

TITLE 7
MUNICIPAL COURT

Chapters:

- 7.01 Municipal Court Created
- 7.02 Jurisdiction - Powers - Procedures
- 7.03 Municipal Judges
- 7.04 Clerk of the Municipal Court
- 7.05 Court Facilities and Supplies - Appropriations
- 7.06 Penalty Assessments
- 7.07 Non-criminal Municipal Offenses
- 7.08 Municipal Violations; Penalties
- 7.09 Surcharge, Municipal Code Offenses

CHAPTER 7.01

MUNICIPAL COURT CREATED

Sections:

- 7.01.010 Municipal Court Established
- 7.01.020 Qualified Court of Record

7.01.010 Municipal Court Established. In order to provide a simple and expeditious method for the prosecution of alleged violations of Town ordinances in the Municipal Court, but one which guarantees to the defendant a method of exercising his constitutional rights, the Board of Trustees hereby establishes a Municipal Court for the Town of Collbran, Colorado. (*Source: Ord. No. 107*)

7.01.020 Qualified Court of Record. Whenever the Judge of the Municipal Court of Collbran has been admitted to, and is currently licensed in the practice of law in Colorado, the Municipal Court shall keep a verbatim record of the proceedings and evidence at trial by either

electronic devices or stenographic means, and the Court thus shall be a qualified Municipal Court of record pursuant to the provisions of State law.

CHAPTER 7.02

JURISDICTION - POWERS - PROCEDURES

Sections

- 7.02.010 Jurisdiction
- 7.02.020 Sessions
- 7.02.030 Practice and Procedure

7.02.010 Jurisdiction. The Municipal Court shall have original jurisdiction in all cases arising under the ordinances of the Town, with full power to punish violators thereof by the imposition of such fines and penalties as are prescribed by ordinance or Court rule, and permitted pursuant to State law.

7.02.020 Sessions. There shall be regular sessions of the Municipal Court for the trial of cases. The Municipal Judge may hold a special session of Court at any time. All sessions of Court shall be open to the public, unless otherwise provided by law or Court rule.

7.02.030 Practice and Procedure. The practice and procedure in the Collbran Municipal Court shall be in accordance with the Colorado Municipal Court Rules, as promulgated by the Colorado Supreme Court, and applicable statutes of the State of Colorado. The presiding Municipal Judge of the Court shall have authority to issue local rules of procedure consistent with the rules promulgated by the Supreme Court and State law. (*Source: Ord. No. 107*)

CHAPTER 7.03
MUNICIPAL JUDGES

Sections:

7.03.010	Appointment
7.03.020	Removal from Office
7.03.030	Compensation
7.03.040	Oath

7.03.010 Appointment. The Board of Trustees shall appoint a Municipal Judge, who shall meet the qualifications of the ordinances of the Town and the laws of the State of Colorado. He need not be a resident of the Town of Collbran, Colorado, and, subject to State law, may hold other judicial offices and may practice law. The term of office of the Municipal Judge shall be for a period of two (2) years, beginning with the organizational meeting following the election of members of the Board of Trustees. The Municipal Judge may be reappointed for subsequent terms, and any vacancy in the office of Municipal Judge shall be filled by appointment for the remainder of the unexpired term. The Board of Trustees may appoint such additional Municipal Judges or assistant judges as may be necessary to act in case of temporary absence, sickness, disqualification, or other inability of the presiding Municipal Judge to act. (*Source: Ord. No. 107*)

7.03.020 Removal from Office. The Municipal Judge may be removed during his term of office only for cause, and only after the Judge has been given written notification of the charges against him, and a reasonable opportunity to prepare for a hearing before the Board of Trustees. The Judge may be removed for cause if:

- (a) He is found guilty of a felony or any other crime involving moral turpitude;
- (b) He has a disability which interferes with the performance of his duties, and which is or is likely to become permanent;
- (c) He has wilfully or persistently failed to perform his duties; or
- (d) He is habitually intemperate.

7.03.030 Compensation. The Board of Trustees shall provide by ordinance for the salary of the Municipal Judge. Such salary shall be a fixed annual compensation and payable on

a monthly or other periodic basis. Payment of any fees or other compensation based directly on the number of individual cases handled or heard by the Municipal Judge is prohibited.

