

Bill Number: 24-071

Ordinance Number: 4080

**AN ORDINANCE AMENDING CITY OF ST. ROBERT
CODE SECTION 110.260 – COURT COSTS**

Be it ordained by the Board of Aldermen of the City of St. Robert, Missouri as follows:

SECTION 1. A copy of City Code Section 110.260 is attached hereto as **Exhibit A** and is incorporated herein by reference.

SECTION 2. The Board of Aldermen has determined that Section 110.260 should be amended to provide as set out in **Exhibit B**, which is incorporated herein by reference.

SECTION 3. City Code Section 110.260 is hereby amended to the language and provisions set forth in **Exhibit B**.

SECTION 4. All prior ordinances that conflict with this ordinance are repealed.

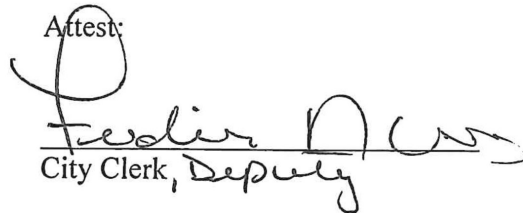
SECTION 5. This ordinance shall be in full force and effect from and after its date of passage and approval.

READ THREE TIMES AND PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. ROBERT, MISSOURI ON AUGUST 13, 2024.



Mayor

Attest:



City Clerk, Deputy

EXHIBIT A

City of St. Robert, MO
Monday, August 12, 2024

Chapter 110. Municipal Court

Section 110.260. Court Costs.

[Ord. No. 195 §26, 1-4-1979; Ord. No. 362 §§1 — II, 3-1-1993; Ord. No. 434 §§1 — 2, 1-6-1997; Ord. No. 728 §1, 9-1-1999; Ord. No. 1204 §§1 — 3, 11-5-2001; Ord. No. 2063 §§1 — 2, 2-19-2008; Ord. No. 2235 §2, 11-16-2009; Ord. No. 2639 §1, 8-19-2013; Ord. No. 3011, 1-10-2017; Ord. No. 3645, 1-26-2021; Ord. No. 3662, 3-16-2021; Ord. No. 3669, 3-23-2021]

- A. In all cases before the Traffic Violations Bureau and the Municipal Court, where a defendant pleads guilty or is convicted, the following costs and fees shall be assessed to and collected from the defendant, in addition to the fine or other punishment imposed:
1. Costs of Court in the amount of twelve dollars (\$12.00).
 2. *Police Officer training fee.* A fee of three dollars (\$3.00) is hereby established and assessed as additional Court costs in each Court proceeding, except that no such fee shall be collected when the proceedings against the defendant have been dismissed.
 - a. Two dollars (\$2.00) of each such Court cost shall be transmitted monthly to the Treasurer of the City and used to pay for Police Officer training as provided by Sections 590.100 to 590.180, RSMo. The City shall not retain for training purposes more than one thousand five hundred dollars (\$1,500.00) of such funds for each certified Law Enforcement Officer or candidate for certification employed by the City. Any excess funds shall be transmitted quarterly to the City's General Fund.
 - b. One dollar (\$1.00) of each such Court cost shall be sent to the State Treasury to the credit of the Peace Officers Standards and Training Commission Fund created by Section 590.178, RSMo.
 3. *Crime Victims' Compensation Fund.* An additional sum of seven dollars fifty cents (\$7.50) shall be assessed and added to the basic costs in Subsection (1) of this Section, provided that no such cost shall be collected in any proceeding when the proceeding or the defendant has been dismissed by the Court. All sums collected pursuant to this Subsection shall be paid at least monthly as follows:
 - a. Ninety-five percent (95%) of such fees shall be paid to the Director of Revenue of the State of Missouri for deposit as provided in Section 595.045.5, RSMo.
 - b. Five percent (5%) shall be paid to the City Treasury.

4. *Shelters For Battered Persons.* There may also be assessed a two dollar (\$2.00) cost per case for each criminal case and each County or municipal ordinance violation case for the purpose of providing operating expenses for shelters for battered persons as set out in Section 488.607, RSMo.
5. *Appointed Counsel Fund.* There shall be a one dollar (\$1.00) cost per case for each case to be placed in an Appointed Counsel Fund to be used for 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 as authorized under Section 479.620, RSMo. This fund shall not exceed five thousand dollars (\$5,000.00) and if it does, the excess amount shall be transmitted quarterly to the City's General 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.
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. *Jail board.* Any person sentenced to a term of imprisonment in the City Jail shall be assessed a jail board fee of thirty-five dollars (\$35.00) per day spent in City Jail.
10. 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 Subsection (11) hereof.
11. *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 St. Robert 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 shall 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.

- d. Upon receipt of such additional costs authorized by this Subsection, the City Treasurer shall retain such costs in a separate fund to be known as the "DWI/Drug Offense Cost Reimbursement Fund". Monies with such fund shall be appropriated by the Board of Aldermen to the Police Department in amounts equal to those costs so collected and shall be used by such department specifically to enhance and support the enforcement and prosecution of alcohol- and drug-related traffic laws within the City.
12. *Work/construction zone.* Any person who is convicted or pleads guilty to a speeding violation or passing/overtaking a vehicle in a work/construction zone when there was any person present performing duties in the work/construction zone and appropriate signs were posted stating "Warning: \$250 fine for speeding or passing in this work zone" shall be assessed a fine of two hundred fifty dollars (\$250.00) in addition to any other fine assessed; except that any person assessed the two hundred fifty dollar (\$250.00) fine shall not also be assessed the thirty-five dollar (\$35.00) fine for any of the following offenses in a construction or work zone: any moving violation or violation of speeding, leaving the scene, careless and imprudent driving, operating without a valid license, operating with a suspended or revoked license, obtaining a license by misrepresentation, driving while intoxicated, under the influence or BAC, any felony offense involving the use of a vehicle, or failure to maintain financial responsibility.
13. *Sheriffs' Retirement Fund.* A surcharge fee of three dollars (\$3.00), which shall be set aside and deposited into the Sheriffs' Retirement Fund.
14. *Inmate Security Fund.*
[Ord. No. 2661 §§1 — 4, 12-2-2013]
 - a. The St. Robert Municipal Court is to begin an assessment of \$2.00 (two dollars) court costs on all criminal cases.
 - b. This assessment is pursuant to Section 488.5026, RSMo.
 - c. This assessment is in addition to the court costs presently collected pursuant to St. Robert City ordinance.
 - d. All sums collected pursuant to this Subsection shall be paid at least monthly to the City Treasury. The City Treasurer shall deposit into the account "Inmate Security Fund." Deposited funds are to be used for the development of biometric verification systems. Upon installation of the biometric verification system, funds in the Inmate Security Fund may be used for the maintenance of the biometric verification system, and to pay for any expense related to custody and housing and other expenses for prisoners.
15. *Statewide Court Automation Fund.* A fee of seven dollars (\$7.00) shall be assessed, collected and set aside for the Statewide Court Automation Fund, with all such amounts collected transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund.

EXHIBIT B

Section 110.260. Court Costs.

A. *Definitions.* The following words and phrases, as used in this chapter, shall have the following respective meanings:

1. *Court costs.* The total of fees, miscellaneous charges, and surcharges imposed in a particular case.
2. *Fees.* The amount charged for services to be performed by the court.
3. *Miscellaneous charges.* The amounts allowed by law for services provided by individuals or entities other than the court.
4. *Surcharges.* Additional amounts payable to the State of Missouri or other entity or payable to the City for specific designated purposes that are imposed for specific purposes designated by law and assessed by the court.

B. *Court costs imposed.* When a defendant pleads guilty or is convicted, in addition to any fine that may be imposed, the municipal judge shall assess against the defendant as court costs the following costs, except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs:

