

Town of Bowling Green
Town Council Meeting



Date: March 1, 2018
Agenda Item: VII-D Set Public Hearing
for O-2018-003 Ordinance on Electronic
Summons

TYPE OF AGENDA ITEM:

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
- Duly Advertised

PURPOSE OF ITEM:

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
 - Introduction
 - Resolution
 - Ordinance
 - Grant/MOU
 - By Motion
 - Bylaws
 - Certificate

PRESENTER: Reese Peck

PRESENTER TITLE: Town Manager

AGENDA ITEM: VII-A Set Public Hearing Date for O-2018-003 -Electronic Summons fee ordinance

BACKGROUND / SUMMARY: Ordinance to allow the Town to collect a \$5 fee for each summons issued by the Bowling Green Police Department as allowed by State code.

ATTACHMENTS:

Draft Ordinance
State Code § 17.1-279.1

REQUESTED ACTION: Authorize Town Manager to have public hearing notice published.

FOR MORE INFORMATION, CONTACT:

Phone#: 804-633-6212

Email: Townmanager@townofbowlinggreen.com

Name:

Reese Peck

FOR USE DURING MEETING

Y	N		Y	N
<input type="checkbox"/>	<input type="checkbox"/>	Coleman	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Davis	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Gaines	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Hauser	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: PASS NOT PASSED

McDearmon
Wright
Gibson
Satterwhite

ORDINANCE NO. 2018-__
ELECTRONIC SUMMONS SYSTEM FEE

BE IT ORDAINED pursuant to Va. Code § 17.1-279.1 on this __ day of _____, 2018, that the Bowling Green Town Code shall be amended by adding _____, to read in its entirety as follows:

“Sec. _____. ELECTRONIC SUMMONS SYSTEM

The respective Clerks of the General District Court and the Clerk of the Circuit Court of the Caroline County shall initially assess and collect an additional sum of \$5.00 as part of the costs in each criminal or traffic case in the district or circuit courts located within its boundaries in which the defendant is charged with a violation of any statute or ordinance.

The Bowling Green Town Council shall, on an annual basis, review the fee, and if sufficient funds are available to maintain the system, the fee shall be adjusted to an amount that provides an amount to cover maintenance and replacement cost. The assessment shall be collected by the Clerk of each of the respective courts, which shall be remitted to the Town Treasurer. The Treasurer shall maintain a separate internal record, and funds shall be held by such Treasurer subject to disbursements by the governing body to purchase and maintain an electronic summons system.

All funds received by the Town as a result of this section may be appropriated by the governing body for disbursements for an electronic summons system located within the Town of Bowling Green solely to fund software, hardware, associated equipment costs for the development, maintenance, and installation of an electronics summons system. The funds shall be held by the Treasurer until such funds are adequate as determined by the Town Manager to fully implement the electronic summons system.”

Adopted this __ day of _____, 2018 by a recorded vote as follows:

§ 17.1-279.1. Additional assessment for electronic summons system.

Any county, city, or town, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply.

DRAFT