

(Published in The Cunningham Courier, the official City newspaper, April 28, 2016) 1t

ORDINANCE NO. 655

AN ORDINANCE CREATING SECTION 9-112 OF THE CODE OF THE CITY OF CUNNINGHAM, KANSAS, RELATING TO THE ASSESSMENT OF COURT COSTS IN MUNICIPAL COURT.

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

Section 1: Section 9-112 of the Code of the City of Cunningham, Kansas, shall be amended to read as follows:

“9-112. Court Costs. The following costs shall be assessed, where applicable, against persons who are found guilty, plead guilty, or fail to comply with a traffic citation as costs for the administration of justice:


- a. The sum of \$90.00 shall be assessed as court costs against each person charged with a violation of any ordinances of the City of Cunningham, unless found not guilty or imposition of court costs is otherwise prohibited by ordinances of the City of Cunningham. The \$90.00 in court costs shall include all costs required by state statute.
- b. The cost for housing, meals, and medical care while incarcerated prior to and after a conviction for a violation of the ordinances of the City of Cunningham shall be assessed against each person. Said cost shall be the amount actually charged by the Kingman County Sheriff and paid by the City of Cunningham.
 1. In determining the amount and method of payment of costs for housing, meals, and medical care, the Court shall take into account the financial resources of the person and the nature of the burden that payment of such fees will impose.
 2. If a person alleges the cost of housing, meals, and medical care would create an undue hardship on the person, he or she may, by motion to the municipal court, request that such costs be waived and/or reduced. If the Court, in its discretion after evaluating the evidence, determines that such fees will create an undue hardship, the Court may waive or reduce said fees.
- c. Except as set forth in Subsection b of this section, the assessment and imposition of court costs pursuant to this section shall be mandatory, and the court shall not waive, remit, suspend, parole, or otherwise excuse payment thereof unless required by ordinances of the City of Cunningham.
- d. The costs and fees assessed pursuant to this section shall be in addition to any fine imposed.”

Section 2: This Ordinance shall take effect and be in full force from and after its publication in the official City newspaper.

Approved and passed by the Governing Body of the City of Cunningham, Kansas, this 25th day of April, 2016.

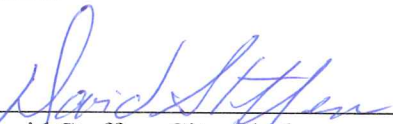


THE GOVERNING BODY OF THE
CITY OF CUNNINGHAM, KANSAS



Aaron Murphy, Mayor

(Seal)
Attest:



David Steffen, City Clerk