ORDINANCE NO. 620

AN ORDINANCE AMENDING SECTION 9-112, ENTITLED " COURT COSTS", OF THE CITY CODE OF THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS, AND REPEALING IN ITS ENTIRETY ORDINANCE NO. 538, ENTITLED "AN ORDINANCE AMENDING CERTAIN MUNICIPAL COURT COSTS".

WHEREAS, after due consideration, the City Council of the City of Basehor desires to amend and update Section 9-112 of the City Code of the City of Basehor, Kansas; and

WHEREAS, it is also necessary to repeal Ordinance No. 538, as it conflicts with Section 9-112 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASEHOR, KANSAS AS FOLLOWS:

Section 1. That Section 9-112 of the City Code of the City of Basehor, Kansas, shall be amended with the addition of the underlined text and deletion of the stricken text set forth in the pertinent existing section set forth herein:

9-112 COURT COSTS. (a) For any traffic offense, which results in a conviction, diversion or amendment, the costs to be assessed by the Municipal Court shall be ~~thirty five dollars ($35.00)~~ forty five dollars ($45.00).

(b) For any offense listed in the public offense code, duly passed, approved and adopted by the governing body, the costs to be assessed by the Municipal Court shall be ~~thirty-five dollars ($35.00)~~ forty five dollars ($45.00).

(c) For any other municipal offense, the costs to be assessed by the Municipal Court shall be ~~thirty-five dollars ($35.00)~~ forty five dollars ($45.00).

(d) The costs set forth in Section ~~(1), (2) and (3)~~ (a), (b), and (c) shall be in addition to any fines, forfeitures or penalties imposed by the municipal court judge.

~~(e) In accordance with KSA 12-4117, m Moneys received from court costs levied and moneys received from any fines, forfeitures, or penalties imposed by the municipal court judge shall be deposited in the general fund money market account. Therefore shall be paid to the treasurer of the State of Kansas $19.50 for every conviction. The remainder of moneys received from court costs and fines, forfeitures, and penalties shall be paid to the general fund of the city, and expended therefore as governing body shall deem necessary and prudent. (Ord. 495, Sec. 1; Ord. 399; Code 2007)~~

(e~~f~~) If a Kansas drivers' license is suspended through the Municipal Court, an additional sum of fifty nine dollars ($59.00), along with a twenty two dollar ($22.00) judicial branch surcharge, shall be imposed for drivers' license reinstatement, to be paid to the treasurer of the State of Kansas. Any out of state driver's license which is suspended through Municipal Court shall not be assessed the Kansas reinstatement fee. The remainder of moneys received from

court costs and fines, forfeitures and penalties shall be paid to the general fund of the City of Basehor, and expended as the governing body shall deem necessary and prudent.

(~~f~~g) Any defendant who has been sentenced to serve jail time by the Municipal Court shall be assessed a fee per day for time spent in the Leavenworth County jail as set by the Leavenworth County sheriff's office.

(~~g~~h) A fee of two hundred and fifty dollars ($250.00) will be imposed for community corrections supervision for defendants charged with driving under the influence ("DUI").

Section 2. That Ordinance 538 be repealed in its entirety.

Section 3. That all other ordinances or parts of ordinances in conflict with the provisions of the ordinance shall be and are hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED by the Governing Body this 19th day of November, 2012.

APPROVED by the Mayor this 19th day of November, 2012.

[SEAL]

SEAL OF THE CITY OF BASEHOR, KANSAS
CORPORATE SEAL

David K. Breuer, Mayor

ATTEST:

Corey Swisher, City Clerk

APPROVED AS TO FORM:

Shannon M. Marcano, City Attorney