City of Joplin City Council Agenda Item

REQUESTED COUNCIL MEETING DATE: January 2, 2018
ITEM: Council Bill No. 2018-015, enacting changes to Chapter 42, Courts, Article II, Municipal Court, Section 42-35, Court costs and other fees, by repealing Section 42-35 subsections (f) and (i).

ORIGINATING DEPARTMENT: Municipal Court
ATTACHMENTS: Council Bill No. 2018-015

DEPARTMENT HEAD: Lamonte Ratcliff
CITY ATTORNEY: Peter C. Edwards
CITY MANAGER: Samuel L. Anselm

INTRODUCTION:

This Council Bill enacts changes to Chapter 42, Courts, Article II, Municipal Court, Section 42-35, Court costs and other fees, by repealing Section 42-35 subsections (f) and (i), for the purpose of making the Joplin City Code consistent with Missouri state law.

DISCUSSION:

Section 42-35(f) of the Joplin City Code authorizes a warrant issuance fee of $25.00. Section 42-35(i) of the Joplin City Code authorizes a booking fee of $20.00. Recent changes to Missouri state law have made Section 42-35 inconsistent with state law. Specifically, the Municipal Court concurs with the opinion of the Office of State Courts Administrator that these types of fees are not authorized by any state statute or court rule. Section 42-35 subsections (f) and (i) should be repealed in order to make Section 42-35 consistent with state law.

Staff recommends this Council Bill be placed on First Reading.

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COUNCIL BILL NO. 2018-015 ORDINANCE NO.

AN ORDINANCE amending Chapter 42, Courts, Article II, Municipal Court, Section 42-35, Court costs and other fees, by repealing Section 42-35 subsections (f) and (i).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

WHEREAS, Section 42-35(f) of the Joplin City Code authorizes a warrant issuance fee of $25.00.

WHEREAS, Section 42-35(i) of the Joplin City Code authorizes a booking fee of $20.00.

WHEREAS, recent changes to Missouri state law have made Section 42-35 inconsistent with state law.

WHEREAS, Section 42-35 subsections (f) and (i) should be repealed in order to make Section 42-35 consistent with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Chapter 42, Courts, Article II, Municipal Court, Section 42-35 subsections (f) and (i), be repealed.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2018, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney