

Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943 FAX (928) 634-0715

ORDINANCE NO. 377

AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, AMENDING ARTICLE 5-4 OF THE JEROME TOWN CODE TO INCREASE CERTAIN COURT FEES

WHEREAS, the Town Magistrate has recommended that certain fees set forth in Article 5-4 of the Jerome Town Code be increased; and

WHEREAS, it is the desire of the Mayor and Council to amend the Town Code accordingly;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Jerome, Yavapai County, Arizona, as follows:

Section 1. Article 5-4, "Court Fees," of the Jerome Town Code is hereby amended as follows (additions underlined; deletions in ~~strikeout text~~):

ARTICLE 5-4 Court Fees

Section 5-4-1 ~~Court Administration~~ Deferred Prosecution Fee

A. A deferred prosecution fee of ~~fifty-one hundred and twenty~~ fifty dollars (~~\$50120.00~~) shall be imposed for any person placed on diversion, probation, or deferred prosecution programs. A judge or hearing officer may waive all or any part of the fee if the payment of the fee would cause a hardship to the defendant.

Section 5-4-2 Court Enhancement Fee

A. There is created a Court Enhancement Fund, which shall be used exclusively to enhance the staffing, technology, security or facilities of the Jerome Magistrate Court.

B. The Court Enhancement Fund shall be funded by an enhancement fee in the amount of ~~twenty-seven~~ twenty dollars (~~\$2027.00~~) on each case in which fines, sanctions, penalties, and assessments are imposed by the Jerome Municipal Court. The enhancement fee may also apply to administrative fees collected for court authorized diversion programs.

C. The Court Enhancement Fund shall be established as a designated fund account with the Town Manager. The Municipal Court shall collect enhancement fees and deposit them in the Court Enhancement Fund account.

D. The Jerome Magistrate Court shall administer, through the annual budget process of the Town of Jerome, and may make expenditures from the fund for the purposes provided in this section.

Section 5-4-3 Default Judgment Fee

Any person who fails to appear on a civil traffic complaint wherein a judgment for the State or Town is entered, shall be assessed a default judgment fee in the amount of ~~fifty-seventy~~ fifty dollars

(\$5070.00) per charge; however, if subsequently, the judgment is ~~set aside~~ dismissed, the fee shall also be ~~set aside~~ dismissed.

Section 5-4-4 Warrant Issuance Fee

Any person who fails to appear on a criminal charge, or fails to obey a court order, which results in the issuance of a warrant for their arrest, shall be assessed, at the time of sentencing, a warrant fee in the amount of ~~fifty-one hundred~~ fifty dollars (\$~~50100.00~~ 50.00).

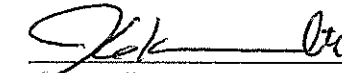
Section 2. Following its adoption, this ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. 39-203 *et seq.*

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Town Code as a whole or any part thereof other than the part so declared invalid.

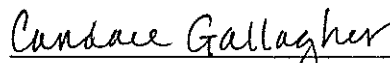
Section 5. This Ordinance shall take effect 30 days after final adoption, as provided by law.

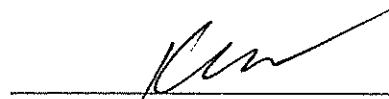
FINALLY APPROVED this 10th day of August, 2010.


Jay Kinsella, Mayor

ATTEST:

APPROVED AS TO FORM:


Candace Gallagher, Town Manager/Clerk



Kathleen G. Williamson, Williamson & Young, PC
Town Attorney

Date of First Reading:		7/15/10		Date of Adoption:		8/10/10	
Ayes	Nays	Absent	Abstain	Ayes	Nays	Absent	Abstain
5	-	-	-	3	0	0	0
Dates Published:		8/15/10					

CERTIFICATION OF POSTING

I, the duly appointed Deputy Clerk of the Town of Jerome, Arizona, or my representative, hereby certify that Ordinance No. 377 was posted in accordance with A.R.S. § 9-813 on the following dates and times, and at the following places:

	DATE	TIME	PLACE
1	8.11.2010	6:00 pm	301 Main Street, second floor, exterior posting case
2	8.11.2010	6:00 pm	970 Gulch Road, side of Gulch Fire Station, exterior posting case
3	8.11.2010	6:00 pm	600 Clark Street, Jerome Town Hall, exterior posting case
4	8.11.2010	6:00 pm	120 Main Street, Jerome Post Office, interior posting case


R.A. Shemaitis, Deputy Clerk