

RESOLUTION NO. 3713

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA ESTABLISHING ADMINISTRATIVE FEES AND CHARGES FOR PROCESSING CITATIONS IN CITY COURT

WHEREAS, the City of Miles City has a City Court established for the purposes of processing misdemeanor criminal offenses under Montana state law and the Code of Ordinances of Miles City, Montana, with said Court being established under Mont. Code Ann. Title 3, and having jurisdiction pursuant to, Mont. Code Ann. § 3-11-102 and 103;

AND WHEREAS, The City of Miles City's City Attorney Office is the City's representative in the City Court and is responsible for the prosecution of all traffic and criminal offenses, including offenses involving Driving Under the Influence, Partner or Family Member Assaults, and many other offenses impacting the safety of the community and the general quality of life in the City of Miles City. City Court operations incur numerous monetary expenses for court administrative expenses, necessary room, furniture, fixtures and supplies as well as salaries and related monetary expenses;

AND WHEREAS, a growing case load has caused a significant increase in the burden on the City Attorney Office necessitating the hiring of special prosecution staff to assist the City Prosecutor;

AND WHEREAS, the current City Court surcharges do not adequately fund the necessary prosecution services provided through the City Attorney's Office;

AND WHEREAS, the City Council desires that those individuals who commit violations contribute a greater amount to the enforcement of the laws, and the City Attorney Office's efforts to increase the safety of the community, by assessing an administrative processing fee for each citation or complaint processed by the City Court, to be assessed at the time the defendant is sentenced after a plea of guilty, or is found guilty, of the charges, in addition to any other fees or charges required by Montana state law with respect to criminal court proceedings.

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. There is hereby established administrative fees and charges to be assessed by the City Court as part of the disposition of all citations and complaints, criminal and traffic, for which there is a conviction or plea of guilty entered. An administrative processing fee for any citation or complaint in the City Court of the City of Miles City of twenty-five dollars (\$25.00)


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. Said amounts shall be deposited in the City's General Fund Account No. 1000-351031.

SAID RESOLUTION PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 12th DAY OF AUGUST, 2014.



C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk


A PUBLIC HEARING was duly noticed and held on the matter of the passage of Resolution 3713, establishing administrative fees and charges for processing citations in City Court, on the 14th day of October, 2014, at 7:00p.m. in the City Council Chambers in City Hall, located at 17 South 8th Street, Miles City, Montana.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 14th DAY OF OCTOBER, 2014.



C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk