

**TOWN OF PIERCE, COLORADO
ORDINANCE NO. 2025-05**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PIERCE,
COLORADO, ADDING SECTION 2-4-240 TO THE MUNICIPAL CODE REGARDING
COLLECTION OF UNPAID MUNICIPAL COURT FINES AND COSTS.**

WHEREAS, the Town of Pierce (“Town”) is a statutory municipality governed by its Board of Trustees (“Board”); and.

WHEREAS, the Town operates a qualified municipal court of record with jurisdiction over cases arising under the Town of Pierce Municipal Code and ordinances, and has appointed a Municipal Judge to preside over said court; and

WHEREAS, upon conviction of violations of municipal ordinances or traffic infractions, or failures to appear, the Municipal Judge may sometimes impose penalties including fines, civil penalties, fees, surcharges, court costs, and restitution (collectively referred to as “assessments”); and

WHEREAS, a number of defendants fail to pay such assessments after they are assessed; and

WHEREAS, pursuant to C.R.S. §§ 13-10-113(6) and 18-1.3-506, remedies available to municipal courts for nonpayment of assessments for nonviolent offenses are limited; and

WHEREAS, the Town of Pierce does not have the internal resources or staff capacity to pursue collection of unpaid assessments; and

WHEREAS, the failure of defendants to pay assessed fines results in significant lost revenue and administrative burden to the Town; and

WHEREAS, the Board of Trustees desires to authorize the use of private collection agencies to recover unpaid fines on behalf of the Town; and

WHEREAS, the Board finds that enacting this ordinance is in the best interest of the public health, safety and welfare of residents of the Town of Pierce.

NOW, THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Pierce, Colorado as follows:

Section 1. Collection of Unpaid Municipal Court Charges. Chapter 2, Article 5, Section 2-4-240 of the Pierce Municipal Code is hereby added and reads in its entirety as follows:

2-4-240. – Collection of Unpaid Municipal Court Charges.

In the event a defendant fails to pay any assessment, including but not limited to fine, civil penalty, fee, surcharge, cost, restitution, or other charge imposed by the Municipal Court by the ordered due date, the Town may pursue any lawful method of collection, including but not limited to:

- (a) Remedies provided under C.R.S. § 18-1.3-506; or
- (b) Assignment of any or all unpaid amounts to a private collection agency for recovery. The collection agency or third-party assignee may charge the defendant additional costs of collection as authorized by law, not to exceed twenty-five percent (25%) of the total amount assigned for collection.
- (c) The Town Clerk is authorized to enter into one or more contracts with collection agencies to effectuate the purpose of this section.

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, the remainder of this Ordinance and its application shall not be affected. The provisions of this Ordinance are declared to be severable, and the Board of Trustees affirms that it would have enacted each part of the Ordinance independently of any portion deemed invalid.

Section 3. Safety Clause. The Board of Trustees finds and declares that this Ordinance is enacted under the general police powers of the Town and is necessary for the preservation of public health, safety, and welfare. It is further determined that this Ordinance bears a rational relationship to the proper legislative purpose intended to be achieved.

Section 4. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed, but such repeal shall not affect or revise any previously repealed provisions.

Section 5. Effective Date. This Ordinance shall become effective thirty days after publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED this the 8th day of September, 2025.

ATTESTED:

TOWN OF PIERCE, COLORADO

Tina Duran, Town Clerk

Cathy Ortiz, Mayor