

## **ORDINANCE NO. 2104**

### **AN ORDINANCE AMENDING SECTION 9-112 OF THE CODE OF THE CITY OF KINGMAN, KANSAS, RELATING TO THE ASSESSMENT OF COURT COSTS IN MUNICIPAL COURT.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF KINGMAN, KANSAS:

Section 1: Section 9-112 of the Code of the City of Kingman, Kansas, shall be amended to read as follows:

“9-112. Court Costs. The following costs shall be assessed, where applicable, against persons who are found guilty, plead guilty, or fail to comply with a traffic citation as costs for the administration of justice:

- a. The sum of \$125.00 shall be assessed as court costs against each person charged with a violation of any ordinances of the City of Kingman, unless found not guilty or imposition of court costs is otherwise prohibited by ordinances of the City of Kingman. The \$125.00 in court costs shall include all costs required by state statute.
- b. A cost of \$50.00 shall be assessed against each person for whom a municipal court bench warrant is ordered by the court for failure to appear, probation violation, or failure to comply.
- c. A cost of \$50.00 shall be assessed against each person for whom a municipal court bench warrant is ordered by the court for failure to pay any fine, penalty, or costs as provided in this section.
- d. Each person placed under the supervision of a probation officer shall pay a probation fee of \$90.00 for each probation.
- e. The cost for housing, meals, and medical care while incarcerated prior to and after a conviction for a violation of the ordinances of the City of Kingman shall be assessed against each person. Said cost shall be the amount actually charged by the Kingman County Sheriff and paid by the City of Kingman.
  1. In determining the amount and method of payment of costs for housing, meals, and medical care, the Court shall take into account the financial resources of the person and the nature of the burden that payment of such fees will impose.
  2. If a person alleges the cost of housing, meals, and medical care would create an undue hardship on the person, he or she may, by motion to the municipal court, request that such costs be waived and/or reduced. If the Court, in its discretion after evaluating the evidence, determines that such fees will create an undue hardship, the Court may waive or reduce said fees.

- f. A blood draw fee of \$35.00 shall be imposed upon each person convicted of a crime for which blood was drawn for testing at the laboratory of the Kansas Bureau of Investigation.
- g. In addition to other court costs assessed pursuant to this section, the sum of \$20.00 shall be assessed as court costs against each accused person who fails to comply with a traffic citation, as defined in Sec. 201.1. of the Standard Traffic Ordinance incorporated by Section 14-101 of the Kingman City Code.
- h. The costs and fees assessed pursuant to this section shall be in addition to any fine imposed.
- i. Post-conviction remedies. Whenever any motions or applications for post-conviction remedies are filed, the cost for filing such motion or application shall be \$125.00 and shall be paid by the person filing such motion or application. The filing fee for an expungement motion shall be \$150.00 and shall be paid by the person filing the expungement motion.
- j. Except as set forth in subsection e of this section, the assessment and imposition of court costs pursuant to this section shall be mandatory, and the court shall not waive, remit, suspend, parole, or otherwise excuse payment thereof unless required by ordinances of the City of Kingman.”

Section 2: This Ordinance shall take effect and be in full force from and after its passage by the Governing Body and publication of a summary of the Ordinance in the official City newspaper with a copy of the original Ordinance posted on the city’s website.

Approved and passed by the Governing Body of the City of Kingman, Kansas, this 9<sup>th</sup> day of March, 2023.

THE GOVERNING BODY OF THE  
CITY OF KINGMAN, KANSAS

/s/ Adrian Harrel  
Adrian Harrel, Mayor

(Seal)  
Attest:

/s/ Cindy Conrardy  
Cindy Conrardy, City Clerk