

First Published in the Horton Headlight the 25<sup>th</sup> day of August, 2016.

ORDINANCE NO. 1157

AN ORDINANCE AMENDING SECTION 9-112 OF THE HORTON MUNICIPAL CODE PERTAINING TO COURT COSTS ASSESSED BY THE MUNICIPAL COURT OF THE CITY OF HORTON, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:

Section 1. Section 9-112 of the Horton Municipal Code is hereby amended to read as follows:

“9-112. COURT COSTS. No person shall be assessed costs for the administration of justice in any municipal court case, except for cases docketed for court appearance. In such cases where the accused person pleads guilty or nolo contendere, or is found guilty, the following court costs shall be assessed against him or her, and shall be and remain a judgment against him or her which may be enforced as a judgment for payment of money in civil cases:

- (a) The sum of \$93.50 shall be assessed as court costs against each person charged with a violation of any of the ordinances of this city, unless found not guilty. The \$93.50 in court costs shall include all costs required by state statute and a \$6.00 court appointed attorney program fee.
- (b) For each trial date attributable to the accused person for which subpoenas have been issued, and in addition to other costs provided for in this section, the sum of \$25.00 shall be assessed as court costs against such accused person, unless found not guilty by the court.
- (c) In addition to other court costs assessed pursuant to this section, fees and mileage for subpoenaed witnesses shall be assessed at the rate of \$10.00 per day and \$0.50 per mile actually driven in excess of ten miles.
- (d) In addition to other court costs assessed pursuant to this section, the sum of \$20.00 shall be assessed as court costs against each accused person who fails to comply with a traffic citation. This assessment shall be in addition to the reinstatement fee collected by the court pursuant to K.S.A. 8-2110(c) as amended, and shall be retained by the municipal court to be used to reimburse the court for expenses incurred in complying with the procedures required by state law. Such sum shall be assessed for each charge on which the person fails to make satisfaction, regardless of the disposition of the charge for which the citation was originally issued.
- (e) A processing fee in the amount of \$45.00 shall be assessed against a defendant in each case in which the defendant is booked into the City of Horton Holding Cell pursuant to an arrest for a violation of any ordinances of the City of Horton or pursuant to an order of a municipal court judge.
- (f) For those misdemeanor offenses as set out in K.S.A. 21-2501 that require the individual be fingerprinted before final disposition of the case, a \$20.00 fingerprint fee will be assessed as costs.

- (g) The assessment and imposition of the court costs pursuant to this section shall be mandatory and the court shall not waive, remit, suspend, parole, or otherwise excuse the payment thereof.
- (h) The costs and fees assessed pursuant to this section shall be in addition to the fine imposed.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance be and are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED BY THE GOVERNING BODY of the City of Horton, Kansas, this 15th day of August, 2016.

---

MAYOR

ATTEST:

---

CITY CLERK