

(Published in the Andale Clarion  
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on the \_\_\_ day of March, 2018.)

THE CITY OF ANDALE, KANSAS

CHARTER ORDINANCE NO. 18-2

A CHARTER ORDINANCE EXEMPTING THE CITY OF  
ANDALE, KANSAS FROM THE PROVISIONS OF K.S.A. 12-  
4112 RELATING TO THE ASSESSMENT OF COURT COSTS  
FOR THE ADMINISTRATION OF JUSTICE IN THE ANDALE  
MUNICIPAL COURT; AND PROVIDING SUBSTITUTE  
PROVISIONS RELATING TO THE SAME.

WHEREAS, the City of Andale, Kansas has been designated as a city of the third  
class; and

WHEREAS, the City of Andale, Kansas deems it advisable to exempt itself from the  
provisions of K.S.A. 12-4112 relating to the assessment of court costs for the  
administration of justice in the Andale Municipal Court.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE  
CITY OF ANDALE, KANSAS:

Section 1. Exemption

The City of Andale, Kansas, by virtue of the power vested in it by Article 12, Section  
5 of the Constitution of the State of Kansas, hereby elects to make inapplicable to it and  
exempts itself from the provisions of K.S.A. 12-4112 relating to the assessment of court  
costs for the administration of justice in the Andale Municipal Court.

In exempting itself, the City of Andale, Kansas finds that such provisions are not  
uniformly applicable to all cities. Therefore, the City of Andale, Kansas hereby adopts  
substitute and additional provisions on the same subject as hereinafter provided.

Section 2. Assessment of Municipal Court Costs and Fees for the Administration  
of Justice in the Andale Municipal Court

Municipal Court Costs and Fees may be assessed against accused persons for the  
administration of justice in any municipal court case where the accused person is found  
guilty, or where the accused person pleads guilty. Such Costs and Fees may be  
established by resolution of the governing body of the City of Andale, Kansas. These  
charges and fees shall be assessed in addition to and not in lieu of the fees and mileage of  
witnesses which may be assessed in accordance with K.S.A. 12-4411. The judge of the  
Andale Municipal Court may, upon appropriate findings that the interests of justice would

be best served, abate all or a portion of the costs imposed pursuant to this Charter Ordinance except those costs specifically required to be imposed by the provisions of Article 41 of Chapter 12 of the Kansas Statutes Annotated and/or Order of the Kansas Supreme Court.

Section 3. Severability

If any provision, clause, sentence or paragraph of this Charter Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Charter Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Charter Ordinance are declared to be severable.

Section 4. Repeal

All charter ordinances and ordinances, or parts of charter ordinances and ordinances, in conflict herewith are repealed. However, any section of an existing charter ordinance or ordinance not in conflict herewith is not repealed and remains in full force and effect.

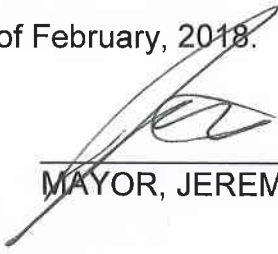
Section 5. Effective Date

This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper and shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on this Charter Ordinance as provided in Article 12, Section 5 Subsection (c) (3) of the Constitution of the State of Kansas. If a sufficient petition for a referendum is filed, this Charter Ordinance shall become effective upon approval by a majority of electors voting thereon.

Passed by the City Council by not less than two-thirds of the members-elect voting in favor thereof this 26th day of February, 2018.

Approved by the Mayor this 26th day of February, 2018.



  
MAYOR, JEREMY CAWOOD

  
CITY CLERK, PATTY HEIN