

TOWN OF BATH ORDINANCE 2008-02

WHEREAS, West Virginia Code 49-5-13d was amended to authorize counties and municipalities to adopt a mandatory fee when a county elects to institute a Teen Court Program, to fund that program.

WHEREAS, West Virginia Code 49-5-13d(d) now provides,

“Each county that operates, or wishes to operate, a teen court program as provided in this section is hereby authorized to adopt a mandatory fee of up to five dollars to be assessed as provided in this subsection. Municipal courts may assess a fee pursuant to the provisions of this section upon authorization by the city council of said municipality. Assessments collected by the clerk of the court pursuant to this subsection shall be deposited into an account specifically for the operation and administration of a teen court program. The clerk of the court of conviction shall collect the fees established in this subsection and shall remit the fees to the teen court program.

Any mandatory fee established by a county commission or city council in accordance with the provisions of this subsection shall be paid by the defendant on a judgment of guilty or a plea of nolo contendere for each violation committed in the county or municipality of any felony, misdemeanor or any local ordinance, including traffic violations and moving violations but excluding municipal parking ordinances.”

Accordingly, it is ADJUDGED, ORDERED AND DECREED that a Mandatory Fee is established in accordance with the provisions of the West Virginia Code 4-5-13d(d) in the amount of Five and 00/100 Dollars (\$5.00) to be paid by the Defendant on judgment of guilty or a plea of nolo contendere for each violation committed in the Town of Bath, of any felony, misdemeanor or any local ordinance including traffic violations and moving violations, and that the Clerk of the Court shall collect the fee established hereby and shall remit the fees to the office of the Clerk of the Morgan County Commission to be deposited in the Morgan County Teen Court Program Fund.

The Clerk of the Town of Bath is directed to forward a certified copy of this Order to the Clerk of the Circuit Court of Morgan County and the Clerk of the Magistrate Court of Morgan County, West Virginia.

Upon the motion of David Cresly,
seconded by Dale Latman the Order
pertaining to the Teen Court Fee is approved and adopted by the Town of Bath, Morgan
County, West Virginia. The assessment and collection of the Teen Court Fee shall be
effective as of October 1, 2008.

ADOPTED, THIS 10th DAY OF September 2008

Susan J. Webster
Susan J. Webster, Mayor

Irene Hedrick, Recorder