

**TOWN OF SEVERANCE  
ORDINANCE NO. 2025-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,  
COLORADO, AMENDING VARIOUS PROVISIONS WITHIN CHAPTER 8 OF THE  
SEVERANCE MUNICIPAL CODE**

**WHEREAS**, the Town of Severance (“Town”) has enacted parking regulations and vehicle parking enforcement procedures in Chapter 8, “Vehicles and Traffic,” of the Severance Municipal Code (“Code”); and

**WHEREAS**, on February 11, 2025 the Town Council passed Ordinance No. 2025-04 to amend the “Vehicle Parking Enforcement” procedures in Article 4 of Chapter 8 of the Code to implement procedures for the municipal court to enforce violations of the Town’s parking ordinances, rules, and regulations; and

**WHEREAS**, since the Council passed Ordinance No. 2025-04 and the Municipal Court has taken over these tickets it has become necessary to make minor changes to the Code to clarify certain procedures and to provide clarity to the Court and the public regarding parking tickets and procedures; and

**WHEREAS**, this ordinance is enacted pursuant to the Town of Severance’s home rule authority under Article XX, § 6 of the Constitution of the State of Colorado, and pursuant to the Town of Severance’s police powers, in order to safeguard and preserve the public health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:**

Section 1. Section 8-1-390 of the Severance Municipal Code entitled "Section 1701, Traffic offenses and infractions classified – penalties – penalty and surcharge schedule – repeal." is hereby added to read as:

**Sec. 8-1-390. – Section 1701, Traffic offenses and infractions classified – penalties – penalty and surcharge schedule – repeal.**

Section 1701(6) of the Model Traffic Code is hereby repealed in its entirety.

Section 2. Section 8-4-20 of the Severance Municipal Code entitled "Parking violations – civil infractions; trial to municipal court" is hereby amended to read as follows:

**Sec. 8-4-20. Parking violations – civil infractions; trial to municipal court.**

- (a) Notwithstanding any provision to the contrary in this Code, all violations of the parking ordinances, rules, and regulations promulgated by the Town shall be civil matters and not criminal violations. The Colorado Municipal Court Rules shall apply to parking violations, except as provided otherwise in this Chapter.

- (b) ~~Parking violations shall be tried only to the municipal court. The municipal court shall have the discretion to uphold, reduce, or dismiss a parking citation and waive or reduce any fines or costs based on the evidence and arguments submitted before the court.~~
- (e) A defendant brought to trial solely upon a parking violation or violations shall **be tried only to the municipal court and shall** have no right to a trial by jury as contemplated by C.R.S. § 13-10-114, or Rule 223, Colorado Municipal Court Rules, and trial of parking violations shall be to the court. No defendant found liable for a parking violation shall be punished by imprisonment.

Section 3. Section 8-4-30 of the Severance Municipal Code entitled "Citation procedure; commencement of action" is hereby amended to read as follows:

**Sec. 8-4-30. Citation procedure; commencement of action.**

- (a) Whenever any motor vehicle is found parked, standing, or stopped in violation of the parking ordinances or parking rules promulgated by the Town, the citing parking enforcement officer shall note the vehicle's registration number, vehicle identification number, license plate, and any other information concerning the vehicle which will identify its driver or owner. The parking enforcement officer may commence the enforcement of the provisions of this Chapter in any of the following ways:
- (1) A parking citation may be served by leaving it under the windshield wiper or otherwise conspicuously attaching the citation to the vehicle, or handing it to the driver or owner if the driver or owner is present, or mailing it by first class or certified mail to the address of the owner of the vehicle as shown in the motor vehicle ownership records of the state of registration; ~~or~~
  - ~~(2) A summons and complaint may be served on the owner of the vehicle as provided in the Colorado Municipal Court Rules of Civil Procedure.~~
- (b) The parking enforcement officer shall file a copy of the charging document with the municipal court.
- ~~(c) No more than one fine or penalty may be collected for each parking violation.~~

Section 4. Section 8-4-40 of the Severance Municipal Code entitled "Information to be included in parking citation" is hereby amended to read as follows:

**Sec. 8-4-40. Information to be included in parking citation.**

- (a) The form of the parking citation or other charging document shall be determined by the Town, but shall contain in substance the following information:
- (1) A statement that a parking violation has been committed by the owner or operator of the motor vehicle and that the determination shall be final unless contested as provided in this Article;

- (2) A statement that a parking violation may result in impoundment or immobilization of the motor vehicle for which the owner may be liable for a fine and towing, handling, and storage charges or fees;
  - (3) A statement of the specific parking violation(s) for which the citation was issued;
  - (4) A statement of the monetary fine established for the parking violation; and
  - (5) A statement directing the driver to respond to the parking citation by either paying the fine(s) or by appearing in the municipal court on a date, time, and place specified in the citation, and the procedures necessary to exercise each option.
- (b) ~~The parking citation or charging document represents a determination that a parking violation has been committed, and such determination shall be final unless contested as provided in this Article.~~

Section 5. Section 8-4-50 of the Severance Municipal Code entitled "Responsibilities of person who receives citation; liability of vehicle owner" is hereby amended to read as follows:

