

ORDINANCE NO. 3034 2025

AN ORDINANCE PROVIDING FOR COURT COSTS, FEES FOR THE ADMINISTRATION OF JUSTICE, PAYMENT METHODS, AND PAYMENT-PROCESSING PROCEDURES FOR THE MUNICIPAL COURT OF THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTION 1-9; REPEALING CURRENT CODE SECTION 1-9 AND REPLACING IT WITH AN AMENDED VERSION OF THE SAME; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Garden City, Kansas:

SECTION 1. AMENDMENT. That Section 1-9 of Chapter 1 of the Code of Ordinances of the City of Garden City, Kansas, is hereby amended to read as follows:

Section 1-9. Court costs and other fees for the administration of justice.

- (a) The clerk of the municipal court, or any designee thereof, and the municipal judge shall assess and collect court costs from each accused person in each action in municipal court as provided in subsection (b) of this section. Such court costs are based upon the cost of issuing process, administering oaths, filing and preserving all papers and records, docketing cases, setting cases for trial, and such further acts as may be compatible with the administration of justice.
- (b) Court costs shall be assessed against an accused person for any ordinance violation disposed of by forfeiture of bond, by plea of guilty or no contest, by a finding of guilt after trial, or by diversion or other alternative resolution program, in accordance with the categories and amounts set forth or referenced below:
 - (1) For all violations of ordinances related to traffic or from the Standard Traffic Ordinance, as incorporated by reference by Section 86-2, other than those specified in subsections (b)(3) and (b)(4) of this section: The amount or rate of such cost, fee, charge, assessment, or other monetary obligation shall be as prescribed in the Master Fee Schedule adopted by resolution pursuant to Section 42-1.
 - (2) For all violations of the Uniform Public Offense Code, as incorporated by reference by Section 62-2, and for all other violations of the City Code for which a specific court cost is not otherwise provided in this Section: The amount or rate of such cost, fee, charge, assessment, or other monetary obligation shall be as prescribed in the Master Fee Schedule adopted by resolution pursuant to Section 42-1.
 - (3) For all ordinance violations relating to the unlawful parking of vehicles pursuant, exclusively, to any sections set forth in Article 13 of the Standard Traffic Ordinance, as incorporated by reference in Section 86-2, and to Sections 86-31 through 86-36: The amount or rate of such cost, fee, charge, assessment, or other monetary obligation shall be as prescribed in the Master Fee Schedule adopted by resolution pursuant to Section 42-1.
 - (4) Notwithstanding the provisions of subsection (b)(1), no court costs shall be assessed for ordinance violations relating to seat belts pursuant to Section 182.1 of the Standard Traffic Ordinance, as incorporated by reference in Section 86-2.
- (c) For each warrant issued by the judge of the municipal court, a warrant fee and an administrative fee shall be assessed: The amount or rate of such cost, fee, charge, assessment, or other monetary obligation shall be as prescribed in the Master Fee Schedule adopted by resolution pursuant to Section 42-1.

- (d) The City shall, insofar as applicable, remit to the State of Kansas the required assessments pursuant to K.S.A. 12-4116, 12-4117, and 12-4120, and amendments thereto, for only those costs that are assessed pursuant to subsection (b) and that are collected.
- (e) Should the Kansas legislature or the Supreme Court of the State of Kansas, from time to time, increase required fees or assessments to be collected in municipal court, the costs designated in this section shall be increased by the clerk of the municipal court, or any designee thereof, in an amount necessary to adequately cover the increased required fee or assessment.
- (f) Only one court cost shall be assessed for each single case number, regardless of the number of violations in the case.
- (g) For each diversion agreement or any other alternative resolution program, the application cost or program fee shall be assessed and the amount or rate of such cost, fee, charge, assessment, or other monetary obligation shall be as prescribed in the Master Fee Schedule adopted by resolution pursuant to Section 42-1.
- (h) The clerk of the municipal court may, at their sole discretion, determine the payment methods to be used for the payment of any costs in this section and for the payment of any fine imposed; *provided, however, that* the same payment methods must be generally available to all accused persons, absent an individualized suspicion of fraudulent activity or history.
- (i) The clerk of the municipal court may provide for non-cash payment methods, including, but not limited to, electronic, digital, and mobile payments. The clerk of the municipal court may set a fee to be added to each non-cash transaction that is equal to the cost paid by or charged to the City for payment processing or the clerk of the municipal court may provide for a payment processing service that sets fees for and directly charges accused persons or their payors for non-cash transactions. Any fee related to a non-cash transaction for payment processing is to be paid by the accused person or their payor and said fee shall be paid in addition to other costs and fines. The clerk of the municipal court, or any designee thereof, shall provide notice of any such fee to an accused person or their payor at the time of payment.
- (j) The clerk of the municipal court may provide for payment by personal or business checks. The acceptance of any check is conditional upon the satisfactory collection of the check. The clerk of the municipal court may establish fees for returned checks and the amount or rate of such cost, fee, charge, assessment, or other monetary obligation shall be as prescribed in the Master Fee Schedule adopted by resolution pursuant to Section 42-1. Any such fee shall be paid by the accused person who drafted the returned check or by the accused person on whose behalf the returned check was presented. Any such fee shall be paid in addition to other costs and fines.
- (k) The costs and fees assessed pursuant to this Section shall be in addition to the fine imposed.

SECTION 2. REPEAL & AMENDMENT. Section 1-9 of Chapter 1 of the Code of Ordinances of the City of Garden City, Kansas, as previously existing and amended, shall be repealed and replaced as specified herein, upon the effective date of this Ordinance.

SECTION 3. SEVERABILITY. If any chapter, article, division, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, for any reason, such holding shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The Governing Body hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

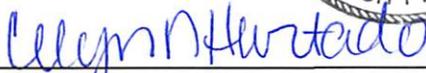
SECTION 4. HEADINGS; SECTION REFERENCES. The headings used in this Ordinance are intended for convenience of reference only and shall not affect the interpretation or construction of this Ordinance or any part hereof.

SECTION 5. EFFECTIVE DATE; SUMMARY PUBLICATION. This Ordinance shall take effect and be in full force and effect from and after January 1, 2026 and the occurrence of all of the following: (a) its passage and signature; (b) publication of a summary of this Ordinance in The Garden City Telegram, the official city newspaper; and (c) publication of the full text of this Ordinance on the City's official website in accordance with subsection (b) of K.S.A. 12-3007.

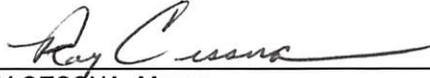
PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, this 18th day of November, 2025.



ATTEST:

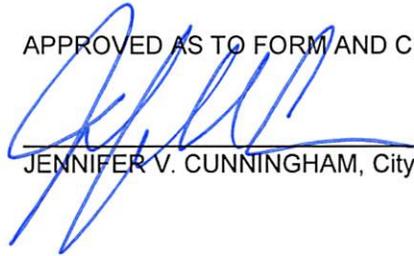


CELYN N. HURTADO, City Clerk
KORI A. LONGORIA, Deputy City Clerk



ROY CESSNA, Mayor

APPROVED AS TO FORM AND CONTENT:



JENNIFER V. CUNNINGHAM, City Attorney