



To: Minturn Town Council
From: Cindy Krieg, Court Clerk
Date: April 26, 2024
Agenda Item: Resolution No. 18-2024, A Resolution setting the fee for engine compression braking (jake braking) within the Town of Minturn

INTRODUCTION:

The Town of Minturn previously adopted Ordinance No. 05-2015, establishing that it is unlawful for any person to use an engine compression brake device within the Town of Minturn, except for the aversion of imminent danger to person or property.

At the time of adoption, a fee was not established so this violation has been unenforceable within Minturn Municipal Court.

The recommended fine for this infraction, per Colorado Revised Statutes (C.R.S. 42-4-225) is \$500.

REQUEST:

In order to be able to enforce this section of Town code (8-1-30 (b)(4)), Town staff is requesting to set the fine in accordance with C.R.S. guidelines.

ANALYSIS:

Staff has discussed the need for this proposed change with Eagle County Sheriff's Office, and they are prepared to enforce this once a fee is established.

BUDGET / STAFF IMPACT:

This would allow citations of this infraction to be written into Minturn Municipal Court. While this would provide some additional revenue, the goal of implementing this fine is to deter the behavior and avoid engine braking from occurring within Town limits.

STRATEGIC PLAN ALIGNMENT:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

LONG TERM STEWARDSHIP OF THE NATURAL BEAUTY AND HEALTH OF MINTURN'S ENVIRONMENT