



# Brighton Municipal Code Updates: Right of Entry, Failure to Appear, and Restitution

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CITY COUNCIL MEETING – December 2, 2025

City Staff Representative:

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Department:

# Purpose

To update the *Brighton Municipal Code* with respect to right of entry, municipal court failure to appear, and municipal court restitution to better align with State statutory requirements.



# Article 1-20-10: Right of Entry for Inspection; Applicability, notice

Current Code	U.S. Constitution	Proposed Update
Allows entry into private property without a warrant.	Prevents unreasonable searches and seizures of private property.	Law enforcement and/or City employee can only enter private property if a warrant supported by probable cause has been signed by a judge or if a lawful exception to the warrant requirement exists.

# Article 2-16-100: Contempt of Court; penalty

Current Code	State Law	Proposed Update
Allows persons to be charged with contempt for failing to appear for certain municipal court hearings.	SB 25-062, signed April 17, 2025, prohibits municipal courts from charging a person for failing to appear for certain hearings.	Remove failure to appear as a sole basis for a person to be charged in municipal court.

# Article 1-24-30: Restitution

Current Code	State Law	Proposed Update
Deadline for requesting and entering an order for restitution is 90-days immediately following the conviction order.	HB 25-1304, signed May 30, 2025, changed the deadline to request restitution to 63-days following the conviction order and changed the court's deadline to enter an order within 63-days following receipt of the request.	Mimic the state law and change the deadline to request restitution within 63-days following the conviction order and change the court's deadline to enter an order within 63-days following the receipt of request for restitution.

# Options for Council

- Approve the Ordinance.
- Reject the Ordinance.
- Provide further guidance.

*Staff recommends approving the Ordinance as presented.*

# Questions?

