

**ORDINANCE NO. 697-22**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA AMENDING THE CITY OF PAGE CODE OF ORDINANCES, § 34.04 ADMINISTRATIVE FEES, TO ADD A DRUG COURT FEE**

**WHEREAS, the City of the Page Code of Ordinances allows for certain fees to be collected by the Magistrate Court; and**

**WHEREAS, the Page Magistrate Court is implementing a drug court program; and**

**WHEREAS, the Magistrate Court desires to offset some of the costs of the drug court program through the collection of a modest fee to be paid by participants.**

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, as follows:**

**SECTION 1. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.**

**SECTION 2. That § 34.04 ADMINISTRATIVE FEES, of the Page Code of Ordinances is hereby amended and adopted as follows:**

**§ 34.04 ADMINISTRATIVE FEES.**

**(A) Disbursement of fines and administrative fees. The court shall remit all fees, fines, restitution, surcharges and other monies collected by the court to the City Finance Department for distribution to state and county agencies.**

**(B) Administrative fees.**

**(1) Generally. The following fees shall be collected by the court:**

- (a) Warrant fee;**
- (b) Suspension fee;**
- (c) Show cause fee;**
- (d) Time payment fee or extension fee;**
- (e) Default fee;**
- (F) DRUG COURT FEE; and**
- (fG) Costs of prosecution.**

**(2) Warrant fee. The court shall collect a warrant fee for each warrant issued by the court. Any person who has a warrant issued by the court for failure to comply shall be required to pay this fee to offset the cost of issuing and servicing the warrant.**

**(3) Suspension fee.** The court shall collect a suspension fee for each suspension of a driver's license. Any person who has had a suspension issued by the court for failure to pay a civil traffic fine or for any other reason shall be required to pay this fee to offset the cost of issuing and servicing the suspension.

**(4) Show cause fee.** The court shall collect a fee on each order to show cause, unless the defendant can show compliance with the issued court order.

**(5) Time payment fee.** In addition to any other assessment authorized by law, the Court shall collect a time payment fee or time payment extension fee from any person who pays a court ordered penalty, fine or sanction on a time payment basis, including parking penalties, restitution and juvenile monetary assessments.

**(6) Default fee.** The court shall collect a default fee for each default judgment entered on a civil traffic violation when the person cited failed to respond to the citation or summons.

**(7) DRUG COURT FEE. THE COURT SHALL COLLECT A FEE FROM EACH PARTICIPANT IN THE DRUG COURT PROGRAM.**

**(78) Costs of prosecution.** The court may collect costs of prosecution as ordered by the court in connection with motions to suspend prosecution.

**(C) Enforcement.**

**(1) If a person has been found to be indigent, the Court may reduce the amount of any fee based upon the individual's ability to pay.**

**(2) The court may contract with a collections agency to collect outstanding fines and administrative fees.**

**(3) In addition to any other remedy available at law, the City Attorney is authorized to institute legal proceedings to recover fees incurred pursuant to this chapter.**

**(D) Authority to set fee amounts.**

**(1) The amount of each fee to be charged pursuant to this chapter shall be set by the Presiding Magistrate who shall in writing inform the City Council of the established fees.**

**(2) If the City Council desires a change in the fee schedule submitted by the Court, the Council shall request the Presiding Magistrate to submit a revised fee schedule.**

**SECTION 3.** That the effective date of this Ordinance shall be 30 days from the adoption of this Ordinance.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. That the City Clerk is authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary; and that the City Clerk is authorized to make formatting changes needed for purposes of clarity and form, if required, to be consistent with the Page City Code of Ordinances.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA this 14<sup>th</sup> day of September, 2022, by the following vote:

Ayes	<u>5</u>
Nays	<u>0</u>
Abstentions	<u>0</u>
Absent	<u>2</u>

CITY OF PAGE

By [Signature]  
Vice Mayor

ATTEST:

[Signature]  
CITY CLERK

APPROVED AS TO FORM:

[Signature]  
CITY ATTORNEY

