

ORDINANCE NO. 35

Series 2017

AN ORDINANCE AMENDING CHAPTER 8 OF TITLE 1 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE SEALING OF RECORDS IN THE MUNICIPAL COURT

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. Chapter 8 of Title 1 of the Breckenridge Town Code is amended by the addition of a new Section 1-8-16 which shall read as follows:

1-8-16: SEALING AND EXPUNGEMENT OF MUNICIPAL COURT RECORDS:

A. The municipal judge may seal municipal court records pursuant to Section 24-72-702.5, C.R.S. Any request to seal municipal court records pursuant to this section A shall be accompanied by a non-refundable processing fee of sixty five dollars (\$65.00), which may be waived by the court upon a determination of indigency. The processing fee required by this section shall be reported and paid as municipal cost and shall be deposited in the general fund of the Town.

B. The municipal judge may expunge municipal court records involving a juvenile pursuant to Section 19-1-306(9), C.R.S. No processing fee shall be required in connection with a request to expunge juvenile records pursuant to this section B.

Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX, Section 6 of the Colorado Constitution; and the powers contained in the Breckenridge Town Charter.

Section 5. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 14th day of November, 2017.

This ordinance was published in full on the Town of Breckenridge website on November 15, November 16, November 17, November 18 and November 19, 2017.

A public hearing on this ordinance was held on November 28, 2017.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 28th day of November, 2017. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST: TOWN OF BRECKENRIDGE

_____/s/_____
Helen Cospolich, CMC, Town Clerk

_____/s/_____
Eric S. Mamula, Mayor

APPROVED IN FORM

_____/s/_____
Town Attorney Date

This Ordinance was published on the Town of Breckenridge website on November 30, December 1, December 2, December 3 and December 4, 2017. This ordinance shall become effective on January 3, 2018.