

AN ORDINANCE AMENDING CHAPTER 135 OF THE MUNICIPAL CODE OF THE CITY OF WARRENTON BY THE ADDITION OF A NEW SUBSECTION RELATED TO MUNICIPAL COURT PROBATION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON MISSOURI, AS FOLLOWS:

SECTION I: Chapter 135 of the Municipal Code of the City of Warrenton, Missouri, is hereby amended by the addition of subsection 135.050 titled "Probation", with said subsection being in words and figures as follows:

SECTION 135.050 PROBATION

Any Municipal Judge hearing municipal ordinance violations, upon a plea or finding of guilt, may suspend the imposition of sentence or the execution of sentence and place the defendant on probation for a period not to exceed two (2) years. The Judge may also impose such conditions of probation as the Judge finds reasonably necessary to ensure future compliance with all laws, the successful completion of the term of probation and to provide compensation or other consideration to the victim and society. Such conditions may include, but shall not be limited to, supervision by a probation agency, restitution to the victim(s) of the ordinance violation, alternative community service, corrective or educational programs, compensation to the City for costs incurred for the defendant's arrest and incarceration, and the payment by the defendant of a special deterrent fee to the City, the amount of which may not exceed the amount of the fine permitted to be imposed upon conviction of the charge as provided in Section 100.220 of this Code, or in the case a special penalty has been set forth by ordinance, the maximum deterrent fee shall not exceed said special penalty.

SECTION II. If any section, subsection, sentence, clause, phrase or portion of this amendment is for any reason held invalid or unconstitutional by a judgment of a court of competent jurisdiction, as to which not further appeal right exists, such portion shall be deemed separate, distinct and independent provision and such holding shall not affect the validity or remaining portions hereof.

SECTION III. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION IV. This Ordinance shall take effect and be in full force from and after passage and approval thereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 6th day of April, 2010.

Fred Flake

President of the Board of Aldermen

ATTEST:

Melody Bugh

City Clerk

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 6th day of
April, 2010.

Greg Castels

Mayor

ATTEST:

Melody Bugh

City Clerk