

ORDINANCE NO. 270

AN ORDINANCE ESTABLISHING A SCHEDULE OF COURT COSTS AND FEES FOR THE MUNICIPAL COURT OF THE CITY OF WATHENA, PROVIDING FOR THE ASSESSMENT OF COURT COSTS AND FEES IN ACTIONS FILED AND DISPOSED OF IN AND THROUGH SAID MUNICIPAL COURT, PROVIDING FOR THE DISBURSEMENT OF FINE, COST AND FEE MONEYS COLLECTED BY AND THROUGH SAID MUNICIPAL COURT, DEFINING CERTAIN POWERS OF THE MUNICIPAL JUDGE OF THE CITY OF WATHENA, AND REPEALING ALL ORDINANCES AND SECTIONS OF ORDINANCES OF THE WITH OF WATHENA IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA:

Section 1. The following schedule of Court costs and fees is hereby established and fixed and shall hereafter be charged and collected in all actions and cases filed and docketed in the Municipal Court of the City of Wathena:

- (a) For docketing any case, the sum of \$5.00
- (b) For accepting a plea of "guilty in any case or for entering judgment, where authorized, on a forfeited cash appearance bond, no fees or costs shall be taxed or charged other than the \$5.00 provided for in (a) above plus the sum of \$5.00 for each preliminary order which may have been entered in the action prior to final disposition thereof as is provided for in (c) below
- (c) For entering any order for continuance or other order preliminary to trial, the sum of \$5.00 per order
- (d) For conducting any trial after a plea of "not guilty" the sum of \$5.00 for each day, or part thereof, involved therein
- (e) For furnishing a transcript of judgment on appeal, the sum of \$5.00
- (f) Each subpoenaed witness shall receive the sum of fifty cents (\$.50) for each day's attendance at any trial, plus nine cents (\$.09) per mile for each mile, in Kansas, necessarily traveled to appear for trial
- (g) In any case in which it is necessary that a chemical test of breath, blood, urine, or saliva for the purpose of determining alcoholic content of blood be taken, the actual fees charged by the attending physician or qualified medical technician, together with the charges for analysis of said test, shall be taxed as costs in the action.

Section 2. In all cases where the defendant pleads or is found "guilty", the costs and fees provided for in Section 1 shall be charged to, taxed against and collected from the defendant in such case.

Section 3. In all cases where the defendant is found "not guilty", the costs and fees provided for in Section 1 above shall be taxed to and collected from the City of Wathena.

Section 4. All fines and penalties collected by and paid to the Municipal Court and the Judge thereof shall be, by said Court, paid over and remitted to the City Treasurer of the City of Wathena at least once each calendar month.

Section 5. All costs taxed in all actions filed in the Municipal Court, except only the costs and fees specified in (f) and (g) of Section 1 above, shall be kept and retained by the Judge of the Municipal Court and shall constitute and be the full and sole compensation to said Judge for his services performed as Judge of the Municipal Court of the City of Wathena.

Section 6. The Municipal Judge shall have the power to enforce due obedience to all orders, writs, rules and judgments made by him, and may fine or imprison, or both, for contempt offered such Judge while holding his Court, or to process issued by him, in the same manner and to the same extent as the District Court, and for all such purposes, the jurisdiction of the Municipal Judge shall be coextensive with the County of Doniphan, State of Kansas (K.S.A. 15-517).

Section 7. All Ordinances, and parts of Ordinances, of the City of Wathena in conflict herewith are hereby repealed.

Section 8. This Ordinance shall take effect and be in force from and after its publication in the Wathena Times, Official City Newspaper.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 16th DAY OF JULY, 1969.

Laurence Ramsel, Mayor
City of Wathena, Kansas

(CITY SEAL)

ATTEST:

Raymond Kirschbaum, City Clerk