

ORDINANCE NO. 1118

AN ORDINANCE OF THE CITY OF LANSING, KANSAS
CONCERNING THE FINE AND BOND SCHEDULE ESTABLISHED
BY THE MUNICIPAL COURT JUDGE; AND AMENDING SEC. 10-108
OF THE CODE OF THE CITY OF LANSING, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
THE CITY OF LANSING, KANSAS:

Section 1. That Chapter 10, Article I, Section 10-108 of the Code of the City of Lansing, Kansas is hereby amended to read as follows:

Sec. 10-108. Court costs.

A. Pursuant to the authority granted under Charter Ordinance No. 1-2004, whenever any person is convicted of a violation of any provisions of this Code, the offender shall be assessed costs for the administration of the case in Municipal Court. The court costs for a violation designated as an ordinance traffic infraction shall be \$60.00, and court costs for any other offense shall be \$100.00. The costs shall be assessed once per case, against the most serious offense committed therein. Of each cost assessment:

1. \$15.00 shall be remitted to the City of Lansing, Kansas, Police Department Equipment Reserve Fund; and
2. The amount(s) specified in K.S.A. 12-4116 and 12-4117, as may be amended from time to time, shall be remitted to the State of Kansas as directed.
3. The balance of costs assessed pursuant to this Section (A) shall be remitted to the city's General Fund or as otherwise directed by the Lansing City Council.

B. Pursuant to the authority granted under Charter Ordinance No. 1-2004, the Municipal Court Judge shall also assess for the administration of justice the following:

1. When the sentence imposed against a defendant includes a period of supervised probation, \$100.00;
2. When a defendant is convicted by this Court of conduct comparable to a class A or B misdemeanor or assault and therefore must be fingerprinted pursuant to K.S.A. 12-4517, \$10.00;

3. When the Municipal Court Judge appoints counsel to represent a defendant in a legal matter before this court and the defendant is found guilty, \$100.00 (in addition to the amount the defendant is ordered to pay directly to the appointed counsel for services rendered in the case);

4. When the sentence imposed against a defendant includes mandatory jail time for which the City incurs costs, an amount equal to the charges assessed to the City by the Leavenworth County Jail for said incarceration;

5. Any other state imposed fees as required by statute.

C. Additional costs and fees may be assessed by the Municipal Court Judge for service of process, for transcripts/depositions/discovery, for expenses incurred in issuing or serving warrants, for failure of the defendant to appear in court as scheduled, for failure to pay court fines and fees as previously ordered, and for the services of a contracted collections agency in collecting debts owed to the court pursuant to K.S.A. 12-4119.

D. Nothing shall prevent the Court, in its discretion, from suspending part or all of the costs assessed pursuant to this Section if a defendant furnishes satisfactory and verifiable proof of indigency or other inability to pay.

(K.S.A. 12-4112; 12-4117)

Section 2. That the governing body of the City of Lansing hereby approves the attached fine and bond schedules, incorporated by reference, as established by the Municipal Court Judge and as may be amended by ordinance pursuant to K.S.A. 12-4305. (See Attachment A: Fine and Bond Schedule and Attachment B: Court Fees and Costs)

Section 3. Chapter 10, Article I, Section 10-108 of the Code of the City of Lansing, Kansas, adopted as part of Ordinance No. 1083, is hereby repealed.

Ordinance No. 1100 along with all other ordinances and parts of ordinances of the City of Lansing in conflict herewith are hereby repealed, it being the intent to supersede the repealed provisions.

Section 4. Severability. If any section, clause, sentence or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

Section 5. This ordinance shall be effective on and after publication as provided by law.

PASSED AND APPROVED by the governing body of the City of Lansing, County of Leavenworth, State of Kansas, this _____ day of _____, 2024.

ATTEST

Anthony R. McNeill, Mayor

Tish Sims, City Clerk

APPROVED AS TO FORM:

Published: Leavenworth Times
Publication Date:

Gregory Robinson, City Attorney

**CITY OF LANSING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE**

Ordinance No. 1118: An Ordinance of the City of Lansing, Kansas Concerning the Fine and Bond Schedule Established By the Municipal Court Judge; and Amending Sec. 10-108 of the Code of the City of Lansing, Kansas.

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

Ordinance No. 1118 Summary:

On _____, 2024, the City of Lansing, Kansas, adopted Ordinance No. 1118, repealing Ordinance No. 1100 concerning the Fine and Bond Schedules established by the Municipal Court Judge, and amending Sec. 10-108 of the Code of the City of Lansing, Kansas. A complete copy of this ordinance is available at www.lansingsks.org or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: _____, 2024.

Gregory Robinson, City Attorney