CITY OF JOPLIN CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE: April 18, 2016
ITEM: Council Bill No. 2016-003 amending Chapter 42, Courts, Article II, Municipal Court, Division 1, Generally, Section 35, Court costs and other fees. In general, repealing Section 42-35(g) of the Joplin City Code.

ORIGINATING DEPARTMENT: Legal
ATTACHMENTS: Council Bill No. 2016-003

DEPARTMENT HEAD:	Peter C. Edwards
CITY MANAGER:	Samuel L. Anselm
POLICE CHIEF:	Matt Stewart
COURT ADMINISTRATOR:	Lamonte Ratcliff

INTRODUCTION:

This Council Bill amends Chapter 42, Courts, Article II, Municipal Court, Division 1, Generally, Section 35, Court costs and other fees. Specifically, it repeals Section 42-35(g) of the Joplin City Code.

DISCUSSION:

Section 42-35(g) of the City's Code of Ordinances provides that "In addition to the warrant issuance fee, an arrest fee of $50.00 shall be assessed against any person who is physically arrested pursuant to such warrant."

The Municipal Court has not assessed this fee in many years. According to court records, the ordinance stopped being enforced in 2006. The non-enforcement of Section 42-35(g) was raised in the recent State audit of the Municipal Court. Following a review of the audit by the administrator and court clerk, it has been requested that this sub-Section of the Code be repealed.

RECOMMENDATION:

Staff presents this Council Bill be placed on First Reading.

JLP:ab
attachment

COUNCIL BILL NO. 2016-003 ORDINANCE NO.

AN ORDINANCE amending Chapter 42, Courts, Article II, Municipal Court, Division 1, Generally, Section 42-35, Court costs and other fees, by repealing Section 42-35(g) of the Joplin City Code.

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

WHEREAS, Section 42-35(g) of the City's Code of Ordinances provides that "In addition to the warrant issuance fee, an arrest fee of $50.00 shall be assessed against any person who is physically arrested pursuant to such warrant."

WHEREAS, The Municipal Court has not assessed this fee in many years.

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

Section 1. That Section 42-35(g) of the Code of Ordinances of the City of Joplin is hereby repealed.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2016, by a vote of _____.

_____
_____, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney