

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MESA ARIZONA AMENDING MESA
CITY CODE SECTION § 1-12-3 REGARDING THE
COURT SUSTAINABILITY FEE AND ITS
APPLICATION.**

WHEREAS, Arizona Revised Statutes § 22-404(E) authorizes the Council to establish and assess fees for court programs and services; and

WHEREAS, the Council previously adopted and established and the Mesa Municipal Court implemented a Court Sustainability Fee in the amount of fifteen dollars (\$15.00). The Sustainability Fee enhances and maintains the technological, operational and security capabilities of the Municipal Court; and

WHEREAS, the Mesa Municipal Court has identified certain revisions to the City Code which can be made to more clearly reflect the applicability of the Court Sustainability Fee, and desires to codify same

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Mesa, Maricopa County, Arizona, as follows:

Section 1: Adoption of Amendments to Title 1, Chapter 12, Section 3 of the Mesa City Code. In this Ordinance:

Additions to the text are shown in bold, all capital letters and underlined: **ABC**
Deletions to the text are shown as strikeouts: ~~Abe~~

Mesa City Code Section 1-12-3: COURT SUSTAINABILITY FEE, is hereby amended to read as follows:

1-12-3:COURT SUSTAINABILITY FEE:

A court sustainability fee in the amount of fifteen dollars (\$15.00) is hereby established. The Mesa Municipal Court shall direct a defendant to pay the court sustainability fee ~~in all cases, except for parking violations,~~ **ON ALL CHARGES** where the court imposes a fine, sanction, penalty, or assessment **EXCEPT FOR PARKING VIOLATIONS**. The court sustainability fee shall be in addition to all other fines, sanctions, penalties, or assessments of whatever type.

Section 2. Repeal.

All Ordinances or parts of Ordinances, and all sections of the Mesa City Code or parts of such sections in conflict herewith, are hereby repealed to the extent of such conflict.

Section 3. Severability.

If any section, subsection, sentence clause, phrase or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a Court of competent jurisdiction such decision shall not affect the validity of the remaining portions thereof.

Section 4: Effective Date.

The effective date of this Ordinance shall be 30 days following adoption by the Mesa City Council.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 16th day of May, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk