

(Summary First Published in the Times-Sentinel
on the 30 day of June, 2016)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1012

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF COURT COSTS AND FEES WITHIN THE CLEARWATER MUNICIPAL COURT BY RESOLUTION OF THE GOVERNING BODY OF CLEARWATER, KANSAS BY AMENDING SECTION 1.24.012 OF THE CLEARWATER, KANSAS MUNICIPAL CODE.

WHEREAS, on September 15, 1981, the governing body of the City of Clearwater, Kansas adopted Charter Ordinance Number 6 exempting the City of Clearwater, Kansas from the provisions of K.S.A. 12-4112 concerning municipal court costs and fees; and

WHEREAS, Section 2 of said City of Clearwater, Kansas Charter Ordinance Number 6 adopts Section 1.24.011 of the Clearwater, Kansas Municipal Code relating to municipal court costs and fees; and

WHEREAS, said section 2 provides that "Costs may be assessed against accused persons for the administration of justice in any municipal court case where the accused person is found guilty, or where the accused person pleads guilty. The costs shall be assessed as provided by the terms contained in Section 1.24.012." of the Clearwater, Kansas Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Amending Section 1.24.012 of the Clearwater, Kansas Municipal Code.

Section 1.24.012 of the Clearwater, Kansas Municipal Code is hereby amended to read as follows:

"1.24.012 - Costs and Fees in Municipal Court.

- A. Municipal court costs and fees may be established by resolution of the governing body of the City of Clearwater, Kansas.
- B. These charges shall be assessed in addition to and not in lieu of the fees and mileage of witnesses which may be assessed in accordance with K.S.A. 12-4411.
- C. The municipal court judge may, upon appropriate findings that the interests of justice would be best served, abate all or a portion of the costs imposed pursuant to this Ordinance except those costs specifically identified by said resolution.”

Section 2. Severability.

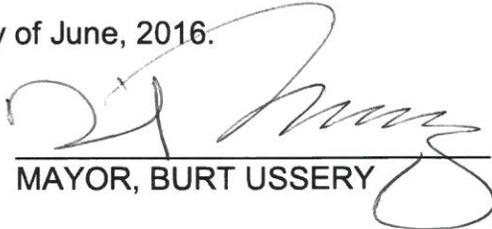
If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. Effective Date.

This Ordinance shall take effect and be in force from and after July 20, 2016 and publication in the official city newspaper.

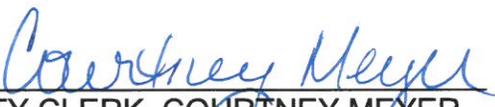
Adopted by the City Council this 28th day of June, 2016.

Approved by the Mayor this 28th day of June, 2016.


MAYOR, BURT USSERY

SEAL

ATTEST:


CITY CLERK, COURTNEY MEYER