

ORDINANCE NO. 1093

**AN ORDINANCE AMENDING SECTIONS 9-112
OF THE CODE OF THE CITY OF GREENSBURG, KANSAS AND
REPEALING RESOLUTION 2014-08 OF THE CITY OF GREENSBURG, KANSAS.**

BE IT ORDAINED by the Governing Body of the City of Greensburg, Kansas:

SECTION 1: Section 9-112 of the Code of the City of Greensburg, Kansas is hereby amended to read as follows:

"9-112. Court costs.

(a) Each person who is convicted of a violation of a law of the city shall be assessed the costs of administration of justice in the municipal court. Costs assessed shall be consistent with those specified in K.S.A. 28-172a and amendments thereto, which shall include and not be in addition to any of the costs specified under K.S.A. 12-4112, as the same now provides or as the same may hereafter be amended, except for witness fees and mileage. Whenever witness fees and mileage have been incurred and are assessable against the defendant under the provisions of K.S.A. 12-4411, then such costs shall be assessed in addition to the court costs prescribed above. The court costs collected as provided herein shall be disbursed as provided in Section 9-112(c).

(b) If it appears to the court that a prosecution was instituted without probable cause and from malicious motives, the court may require the complaining witness to appear and answer concerning the motives of such person for instituting the prosecution. If, after such hearing, the court determines that the prosecution was instituted without probable cause and from malicious motives, all costs in the case shall be assessed against the complaining witness.

(c) The court costs collected as provided herein shall be disbursed as follows:

- (1) Such amounts as required by K.S.A. 12-4116 and K.S.A. 12-4117 as may be amended from time to time shall be remitted by the clerk of the municipal court to the state treasurer in accordance with K.S.A. 75-4215.
- (2) The remaining court costs shall be disbursed to the general fund of the city."

SECTION 2: Resolution 2014-08 of the City of Greensburg, Kansas is hereby repealed.

SECTION 3: This ordinance shall take effect upon its publication in the official City newspaper.

PASSED AND ADOPTED by the Governing Body of the City of Greensburg, Kansas this 6th day of April, 2020.

ATTEST:



CHRISTY PYATT, CITY CLERK



MATTHEW CHRISTENSON, MAYOR