

**RESOLUTION NO. 22-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, ESTABLISHING A FEE FOR UNPAID MUNICIPAL COURT FEES AND FINES, AND A FEE FOR RIGHT-OF-WAY PERMIT ALLOWING TEMPORARY PLACEMENT OF DUMPSTERS AND STORAGE PODS IN THE PUBLIC RIGHT-OF-WAY**

**WHEREAS**, pursuant Section 10.3 of Article X of the City of Castle Pines Home Rule Charter, the City Council shall determine, by resolution, the amount of any new City-imposed fee or change in the amount of any existing City-imposed fee for any service rendered by the City (specifically excluding franchise fees), based on the direct and indirect costs of providing services; and

**WHEREAS**, the Castle Pines Municipal Court (the "Court") has jurisdiction over violations of the Castle Pines Municipal Code (the "Municipal Code"), which includes the enforcement of traffic and parking violations; and

**WHEREAS**, the Colorado General Assembly passed HB 21-1314, which prohibits the state Department of Revenue from denying to issue, renew, or reinstate a person's driver's license because the person fails to pay a monetary judgment or has an outstanding warrant related to a traffic or municipal violation; and

**WHEREAS**, prior to the effective date of HB 21-1314, the Court would refer unpaid fines to the Department of Revenue, which often facilitated the payment of such fines; and now, in the absence of this procedure, the Court now lacks an effective means to collect unpaid fines; and

**WHEREAS**, referring unpaid fines to collections is a standard practice among municipalities and will likely increase the collection of unpaid fines; and

**WHEREAS**, Municipal Code Section 2-4-150 grants the Municipal Judge authority to impose applicable fees and costs as provided in the fee schedule set forth by resolution of the City Council; and

**WHEREAS**, City Council adopted Ordinance No. 22-03, an ordinance creating a right-of-way permit to allow the temporary placement of dumpsters and storage pods in the public right-of-way; and

**WHEREAS**, City Staff has analyzed the direct and indirect costs to the City of administration and inspection related to dumpster and storage pods permits and the cost of collecting unpaid court fees and fines; and

**WHEREAS**, the City Council has carefully reviewed the information and recommendations of City Staff and finds that it is in the best interest of the City to establish fees that covers these costs and incorporate them into the City's Fee Schedule as recommended by City Staff.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Castle Pines, Colorado, that:


**Section 1.** The City Council hereby (1) approves the establishment of a fee in the amount of three hundred and twenty dollars (\$320) for the issuance of a right-of-way permit that allows the temporary placement of dumpsters and storage pods in the public right-of-way and an additional fee of one hundred and sixty dollars (\$160) to extend such permit beyond the initial completion date, (2) approves the establishment of a fee in the amount equal to twenty-five percent (25%) of unpaid

Municipal Court fees and fines, and (3) authorizes City staff to take the actions necessary to implement the changes authorized by this Resolution and make changes effective beginning on May 1, 2022.


**Section 2.** If any portion of this Resolution is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions hereof.

**Section 3.** This Resolution shall take effect upon its approval by the City Council.


**INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES** by a vote of 7 in favor, 0 against and 0 absent, this 26th day of April 2022.

DocuSigned by:  
  
18352126594545A  
Tracy Engerman, Mayor

ATTEST:

DocuSigned by:  
  
AD03A3B0203249B  
Tobi Duffey, CMC, City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
  
5241DE98BFF444  
Linda C. Michow, City Attorney

