

**Town of Bowling Green**  
**Town Council Meeting**



Date: April 5, 2018  
Agenda Item: III B - O-2018-003 - To amend Chapter 1 – General Provision of the Town Code to add a section to collect an electronic summons system fee.

**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:** III B - O-2018-003 - To amend Chapter 1 – General Provision of the Town Code to add a section to collect an electronic summons system fee.

**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:**

Public Hearing Advertisement run in Caroline Progress 3/22 & 3/29/18.  
Draft Ordinance.

**REQUESTED ACTION:**

Approve ordinance as proposed

**FOR MORE INFORMATION, CONTACT:**

Phone #: 804-633-6212  
Email: [Townmanager@townofbowlinggreen.com](mailto: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

## **BOWLING GREEN TOWN COUNCIL PUBLIC HEARING**

The Bowling Green Town Council will conduct a public hearing on Thursday, April 5, 2018, at 7:00 PM in Town Hall, 117 Butler Street. The purpose of the hearing will be for the Council to receive public comment on and consider the following matter:

**Amend Chapter 1 – General Provision of the Town Code to add a section to collect an electronic summons system fee.**

All interested persons may attend the hearings and be heard. Copies of the proposals are available for review in Town Hall during business hours. Any person requiring assistance in order to participate in the hearings is asked to contact the Town Manager in advance so appropriate arrangements can be made.

A. Reese Peck  
Town Manager

ORDINANCE NO. O-2018-003  
ELECTRONIC SUMMONS SYSTEM FEE

BE IT ORDAINED pursuant to Va. Code § 17.1-279.1 on this 5th day of April, 2018, that the Bowling Green Town Code shall be amended by adding Section 1-113, to read in its entirety as follows:

“Section 1-113. 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