

ORDINANCE NO. A-216

AN ORDINANCE ESTABLISHING ASSESSMENTS FOR DEFENDANTS PLACED ON BENCH PROBATION AND FOR DEFENDANT-INITIATED REOPENINGS OF ADJUDICATED CASES AND DECLARING AN EMERGENCY TO EXIST

WHEREAS the City of Coburg operates a Municipal Court, and

WHEREAS, one of the options available to the Municipal Court is the use of probation as a condition imposed at the time of sentencing, and

WHEREAS, imposing probation on a defendant results in costs to the City for the supervision of that defendant, and

WHEREAS, the City of Coburg allows defendants in certain types of cases filed in Municipal Court to request that their cases be reopened, and

WHEREAS, the City of Coburg incurs costs to consider and determine if a such requests will be granted, and

WHEREAS, the City of Coburg desires that the defendant shall pay the costs so incurred by the City,

NOW, THEREFORE, THE CITY OF COBURG ORDAINS AS FOLLOWS:

SECTION 1. Whenever the Municipal Court of the City of Coburg places a defendant on Bench Probation a Bench Probation Assessment shall be imposed.

SECTION 2. The amount of the Bench Probation Assessment shall be fifteen dollars (\$15.00) per month for the entire period of Bench Probation, or \$180.00 per year. Said assessment shall be assessed on and collected from all persons receiving Bench Probation at the time of sentencing.

SECTION 3. When a defendant files a request to reopen an adjudicated case, a Reopening Request Assessment shall be collected from the defendant to defray the costs of considering and acting upon the request.

SECTION 4. The amount of the Reopening Request Assessment shall be fifty dollars (\$50.00) per case. Said assessment shall be paid at the time of request for opening the adjudicated case.

SECTION 5. To provide for the assessments set forth in this ordinance to be effective, the City of Coburg hereby adopts a new fine, bail, and assessment schedule by augmenting its existing schedule shown below

<u>Violation</u>	<u>Existing Fine</u>	<u>Existing Fine with Training Assessment</u>
Class A	\$427.00	\$434.00
Class B	\$242.00	\$249.00
Class C	\$141.00	\$148.00
Class D	\$ 97.00	\$104.00

Bench Probation Assessment: \$15.00 for each month of the probation.

Reopening Request Assessment: \$50.00 per case

SECTION 6: EMERGENCY DECLARED

Whereas it is necessary for the general welfare and safety of the citizens of the City of Coburg to cover the costs of providing services, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the City Council and approval by the Mayor.

The foregoing ordinance was, by City Council consent, after public notice and Council deliberations, read by title only in accordance with the City Charter on the 12th day of February, 2008 whereupon it was put to a vote, the results of which were:

YES: 4

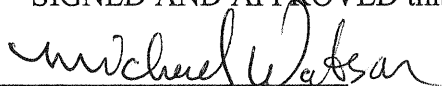
NO: 0

ABSTAIN: 0

PASSED: Yes

REJECTED: ___

SIGNED AND APPROVED this 12th day of February, 2008


Mike Watson, City Council President

ATTEST:


Sammy L Egbert, City Recorder