

## **ORDINANCE NO. 23-24**

### **AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 3.80.250 OF THE MARICOPA CITY CODE RELATING TO THE COURT ENHANCEMENT FUND.**

**WHEREAS**, Section 3.80.250 created a Court Enhancement Fund to fund improvements to the court; and

**WHEREAS**, the Mayor and City Council of the City of Maricopa, Arizona, believe, after consultation with its staff, that amending the City of Maricopa Code as set forth herein to amend Section 3.80.250 relating to the Court Enhancement Fund is in the best interest of the City.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and City Council of the City of Maricopa, Arizona:

**SECTION 1.** Section 3.80.250 of the City Code of Maricopa is hereby deleted in its entirety and replaced with the following:

#### **3.80.250 Court Enhancement Fund.**

A. There is created a Court Enhancement Fund for the purpose of funding improvements or services to be used for the enhancement of the court and training for judicial officers and court staff. All funds collected pursuant to this section shall be deposited into the Court Enhancement Fund. Funds in the Court Enhancement Fund shall be segregated and shall not be mingled with the general revenues of the city. Monies in the Fund shall supplement, not supplant, funds provided to the municipal court through the city budget process. Interest earned on the monies in the fund shall be credited to the municipal court enhancement fund. The municipal court, through the presiding judge, shall administer the fund and may make expenditures from the fund for the purposes approved in this section.

B. All funds in the Court Enhancement Fund shall be used for the purpose of acquiring sites for, constructing, acquiring, repairing and/or improving new or existing buildings, acquiring equipment and/or for other improvements or services to be used for the enhancement of the court and training for judicial officers and court staff.

C. The court shall add to the amount of every fine levied against a person who has been convicted of a criminal offense, or who has been adjudged responsible for a civil traffic offense or participates in any court authorized diversion program, including authorized defensive driving courses, an administrative court enhancement fee, in the amount of \$20.00. This court enhancement fee shall not be imposed on civil parking

violations. If a person has been convicted or adjudged responsible for more than one offense in the same case, the fee shall be charged separately for each offense. All funds collected pursuant to this court enhancement fee shall be deposited into the Court Enhancement Fund and disbursed only for the purposes set forth in this section.

D. The municipal court, through the presiding judge shall annually submit to the mayor and council and the city manager a report detailing the amount of money collected and expended during the reporting period.

**SECTION 2.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**SECTION 4.** This Ordinance shall become effective thirty (30) days from the date of its passage and adoption by the City Council of the City of Maricopa.

**PASSED AND ADOPTED** by the Mayor and City Council of the City of Maricopa, this 2<sup>nd</sup> day of May, 2023.

APPROVED:

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Nancy Smith  
Mayor

ATTEST:

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Vanessa Bueras, MMC  
City Clerk

APPROVED AS TO FORM:

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Denis Fitzgibbons  
City Attorney