

Introduced by Council Members present

AN ORDINANCE REPEALING 13-61 OF THE MUNICIPAL CODE FOR THE REASON THAT STATE LAW NOW PROHIBITS THE ASSESSMENT OF COURT COSTS IF CASES INVOLVING MINOR TRAFFIC VIOLATIONS BEFORE THE MUNICIPAL COURT ARE DISMISSED

*Whereas*, Section 479.353 R.S.Mo. (as amended August 28, 2015) provides that no court costs shall be assessed if a case involving a minor traffic violation is dismissed by the Municipal Judge; and

*Whereas*, the vast majority, and possibly all, of the “trivial offenses” described in Section 13-61 are considered minor traffic violations for which no court costs may be assessed if the violation is dismissed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERGUSON, MISSOURI, AS FOLLOWS:

**Section 1.** Section 13-61 of Chapter 31 of the Municipal Code is hereby repealed and held for naught:

~~Sec. 13-61. Dismissal of trivial offenses.~~

~~Whenever a defendant is proven guilty of a violation of a provision of this Code, or any other ordinance, which violation is, in the judgment of the municipal judge, of a trivial nature, he may, at his discretion, dismiss the defendant on payment of costs.~~

**Section 2.** This Ordinance shall be in full force and effect from and after the date of its passage by the City Council.

1<sup>st</sup> reading: February 9, 2016 2<sup>nd</sup> reading: \_\_\_\_\_

PASSED BY THE CITY COUNCIL OF THE CITY OF FERGUSON ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk