

Chapter 125

MUNICIPAL COURT

ARTICLE I

General Provisions ¹

Section 125.010. Violations — To Be Heard By Associate Circuit Judge.

The City of Center hereby elects to have all violations of its municipal ordinances heard and determined by an Associate Circuit Judge of the Circuit Court of Ralls County, Missouri, the County in which the City of Center is located.

Section 125.020. Municipal Division — Circuit Court.

The Division of the Circuit Court of Ralls County, Missouri, which hears and determines violations of the ordinances of the City of Center shall be known as the "Municipal Division of the Circuit Court of Ralls County, Missouri."

Section 125.025. Rules Governing Procedure And Practice In The Municipal Court.

The rules governing the procedure and practice in the Municipal Court shall be those established and promulgated by the Supreme Court of Missouri on July 1, 1959, and such subsequent rules as the Supreme Court shall from time to time establish and promulgate; and any provision in these ordinances which shall be in conflict with such rules is hereby repealed.

Section 125.030. Violations Bureau — Duties — Court Costs.

The Associate Circuit Judge may establish a Violations Bureau in the City of Center, and shall establish such a Bureau when a request therefor is made by the Board of Aldermen of the City of Center. The Violations Bureau shall operate under the supervision of the Circuit Court, and the Associate Circuit Judge hearing and determining violations of the ordinances of the City of Center, and shall be operated in accordance with the rules of the Supreme Court and the rules of the Circuit Court. All expenses incident to the operation of the Violations Bureau, including salaries of clerical personnel, shall be paid by the City of Center. The City shall provide suitable quarters for the Violations Bureau. The Violations Bureau shall accept pleas of guilty to certain violations of traffic ordinances designated by the Associate Circuit Judge and shall accept payments of fines established by the Associate Circuit Judge and Court costs assessed on said pleas of guilty.

Section 125.040. Prosecutions — On Information.

1. State Law Reference: As to certain violations concerning an accused with special needs, § 479.040, RSMo.

All prosecutions for the violation of City ordinances shall be instituted by information and may be based upon a complaint. Proceedings shall be in accordance with the Supreme Court Rule governing practices and procedures in proceedings before Municipal Judges.

Section 125.050. City Ordinances — Evidence — Judicial Notice Of.

In the trial of violations of the ordinances of the City, a copy of a City ordinance which is certified by the Clerk of the City shall constitute prima facie evidence of such ordinance. If such certified copy is on file with the Clerk of the Municipal Division and readily available for inspection by the parties, the Judge may take judicial notice of such ordinance without further proof.

ARTICLE II
Fines And Court Costs

Section 125.060. Installment Payment Of Fine.

When a fine is assessed for violation of an ordinance, it shall be within the discretion of the Judge assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he/she may deem appropriate.

Section 125.070. Court Costs.

- A. In addition to any fine that may be imposed by the Judge in any case filed in the City of Center Municipal Division of the Circuit Court of Ralls County, and in addition to all other fees authorized or required by law, there shall be assessed as costs the following:
1. Costs of Court in the amount of fifteen dollars (\$15.00).
 2. Police Officer Training Fee. A fee of three dollars (\$3.00) is hereby established and assessed as additional Court costs in each Court proceeding, except that no such fee shall be collected when the proceedings against the defendant have been dismissed.
 - a. Two dollars (\$2.00) of each such Court cost shall be transmitted monthly to the Treasurer of the City or other official collecting monies due the City, and used to pay for Police Officer training as provided by Sections 590.100 to 590.180, RSMo. The City shall not retain for training purposes more than one thousand five hundred dollars (\$1,500.00) of such funds for each certified Police Officer or candidate for certification employed by the City. Any excess funds shall be transmitted quarterly to the City's General Fund.
 - b. One dollar (\$1.00) of each such Court cost shall be sent to the State Treasury to the credit of the Peace Officers Standards and Training Commission Fund created by Section 590.178, RSMo.
 3. Crime Victims' Compensation Fund. An additional sum of seven dollars fifty cents (\$7.50) shall be assessed and added to the basic costs in Subsection (A)(1) of this Section, provided that no such cost shall be collected in any proceeding when the proceeding or the defendant has been dismissed by the Court. All sums collected pursuant to this Subsection shall be paid at least monthly as follows:

- a. Ninety-five percent (95%) of such fees shall be paid to the Director of Revenue of the State of Missouri for deposit as provided in Section 595.045.5, RSMo.
 - b. Five percent (5%) shall be paid to the City Treasury.
4. There may also be assessed a cost of up to four dollars (\$4.00) per case for each criminal case, including violations of any County or municipal ordinance, for the purpose of providing operating expenses for shelters for battered persons as set out in Section 488.607, RSMo.
5. There shall be assessed a surcharge of seven dollars (\$7.00) for the Statewide Court Automation Fund.
6. Other costs, such as for the issuance of a warrant, a commitment or a summons, as provided before the Associate Circuit Judge in criminal prosecutions.
7. Actual costs assessed against the City by the County Sheriff for apprehension or confinement in the County Jail or costs assessed against the City by any other detention facility.
8. Mileage, in the same amount as provided to the Sheriff in criminal violations, for each mile and fraction thereof the officer must travel (both directions) in order to serve any warrant or commitment or order of this Court.
9. Any other reasonable cost as may be otherwise provided by ordinance, including, but not limited to, costs of confinement, including any necessary transportation related thereto, medical costs incurred by the City while a defendant is in City custody, and costs related to the arrest and testing of any person for any intoxication-related traffic offense as set out in Section 125.070(A)(10) hereof.
10. Reimbursement Of Certain Costs Of Arrest.
 - a. Upon a plea or a finding of guilty of violating the provisions of Section 577.010 or 577.012, RSMo., or any ordinance of the City of Center involving alcohol- or drug-related traffic offenses, the Court may, in addition to imposition of any penalties provided by law, order the convicted person to reimburse the Police Department for the costs associated with such arrest.
 - b. Such costs hereby authorized shall include the reasonable cost of making the arrest, including the cost of any chemical test made as authorized or required by law or ordinance to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody.
 - c. The Chief of Police may establish a schedule of such costs hereby authorized and shall submit the same to the Municipal Judge. However, the Court may order the costs reduced if it determines that the costs are excessive.
11. Sheriffs' Retirement Fund. A surcharge of three dollars (\$3.00) shall be assessed and collected payable to the Sheriffs' Retirement Fund created in Section 57.955, RSMo.