

ORDINANCE NO. 2009-10

AN ORDINANCE PROVIDING FOR AN AMENDMENT OF COURT COSTS FROM TWENTY-FIVE DOLLARS (\$25.00) TO THIRTY DOLLARS (\$30.00); PROVIDING FOR THE REPEAL OF 1-108C OF THE PERRY MUNICIPAL CODE 2004 (2ND BI-ANNUAL SUPPLEMENT); PROVIDING FOR THE AMENDMENT OF FIRST FULL PARAGRAPH AFTER THE BOND SCHEDULE LOCATED IN CHAPTER 1, SECTION 1-111C OF THE PERRY MUNICIPAL CODE 2004 (2ND BI-ANNUAL SUPPLEMENT),; PROVIDING FOR THE AMENDMENT OF CHAPTER 6, SECTION 6-129 OF THE PERRY MUNICIPAL CODE 2004 (2ND BI-ANNUAL SUPPLEMENT); PROVIDING FOR REPEALER; SAVINGS; CODIFICATION; SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PERRY:

Section I: Section 1-108C of Chapter 1 of the Perry Municipal Code 2004 (2nd Bi-annual Supplement), is hereby repealed.

Section II: The first full paragraph located after the bond schedule in Chapter 1, Section 1-111C of the Perry Municipal Code 2004 (2nd Bi-annual Supplement), is hereby amended to read as follows:

Court costs of ~~Twenty-five Dollars (\$25.00)~~ Thirty Dollars (\$30.00) shall be collected on cases excepting parking, standing and seatbelt violations (but not to include violations of children restraint systems).

Section III: Chapter 6, Section 6-129 of the Perry Municipal Code 2004 (2nd Bi-annual Supplement), is hereby amended to read as follows:

Section 6-129 COSTS

Costs in the amount of ~~Twenty-five Dollars (\$25.00)~~ Thirty Dollars (\$30.00) plus the fees and mileage of jurors and witnesses shall be charged and collected by the clerk of the municipal court in all cases other than those in which the

defendant is acquitted or is found not guilty or those in which are dismissed upon the motion of the defendant or the city attorney. Court costs in the amount of ~~Twenty five Dollars (\$25.00)~~ Thirty Dollars (\$30.00) shall be charged and collected by the clerk of the municipal court in all cases in which the defendant pleads guilty before the traffic violations bureau. Provided however, court costs shall not be collected on cases involving parking, standing and seatbelt violations (but not to include violations of children restraint systems).

Section IV. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section V. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section VI. CODIFICATION. This ordinance shall be codified as shown in the Perry Municipal Code 2004 (2nd Bi-annual Supplement).

Section VII. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the Mayor and City Council of the City of Perry, Oklahoma, that this section of the Perry Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section VIII. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Perry, Oklahoma, and in order to immediately provide for this amendment to court costs ordinance; therefore, this Ordinance Shall become effective from and after its date of publication.

Approved and executed this 20th day of July 2009.

THE CITY OF PERRY, OKLAHOMA

Chuck Hall, Mayor

(Seal)
ATTEST:

Kyla Golay, City Clerk

Approved as to Legality:

Bryce S. Kennedy, City Attorney

Approved as to Form:

Jim Davis, City Manager