
Sec. 1-20-10. Applicability; notice required.

Whenever necessary to ~~enter upon any building, property or premises make an inspection~~ to enforce any of the provisions of this Code or the ordinances of the City, or whenever the City Manager, ~~or any other authorized official of the City, including members of the Department Designee of the City Manager, Director of Utilities, Director of Public Works, Chief Building Official, Code Enforcement and the Police Department~~ a police officer, community services officer, or other code compliance specialist, shall have ~~has~~ reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a nuisance, ~~any authorized official of the City may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon any of them. However, if such building or premises are occupied, such person~~ City employee shall first present proper credentials and demand ~~request~~ entry, ~~and if such building or premises are unoccupied, such person shall first make a reasonable effort to locate the owner, occupant or other person having charge or control of the building or premises and, upon locating said owner, occupant or other person shall present proper credentials and demand entry. If entry is refused, such person~~ the City employee shall give the owner or occupant ~~responsible party~~ a written notice of intent to inspect not sooner than twenty-four (24) hours after the time specified in the notice, or if ~~said owner or occupant~~ the responsible party cannot be located after a reasonable effort, ~~such person shall leave at the building or~~ the City employee shall post the notice upon a conspicuous place upon the premises, ~~a written notice of intention to enter upon said property after the expiration of twenty-four (24) hours or as provided by ordinance. The notice shall state that the responsible party has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of a search warrant by a municipal judge of the City, or by a judge of any other court having jurisdiction.~~

Sec. 1-24-30. Restitution.

In the event any violation of this Code involves injury to any person or destruction or damage to any property, the Municipal Court shall give consideration to suspension of all or part of any penalty for such violation with a corresponding condition that restitution shall be required of any person so convicted, and/or the parent or guardian or any minor defendant pursuant to Section 2-16-80 of this Code, as it may be amended, to be made to any victim of such destruction, damage or injury.

- (1) Every order of conviction in the Municipal Court shall include consideration of restitution. Each such order shall include one (1) or more of the following:
 - a. An order of a specific amount of restitution to be paid by the defendant and/or the parent or guardian of a minor defendant pursuant to Section 2-16-80 of this Code, as it may be amended;
 - b. An order that the defendant and/or the parent or guardian of a minor defendant pursuant to Section 2-16-80 of this Code, as it may be amended, are is obligated to pay restitution, but that the specific amount of restitution ~~shall be is~~ determined within ~~the ninety (90)~~ sixty-three (63) days following the prosecuting attorney's submission of restitution information presented to the Court as required by subsection (2)(a) of this section, or within the sixty-three (63) days immediately following the order of conviction, whichever is later, unless good cause is shown for extending the time period by which the restitution amount ~~shall be is~~ determined;
 - c. An order, in addition to or in place of a specific amount of restitution, that the defendant and/or the parent or guardian of a minor defendant pursuant to Section 2-16-80 of this Code, as it may be amended, pay restitution covering the actual costs of specific future treatment of any victim of the crime; or
 - d. Contain a specific finding that no victim of the crime suffered a pecuniary loss and therefore no order for the payment of restitution is being entered.

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- (2) The Court shall base its order for restitution upon information presented to the Court by the prosecuting attorney, who shall compile such information through victim impact statements or other means to determine the amount of restitution and the identities of the victims. Further, the prosecuting attorney shall present this information to the Court prior to the order of conviction or within ~~ninety (90)~~sixty-three (63) days, if it is not available prior to the order of conviction. The Court may extend this date if it finds that there are extenuating circumstances affecting the prosecuting attorney's ability to determine restitution.
- (3) Any order for restitution may be:
- a. Increased if additional victims or additional losses not known to the judge or the prosecutor at the time the order of restitution was entered are later discovered and the final amount of restitution due has not been set by the Court; or
 - b. Decreased:
 1. With the consent of the prosecuting attorney and the victim or victims to whom the restitution is owed; or
 2. If the defendant has otherwise compensated the victim or victims for the pecuniary losses suffered.
- (4) a. Any order for restitution entered pursuant to this Section shall be a final civil judgment in favor of the City and/or any victim. Notwithstanding any other civil or criminal statute or rule, any such judgment shall remain in force until the restitution is paid in full.
- b. The entry of an order for restitution under this Section creates a lien by operation of law against the defendant's and/or parent's or guardian's personal property and any interest that the defendant may have in any personal property.
 - c. Any order of restitution imposed shall be considered a debt for "willful and malicious" injury for purposes of exceptions to discharge in bankruptcy.
 - d. If more than one defendant, including the parent or guardian of a minor defendant, owes restitution to the same victim for the same pecuniary loss, the orders for restitution shall be joint and several obligations of the defendants and/or parents.

Sec. 2-16-100. Contempt of court; penalty.

It is unlawful for any person to be in contempt of the Brighton Municipal Court ~~or to fail to obey a lawful notice to appear before the Municipal Court,~~ and any person found by the Municipal Court to be in violation of this ~~Article~~ Section shall be punished by a fine of not more than three hundred dollars (\$300.00), ~~or by~~ imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.