

## RESOLUTION # 09/10-21

**TITLE:** *A Resolution Authorizing the Municipal Court to Establish and Revise Traffic School Program Fees; Establish and Revise Fix-it Ticket Program Fees and Consolidate and Revise Municipal Court City Assessment Fees.*

**WHEREAS**, the Dayton Municipal Court was established by the City Council and has jurisdiction to adjudicate all State Motor Vehicle Code violations which occur within the city limits of Dayton, Oregon; and

**WHEREAS**, the City desires to revise the existing fee structures and establish new fees for the Traffic School Program and the Fix-It Ticket Program; and

**WHEREAS**, the City desires to revise and consolidate Municipal Court City Assessment; and

**WHEREAS**, the City of Dayton as the legislative body for the City, may adopt enactments that establish authority for the Municipal Court.

**The City of Dayton resolves as follows:**

1. **THAT** the Dayton City Council authorizes revisions to the Traffic School Program and Fix-It Ticket Program as provided for in the General Order which is attached as Exhibit "A" and authorizes the revisions of City Court fees and the consolidation of Municipal Court City Assessments as set forth by the Municipal Court and provided for in Exhibit "A".
2. **THAT**, the Dayton City Council makes the following findings:
  - a. The Council finds that in order to adequately conduct the public safety program of enforcement of traffic laws throughout the City for the protection of citizens and motorists passing through the City, the City is in need of proper equipment, training and other necessary resources to operate the Court.
  - b. The City finds new fees and the revision and consolidation of existing fees and assessments are necessary to effectuate the City's goals.
  - c. The Court is authorized to establish and levy the fees and assessments through a General Order of the Court.
  - d. The Court is directed to amend the Uniform Minimum Fine Schedule to include the above fine revisions and assessments; and
3. **THAT** the proposed General Order of the Court is attached as Exhibit "A" for the City Council's reference. The City Council expresses its approval of the General Order and the Municipal Judge has full authority to adopt, amend and enforce General Orders of the Court; and

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4. **THAT** this resolution shall become effective immediately upon adoption.

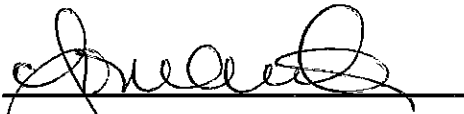
**ADOPTED** this 5<sup>th</sup> day of **October, 2009**.

**In Favor:**        **Blackburn, Dickson, Evers, Hensley, Wytoski**

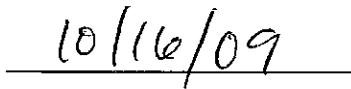
**Opposed:**        **None**

**Absent:**         **Henry, White**

**Abstained:**    **None**

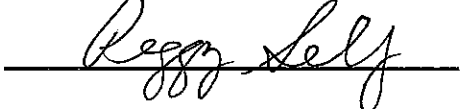


**Jolie White, Mayor**

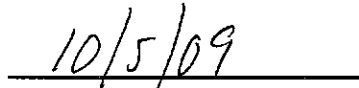


**Date Signed**

**ATTEST:**



**Peggy Selberg, City Recorder**



**Date of Enactment**

**Attachment**

**Exhibit A**

# EXHIBIT "A"

## IN THE MUNICIPAL COURT OF THE CITY OF DAYTON YAMHILL COUNTY, STATE OF OREGON

In the Matter of revising and establishing  
fine amounts for Traffic School; revising and  
establishing fine amounts for the Fix-It Ticket  
Program and revising and consolidating  
Municipal Court City Assessments

No. 2009-007

GENERAL ORDER

### RECITALS

1. The Dayton Municipal Court has been granted jurisdiction to adjudicate all State Motor Vehicle Code violations which occur within the city limits of Dayton, Oregon.
2. The Court established a Traffic School program through General Order No. 2007-001 and desires to revise the existing fees and establish a fee for 55 Alive program.
3. The Court established a Fix-It Ticket Program through General Order No. 2007-002 and desires to revise the existing fees and establish a fee for Administrative Matters.
4. The Court desires to consolidate and revise the fee for City Assessments ordered by the Court.
5. The Dayton City Council has adopted Resolution No. 09/10-21 approving revisions to the Municipal Court Fees.

### IT IS ORDERED AS FOLLOWS:

1. General Order No. 2007-001 Section 3 is updated to reflect an increase in fees to the court for administration of the Traffic School program (including Municipal Court assessments) as follows: \$90.00 for Class "D" violation; \$125 for a Class "C" violation.
2. The court also establishes a fee for the Traffic School program at \$100 for 55 Alive program.
3. General Order No. 2007-002 Section 4 is deleted in its entirety and replaced with the following language "There is a Fix-It Ticket Program – Equipment Citation of \$75.00 and an Administrative Citation of \$150."
4. The three (3) existing City Assessments are consolidated into one (1) City Assessment totaling \$20.
5. Attached as an exhibit is the schedule and proposed fee changes, which by this reference are part of the order.

THIS ORDER SHALL BECOME EFFECTIVE ON OCTOBER \_\_\_\_\_ 2009.

Dated this \_\_\_\_ day of October, 2009

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Terrence D. Mahr  
Municipal Court Judge

## EXHIBIT TO GENERAL ORDER # 2009-007

### DAYTON MUNICIPAL COURT & VIOLATIONS BUREAU FINE AND FEE ASSESSMENT SCHEDULE

**MOTOR VEHICLE OFFENSES:**

State Minimum Base Fine Amount (MBFA) and Violation Class	Dayton MBFA with \$20.00 Assessment	1 <sup>st</sup> OFFENSE in 3 years	2 <sup>nd</sup> OFFENSE in 3 years	3 <sup>rd</sup> OFFENSE in 3 years	Failed to Appear for Arraignment
Class D \$142.00	162.00	122.00	138.00	146.00	217.00
Class C \$190.00	210.00	158.00	179.00	187.00	307.00
Class B \$287.00	307.00	231.00	261.00	277.00	492.00
Class A \$472.00	492.00	369.00	419.00	443.00	852.00

\*\*\* Violations of Speed Laws in School Zones cannot be reduced below bail designated on citation.

Disabled Parking Violation	
1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence & Subsequent Offenses
\$190.00 minimum	\$450.00 minimum

**Dayton Municipal Court Fees:**

<b>Court Fee Type</b>	<b>Fee Amount</b>	<b>Proposed</b>
City Assessment: Peer Court \$5.00 Public Safety \$5.00 Training \$2.00 <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-left: 20px;">                         To be consolidated into one total assessment                     </div>	\$12.00	\$20.00
Postponement or Failure to Appear for a Trial	\$35.00	No Change
Court Fee for Drivers License Suspension & Reinstatement	\$30.00	No Change
Late Payment Fee:	\$25.00	No Change
Collection Fee to be Assessed by:	Collection Agency	No Change
Vehicle Impound Fee:	\$75.00	\$100.00
Fixit-Ticket Program - Equipment Citations	\$40.00	\$75.00
Fixit-Ticket Program – Administrative Matters	none	\$150.00
<b>Seatbelt/Traffic School Program</b>	<b>Administrative Fee Amount</b>	<b>Proposed</b>
Class D Violation	\$75.00	\$75.00
Class C Violation	\$100.00	\$120.00
Class B Violation	\$200.00	\$200.00
55 Alive Program (all violations)	Varied	\$100.00