

AN ORDINANCE AMENDING CHAPTER 340.110 OF THE MUNICIPAL CODE OF ORDINANCES FOR THE CITY OF NEW FRANKLIN, ALL-TERRAIN VEHICLES-PROHIBITED[EXCEPTIONS-OPERATION UNDER AN EXCEPTION-PROHIBITED USES- PENALTY

BE IT ORDAINED, by the Board of Aldermen of the City of New Franklin, Missouri, as follows:

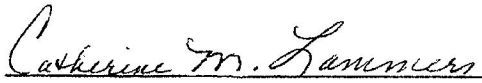
- Section 1. Paragraphs A. & B. of Chapter 340.110 of the Municipal Code of Ordinances of the City of New Franklin, Missouri are hereby repealed; therefore Paragraph C. becomes Paragraph A. and is incorporated by reference to said original ordinance.
- Section 2. This Ordinance is in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read two times and passed this 10th day of November, 2014, and if read by title only, a copy of this Ordinance has been made available for public inspection prior to its first reading.



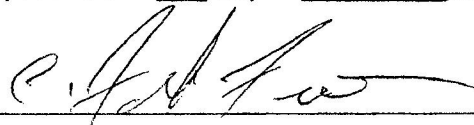
Mayor

ATTEST:



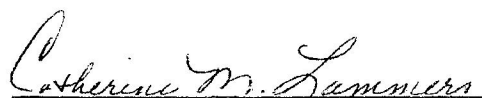
City Clerk

Approved this 10th day of November 2014.



Mayor

ATTEST:



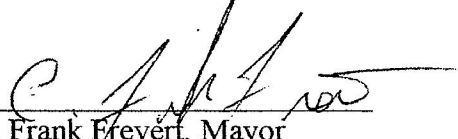
City Clerk


The fees authorized in this Subsection are in addition to service charges, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court costs. The fees provided by this Subsection shall be collected by the Municipal Division Clerk in municipalities electing or required to have violations of municipal ordinances tried before a Municipal Judge pursuant to Section 479.020, RSMo., or to employ judicial personnel pursuant to Section 479.060, RSMo., and disbursed as provided in Subsection (1) of Section 479.080, RSMo. Any other court costs required in connection with such cases shall be collected and disbursed as provided in Sections 488.010 to 488.020, RSMo.; provided that, each Municipal Court may establish a Judicial Education Fund and an Appointed Counsel Fund, each in separate accounts under the control of the Municipal Court to retain one dollar (\$1.00) of the fees collected on each case. The fees collected shall be allocated between the two (2) funds as determined by the court. The Judicial Education Fund shall be used only to pay for:

- a. The continuing education and certification required of the Municipal Judges by law or Supreme Court Rule; and
- b. Judicial education and training for the Court Administrator and Clerks of the Municipal Court.

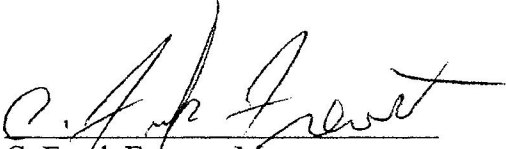
The Appointed Counsel Fund shall be used only to pay the reasonable fees approved by the court for the appointment of an attorney to represent any defendant found by the Judge to be indigent and unable to pay for legal representation, and where the Supreme Court rules or the law prescribes such appointment. Provided further, that no Municipal Court shall retain more than one thousand five hundred dollars (\$1,500.00) in the Judicial Education Fund for each Judge, Administrator or Clerk of the Municipal Court and no more than five thousand dollars (\$5,000.00) in the Appointed Counsel Fund. Any excess funds shall be transmitted quarterly to the General Revenue Fund of the County or Municipal Treasury.

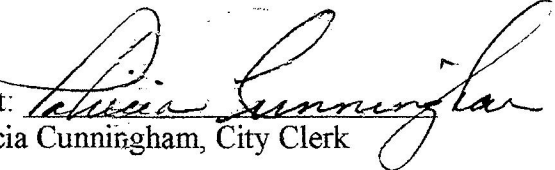
READ TWO TIMES AND PASSED THIS 11 day of August, 2014.


C. Frank Frevert, Mayor

Attest: 
Patricia Cunningham, City Clerk

APPROVED THIS 11 day of August, 2014.


C. Frank Frevert, Mayor

Attest: 
Patricia Cunningham, City Clerk

operating expenses for shelters for battered persons as set out in Section 488.607, RSMo.

5. There shall be assessed a seven dollar (\$7.00) surcharge for the Statewide Court Automation Fund.
6. Other costs, such as for the issuance of a warrant, a commitment or a summons, as provided before the Associate Circuit Judge in criminal prosecutions.
7. Actual costs assessed against the City by the County Sheriff for apprehension or confinement in the County Jail or costs assessed against the City by any other detention facility.
8. Mileage, in the same amount as provided to the Sheriff in criminal violations, for each mile and fraction thereof the officer must travel (both directions) in order to serve any warrant or commitment or order of this Court.
9. Any other reasonable cost as may be otherwise provided by ordinance including, but not limited to, costs of confinement, including any necessary transportation related thereto, medical costs incurred by the City while a defendant is in City custody, and costs related to the arrest and testing of any person for any intoxication-related traffic offense as set out in Section 125.060(10) hereof.
10. *Reimbursement of certain costs of arrest.*
 - a. Upon a plea or a finding of guilty of violating the provisions of Sections 342.020 or 342.030 of this Code or any ordinance of the City of New Franklin involving alcohol- or drug-related traffic offenses, the Court may, in addition to imposition of any penalties provided by law, order the convicted person to reimburse the Police Department for the costs associated with such arrest.
 - b. Such costs hereby authorized shall include the reasonable cost of making the arrest, including the cost of any chemical test made as authorized or required by law or ordinance to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody.
 - c. The Chief of Police may establish a schedule of such costs hereby authorized and shall submit the same to the Municipal Judge. However, the Court may order the costs reduced if it determines that the costs are excessive.
11. *Judicial Education Fund.* Cities by ordinance may provide for fees in an amount per case to be set pursuant to Sections 488.010 to 488.020, RSMo., for each municipal ordinance violation case filed before a Municipal Judge, and in the event a defendant pleads guilty or is found guilty, the Judge may assess costs against the defendant except in those cases where the defendant is found by the Judge to be indigent and unable to pay the costs.