



Staff Report

Agenda Item: **RESOLUTION MAKING ADDITION TO COURT DEPARTMENT FEES IN THE TOWN FEE SCHEDULE** – Discussion and consideration of Resolution #1322 replacing Resolution #1318 - Town Fee Schedule, adding Court Deferral Fee section.

Staff Contact: Katie Ihnen, Court Supervisor

Meeting Date: January 26, 2010

Background: Currently the fees received from defendants when the Town Prosecutor refers them to counseling and/or Community Services are disbursed between the State of Arizona and Yavapai County. By placing this fee into the Town Fee Schedule the Town of Clarkdale will be able to retain the total amount collected.

Recommendation: To approve Resolution #1322, replacing Resolution #1318 - Town Fee Schedule, adding Court Deferral Fee section.

3rd Offence within 1 year of 1st Offence - Class 2 Misdemeanor	\$150.00 minimum plus applicable surcharges. \$200.00 maximum plus applicable surcharges.
Civil Traffic Default Fee – Per default judgment entered in a civil traffic violation case upon failure to appear or failure to pay a civil sanction, unless such default judgment is set aside under Rule 28, Rules of Procedure in Civil Traffic Cases (as amended). May be waived by the Court.	\$50.00
Warrant Administrative Fee – Charged when a warrant for failure to pay a fine, sanction, restitution, or agency fees, or issues an order to show cause (OSC) to enforce probation or court-ordered counseling or school. Imposed on the person for whom the arrest warrant is issued, or the defendant found in violation at the conclusion or default in an OSC hearing, and it shall be added to the amount set forth in an arrest warrant. May be waived by the Court.	\$100.00
Municipal Court Enhancement Fund Fee – This fee is used to enhance the technological, operational and security capabilities of the court. This fee is applicable to all fines, sanctions, assessments and diversion or probation programs. May be waived by the Court.	\$10.00
Collection Fee – The defendant shall be liable for all costs of collection, including attorney fees and fees charged by a collection agency engaged by the court.	
Court Appointed Counsel Fee – In addition to court appointed attorney reimbursement costs. May be waived by the Court.	\$25.00
Court Deferral Fee – This fee is used when the Town Prosecutor defers prosecution upon the completion of Deferred Prosecution Agreement or the Deferred Entry of Judgment Agreement for counseling or community service. A one-time discretionary fee as determined by the Town Prosecutor within a range of \$1.00 to \$500.00. Deferral fees collected from the defendant will be retained fully by the Town.	Per Town Prosecutor Discretion
Minimum Clerk Fee	Per A.R.S 22-404
Research Fee	Per A.R.S 22-404
Record Duplication	Per A.R.S 22-404
Copies of Documents	Per A.R.S 22-404
ANIMAL FEES: Tags and Licenses (due January 1st.)	
Late fee – per permit after January 31 calendar year	\$5.00
Livestock Permits	\$25.00/year/animal
Chickens, Rabbits, etc.	
Up to 15	\$10.00/year
Each Additional 10 Animals over first 15	\$5.00/year/per each additional 10
1st Renewal After Suspension	\$20.00/year
Subsequent Renewals	\$50.00/year
Dog Tags - Male Neutered	\$5.00
Female Spayed	\$5.00
Male/Female Unaltered	\$10.00
COMMUNITY DEVELOPMENT FEES:	
Minor Land Division	\$200.00