

ORDINANCE NO. 428

AN ORDINANCE ESTABLISHING A MUNICIPAL COURT FEE PURSUANT TO N.D.C.C. § 27-01-10.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEULAH, MERCER COUNTY, NORTH DAKOTA AS FOLLOWS:

1. The municipal judge shall assess a fee of Twenty-Five Dollars (\$25.00) as a part of a sentence imposed on a defendant who pleads guilty to or is convicted of violating a municipal ordinance for which the maximum penalty that may be imposed under the ordinance for the violation includes imprisonment. The municipal judge shall assess the fee when sentence is imposed or when sentence is suspended or imposition of sentence is deferred, unless the defendant is indigent and unable to pay the fee.
2. The fee assessed under this section is in addition to any fine, penalty, costs, or administrative fee prescribed by law.
3. All fees paid to a municipal court under this Ordinance must be deposited monthly into the city treasury for allocation by the governing body of the City of Beulah to one or more of the following programs as determined by the governing body or by agreement of the attorney general, the North Dakota league of cities, and the North Dakota association of counties:
 - a. A private, nonprofit domestic violence or sexual assault program.
 - b. A victim and witness advocacy program of which the primary function is to provide direct services to victims of and witnesses to crime.
 - c. The statewide automated victim information and notification system, as provided for under N.D.C.C. Chapter 12.1-34.


Savings Clause

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Effective Date

This ordinance shall be in full force and effect after passage and approval as provided by law.

DATED this 16th day of October, 2017.



DARRELL BJERKE
Mayor

ATTEST:



HEATHER FEREBEE
City Auditor

Introduction and First Reading:	October 2, 2017
Second Reading:	October 16, 2017
Publication Date:	October 19, 2017
Effective Date:	October 19, 2017