7.03.040 Oath. Before entering upon the duties of his office, the Municipal Judge, or any assistant judge, shall take an oath or affirmation that he will support the Constitution of the United States and the Constitution of the State of Colorado and the ordinances of the Town of Collbran, and that he will faithfully perform the duties of his office.

CHAPTER 7.04
CLERK OF THE MUNICIPAL COURT

Sections:

7.04.010	Court Clerk - Established
7.04.020	Appointment
7.04.030	Duties
7.04.040	Compensation
7.04.050	Bond

7.04.010 Court Clerk - Established. There is hereby established the position of Clerk of the Municipal Court. Provided however, the Municipal Judge may serve as ex officio clerk if the business of the Court is insufficient to warrant a separate full-time or part-time clerk. (Source: Ord. No. 107)

7.04.020 Appointment. The Clerk of the Municipal Court shall be appointed by the presiding Municipal Judge.

7.04.030 Duties. The Clerk of the Municipal Court shall have such duties as are delegated to him by ordinance, Court rule, or by the presiding Municipal Judge. The Clerk shall file monthly reports with the Town Clerk of all fines and costs collected or received by the Municipal Court, and on the last day of each month shall pay to the Town Treasurer said fines and costs which shall be deposited in the general fund of the Town.

7.04.040 Compensation. The Board of Trustees shall provide by ordinance for the salary of the Clerk of Municipal Court, except that if the Municipal Judge serves as ex officio clerk, he shall not receive any additional compensation.

7.04.050 Bond. The Clerk of the Municipal Court shall give a performance bond in the sum of two thousand dollars (\$2,000.00) to the Town. The performance bond shall be approved by the Board of Trustees and be conditioned upon the faithful performance of his duties, and for the faithful accounting for, and payment of, all funds deposited with or received by the Court. When the Municipal Judge serves as ex officio Clerk of the Municipal Court, he shall execute the performance bond required by this Section.

CHAPTER 7.05
COURT FACILITIES AND SUPPLIES - APPROPRIATIONS

Sections:

- 7.05.010 Court Facilities and Supplies.
- 7.05.020 Appropriations.

7.05.010 Court Facilities and Supplies. The Board of Trustees shall furnish the Municipal Court with suitable courtroom facilities and sufficient funds for the acquisition of all necessary books, supplies, and furniture for the proper conduct of the business of the Court. In order to carry out the provisions of this Section, the Board of Trustees may locate Court facilities outside of the Town of Collbran, or outside Mesa County, if such facilities are in reasonable proximity to the municipality and the Board of Trustees determines that suitable facilities cannot be provided within the Town. (*Source: Ord. No. 107*)

7.05.020 Appropriations. The Board of Trustees shall, on an annual basis, budget and appropriate funds to pay the annual salary of the Municipal Court Judge, the salary of the Municipal Court Clerk, together with the other expenses as may be necessary for the proper operation of the Municipal Court.

CHAPTER 7.06
PENALTY ASSESSMENTS

Sections:

- 7.06.010 Penalty Assessment Procedure
- 7.06.020 Penalty Assessment Schedule for Criminal Offenses

7.06.010 Penalty Assessment Procedure. In order to provide for the expeditious handling of certain minor criminal offenses and non-criminal municipal offenses, the Collbran Municipal Court is authorized to accept penalty assessment fines and penalties in accordance with the provisions of this Chapter. This Chapter shall not be construed as limiting or otherwise modifying the Model Traffic Code, adopted by reference by the Town of Collbran.

(a) At the time that any person is arrested or charged for the commission of a criminal offense set forth pursuant to Section 7.06.020 of the Collbran Municipal Code, or as set forth pursuant to Court Order, the arresting officer may offer to give a Penalty Assessment Notice to the defendant. If any person is charged with a non-criminal municipal offense as set forth in Chapter 7.07, the citing officer shall issue a Penalty Assessment Notice to the Defendant. This Notice shall be made by notation upon the Summons and Complaint issued in conformance with law.

