

MUNICIPAL COURT, CITY OF LONGMONT 225 Kimbark Street, Longmont, CO 80501 Phone: (303)774-4804 Facsimile: (303)774-4345 court@longmontcolorado.gov www.longmontcolorado.gov/court www.coloradomunicipalcourts.org	Received Longmont OCT 05 2018 Municipal Court
ADMINISTRATIVE ORDER	▲ COURT USE ONLY ▲
	2018-02
ORDER REGARDING SCHEDULE OF FINES	

The Municipal Court is authorized to establish a procedure for the payment to the Court Clerk or Violations Bureau according to a schedule of fines in lieu of proceedings. In such matters the Violations Bureau shall act under the direction and control of the Municipal Court. The following fine schedule is hereby established and is subject to change.

I. Ordinance Violations (*Misdemeanor Offenses and Traffic Offenses*)

For those violations of the Charter and Ordinances of the City of Longmont that are *ordinance violations* (generally referred to as *misdemeanor offenses* and *traffic offenses*) require a mandatory court appearance and are not eligible for the fine in lieu of proceedings.

II. Traffic Infractions

For those violations of the of the Charter and Ordinances of the City of Longmont that are designated as *traffic infractions* (as further defined in the *2010 Model Traffic Code* as adopted by the City of Longmont) are eligible for the fine in lieu of proceedings (penalty assessment).

Law enforcement officers have, in their discretion, to initiate a prosecution (summons and complaint) and not utilize the fine in lieu of proceedings for all violations of the Charter and Ordinances of the City of Longmont. Specifically, if a violation is aggravated and/or habitual, the fine in lieu of proceedings (penalty assessment) should not be utilized.

III. Schedule of Fines for Traffic Infractions

This Court finds that the following *traffic infractions* are eligible for the fine in lieu of proceedings (penalty assessment) process. The following shall be followed:

COSTS OF \$60.00 SHALL BE ADDED TO ALL PENALTY ASSESSMENTS. (This includes a probation services fund surcharge of \$10.00, education fee of \$5.00, fuel cost surcharge \$15.00, and court costs of \$30).

A TRAFFIC SAFETY FUND SURCHARGE OF \$5.00 SHALL BE ADDED for convictions of a *traffic infraction* or *offense*. However, no more than one surcharge shall be assessed per summons, incident, or event. The surcharge shall be imposed on violations on and after July 1, 2017, and regardless of the date of violation shall not be imposed after June 30, 2022.

THE PENALTY ASSESSMENT TO THE FINE SHALL BE INCREASED BY \$50.00 IF THE CITED DRIVER CONTRIBUTED TO THE CAUSE OF AN ACCIDENT.

Unless otherwise indicated, for *traffic infractions* the fine in lieu of proceedings shall be:

Point Violations	Fine
“0” and “1” penalty points	\$35.00
“2” penalty points	\$70.00
“3” penalty points	\$105.00
“4” penalty points	\$140.00
“5” penalty points	\$175.00
“6” penalty points	\$210.00

Fines are doubled for all moving violation in a school zone and doubled for speeding in a construction zone.

Specific *traffic infractions*:

Section	Common	Violation	Points	Fine
237	575	No Seat Belt	0	\$75.00
237	960	No Seat Belt – Passenger	0	\$75.00
236(2)(a)	574	No Child Restraint (<40 lbs. or 4 years)	0	\$100.00
236(2)(b)	577	Child 4-15 Not Restrained	0	\$100.00
1101	004S	Speeding in School Zone 5-9 mph	1	\$70.00
1101	005S	Speeding in School Zone 10-19 mph	4	\$280.00
1101	006S	Speeding in School Zone 20-24 mph (Note: Speeding 25-39 mph is <i>traffic offense</i> and requires a mandatory court appearance)	6	\$420.00
1101	004	Speeding in Construction Zone 5-9 mph	1	\$70.00
1101	005	Speeding in Construction Zone 10-19 mph	4	\$280.00
1101	006	Speeding in Construction Zone 20-24 mph (Note: Speeding 25-39 mph is <i>traffic offense</i> and requires a mandatory court appearance)	6	\$420.00
1407	494	Spilling loads on roadway – load not covered (No injury) - 1407(3)(b)	0	\$150.00
506	713	Trailers and towed vehicles	0	\$75.00

Excess weight above the maximum (L.M.C. 11.04.150(C) & (D)):

507, 508		Wheel and Axle loads, Gross weight of Vehicles and Loads	0	
		Weight Pounds		
		1-3,000		\$20.00
		3,001-4,250		\$34.00

		4,251-4,500		\$68.00
		4,501-4,750		\$75.00
		4,751-5,000		\$82.00
		5,001-5,250		\$89.00
		5,251-5,500		\$102.00
		5,501-5,750		\$116.00
		5,751-6,000		\$130.00
510		Violation for Excess Size and Weight Permit (Traffic Offense)	0	
		Weight Pounds		
		1-2,500		\$68.00
		2,501-5,000		\$137.00
		5,001-7,500		\$274.00
		7,501-10,000		\$548.00
		Over 10,000		\$999.00

The fine amounts should be assessed as to original charges. Law enforcement officers should be familiar with the possible penalties for violations of the Charter and Ordinances of the City of Longmont and be prepared to give explanation to a defendant. Should a defendant choose to come to Court rather than taking advantage of the fine in lieu of proceedings (penalty assessment) as outlined, additional fees and costs may apply.

This Order Regarding Schedule of Fines applies only to fines in lieu of proceedings. For all proceedings that come before the Court, the Court is not bound by this schedule of fines and will sentence defendants according to the penalties, fees, costs, and surcharges as outlined by the Charter and Ordinances of the City of Longmont.

This ORDER replaces all previous ORDERS.

IT IS SO ORDERED.

Dated: October 5, 2018

By the Court,



Hon. Robert J. Frick
Presiding Judge