

CHARTER ORDINANCE NO. 05

A CHARTER ORDINANCE EXEMPTING THE CITY OF THE HIGHLANDS, KANSAS, FROM THE MUNICIPAL COURT COST ASSESSMENT PROHIBITION AS SET FORTH AT K.S.A. 12-4112.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF THE HIGHLANDS, KANSAS:

WHEREAS, K.S.A. 12-4112 provides that no person shall be assessed costs for the administration of justice in any municipal court case except for witness fees, mileage and judicial education assessment.

WHEREAS, the Governing Body of the City of The Highlands desires to assess court costs to provide for the economic and efficient operation of the city's municipal court.

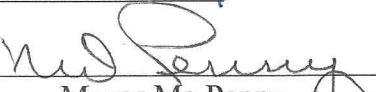
WHEREAS, Article 12, Section 5, of the constitution of the State of Kansas empowers cities to determine their local affairs and government and provides for the enactment of charter ordinances to exempt cities from certain legislative enactments which are not uniformly applicable to all cities; and that K.S.A. 12-4112 et seq. is not uniformly applicable to all cities and is thus subject to this charter ordinance.

SECTION 1. That it is deemed and hereby declared necessary that the City of The Highlands assess court costs in municipal court actions to provide for the economic and efficient operation of the City of The Highlands municipal court. Court costs shall be as established by the Governing Body of the City of The Highlands by separate ordinance.

SECTION 2. That the provisions of K.S.A. 12-4112 so far as they prohibit the assessment of costs in municipal court proceedings are hereby made inapplicable to the City of The Highlands, but in all other respects said statute shall remain applicable.

SECTION 3. This Charter Ordinance shall take effect after its passage and due publication once each week for two consecutive weeks in the official city paper and sixty-one days after final publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the Charter Ordinance, as provided in Article 12, Section 5 of the Constitution of the State of Kansas.

PASSED AND ADOPTED by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 28 day of FEBRUARY 2019.



Mayor Mo Penny

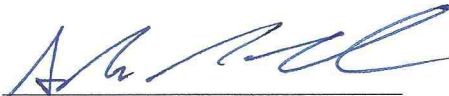


ATTEST:



City Clerk

Approved as to form:



City Attorney