

AN ORDINANCE ENACTING A NEW SECTION TO CHAPTER 171.10 OF THE CODIFIED ORDINANCES OF THE TOWN OF NUTTER FORT RELATING TO THE ASSESSMENT OF A MUNICIPAL COURT TECHNOLOGY/MAINTENANCE FEE.

WHEREAS, in 2013, the West Virginia Legislature expanded the Municipal Home Rule Pilot Program created pursuant to the provisions of the West Virginia Code §8-1-5a, “the Home Rule Statute” to allow participation by additional municipalities; and

WHEREAS, the Town of Nutter Fort submitted its Home Rule Plan, “the Town’s Home Rule Plan” to the Home Rule Board, which plan was approved by the Board on January 15, 2020, authorizing the Town to assess Court Costs to defray rising costs in Court maintenance and operation, and furthermore facilitate upgrades and maintenance of new technologies that have become commonplace to office and judicial settings.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NUTTER FORT THAT A NEW SECTION TO CHAPTER 171.10 OF THE CODE OF NUTTER FORT IS HEREBY ENACTED, TO READ AS FOLLOWS:

§ 171.10 (g). *Municipal Court Technology/Maintenance Fee.* The Municipal Judge shall assess a mandatory fifty-five dollar (\$55.00) fee upon each and every defendant found guilty or pleading guilty or pleading nolo contendere regarding a misdemeanor violation, including traffic violations and moving violations. The Town shall use the money raised by this fee to update and maintain the Municipal Court’s technology as needed.

This Ordinance shall be effective upon passage. Passed by Council of the Town of Nutter Fort on FIRST READING on this _____ day of _____, 2022.

Passed by Council of the Town of Nutter Fort on SECOND READING on this _____ day of _____, 2022.

MAYOR

ATTEST:

TOWN RECORDER