1. *Clerk fees.* As set forth in Missouri Revised Statutes § 479.260 and limited by § 488.012, if the matter is a municipal ordinance violation filed before an associate circuit judge, court costs will be the amount of fifteen dollars \$15.00.
2. *Crime victims' compensation fund.* A surcharge of seven dollars fifty cents (\$7.50) shall be assessed and added to the basic costs in Subsection 1. of this Section, for the purpose of the crime victims' compensation fund established by the State of Missouri, as imposed by Missouri Revised Statutes § 595.045. All sums collected pursuant to this Subsection shall be paid at least monthly as follows:
 - a. Ninety-five percent (95%) of such fees shall be paid to the State of Missouri for deposit as provided in § 595.045.5.
 - b. Five percent (5%) shall be paid to the City Treasury as reimbursement for the costs of collection of such state-imposed charge.
3. *Law enforcement surcharges.* A surcharge in the total amount of three dollars (\$3.00) is hereby established and assessed in each court proceeding, itemized as follows:
 - a. *Peace officer standards and training surcharge.* A surcharge in the amount of one dollar (\$1.00) as imposed by Missouri Revised Statutes § 488.5336 for purposes of the police officer standards and training

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commission fund created by § 590.178. Any sums collected pursuant to this subsection shall be distributed to the State of Missouri for deposit to the police officer standards and teaching commission fund.

- b. *Law enforcement training surcharge.* A surcharge in the amount of two dollars (\$2.00), as imposed by Missouri Revised Statutes §488.5336, for training law enforcement officers:
 - i. If the fee is imposed in a municipal court, the surcharge shall be collected by the clerk of the municipal court responsible for collecting court costs and fines and shall be transmitted monthly to the Treasurer of the City and used to pay for law enforcement training as provided by Missouri Revised Statutes §§ 590.100-.180. The City shall not retain for training purposes more than one thousand five hundred dollars (\$1,500.00) of such funds for each certified Law Enforcement Officer or candidate for certification employed by the City. Any excess funds shall be transmitted quarterly to the City's General Fund.
 - ii. If the matter is a municipal ordinance violation filed before an associate circuit judge, such surcharge shall be deposited with the director of finance who shall place such costs in a special account to be used for training law enforcement officers.

- 4. *Reimbursement of certain costs of arrest (alcohol related traffic offense cost recoupment).*
 - 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 St. Robert 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, as set forth in Missouri Revised Statutes § 488.5334.
 - c. The Chief of Police shall establish a schedule of such costs hereby authorized and shall submit the same to the Municipal Judge. However,

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the Court may order the costs reduced if it determines that the costs are excessive.

- d. Upon receipt of such additional costs authorized by this Subsection, the City Treasurer shall retain such costs in a separate fund to be known as the "DWI/Drug Offense Cost Reimbursement Fund". Monies with such fund shall be appropriated by the Board of Aldermen to the Police Department in amounts equal to those costs so collected and shall be used by such department specifically to enhance and support the enforcement and prosecution of alcohol- and drug-related traffic laws within the City.
5. *Statewide Court Automation Fund.* In addition to any cost which may be assessed by the municipal division pursuant to statute, ordinance, or court rule, in every proceeding filed in the municipal division for violation of an ordinance when the statewide court automation case management system is in operation, a surcharge of seven dollars (\$7.00) shall be assessed. The fees shall be forwarded to the Department of Revenue pursuant to Missouri Revised Statutes § 476.056.
6. *Shelters For Battered Persons.* There shall also be assessed a two dollar (\$2.00) cost per case for each criminal case and each county or municipal ordinance violation case for the purpose of providing operating expenses for shelters for battered persons as set out in Missouri Revised Statutes § 488.607.
7. *Inmate Security Fund.*
 - a. The St. Robert Municipal Court shall assess \$2.00 (two dollars) court costs on all criminal cases, pursuant to Missouri Revised Statutes § 488.5026. This assessment is in addition to the court costs presently collected pursuant to St. Robert City ordinance.
 - b. All sums collected pursuant to this Subsection shall be paid at least monthly to the City Treasury. The City Treasurer shall deposit into the account "Inmate Security Fund." Deposited funds are to be used for the development of biometric verification systems. Upon installation of the biometric verification system, funds in the Inmate Security Fund may be used for the maintenance of the biometric verification system, and to pay for any expense related to custody and housing and other expenses for prisoners.
8. *Court costs prohibited, when.* Court costs shall not be assessed when the case is dismissed or when costs are to be paid by the state, county, or city.
9. *Judicial waiver of court costs.* Nothing in this section shall be construed to prohibit or limit the authority of the municipal judge to waive fees, miscellaneous charges, and surcharges imposed in a particular case, in whole or in part.

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