(b) If a person charged with a criminal offense does not possess a valid Colorado driver's license, such person, in order to secure release, as provided in this Chapter, must give his written acknowledgment of guilt or give his written promise to appear in Court by signing the Penalty Assessment Notice prepared by the charging officer. Should the person to whom the Penalty Assessment Notice is tendered accept the Notice by acknowledging his guilt in writing, said acceptance shall constitute a promise on such person's part to pay the fine or penalty specified in the schedule issued pursuant to Section 7.06.020 of the Collbran Municipal Code, or specified in a schedule issued by Court Order, for the violation involved at the office of the Clerk of the Collbran Municipal Court, Collbran, Colorado, either in person or by mail within ten (10) days of the date of issuance. Any person who accepts a Penalty Assessment Notice for a criminal violation, by acknowledgment of guilt, but who does not furnish satisfactory evidence of identity, or who the officer has reasonable and probable grounds to believe will disregard a written promise to pay the specified fine may be taken by the officer to the nearest post office facility, and required to remit the amount of the specified fine to the Town of Collbran immediately by mail in United States currency or legal tender, or by money order, or personal check. Refusal or inability to remit the specified fine by mail when required shall constitute a

refusal to accept a Penalty Assessment Notice, by acknowledgment of guilt.

Should a person cited for a criminal violation refuse to give his written acknowledgment of guilt or give his written promise to appear in Court by signing the Penalty Assessment Notice, the officer shall proceed to issue a Summons in accordance with Colorado law. Should such person accept the Notice, by acknowledgment of guilt, but fail to pay the prescribed penalty within ten (10) days thereafter, the Notice shall be construed to be a Summons and Complaint, and the prosecution for said violation shall thereafter be heard in the Collbran Municipal Court, in which event such person shall be privileged to answer the charge made against him in the same manner as if he had not been tendered a Penalty Assessment Notice. In such event, the maximum penalty which may be imposed may exceed the penalty assessment amount.

(c) If the person cited for a criminal violation does possess a valid Colorado driver's license, the person shall not be required to give his written acknowledgment of guilt or written promise to appear on the Penalty Assessment Notice. For the purposes of this Chapter, tender by an arresting officer of the Penalty Assessment Notice to such a person shall constitute notice to the violator to appear in Court at the time specified on such Notice or to pay the required fine. Should such arrested person fail to pay the prescribed penalty within ten (10) days thereafter, the Notice shall be construed to be a Summons, and the prosecution for said violation shall thereafter be heard in the Collbran Municipal Court, in which event such person shall be privileged to answer the charge made against him in the same manner as if he had not been tendered a Penalty Assessment Notice. In such event, the maximum penalty which may be imposed may exceed the penalty assessment amount.

(d) Payment of the prescribed penalty assessment within ten (10) days shall be deemed a complete satisfaction for the violation. Checks tendered by the violator to, and accepted by the Municipal Court, and upon which payment is received by the Municipal Court, shall be deemed sufficient receipt.

(e) Penalty Assessment Notices issued for non-criminal violations shall be in accordance with Section 7.07.020 of this Title.

(f) Nothing contained herein shall be construed as requiring a law enforcement officer to issue a Penalty Assessment Notice for a criminal violation. Penalty Assessment Notices for criminal violations shall not be issued in the event of an offense involving property damage, injury to any person, or in the event the complaint is made by a private party. Penalty Assessment Notices shall be issued in all cases involving non-criminal violations. (*Source: Ord. No. 176*)

7.06.020 Penalty Assessment Schedule for Criminal Offenses. A penalty assessment schedule for criminal offenses may be established by the Collbran Board of Trustees. In the event the Board of Trustees has not established such a schedule, the Court, by order of the Court may promulgate such a schedule. (*Source: Ord. No. 176*)

CHAPTER 7.07
NON-CRIMINAL MUNICIPAL OFFENSES

Sections:

- 7.07.010 Non-criminal Municipal Offenses - Designated
- 7.07.020 Non-criminal Municipal Offenses - Procedure

7.07.010 Non-criminal Municipal Offenses - Designated. (a) Any person who violates any of the following designated provisions of the Collbran Municipal Code shall be deemed to have committed a non-criminal municipal offense:

(1) Any provision contained in the Model Traffic Code, as adopted by reference by the Town of Collbran, except the following:

- (i) Section 1903 - Stopping for School Buses;
- (ii) Section 1101 (2) - Speeding (If the alleged violator is accused of exceeding the prima facie speed limit by more than 19 miles per hour);
- (iii) Section 1101 (3) - Special Hazards (If the alleged violation has caused, or contributed to the cause of, an accident resulting in appreciable damage to property of another or an injury or the death to any person);
- (iv) Section 1105 - Speed Contest;
- (v) Section 1401 - Reckless Driving;
- (vi) Section 1402 - Careless Driving (If the violation has caused, or contributed to the cause of, an accident resulting in appreciable damage to property of another or an injury or death to any person);
- (vii) Section 1413 - Eluding or Attempting to Elude a Police Officer; and
- (viii) Any other offense contained in the Model Traffic Code resulting in

an accident causing personal injury or substantial property damage.

