licenses, Sec. 47 - Litter Permits, Sec. 48 - Sale in Public Places, Chapter 9, Sec. 3 - Prohibited Acts, Sec. 4 - Prohibition on Display and Sale, Title 17, Chapter 4, Sec. 21 - Visibility, Sec. 27 - Parking, Storage or Use of Major Recreational Equipment, and Sec. 28 - Parking and Storage of Certain Vehicles,

A statutorily mandated “Health Department Surcharge” of \$5 applies to all offenses charged pursuant to Title 7, Article 3.

A “Failure to Appear Warrant” (FTA) Fee of \$35 and “Contempt Warrant” (Contempt) Fee of \$100 is applied whenever a warrant is issued for FTA, and Contempt.

A Department of Motor Vehicles Outstanding Judgment Warrant Fee (OJW) / Administrative Processing Fee (APF) of \$30 is applied whenever a warrant is issued for any traffic offense or a default judgment enters on any traffic infraction; and whenever a warrant is issued in any case in which the defendant is a juvenile.

MISCELLANEOUS FEES

Payment Plan Fee	\$25	Probation Fee	\$50
Warrant Fee (FTA)	\$35	2 nd Warrant/Contempt Fee	\$100
DMV (OJW) Fee	\$30	Late Fee	\$25
Program Reschedule Fee	\$50	Deferred Sentence/Prosecution	\$20/50
Record Check Fee	\$10	Community Service Insurance	\$7
Appeal Filing/Certification Fee	\$20	Appeal Bond	Varies
Personal Service Fee	\$25	Appeal Transcript Deposit	\$250
Mandatory Costs (PMC1-6-10)	\$10	Jury Trial Fee	\$25

INCREASED PENALTIES FOR HABITUAL OFFENDERS

Anyone adjudged a Habitual Offender shall be punished as a Class 1 municipal offender with a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a term not exceeding one (1) year, or by both such fine and imprisonment, the amount of the fine or term of imprisonment shall rest within the discretion of the Municipal Judge. You may be adjudged a Habitual Offender for all offenses except traffic infractions, if:

1. you have been previously convicted of the same offense twice, separately brought and adjudicated and arising out of separate distinct criminal episodes, within the previous five (5) years; or
2. you are charged with a crime of violence against a person or animal and have been previously convicted of the same or similar crime involving violence against another person or animal twice, separately brought and adjudicated and arising out of separate and distinct criminal episodes, within the previous ten (10) years.

Any person convicted of a crime and sentenced as a Habitual Offender for violations of Sections [11-4-14](#) (Vicious animals), [11-4-15](#) (Restraining), or [11-4-21](#) (Animals; cruelty to) may, at the discretion of the Municipal Court, be enjoined from owning any animals as defined by [Section 11-4-1](#) of the Pueblo Municipal Code, or otherwise maintaining any animals on their property within the City limits, along with any other appropriate penalty imposed by the Municipal Court.

DEFERRED SENTENCING - ADULT MUNICIPAL ORDINANCE VIOLATIONS

A deferred sentence is a way you avoid a conviction on your record. It requires you to plead guilty or no contest to the charges and pay the fine and costs; however, the conviction does not enter upon your record.

Deferred sentences are deferred for a period up to twelve (12) months. If you are not adjudicated, convicted, or found guilty of any additional criminal or delinquent offenses (excluding minor traffic offenses) which occur after the plea date, and you pay the fine and costs, and you comply with any other conditions ordered by the Court, the conviction will never enter and the case will be dismissed in its entirety.

You are eligible for a deferred sentence if you have no prior criminal convictions/adjudications of an identical nature within the last five (5) years and no other criminal convictions/adjudications (including deferred sentences) within the last three (3) years. There is an additional \$20 deferred sentence fee for a deferred sentence under these circumstances.

You are not eligible for a deferred sentence if you have a previous deferred sentence still pending (meaning you are still under the jurisdiction of the Court) or any previous cases are in collections.

If your case is set for trial, you will not be given any further opportunity to receive the benefits of deferred sentencing.

Some specific offenses are not eligible for deferred sentencing under any circumstances.

