

ORDINANCE NUMBER: 00-11

AN ORDINANCE ESTABLISHING AN ASSESSMENT CONCERNING
DRIVING UNDER THE INFLUENCE PROSECUTION FOR PURCHASE
OF PROSECUTION AND LAW ENFORCEMENT EQUIPMENT

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA,
KANSAS

Whereas on February 7th, 2000, the City of Galena enacted Charter Ordinance Number 14 exempting the City from the provisions of K.S.A. 21-4112 and permitted the assessment of costs for the administration of justice in the municipal court.

Section 1: This Ordinance hereby repeals ordinance 00-9, an Ordinance establishing an assessment concerning Driving Under the Influence Prosecution for Purchase of Prosecution and Law Enforcement Equipment.

Section 2: That for all cases commenced by the filing of a complaint in the Municipal Court of galena, Kansas on and after September 1, 2000, charging Driving Under the Influence of Drugs of Alcohol where there is a finding of guilty, a plea of guilty, a plea of no contest, forfeiture of bond or a diversion, there shall be assessed as an additional cost in such matters an amount of \$100.00. The \$ 100.00 assessment may be waived by the court or, in the case of diversion of criminal proceedings, by the City Attorney, if the court or the City Attorney finds that the defendant is an indigent person.

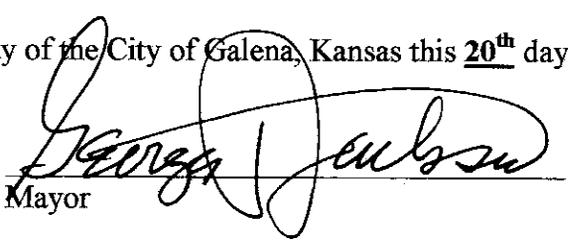
Section 3: The monies collected under the provisions of this section shall be distributed to the Galena Police D.U.I. Assessment Fund and the Galena Municipal Prosecutor D.U.I. Assessment Fund for purchase or equipment that will help assist in the prevention and prosecution of alcohol and drug related crimes or for training to assist in the prevention or prosecution of alcohol and drug related crimes. Such equipment shall include, but not be limited to, in-car video cameras, radar and laser speed detection devices and blood or breath alcohol concentration equipment.

Section 4: The monies collected under the provisions of this section shall be divided between the Galena Police D.U.I. Assessment Fund and the Galena Municipal Prosecutor D.U.I. Assessment Fund as follows: Galena Police D.U.I. Assessment Fund 75% and Galena Municipal Prosecutor D.U.I. Assessment Fund 25%.

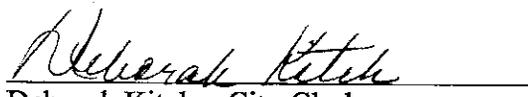
Section 5: This ordinance shall take effect after publication once in the official city newspaper.

Section 6: This Ordinance authorizes the creation of the Galena Police D.U.I. Assessment Fund and the Galena Municipal Prosecutor D.U.I. Assessment Fund by the office of the Galena City Clerk.

Passed and Approved by the Governing Body of the City of Galena, Kansas this 20th day of November, 2000.


Mayor

ATTEST:


Deborah Kitch – City Clerk

(SEAL)