(Source: Ord. No. 176; Amended: Ord. No. 219)

(2) Any violation contained in Chapter 8.02 and Chapter 8.04. (If the alleged violation is the first violation of the alleged violator within twelve (12) consecutive months).

(3) Section 10.02.020, Annual Vaccination and Licensing Required.

(4) Section 10.02.030, Certificate of Vaccination and Rabies Tags.

(5) Section 10.02.040, Dog Licenses and Tags.

(6) Section 10.02.060, Running at Large Prohibited. (If the alleged violation is the alleged violator's first offense within twelve (12) consecutive months).

(7) Section 10.02.070, Leaving Unattended Dog.

(8) Section 10.02.150, Animal Disturbances. (If the alleged violation is the alleged violator's first offense within twelve (12) consecutive months).

(9) Section 10.03.010, Certain Animals Prohibited. (If the alleged violation is the alleged violator's first offense within twelve (12) consecutive months).

(10) Section 10.03.020, Fowl Running at Large Prohibited. (If the alleged violation is the alleged violator's first offense within twelve (12) consecutive months).

(11) Section 10.03.030, Fowl Disturbances. (If the alleged violation is the alleged violator's first offense within twelve (12) consecutive months).

(12) Section 11.22.010, Curfew for Minors. (If the alleged violation is the alleged violator's first offense within twelve (12) consecutive months).

(13) Section 11.26.030(a), Purchase of Alcoholic or Fermented Malt Beverages by Minors Prohibited.

(14) Section 11.26.040, Unlawful Possession or Consumption of Alcohol by an Under Age Person.

(15) Section 11.26.050(a), Possession of Marijuana Prohibited (Not openly

displayed or consumed).

(16) Section 11.22.040(b), Unlawful Possession or Use of Tobacco Products by Minors.

(b) Every person who is convicted of, who admits liability for, or against whom a judgment is entered for, a non-criminal municipal offense shall be penalized by imposition of a penalty in an amount not less than five dollars (\$5.00) and not greater than **five hundred dollars (\$500.00)**. The Presiding Judge of the Municipal Court shall promulgate a schedule of penalties for all non-criminal municipal offenses set forth in this Section. Said schedule shall be prominently posted in the office of the Municipal Court Clerk. (*Ord. 01, Series 2010*)

7.07.020 Non-criminal Municipal Offenses - Procedure. (a) Pursuant to Section 16-10-101, C.R.S., and Section 16-10-109, C.R.S., the right of a trial by jury shall not be available at a hearing where the cited person is charged with a non-criminal municipal offense. In addition, no person charged with a non-criminal municipal offense shall be afforded the right of Court appointed counsel.

(b) The Colorado Municipal Court Rules of Procedure shall apply to any hearing where the cited person is charged with a non-criminal municipal offense, unless any of the rules are clearly inapplicable. The burden of proof shall be upon the People, and the Court shall dismiss charges against an alleged violator if the alleged violator is not proven to be liable beyond a reasonable doubt.

(c) An appeal from final judgment on a non-criminal municipal offense shall be made in accordance with Rule 237 of the Colorado Municipal Court Rules of Procedure.

(d) Except as otherwise provided in this Section, no person against whom a judgment has been entered for a non-criminal municipal offense shall collaterally attack the validity of that judgment unless such attack is commenced within three (3) months after the date of entry of the judgment. The only exceptions to such time limitations shall be:

(1) A case in which the Court entering judgment did not have jurisdiction over the subject matter of the alleged non-criminal municipal violation;

(2) A case in which the Court entering judgment did not have jurisdiction over the person of the violator;

(3) Where the Court finds by the preponderance of the evidence that the

failure to seek relief within the applicable time period was caused by an adjudication of incompetence or by commitment of the violator to an institution for treatment as a mentally ill person; or

(4) Where the Court finds that failure to seek relief within the applicable time period was the result of circumstances amounting to justifiable excuse or excusable neglect.

(e) At any time that a person is cited for the commission of any non-criminal municipal offense, the citing officer shall give a notice to such person, which notice shall be in the form of a Penalty Assessment Notice.

