

CHARTER ORDINANCE NO. 21

A CHARTER ORDINANCE EXEMPTING THE CITY OF PAOLA, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4112, PROHIBITING THE ASSESSMENT OF COURT COSTS IN PAOLA MUNICIPAL COURT, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS OF THE SAME SUBJECT, DESIGNATING THE COURT COSTS, WARRANT FEES AND ASSESSMENTS FOR THE PAOLA MUNICIPAL COURT, AND REPEALING CHARTER ORDINANCE 18 AND AMENDING SECTION 9-112 OF THE MUNICIPAL CODE OF THE CITY OF PAOLA, AND REPEALING ALL OTHER ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH.

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

SECTION 1. Section 9-112 of the Municipal Code of the City of Paola shall be amended and shall read as follows:

9-112. Court costs and fees.

(a) Court Costs. In each case filed in the Municipal Court charging a criminal or public offense or charging a violation of the Standard Traffic Ordinance for Kansas Cities adopted by the City of Paola and amendments thereto, where there is a finding of guilty, a plea of guilty, a plea of no contest, forfeiture of bond or a diversion, a sum in the amount of ninety dollars (\$90.00) shall be assessed to the defendant as Court costs plus any additional assessments as provided for in K.S.A. 12-4112 and any amendments thereto or by order of the Kansas Supreme Court.

(b) Warrant Fees. In the event a warrant is issued by the Municipal Judge in the Municipal Court of the City of Paola, Kansas, the Municipal Judge is hereby empowered to charge a fee of fifty dollars (\$50.00) if the defendant surrenders on the warrant or the warrant is set aside. In the event that the warrant is served by a Law Enforcement Officer, the Municipal Judge is hereby empowered to assess a one-hundred-dollar (\$100.00) fee to the defendant.

(c) The court costs and warrant fees provided for in this section shall be in addition to the fine imposed.

(d) In case of extreme hardship, the Municipal Judge is hereby empowered to waive Court costs or to permit the payment of the same by installments.

SECTION 2. Charter Ordinance No.18 and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be published once each week for two (2) consecutive weeks in the Miami County Republic, the official city newspaper.

SECTION 4. This is a Charter Ordinance and shall take effect sixty-one (61) days after its final publication but should a petition, signed by a number of electors of the city equal to not less than ten percent (10%) of the number of electors who voted in the last preceding regular city election, be filed in the office of the City Clerk, demanding that such ordinance be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon, as provided by Article 12, Section 5, of the Constitution of the State of Kansas.

PASSED AND ADOPTED by the Governing Body of the City of Paola, Kansas, not less than two-thirds (2/3rds) of the members thereof voting in favor of said Ordinance, this 14th day of May, 2024.

APPROVED AND SIGNED by the Mayor this 14th day of May, 2024.



A handwritten signature in black ink, reading "Leigh House", written over a horizontal line.

Leigh House, Mayor

ATTEST:

A handwritten signature in blue ink, reading "Stephanie Marler", written over a horizontal line.

Stephanie Marler, City Clerk