

ORDINANCE NO. 298

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS, ESTABLISHING A SCHEDULE OF COURT COSTS AND FEES FOR THE MUNICIPAL COURT OF THE CITY OF WATHENA, KANSAS, 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, KANSAS, AND REPEALING ORDINANCE NUMBER 270 AND ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES OF THE CITY OF WATHENA IN CONFLICT HEREWITH.

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

SECTION ONE: 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 and thereafter entering any final judgment or order therein, the sum of Ten Dollars (\$10.00);
- (b) For entering any order for continuance or other order preliminary to trial, the sum of Five Dollars (\$5.00) per order;
- (c) For conducting any trial after a plea of "not guilty" the sum of Five Dollars (\$5.00) for each day, or part thereof, involved therein;
- (d) For furnishing a transcript of judgment on appeal, the sum of Ten Dollars (\$10.00);
- (e) Each subpoenaed witness shall receive the sum of Three Dollars (\$3.00) 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 and the same shall be taxed as a part of the costs;
- (f) 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 taxes as costs in the action.

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

SECTION THREE: All fines, penalties, costs and fees collected by and paid to the Municipal Court and the Judge thereof shall be, by said court and Judge, paid over and remitted to the City Treasurer of the City of Wathena at least once each calendar month.

SECTION FOUR. 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 FIVE: Ordinance Number 270 and all other ordinances and parts of ordinances of the City of Wathena in conflict herewith are hereby repealed.

SECTION SIX: This ordinance shall take effect and be in force from and after its publication in the Wathena Times, the official city newspaper.

PASSED by the Council and APPROVED by the Mayor this ____ day of January, 1973.

Mayor

ATTEST:

(CITY SEAL)

City Clerk