

CHAPTER 13

COSTS

ORDINANCE VIOLATION PROSECUTION

1300. Ordinance Violation, Costs.

In addition to any fine imposed by the Magistrate Court as authorized by law and by ordinance on a person convicted of an ordinance violation, the Magistrate Court shall, in addition to those costs taxable under state law, tax the following costs against the defendant on conviction. (Ord. 184, Sec. 1.a, Eff. 5-28-74)

1300.1 Magistrate Fee.

A magistrate fee of two dollars and fifty cents (\$2.50) shall be taxed. (Ord. 184, Sec. 1.a, Eff. 5-28-74)

1300.2 Magistrate Cost.

A magistrate cost of two dollars and fifty cents (\$2.50) shall be taxed. (Ord. 184, Sec. 1.a, Eff. 5-28-74)

1300.3 County Counselor Cost.

A county counselor cost of ten dollars (\$10) shall be taxed. (Ord. 184, Sec. 1.a, Eff. 5-28-74)

1301. Payment.

The costs set forth in Sections 1300.01, 1300.02 and 1300.03 are to be paid into the court at the time of payment of the fine. (Ord. 184, Sec. 1.a, Eff. 5-28-74)

1302. Costs Paid Into General Revenue Fund.

All costs except the magistrate fee assessed by the court shall be paid into the general revenue fund of Jackson County. (Ord. 184, Sec. 1.b, Eff. 5-28-74)

1303. Ordinance Violations, Witness Compensation.

The following amounts shall be allowed and paid to witnesses subpoenaed by the court to appear in ordinance violation cases. (Ord. 184, Sec. 2, Eff. 5-28-75)

1303.1 Witness Fee.

The amount allowed and paid as a witness fee for each day of service shall be one dollar and fifty cents (\$1.50) per day. (Ord. 184, Sec. 2, Eff. 5-28-74)

1303.2 Witness Mileage.

The amount allowed and paid a witness mileage shall be ten cents (\$.10) per mile. (Ord. 184, Sec. 2, Eff. 5-28-74)

1304. When Payment Due Witnesses.

Witness fees and mileage shall be allowed and paid only to witnesses subpoenaed by the court and only on presentation of the subpoena duly signed and with the seal of the court on it. (Ord. 184, Sec. 2, Eff. 5-28-74)

1305. Sworn Statement.

Persons paying witness shall obtain a sworn statement of the number of days served and mileage traveled. (Ord. 184, Sec. 2, Eff. 5-28-74)

1306. Signed Receipt.

Persons paying witnesses shall take a signed receipt for the fee. (Ord. 184, Sec. 2, Eff. 5-28-74)

1307. Unclaimed Witness Compensation.

Any witness fee or mileage allowance not claimed within one (1) year from the date of service shall be paid into the general revenue fund of Jackson County. (Ord. 184, Sec. 2, Eff. 5-28-74)

1308. Maximum at Cost of County.

If the complaint or affidavit alleges a county ordinance violation is signed by a person other than a peace officer or the county counselor, the prosecuting witness and the defendant shall each be allowed to subpoena three (3) witnesses and witness fees and mileage allowances shall be taxed at the time of judgment as provided in Sections 1303.00 through 1307.00. (Ord. 184, Sec. 3, Eff. 5-28-74)

1309. Costs Paid Additional Witness.

If either party shall want more than three (3) witnesses each, that party shall pay into the court the sum for each witness over three (3) at the time that party asks for the additional witnesses to subpoenaed. (Ord. 184, Sec. 3, Eff. 5-28-74)

1310. Defendant Discharged or Acquitted.

If the complaint shall be signed by a person other than a peace officer or county counselor and the defendant is discharged or acquitted, the magistrate may at his discretion adjudge the prosecuting witnesses to pay the costs. (Ord. 184, Sec. 3, Eff. 5-28-74)

1311. Additional Court Costs.

The official responsible for collecting court costs and fines shall, in addition to costs otherwise allowed by law, assess as court costs the amount of three dollars (\$3) for each court proceeding filed in any court in Jackson County for violations of the general criminal laws of the state, including infractions of violations of Jackson County Ordinances. (Ord. 697, Sec. 1, Eff. 5-10-79; Ord. 2525, Eff. 04/26/96)

1311.1 No Surcharge When Dismissed.

No surcharge shall be imposed or collected in any proceeding in any court when the proceeding or defendant has been dismissed or when costs are to be paid by the county. (Ord. 184, Sec. 697, 1, Eff. 5-10-79; Ord. 2620, Eff. 02/03/97)

1311.2 Use Of Surcharge Proceeds.

The surcharge collected shall be allocated in the following manner:

- a) Two dollars for each case shall be transmitted monthly to the Manager of Administration to be used for the training of Jackson County law enforcement officers, including park rangers; and,
- b) One dollar for each case shall be transmitted to the state treasury for credit to the credit of the Peace Officer Standards and Training Commission Fund, to be used for training of law enforcement officers statewide. (Ord. 697, Sec. 2, Eff. 5-10-79; Ord. 2525, Eff. 04/26/96; Ord. 2620, 02/03/97)

1312. - 1319. RESERVED

MAGISTRATE PROCESS FEES

1320. Fees, Magistrate Process.

There is established the following schedule of fees payable to the circuit court administrator for service of process issuing out of the Magistrate Courts of Jackson County, Missouri. (Ord. 233, Sec. 1, Eff. 1-1-75)