**Sec. 8-4-50. Responsibilities of person who receives citation; liability of vehicle owner.**

- (a) *Person receiving citation.* Any person who receives a parking citation shall respond to such citation within ten (10) days of the date of the issuance of the citation by either paying the fine set forth in the citation or by appearing before the municipal court on the date and time set forth in the citation.
- (b) *Vehicle owner.* If the owner of a vehicle cited for a parking violation has not responded to or paid the fine(s) in the parking citation within ten (10) days, as provided in this Article, the owner shall be subject to the fines and fees established in accordance with this Article.
- (c) *Owner liable.* The registered owner of a vehicle at the time the violation occurred shall be liable for all unpaid fines and fees.
- (d) ~~*Defense for theft.* It is a specific defense to the liability of the owner that the vehicle was parked or stopped by a thief at the time of the violation.~~

Section 6. Section 8-4-60 of the Severance Municipal Code entitled "Notice and procedure for parking violations" is hereby amended to read as follows:

**Sec. 8-4-60. Notice and procedure for parking violations.**

- (1) (a) In any prosecution regarding a violation of any provision of the Code governing the parking, stopping, or standing of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such parking ordinance or rule promulgated by the Town, ~~together with proof that the defendant named in the complaint was at the time of the issuance of the citation the registered owner of such vehicle,~~ shall constitute an evidentiary *prima facie* presumption that the registered owner of such vehicle was the person who parked or caused or permitted to be placed such vehicle at a location where and for the time during which such violation occurred.

- (2) ~~Any person charged with a parking, stopping, or standing violation under this Code for which a parking citation may be issued and for which payment of a fine may be made to the Town shall have the option of paying such fine within ten (10) days of the date of the issuance of the citation at a place specified in the parking citation upon entering a plea of guilty and upon waiving appearance in court; or may have the option of depositing any required lawful bail, and upon a plea of not guilty shall be entitled to a hearing before the municipal court.~~
- (a) ~~Payment of a parking citation by the person to whom the notice is served shall constitute an acknowledgment of guilt by such person of his or her violation of the offense stated in such notice.~~
  - (b) ~~Payment of the prescribed fine shall be deemed a complete satisfaction for the violation, and the Town clerk of the municipal court or their designee, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.~~
- (3) ~~(b) If the person charged with a violation of any parking, stopping, or standing provision of the Code fails to respond to a parking citation affixed to such vehicle, or served or mailed to him or her, by payment or plea of not guilty in accordance with subsection (2) of this section, the Town clerk of the municipal court or their designee shall send a notice by mail to the registered owner of the vehicle to which the original parking citation was affixed, warning him or her that a default judgment may enter and, in addition, in the event such notice is disregarded for a period of thirty (30) ~~twenty (20)~~ days from the date of mailing, the balance shall be sent to collections, and the vehicle is subject to impoundment ~~or immobilization~~ and the procedures in this Chapter.~~

Section 7. Section 8-4-80 entitled "Establishment of fines and fees; late fee" is hereby enacted to read as follows:

**Sec. 8-4-70. Establishment of fines and fees; late fee.**

- (a) *Amount of fines and fees.* The Municipal Court ~~Town Council~~ shall by ~~resolution~~ establish the amount of all fines and fees prescribed in this Article.
- (b) *Late fee.* Whenever enforcement is initiated by issuance of a parking citation or other charging document, and payment of the fine(s) and fee(s) is not received by the municipal court or the owner or driver does not appear in the municipal court to set a hearing on the citation on the date and time set forth in the citation, the penalty shall be increased by a late fee in an amount to be established by resolution of the Town Council.

Section 8. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 9. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

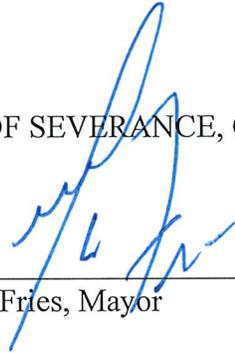
Section 10. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

Section 11. In accordance with Section 6.03(6) of the Town of Severance Home Rule Charter, this ordinance shall be effective thirty (30) days after publication.

Section 12. Violations of this ordinance shall be punishable in accordance with Section 1-4-20 of the Severance Municipal Code.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 9th day of September 2025.

TOWN OF SEVERANCE, COLORADO



Matthew Fries, Mayor

ATTEST:

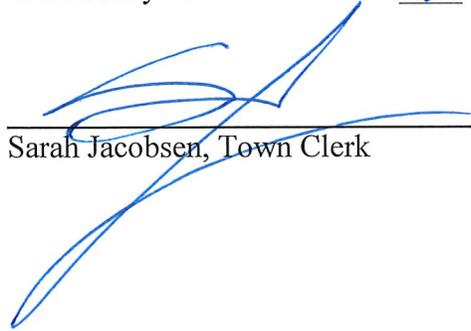
  
Sarah Jacobsen, Town Clerk

**AFFIDAVIT OF PUBLICATION**

STATE OF COLORADO        )  
  )  
COUNTY OF WELD         )

I, Sarah Jacobsen, Town Clerk for the Town of Severance, do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2025-20 enacted by the Town Council on September 9 2025, on the Town of Severance's website, <https://www.townofseverance.org/255/Ordinances>, on September 12, 2025.

Witness my hand and seal this 12 day of September, 2025.

  
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Sarah Jacobsen, Town Clerk

