

RESOLUTION NO. 16-1075

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, COUNTY OF YAVAPAI, ARIZONA, AMENDING, REVISING, AND ESTABLISHING NEW FEES FOR THE MUNICIPAL COURT AS AUTHORIZED BY CHAPTER 34 OF THE TOWN OF CHINO VALLEY, ARIZONA RELATED TO MUNICIPAL COURT FEES; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Town of Chino Valley Town Code § 34.20, the Town Presiding Magistrate shall set fees for the Municipal Court and that such fees shall be submitted to the Town Council for approval by resolution; and

WHEREAS, the Town of Chino Valley, Arizona has previously adopted municipal court fees related to providing court services; and

WHEREAS, the Town desires to amend, revise and establish new fees to update them to address the current needs and requirements of the Town of Chino Valley Municipal Court; and

WHEREAS, a Notice of Intent to Increase Municipal Court Fees, in compliance with A.R.S. § 9-499.15, was posted on the homepage of the Town’s website for at least sixty days before the date of approval of this Resolution,

NOW THEREFORE, BE IT RESOLVED by the Common Council of the Town of Chino Valley, Arizona, that the Table of Municipal Court Fees is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikethrough~~):

Fee Type	Fee Amount	When Assessed
Court Improvement Fee	\$ 27.00 40.00	Assessed to all Court cases.*
Warrant Fee	\$ 27.00 100.00	Assessed to cases when a new arrest warrant is issued.
Payment Plan Fee	\$ 27.00	Assessed to cases if a payment plan is arranged when sentence is imposed.
Suspended License Fee	\$ 27.00 50.00	Assessed to default or failure to pay cases where a license suspension is ordered through Motor Vehicle Division.
Probation Fee	\$ 27.00	Assessed to cases sentenced to Probation.

Fee Type	Fee Amount	When Assessed
House Arrest Fee	\$27.00	Assessed to cases sentenced to the House Arrest Program.
NSF Service Fee	\$ 27.00 35.00	Assessed to cases where payment by check is returned by financial institution for insufficient funds.
Research Fee	\$ 27.00 17.00	Assessed to requests for extensive records searches, case file copying, copying of recorded court proceedings.
Request for Case File Copies	\$ 0.50 per page	Assessed to any non-party request for copies of a case, except governmental agencies.
Traffic Case Processing Fee	\$15.00	Assessed to violations of the State Transportation statute or Town traffic code relating to traffic movement or control.
JAIL REIMBURSEMENT FEE	\$ 150.00 1 ST DAY; \$ 70.00 PER DAY THEREAFTER	PURSUANT TO TOWN CODE § 34.22(a), THIS FEE IS ASSESSED TO ANY PERSON CONVICTED OF A MISDEMEANOR AND SENTENCED TO A TERM OF INCARCERATION IN THE COUNTY JAIL OR OTHER DETENTION FACILITY.
DEFERRED PROSECUTION FEE	\$0.00 - \$500.00	ASSESSED WHEN A DEFENDANT ENTERS A DEFERRED PROSECUTION AGREEMENT.
SUSPENDED SENTENCING FEE	\$0.00 - \$500.00	ASSESSED WHEN A DEFENDANT'S SENTENCE IS SUSPENDED.
INDIGENT DEFENSE FEE	\$375.00	ASSESSED WHEN A DEFENDANT IS REPRESENTED IN COURT BY A PUBLIC DEFENDER.
Debit Card Transaction Fee		
Court Collection Service Fee		

* Defendants attending Defensive Driving School, receive a dismissal of a charge, or are found not guilty or not responsible at time of trial or hearing will not be assessed court

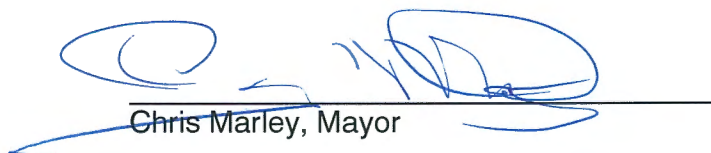
improvement fee if the citation has only one charge. All other cases will be assessed a court improvement fee.

BE IT FURTHER RESOLVED that all parts of any resolution in conflict with the provisions of this Resolution are hereby repealed.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase or portion of this Resolution 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.

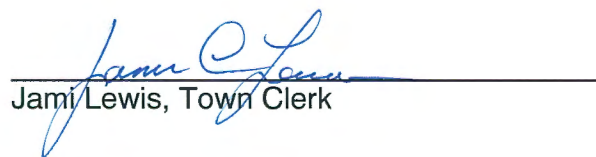
BE IT FURTHER RESOLVED that the fees set forth herein shall become effective thirty (30) days after the approval of this Resolution.

PASSED AND ADOPTED by the Common Council of the Town of Chino Valley, Arizona, this 26th day of January, 2016.



Chris Marley, Mayor

ATTEST:



Jami Lewis, Town Clerk

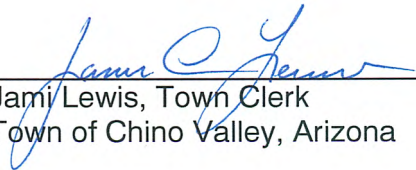
APPROVED AS TO FORM:



Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 16-1075 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on January 26,

2016, and that quorum was present thereat and that the vote thereon was 7 ayes and 0 nays and 0 abstentions. 0 Council members were absent or excused.



Jami Lewis, Town Clerk
Town of Chino Valley, Arizona