1321. Return of Summons.

The fee payable for return of all summons issued in any case, regardless of the number of parties defendants and including all alias summons and the posting of notices as required by law subsequent to a return of non est on a summons is five dollars (\$5). (Ord. 233, Sec. 1.a. Eff. 1-1-75)

1322. Return of Capias, Writ, Etc.

The fee payable for each return of capias, writ, subpoena, attachment, order, citation, notice or other such legal process issued to any party, witness or person, provided that only one such fee shall be collected for all process served at the same location or address is five dollars (\$5). (Ord. 233, Sec. 1.b. Eff. 1-1-75)

1323. Return of Execution.

The fee payable for return of each execution including all garnishment summons issued on the execution or writs of sequestration or restitution issued in connection with the execution is four dollars (\$4)., Ord. 233, Sec. 1.d, Eff. 1-1-75)

1324. Notice of Exemption.

The fee payable for each notice of exemptions sent by certified or registered mail as required by statute or rule of court is two dollars (\$2). (Ord. 233, Sec. 1.d, Eff. 1-1-75)

1325. Seized Property.

The fee payable for the safe keeping, supporting and removing of livestock and other property seized under legal process is an amount deemed reasonable by the magistrate court out of which the process is issued. The fee shall be paid as other costs. (Ord. 233, Sec. 1.e, Eff. 1-1-75)

1326. Commissions.

The fee payable as a commission for receiving and paying money on executions or other process issued out of magistrate court where the goods or other property has been levied and advertised and sold is three percent (3%) on the first five hundred dollars (\$500) and two percent (2%) on all sums above five hundred dollars (\$500). (Ord. 233, Sec. 1.f, Eff. 1-1-75)

1327. Civil Case, Fee Imposed Upon Filing.

Pursuant to authority granted in RSMo 455.205 and by the voters of Jackson County on August 7, 1984, a fee of two dollars (\$2) shall be imposed upon the filing of a civil case in the Circuit Court of Jackson County. The fee shall not be charged when no court costs are otherwise required, and shall not be charged when costs are waived or are to be paid by the state, county, or municipality. (Ord. 1230, Eff. 10-5-84; Ord. 2952, Eff. 09/27/99; Ord. 3047, Eff. 08/25/00)

1327.1 Petitioner Shall Pay Fee.

Said fee shall be paid by the party who filed the petition, and shall be collected by the Clerk of the Circuit Court as other costs of the proceedings are collected. (Ord. 1230, Eff. 10-5-84)

1327.2 Filing of Report.

At the end of each month, the Clerk of the Circuit Court shall file a verified report with the Clerk of the Jackson County Legislature of the fees collected pursuant to the provisions of 1327.01 and RSMo 455.205.2. (Ord. 1230, Eff. 10-5-84)

1327.3 Payment of Fees Collected.

Upon the filing of the monthly report required in 1327.02, the Clerk of the Circuit Court shall forthwith pay over to the Manager of the Division of Finance all fees collected pursuant to 1327.01 and RSMo 455.205.2. (Ord 1230, Eff. 10-5-84)

1327.4 Deposit of Fees.

The Manager of the Division of Finance shall deposit all fees received pursuant to 1327.00 in a special fund to be expended only to provide financial assistance to shelters for victims of domestic violence as provided in RSMo 455.200 to 455.230. (Ord. 1230, Eff. 10-5-84)

1328. - 1339. RESERVED

COMPENSATION FOR ELECTION JUDGES

1340. Board of Election Commission of Jackson County, Compensation for Judges.
The compensation for election judges for the Board of Election Commission of Jackson County, Missouri is as follows. (Ord. 826, Sec. 1, 7-22-80; Ord. 2015, Eff. 08/07/91)

1340.1 Supervisory Judges.
The compensation for supervisory judges is ninety dollars (\$90) per day. (Ord. 826, Sec. 1, Eff. 7-22-80; Ord. 2015, Eff. 08/07/91; Ord. 2987, Eff. 02/10/00)

1340.2 Nonsupervisory Judges.
The compensation for nonsupervisory judges is eighty dollars (\$80) per day. (Ord. 826, Sec. 1, Eff. 7-22-80; Ord. 2015, Eff. 08/07/91; Ord. 2987, Eff. 02/10/00)

1341. Board of Election Commissioners of Kansas City, Compensation for Judges.
The compensation for election judges for the Board of Election Commissioners of the city of Kansas City, Missouri is as follows. (Ord. 826, Sec. 2, Eff. 7-22-80; Ord. 2015, Eff. 08/07/91)

1341.1 Supervisory Judges.
The compensation for supervisory judges is ninety dollars (\$90) per day. (Ord. 826, Sec. 2, Eff. 7-22-80; Ord. 2015, Eff. 08/07/91; Ord. 2987, Eff. 02/10/00)

1341.2 Nonsupervisory Judges.
The compensation for nonsupervisory judges is eighty dollars (\$80) per day. (Ord. 826, Sec. 2, Eff. 7-22-80; Ord. 2015, Eff. 08/07/91; Ord. 2987, Eff. 02/10/00)

1342. Compensation for Training Election Judges.
The election judges of either Board of Election Commissions may be compensated at a rate not to exceed (\$10) per day for purposes of training as an election judge. (Ord. 826, Sec. 3, Eff. 7-22-80)

1343. - 1349. RESERVED