

AN ORDINANCE AMENDING ORDINANCE #165 PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL COURT FOR THE PROSECUTION OF VIOLATIONS OF CITY ORDINANCES, PROCEDURE TRIAL THEREIN, CREATION OF A TRAFFIC VIOLATIONS BUREAU, IN THE CITY OF PORTAGE DES SIOUX, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PORTAGE DES SIOUX, MISSOURI, AS FOLLOWS:

SECTION I:

THAT THE FOLLOWING BE ADDED TO SECTION 17A OF ORDINANCE #165:

SECTION 17A: COURT COST GENERAL

- 4) OTHER COSTS, SUCH AS FOR THE ISSUANCE OF A WARRANT, A COMMITMENT, OR A SUMMONS FOR FAILURE TO APPEAR AS ISSUED BY THE MUNICIPAL JUDGE.
- A) WARRANT ISSUED MINIMUM COST ASSESSED AT \$25.00 PER WARRANT IN ADDITION TO THE NORMAL COST AS SET BY THE MUNICIPAL JUDGE?
 - B) FAILURE TO APPEAR MINIMUM COST ASSESSED AT \$10.00 PER FTA IN ADDITION TO THE NORMAL COST AS SET BY THE MUNICIPAL JUDGE.
- 5) INCLUDED IN COURT COST FOR MOVING VIOLATIONS WILL BE \$5.00 FEE WHICH SHALL BE PAID INTO THE CRIME VICTIM COMPENSATION FUND OF THE STATE OF MISSOURI.
- A) THIS FEE IS IMPLEMENTED BY THE CITY BASED UPON THE MANDATE OF MISSOURI STATUTE. TO WIT: HOUSE BILL #1195 PASSED BY THE 84th GENERAL ASSEMBLY WHICH APPEARS IN THE REVISED SECTION 595.045 RSMO.
 - B) THE MONEYS COLLECTED BY THE CLERK OF THIS CITY, PURSUANT TO SUBSECTION 1 OF SECTION 595.045 RSMO SHALL BE PAID BI-MONTHLY AS FOLLOWS:
 - 1) NINETY-FIVE PERCENT(95%) OF SUCH FEE BE PAID TO THE DIRECTOR OF REVENUE AND
 - 2) FIVE PERCENT(5%) SHALL BE PAID INTO THE CITY GENERAL FUND. THE DIRECTOR OF REVENUE SHALL DEPOSIT SEVENTY-FIVE(75%) PERCENT OF THE AMOUNT COLLECTED TO THE CREDIT OF THE CRIME VICTIM COMPENSATION FUND AND THE TWENTY-FIVE PERCENT(25%) REMAINING SHALL GO TO THE SERVICES TO VICTIMS FUND. THE DIRECTOR OF REVENUE OR HIS DESIGNEE SHALL AT LEAST BI-MONTHLY REPORT THE MONIES PAID INTO THE CRIME VICTIMS' COMPENSATION FUND AND THE SERVICES TO VICTIMS' FUND TO THE DIVISION OF WORKERS' COMPENSATION AND THE DEPT. OF PUBLIC SAFETY.

SECTION II:

THIS ORDINANCE SHALL BE EFFECTIVE UPON ITS PASSAGE, ADOPTION AND THE APPROVAL OF THE MAYOR IMMEDIATELY. THIS ORDINANCE HAS RECEIVED ALL OF THE REQUIRED READINGS AT THE SAME MEETING AT WHICH THE BILL WAS INTRODUCED. THIS ORDINANCE IS PRIMA FACIA DEEMED AN EMERGENCY ORDINANCE BECAUSE IT ALLOWS THE BOARD OF ALDERMEN TO TAKE IMMEDIATE ACTION TO PREVENT OR TO REMEDY A CONDITION OR A SITUATION WHICH IS OF A NATURE THAT IT DEEMS ATTENTION AND TO POSTPONE ACTION WOULD RESULT IN SERIOUS INJURY OR DAMAGE TO THE PEOPLE, THE GOVERNMENT OR THE MUNICIPALITY.

SECTION III:

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL

ENACTED: January 6, 1992

George R. Combs
MAYOR

ATTEST: J. Meyers
CITY CLERK

APPROVED BY THE MAYOR OF THE CITY OF PORTAGE DES SIOUX, MISSOURI, THIS 6th DAY OF January, 1992.