

## **RESOLUTION NO. 21-190**

**A RESOLUTION AMENDING APPENDIX A, SCHEDULE OF FEES AND CHARGES, LAWTON CITY CODE, 2015, BY AUTHORIZING THE ADDITION OF A COLLECTION FEE IN AN AMOUNT NOT TO EXCEED THIRTY-FIVE PERCENT (35%) FOR UNPAID COURT PENALTIES, COSTS, FINES, AND FEES IN CASES IN MUNICIPAL COURT IN WHICH THE ACCUSED HAS FAILED TO APPEAR OR OTHERWISE FAILED TO SATISFY A MONETARY OBLIGATION ORDERED BY THE COURT AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Council has approved Ordinance No: 21-26 pertaining to collection services for unpaid court penalties, costs, fines, and fees and creating Section 9-1-135, Article 9-1, Chapter 9, Lawton City Code, 2015, authorizing the City to enter into a contract with a collection agency for the provision of collection services for unpaid court penalties, costs, fines and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court, to refer said indebtedness to the collection agency for collection, and further authorizing the collection agency to collect a fee in an amount not to exceed thirty-five percent (35%) of the total amount of unpaid court penalties, costs, fines and fees referred to the collection agency; and

**WHEREAS**, Section 1-2-205 of the Lawton City Code provides additional fees are implemented by amendment of Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, upon passage of a resolution amending Appendix A by the City of Lawton; and

**WHEREAS**, the Lawton City Council has determined that the specific increases set forth in Exhibit "A" hereto are necessary to establish and authorize collection of a fee for unpaid court penalties, costs, fines and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court, in an amount not to exceed thirty-five percent (35%) of the total amount of unpaid court penalties, costs, fines and fees referred to the collection agency;

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

Section 1. APPENDIX A, Schedule of Fees and Charges, Lawton City Code, 2015, be amended as set out in the attached Exhibit "A".

Section 2. EFFECTIVE DATE. The provisions of this resolution shall be in full force and effect on and after October 28<sup>th</sup>, 2021.

Section 3. The Mayor and the City Clerk of the City of Lawton are hereby authorized to sign and execute this Resolution.

**ADOPTED** and **APPROVED** by the Council of the City of Lawton, Oklahoma, this 28<sup>th</sup> day of September, 2021.

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STANLEY BOOKER, MAYOR

ATTEST:

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TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this \_\_\_\_\_ day of September, 2021

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JOHN RATLIFF, CITY ATTORNEY

EXHIBIT “A”

CHAPTER A-9 COURT

ARTICLE A-9-1 COURT FEES

<u>9-135</u>	<u>The City may refer unpaid court penalties, costs, fines and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court to a collection agency for collection.</u>	<u>In addition to the total amount of unpaid court penalties, costs, fines and fees referred to the collection agency, the accused will be responsible for repayment of any contracted collection fee established from the City's contract with the collection agency in an amount not to exceed thirty-five percent (35%) of the total amount of unpaid court penalties, costs, fines and fees referred.</u>
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