SEALING OF ADULT MUNICIPAL RECORDS -- OTHER THAN CONVICTIONS

A person may petition the Court to seal any arrest and criminal records, except basic identification information, for cases in which the case was dismissed or the defendant acquitted. You must file a Petition to Seal and pay a filing fee of \$65. In order to qualify to have your records sealed, you must meet the following requirements:

- You were acquitted;
- You successfully completed a deferred sentence or deferred prosecution;
- Your case was dismissed;
- You have paid all outstanding restitution, fines, and fees;
- You have an arrest record, but you were not charged in court and the statute of limitations for the offense for which you were arrested that has the longest statute of limitations has run; or
- You have an arrest record, but you were not charged in court, the statute of limitations has not run, and you are no longer being investigated by law enforcement for commission of the offense. For information about specific statutes of limitations, see §16-5-401, C.R.S.

Records pertaining to infractions and the offense of indecent exposure cannot be sealed.

Full instructions on how to seal your municipal court records and the Petition to Seal are available in Municipal Court or online at www.pueblo.us/99/municipalcourt.

SEALING OF ADULT MUNICIPAL RECORDS -- CONVICTIONS

A person may petition the Court to seal any arrest and criminal records, except basic identification information, for cases in which the defendant was convicted. You must file a Petition to Seal and pay a filing fee of \$65. In order to qualify to have your records of convictions sealed, you must meet the following requirements:

- The motion is filed three or more years after the date of the final disposition of all criminal proceedings against the defendant or release of the defendant from supervision concerning a criminal violation, whichever is later; and
- The defendant has not been charged or convicted of a felony, misdemeanor, or misdemeanor traffic offense in the three or more years since the date of the final disposition of all criminal proceedings against him or her or the date of the defendant's release from supervision, whichever is later;
- The conviction records to be sealed are not for misdemeanor traffic offense committed either by a holder of a commercial learner's permit or a commercial driver's license, as defined in Colorado Revised Statutes section 42-2-402, or by the operator of a commercial motor vehicle, as defined in Colorado Revised Statutes section 42-2-402.

Records pertaining to traffic infractions and the offense of indecent exposure cannot be sealed.

Defendants may also file a petition to seal any arrest and criminal records of Municipal Court criminal convictions by filing a petition in the district court of the district in which the convictions occurred.

Full instructions on how to seal your municipal court records and the Petition to Seal are available in Municipal Court or online at www.pueblo.us/99/municipalcourt.

DEFERRED SENTENCING - JUVENILE

MUNICIPAL ORDINANCE VIOLATIONS

(Non-traffic related)

A deferred sentence is a way you avoid a conviction on your record. It requires you to plead guilty or no contest to the charges and pay the fine and costs, however, the conviction does not enter upon your record.

Deferred sentences are deferred for a period up to twelve (12) months. If you are not adjudicated, convicted, or found guilty of any additional criminal or delinquent offenses (excluding minor traffic offenses) which occur after the plea date, and you pay the fine and costs, and you comply with any other conditions ordered by the Court, the conviction will never enter and the case will be dismissed in its entirety after completion of the deferred period.

You are eligible for a deferred sentence if you have no prior criminal convictions/adjudications of an identical nature within the last two (2) years and no other criminal convictions/adjudications (including deferred sentences) within the last one (1) year. There is an additional \$20 deferred sentence fee for a deferred sentence under these circumstances.

If you have a previous deferred sentence still pending (meaning you are still under the jurisdiction of the Court), you are not eligible for a deferred sentence.

If your case is set for trial, you will not be given any further opportunity to receive the benefits of deferred sentencing.

Some specific offenses are not eligible for deferred sentencing under any circumstances.

EXPUNGEMENT OF JUVENILE RECORDS

A juvenile may have the records in any criminal case expunged free of charge by order of this Court if:

- the case was dismissed;
- the juvenile fully complied with the sentence imposed and paid all outstanding restitution, fines, and fees; and
- the juvenile does not have any pending felony, misdemeanor, petty offense or delinquency actions.

Records pertaining to traffic offenses and the offense of indecent exposure cannot be expunged.

Full instructions on how to have your juvenile records expunged and the Petition to Expunge are available in Municipal Court or online at www.pueblo.us/99/municipalcourt.