

**AN ORDINANCE TRANSFERRING OF VILLAGE OF OAKWOOD, MUNICIPAL COURT
AND TRANSFERRING THE MUNICIPAL DIVISION CASES TO BE HEARD TO THE
CLAY COUNTY CIRCUIT ASSOCIATE DIVISION**

WHEREAS the Board of Trustees adopted Bill number 158-2012-17 as Ordinance Number 158-2012-17 on August 17, 2017; and

WHEREAS the Board of Trustees on the 7th day of October, 1985 adopted Ordinance Number 91 electing to have municipal violations heard in the Associate Circuit Court by the Clay County Missouri Circuit Court.

WHEREAS to the extent not inconsistent with the terms hereof, the above-referenced ordinances, copies of which are attached hereto as Exhibits 1 and 2, respectively, are readopted and reaffirmed.

WHEREAS the Board of Trustees wishes to update the court costs to be charged in conjunction with municipal court cases from the Village of Oakwood.

WHEREAS the Village of Oakwood wishes to approve the court costs as set forth hereinafter.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OAKWOOD, AS FOLLOWS:

Section 1. As soon as practicable after January 1st, 2025, the next regularly scheduled VILLAGE OF OAKWOOD Municipal Court Docket, the VILLAGE OF OAKWOOD Municipal Court shall be transferred to the Clay County Circuit Court and VILLAGE OF OAKWOOD Municipal Division Cases shall be heard in the Clay County Circuit Court Associate Division or as assigned by the Clay County Circuit Court.

Section 2. The Trustees are authorized to take all actions necessary to transfer the VILLAGE OF OAKWOOD Municipal Court to the Clay County Circuit Court and effectuate the transfer of VILLAGE OF OAKWOOD Municipal Division Cases to be heard in the Clay County Circuit Court.

Section 3. The clerk fee contained in the court costs associated with VILLAGE OF OAKWOOD Municipal Division Cases shall be increased to \$15.00.

Section 4. *Crime victims' compensation fund surcharge.* A surcharge in the amount of seven dollars and fifty cents (\$7.50) as imposed by RSMo § 595.045 for purposes of the crime victims' compensation fund established by the State of Missouri. Any sums collected pursuant to this subsection shall be distributed ninety-five (95) percent to the State of Missouri for deposit to the crime victims' compensation fund and five (5) percent to the city as reimbursement for the costs of collection of such state-imposed charge.

Section 5 *Peace officer standards and training surcharge.* A surcharge in the amount of one dollar (\$1.00) as imposed by RSMo § 488.5336 for purposes of the peace officer standards and training commission fund created by RSMo § 590.178. Any sums collected pursuant to this subsection shall

be distributed to the State of Missouri for deposit to the peace officer standards and training commission fund.

Section 6 *Law enforcement training surcharge.* A surcharge in the amount of two dollars (\$2.00) as set forth in RSMo § 488.5336 for training law enforcement officers. Such surcharge shall be deposited with the director of finance who shall place such costs in a special account to be used for training law enforcement officers;

Section 7 *Alcohol related traffic offense cost recoupment.* The actual and reasonable costs incurred by the city as determined by the municipal judge for costs associated with the arrest for violation of any city ordinance involving alcohol or drug-related traffic offenses, including the cost of any chemical test to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody as set forth in RSMo § 488.5334;

Section 8. *Statewide court automation fund surcharge.* In addition to any cost which may be assessed by the municipal division pursuant to statute, ordinance, or court rule, in every proceeding filed in the municipal division for violation of an ordinance when the statewide court automation case management system is in operation, a surcharge of seven dollars (\$7.00) shall be assessed. Any sums collected pursuant to this subsection shall be distributed to the Department of Revenue.

Section 9. The VILLAGE OF OAKWOOD elects to have the Circuit Court of Clay County Missouri, or the Associate Circuit Court as assigned, to act as the municipal court for the VILLAGE OF OAKWOOD.

Section 10. To the extent not conflicting herewith, ordinances 158-2012-17 and 91 are hereby ratified and affirmed.

Section 11. The provisions of this Ordinance shall supersede any conflicting provisions contained within the VILLAGE OF OAKWOOD's Code of Ordinances.

Section 12. This Ordinance shall become effective February 20, 2025, except that the changes in costs will be effective upon the completion of the transfer of the Municipal Court to Clay County.

PASSED THIS 20TH DAY OF FEBRUARY 2025.



Monte Stephenson, Chairman, Board of Trustees, Village of Oakwood, Clay County, Missouri



Attest: Chaundra Crawford, Village Clerk