



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
 (928) 634-7943 FAX (928) 634-0715

Founded 1876  
 Incorporated 1899

## ORDINANCE NO. 444

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING ARTICLE 5-4, "COURT FEES," OF THE JEROME TOWN CODE

WHEREAS, the Chief Justice of the Arizona Supreme Court has mandated security protocols and standards throughout the Courts; and

WHEREAS, the Jerome Municipal Court is in need of providing for security training, equipment and personnel to meet the required standards; and

WHEREAS, to that end, the Municipal Magistrate has recommended that the existing Court Enhancement Fee be eliminated and replaced with a Court Security Fee;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. Section 5-4-2, "Court Enhancement Fee," of the Jerome Town Code is hereby rescinded in its entirety, and replaced with NEW Section 5-4-2, "Court Security Fee," to read as follows:

#### Section 5-4-2 Court Security Fee

- A. A person who has been convicted of a criminal offense, petty offense, found responsible of a civil offense, or placed in a court-authorized diversion program in the Jerome Municipal Court shall pay a Court Security Fee in the amount of \$20 for each case in which they were convicted, found responsible, or the prosecution was deferred. The Court Security Fee shall be assessed and become due upon sentencing, the imposition of the fine or penalty, or the Order granting deferred prosecution.
  - a. "Court-authorized diversion program," as used in this section, means a program in which an individual charged with any civil, criminal or petty offense is not prosecuted for the offense on successful completion of an authorized diversion program, including authorized defensive driving courses.
  
- B. There is hereby created a Court Security Fund, which shall be for the purpose of funding the Court's security measures. The Court Security Fund shall be established as a designated fund account with the Town's finance department. The Municipal Court shall collect Court Security Fees and deposit them in the Court Security Fund account. The Town Finance Department may invest the monies in

Date of first reading: \_\_\_\_\_

Dates of publication: \_\_\_\_\_

Date of adoption: \_\_\_\_\_

Date of posting: \_\_\_\_\_

Voting record at adoption:

	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER						
DILLENBERG						
HARVEY						
WORTH						

the Fund in the same manner as other Town funds. Interest earned on fund monies shall be deposited in the Fund.

- C. The fund shall be administered by Court Administration solely for security personnel, services and items, and expenditures shall be as determined by the Presiding Magistrate. The fund shall be used to supplement, but not supplant, budgeted funds.
  - a. For purposes of this article, the term "security personnel, services and items" includes:
    - (1) the purchase or repair of X-ray machines and conveying systems;
    - (2) handheld metal detectors;
    - (3) walkthrough metal detectors;
    - (4) identification cards and systems;
    - (5) electronic locking and surveillance equipment;
    - (6) video teleconferencing systems;
    - (7) bailiffs or contract security personnel during times when they are providing appropriate security services;
    - (8) signage;
    - (9) confiscated weapon inventory and tracking systems;
    - (10) locks, chains, alarms, or similar security devices;
    - (11) the purchase or repair of bullet-proof glass, walls and/or windows;
    - (12) continuing education on security issues for court personnel and security personnel; and
    - (13) Firearms training and related equipment.

Section 2. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 9-812.

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2018.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Candace Gallagher, Town Manager/Clerk

\_\_\_\_\_  
William J. Sims, Esq.  
Town Attorney