

ORDINANCE 05- 5334

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING SECTIONS TO BE NUMBERED 10-401 THROUGH 10-403; PROVIDING FOR THE ASSESSMENT OF ADMINISTRATIVE FEES BY MUNICIPAL COURT AS PART OF THE DISPOSITION OF ALL CITATIONS, CRIMINAL AND TRAFFIC COMPLAINTS, AND TIME PAYMENT CONTRACTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That the Billings, Montana City Code be amended by adding a section to be numbered 10-401, to read as follows:

Sec. 10-401. Purpose and Intent.

The City Council enacts this ordinance to help defray Municipal Court related administrative and processing fees and costs incurred by the City for processing misdemeanor criminal offenses and time payment contracts.

Section 2. That the Billings, Montana City Code be amended by adding a section to be numbered 10-402, to read as follows:

Sec. 10-402. Establishment of Municipal Court Disposition Administrative Fee.

There is hereby established administrative fees and charges to be assessed by the Municipal Court as part of the disposition of all citations and complaints, criminal and traffic, for which there is a conviction, bond forfeiture, nolo contendere plea, or plea of guilty entered. An administrative processing fee for any citation or complaint in the Billings Municipal Court of ten dollars (\$10.00) shall be assessed each citation or complaint in addition to the regular fines, surcharges and fees at the time the defendant pleads or is convicted of any charges. The amount of the administrative processing fee may be modified by resolution of the City Council.

Section 3. That the Billings, Montana City Code be amended by adding a section to be numbered 10-403, to read as follows:

Sec. 10-403. Establishment of Municipal Court Time Pay Contract Administrative Fee.

The Municipal Court shall assess a fee on all time payment contracts allowed the defendant for payment of fines, costs and charges in Municipal Court on an installment basis at an amount of ten dollars (\$10.00). The amount of the administrative processing fee may be modified by resolution of the City Council.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 11th day of July, 2005.

PASSED, ADOPTED and APPROVED on second reading this 25th day of July, 2005.

CITY OF BILLINGS

By _____
Charles F. Tooley Mayor

ATTEST:

By _____
Marita Herold, CMC/AAE City Clerk