

Chapter 1.08

GENERAL PENALTY AND MUNICIPAL COURT

Sections:

- 1.08.010 General penalty.
- 1.08.020 Costs.
- 1.08.030 Sentencing.

1.08.010 General penalty.

A. It shall be unlawful to violate any provision of the Delta Municipal Code, City ordinances, or any code or regulation adopted by reference. Any person who pleads guilty or nolo contendere or who enters a plea agreement or who, after trial, is found guilty of a violation of any provision of the Delta Municipal Code, any ordinance or any code adopted by reference, may be punished by a fine in an amount not to exceed two thousand six hundred fifty dollars (\$2,650.00) or by imprisonment in jail for a period of not more than three hundred sixty-four (364) days, or by both such fine and imprisonment, unless a lower maximum sentence is specified.

B. Each day of any violation of this Code or of any ordinance shall constitute a separate offense, unless otherwise provided. (Ord. 4, 2022)

1.08.020 Costs. Any person who pleads guilty or nolo contendere or who, after trial, is found guilty of a violation of any provision of this Code shall be assessed court costs. These costs shall not be suspended by the Municipal Court and shall be established by the Municipal Court. (Ord. 4, 2022)

1.08.030 Sentencing. The Municipal Court, except as expressly limited by specified maximum or minimum sentences and costs, shall have the discretion to sentence any person who pleads guilty or nolo contendere or who enters into a plea agreement or who, after trial, is found guilty of a violation of this Code in any lawful manner, including acceptance of deferred sentence and deferred prosecution stipulations, and may suspend all or part of any fine or jail sentence or impose probation for a period not to exceed one (1) year on such terms as the Court deems appropriate. (Ord. 4, 2022)

1.08.040 Juvenile offenders.

A. Any provision of this Code may be enforced upon a juvenile, and the juvenile may be issued a summons and complaint to appear before the Delta Municipal Court.

B. Any juvenile who pleads guilty or nolo contendere or who, after trial, is found guilty of any violation of any provision of the Delta Municipal Code may be punished by a fine and/or imprisonment, provided that the term of imprisonment is no more than ten (10) days, except for traffic offenses.

C. At sentencing, the Municipal Court shall provide the juvenile and any respondent parent or guardian with a written advisement of the right to expungement and the time period and process for expunging the record pursuant to C.R.S. § 13-10-115.5. (Ord. 4, 2022)