(f) The Penalty Assessment Notice tendered by the citing officer shall contain the name and address of the alleged violator, the license number of the vehicle involved, if any, the number of such persons driver's license if applicable, the nature of the offense, the amount of the penalty prescribed for such offense, the date of the Notice, the time and place and when and where such person shall appear in Court in the event such penalty is not paid, and a place for such person to execute and sign the acknowledgment of liability and an agreement to pay the penalty prescribed within ten (10) days, as well as such other information as may be required by law to constitute such Notice as a Summons and Complaint to appear in Court, if the prescribed penalty is not paid within the time period.

(g) One (1) copy of the Notice shall be given to the violator by the citing officer.

(h) The time specified in the Notice to appear shall be at least fourteen (14) days, but not more than forty-five (45) days after such citation, unless the person cited shall demand an earlier hearing.

(i) Whenever the alleged violator refuses to sign or accept the Penalty Assessment Notice, tender of such Notice by the citing officer to the alleged violator shall constitute service of a Summons and Complaint.

(j) If an alleged violator is cited for a non-criminal municipal offense, he shall be privileged to answer the Complaint made against him in the manner provided in the Colorado Municipal Court Rules and Procedure. The maximum penalty which may be imposed shall not exceed the penalties set forth in the Penalty Assessment Notice.

(k) In the event a person who has been cited for a non-criminal municipal offense fails to pay the Penalty Assessment Notice, he shall make an appearance and answer the Complaint against him. If the alleged violator answers that he is liable, judgment shall be entered against him and he shall be assessed the appropriate penalty and applicable Court costs.

If the alleged violator denies the allegations in the Complaint, a final hearing on the Complaint shall be held within the time period prescribed in Rule 248 of the Colorado Municipal Court Rules of Procedure. If the alleged violator fails to appear for a final hearing, judgment shall be entered against him, and he shall be assessed the appropriate penalty and applicable Court costs.

(l) In the event a person who has been cited for a non-criminal municipal offense fails to pay the penalty assessment within the time period specified in the Penalty Assessment Notice and fails to appear at the time and place specified in the Notice, judgment shall be entered against him and he shall be assessed the appropriate penalty and Court costs.

(m) Whenever the Judge of the Municipal Court imposes a monetary penalty for a non-criminal municipal offense, if the person who committed the offense is unable to pay the amount at the time of the Court hearing or if he fails to pay any penalty imposed for the commission of such offense within the time permitted by the Court, in order to guarantee the payment of such penalty, the Municipal Judge may compel collection of the penalty in the manner provided in Section 18-1-110, C.R.S.

(n) An officer coming upon an unattended vehicle which is an apparent violation of any provision of the Model Traffic Code may place upon the vehicle a Penalty Assessment Notice indicating the non-criminal traffic offense and directing the owner/operator of the vehicle to remit the penalty assessment to the Municipal Court within ten (10) days. If the penalty assessment is not paid within ten (10) days of the issuance of such Notice, the Court shall mail a Notice to the registered owner of the vehicle, setting forth the non-criminal traffic offense and the time and place where it occurred and directing the payment of the penalty assessment within twenty (20) days from the issuance of the Notice. If the penalty assessment is not paid within such twenty (20) days from the date of mailing of such Notice, the Court shall request the officer who issued the original Penalty Assessment Notice to file a Complaint with the Court and serve upon the registered owner of the vehicle a Summons to appear in Court at a time and place specified therein.

(o) The provisions of this Section shall not apply when it appears the alleged violator has, in the course of the same transaction, violated one (1) of the provisions referred to in Section 7.07.010, and has also committed one (1) or more criminal offenses and the charging officer charges such alleged violator with two (2) or more violations, any one of which is not a non-criminal municipal offense.

CHAPTER 7.08
MUNICIPAL VIOLATIONS; PENALTIES

Sections:

- 7.08.010 General Penalties
- 7.08.020 Juvenile Offenders - Penalty

7.08.010 General Penalties. (a) Any person who performs or fails to perform an act where performance or failure to perform is declared in any provision of this Code or any rule or regulation promulgated thereunder to be unlawful or an offense or misdemeanor, or any person who performs an act which is prohibited or fails to perform an act which is required by any provision of this Code or any rule or regulation promulgated thereunder, or any person who fails to meet a standard of conduct or behavior prescribed in any provision of this Code for which no specific penalty is provided, upon conviction thereof shall be punished as provided in subsection (b) of this Section. (*Source: Ord. No. 107*)

