

Response to Citizen Questions Regarding Municipal Court Sentencing for Thornton LLC Code Violations
March 23, 2021

At the January 20, 2021 sentencing hearing in Municipal Court, Judge Rose continued sentencing until May 12, 2021 in order to give Thornton, LLC additional time to correct the site's code violations. Concerned citizens asked for clarifying information:

1. What rationale did Judge Rose give for delaying sentencing for Jay Brown?

In an effort to not speak for Judge Rose, I believe the following excerpts from the hearing provide Judge Rose's rationale:

"I want to give the LLC the opportunity to complete these renovations, if that's possible."

"I don't see at this point, I'm not saying that it won't change, but I won't say at this point that I think imposing a punitive sanction is going to be appropriate, because I don't believe that these citizens and the neighbors of that property they sincerely just want that property to remain in its state of disrepair. It's better, but as it still is now, because, if I impose that kind of punitive sanction at this point, it isn't going to change anything. And I can't really believe that that's what the citizens of south Thornton want. It's not going to change."

"What I think is the most beneficial thing to do is to allow the LLC, based upon the presentations here today, to show good faith, and go forward and try to get to the point where the roofing, and the concrete, and the demolition is all taken care of."

"The fact is that we seem to be certainly closer than we have ever been before, so if we've come – the LLC I should say – if the LLC has come roughly two-thirds of the way up to code in all aspects, in all respects, then it would seem to behoove all of us to allow the LLC to follow through on what it's representing today."

"I'm not discounting the possibility of a very punitive sanction in the future."

"Because it appears that there has been that kind of substantial movement [toward remediation] at this point it would seem to me to be somewhat ridiculous to me to say 'okay, sorry you're on the way but we're just going to stop you in your tracks and dump a fine on you and therefore just let everything remain as is.'"

The January 20, 2021 sentencing audio can be accessed here: [Jay Brown Code Enforcement Files](#)

2. What is the status for the hearing date? I heard that it has been postponed again until May. Is that correct?

The second sentencing hearing is scheduled for May 12, 2021 at 8:00 a.m.

3. What is the status of the next round of violations in regards to court processes? Code enforcement informed us that there was a next wave of violations that Jay Brown had not addressed that were headed to court.

Thornton LLC was charged with three violations related to surfacing and potholes in the Thornton Shopping Center parking lot, and is in the process of repairing those violations. Those violations are not related to the existing case mentioned above, and if the repairs are completed the violations will be

dismissed. After the current case has been resolved, the City will inspect the property for further code violations and, if necessary, issue appropriate summons.