

**ORDINANCE NO. 606-16**

AN ORDINANCE ESTABLISHING COURT COSTS FOR THE CITY OF NORTH NEWTON, KANSAS AS AUTHORIZED BY THE SUBSTITUTE PROVISIONS OF CHARTER ORDINANCE NO. 13-16; AND REPEALING ORDINANCE NO. 105, 281 AND 436 AND ANY ORDINANCES IN CONFLICT HEREWITH.

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

SECTION I. COURT COSTS. In each proceeding before the Municipal Court for the City of North Newton, Kansas, in which court costs are required or are determined to be assessed against a party thereunder, such court costs shall be in the amount of \$80.00, which shall include and not be in addition to any of the costs specified under K.S.A. 12-4112, as the same now provides or as the same may hereafter be amended. In addition to the court costs provided above, and as part of any such disposition for which court costs are assessed, the Municipal Judge shall also assess the following:

- (a) Costs specified under K.S.A. 12-4112 (already included in the \$80.00 noted above) as the same now provides or as the same may hereafter be amended.
- (b) Witness fees and mileage costs which have been incurred and which are assessable against the defendant under the provisions of K.S.A. 12-4411, as the same now provides or as the same may hereafter be amended.
- (c) Jail costs as the same now provides or as the same may hereafter be changed by the Sheriff which have been incurred by the City due to the booking, fingerprinting and/or incarceration of the defendant in relation to the charges upon which the prosecution was brought; provided, however, that such jail costs shall not be assessed for any pre-disposition incarceration if the defendant's conviction is not based upon charges for which the defendant could have been arrested.
- (d) A fee in the amount of \$20.00 for fingerprinting performed on behalf of the Municipal Court for each case in which the defendant has been convicted of violating municipal ordinance provisions that prohibit conduct comparable to a Class A or B misdemeanor or assault as defined in K.S.A. 21-3408 and amendments thereto.

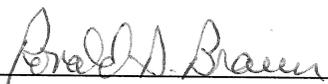
- (e) Any costs incurred by the City for the provision of medical treatment for a defendant who is arrested and/or incarcerated pursuant to a city ordinance, or due to an order of a municipal court judge.
- (f) Indigent defendant attorney fees.
- (g) The Municipal Judge shall have the authority, upon a showing of good cause, to waive all or any part of the assessments set forth in subsections (c) through (f) above if the making of the assessments in question would not under the particular circumstances of the case serve the interests of justice.
- (h) Court costs shall not be levied or assessed in any cause in which the defendant is found not guilty.

SECTION II. AUTHORIZATION. This ordinance setting forth court costs is authorized by the substitute provisions of Charter Ordinance No. 13-16.

SECTION III. REPEAL. Ordinance No.105, 281 and 436 of the City of North Newton, Kansas are hereby repealed and substituted with this Ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its adoption and summary publication in THE NEWTON KANSAN, the official newspaper of said City.

PASSED AND ADOPTED by the Governing Body of the City of North Newton, Kansas, this 11<sup>th</sup> day of April, 2016.

  
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RONALD D. BRAUN, Mayor

ATTEST:

  
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PATRICIA S. REDDING, City Clerk

(SEAL)