(b) Any person convicted for the violation of a criminal offense contained in this Code or any rule or regulation promulgated thereunder shall be punished by a fine of not more than one thousand dollars (\$1,000.00), by imprisonment in jail for a period not exceeding one (1) year, or by both such fine and imprisonment, unless otherwise provided in this Code. Any person found liable for the violation of a non-criminal municipal offense contained in this Code, or any rule or regulation promulgated thereunder, shall be punished by a penalty of not more than **Five Hundred Dollars (\$500.00)**. (*Source: Ord. No. 176*). (*Ord. 01, series 2010*)

(c) A separate and distinct offense shall be deemed to have been committed for each day on which any violation of this Code or of any rule or regulation promulgated thereunder shall continue. (*Source: Ord. No. 107*)

7.08.020 Juvenile Offenders - Penalty. (a) For the purposes of this Section, a "minor offender" shall be defined as any person accused of an offense contrary to this Code who, on the date of the alleged offense, was at least ten (10) years of age, but had not yet attained the age of eighteen (18) years.

(b) Except as to alleged violations of the Model Traffic Code, as adopted by reference by the Town of Collbran, any minor offender convicted of a violation of this Code, or any rule or regulation promulgated thereunder, shall be punished by a fine of not more than one thousand dollars (\$1,000.00), unless provided otherwise by the specific section alleged to have been violated. Notwithstanding any provision in this Code to the contrary, a minor offender shall not

be subject to imprisonment, except as herein provided. As to minor offenders alleged to have violated any provision of the Model Traffic Code, as adopted by reference by the Town of Collbran, such person shall, upon conviction, remain subject to the general penalty provided in this Code as to any violation of the Model Traffic Code. (*Source: Ord. No. 167*)

(c) Nothing contained herein shall be construed to abrogate, abolish or otherwise limit the power of the Municipal Court to punish any person before it for "Contempt of Court", whether by failure to obey a summons, subpoena, or other lawful order of the Court, or by personal conduct before the Court. Any person found guilty of such contempt, whether a minor offender or adult, shall be punished as provided in this Code, or as permitted by State law. (*Source: Ord. No. 107*)

(d) The Presiding Judge of the Municipal Court may promulgate such rules or orders regarding the procedural processing of minor offenders appearing before the Municipal Court as he may, from time to time, deem appropriate.

CHAPTER 7.09
SURCHARGE, MUNICIPAL CODE OFFENSES

Sections:

7.09.010 Surcharge

7.09.010 Surcharge. (a) A surcharge equal to the greater of **twenty-five dollars (\$25.00) or twenty percent (20%)** of the fine imposed for violation of all municipal ordinances of the Town of Collbran, except parking violations, is hereby levied on each Municipal Court action resulting in a conviction or in a Deferred Judgment and Sentence, which municipal ordinance violation is charged pursuant to the Town of Collbran ordinances. This surcharge shall be levied against all violations charged pursuant to a Summons and Complaint, a Complaint, or a Penalty Assessment Notice. All calculated surcharge amounts resulting in dollars and cents shall be rounded down to the nearest whole dollar. If a portion of the fine is suspended, a proportionate amount of the surcharge levied shall also be suspended but, in no event, shall the surcharge be reduced to an amount less than **twenty-five dollars (\$25.00)**. If the suspension of the fine is thereafter revoked, the surcharge shall be reimposed on the total amount of the fine imposed. (*Source: Ord. No. 139) (Ord. 01, series 2010)*

(b) The surcharges levied pursuant to this Chapter are separate and distinct from any and all other costs, fines, and fees, assessed or levied by the Municipal Court.

(c) The surcharge levied by this Chapter shall be paid to the Clerk of the Municipal Court by the defendant. The surcharge levied against the defendant shall be collectible by the Court in a like manner as all other costs, fines, and fees.

(d) All monies collected pursuant to this Chapter shall be deposited in the general fund account of the Town and are intended to be allocated by the Town for Municipal Court purposes, including, but not limited to, purchase of equipment and training programs.

(e) The Town Board will accept and evaluate application for the use of said monies submitted by the Court of the Town from time to time. Any request for expenditures of said monies shall be designated as a request for Municipal Court assistance funding and any approval of an appropriation for the expenditures of said monies shall be specifically designated as an appropriation for the expenditures of said monies and shall be specifically designated as an appropriation from the Municipal Court assistance fund of the Town.