

**ORDINANCE NO. 24-\_\_**

AN ORDINANCE PERTAINING TO COURT PROCEDURE AMENDING SECTION 9-1-128, ARTICLE 9-1, CHAPTER 9, LAWTON CITY CODE 2015, RELATING TO ENFORCEMENT OF FINES AND COSTS- IMPRISONMENT, WORK AND COMMUNITY SERVICE BY ESTABLISHING COMMUNITY SERVICE HOURS MAY BE CREDITED TOWARD FINES AND COSTS OF VARIOUS OFFENSES AND SETTING FORTH THE CREDIT RATE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lawton, Oklahoma, that:

**Section 1. Section 9-1-128 is hereby amended to read as follows:**

9-1-128 – Enforcement of fines and costs – Imprisonment, work and community service.

A. If a defendant who is financially able refuses or neglects to pay a fine or costs or both, payment may be enforced by imprisonment until the same shall be satisfied at the rate of twenty-five dollars (\$25.00) per day.

B. If the defendant is without means to pay the fine or costs, the municipal judge may direct the total amount due to be entered upon the court minutes and to be certified to the district court where it shall be entered upon the district court docket and shall have the full force and effect of a district court judgment. Thereupon the same remedies shall be available for the enforcement as are available to any other judgment creditor.

C. All defendants guilty by reason of conviction or plea of guilty may perform, if their health permits, work on community projects, including the public streets, avenues or ways public buildings or other public premises or property or as a volunteer for a private non-profit organization which agrees to accept and be responsible for a community service program. If imprisonment is ordered and community service is approved, for each day of such work, the person ordered to community service shall be credited for two days of imprisonment toward any fine or costs or witness or juror fees or mileage until the same are satisfied. A day for purposes of community service in lieu of imprisonment is considered six hours community service work.

D. Community service may also be authorized when fines and court costs are mandated. If community service is approved, the defendant will be credited \$16.67 or the federal minimum wage rate per hour, whichever is greater, for community service satisfactorily performed. This rate of credit is for use solely toward fines and costs.

E. ~~D.~~ The city shall direct where the work shall be performed. The appropriate officer shall oversee the work. If a guard is necessary, the Chief of Police shall make provision therefor.

**Section 2. Severability Clause.** If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

**Section 3. Effective Date:** The Provisions of this ordinance shall become effective thirty (30) days after the date of the ordinance’s passage.

**ADOPTED and APPROVED** by the Council of the City of Lawton, Oklahoma this \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
STANLEY BOOKER, MAYOR

ATTEST:

\_\_\_\_\_  
DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
TIMOTHY WILSON, INTERIM CITY ATTORNEY

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**BRIEF GIST**

This ordinance establishes community service may be credited toward fines and costs for various offenses (not strictly littering) and sets for the credit rate.

**ADOPTED and APPROVED** by the Council of the City of Lawton, Oklahoma this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
STANLEY BOOKER, MAYOR

ATTEST:

\_\_\_\_\_  
DONALYNN BLAZEK-SCHERLER CITY CLERK

(Published in the Lawton Constitution this \_\_\_\_ day of \_\_\_\_\_, 2024.)