

**MANAGEMENT SERVICES
COUNCIL MEMORANDUM #06-2017**

DATE: September 25, 2017

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: James A. Hayes, AICP, City Manager *JH*
Paula Jensen, Director of Management Services *PJ*

SUBJECT: CB-1896 Amending Section 8-2-3 of the Northglenn Municipal Code Regarding the imposition of Court Costs to cover fees associated with sealing records

PURPOSE

City Council is considering an ordinance to approve a sixty five dollar (\$65.00) fee to cover costs associated with sealing records.

BACKGROUND

Said ordinance was approved on first reading on Monday, September 11, 2017.

The General Assembly in the 2017 legislative session adopted certain expedited processes for sealing the criminal records of persons: (1) who were acquitted; (2) whose cases were completely dismissed; (3) who completed a diversion agreement; or (4) who completed a deferred judgment and sentence. HB17-1208 clarifies the process which allows defendants in Municipal Court to ask the court to seal their records immediately, rather than going through the District Court process. In addition to granting the court the authority to seal these records, HB 17-1208 also allows the Municipal Court to propose the sixty five dollar (\$65.00) fee.

BUDGET/TIME IMPLICATIONS

Any fees collected will be put into the Court Costs line item and the money will be placed in the City of Northglenn's general fund. The Court is not anticipating a significant increase in revenues with the passage of this bill.

STAFF RECOMMENDATION

Staff recommends approval of the attached ordinance, allowing the court to follow the guidelines outlined in HB 17-1208 which take effect September 1, 2017.

STAFF REFERENCE

Please contact Paula Jensen, Director of Management Services at pjensen@northglenn.org with any further questions.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1896
Series of 2017

Series of 2017


A BILL FOR AN ORDINANCE AMENDING SECTION 8-2-3 OF THE NORTHGLENN MUNICIPAL CODE REGARDING THE IMPOSITION OF COURT COSTS TO COVER FEES ASSOCIATED WITH SEALING RECORDS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 8-2-3 of the Northglenn Municipal Code is hereby amended by the addition of a new subsection (9) to read as follows:

(9) Sixty-five dollars (\$65.00) upon defendant's request to seal his or her criminal justice record for violations other than convictions.

INTRODUCED, READ AND ORDERED POSTED this 11th day of September, 2017.



JOYCE DOWNING
Mayor

ATTEST:



JOHANNA SMALL, CMC
City Clerk


PASSED ON SECOND AND FINAL READING this ____ day of _____, 2017.

JOYCE DOWNING
Mayor

ATTEST:

APPROVED AS TO FORM:

JOHANNA SMALL, CMC
City Clerk



COREY Y. HOFFMANN
City Attorney