

City of Alexandria, Virginia

MEMORANDUM

18  
12-11-01

DATE: DECEMBER 3, 2001

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER 

SUBJECT: AN ORDINANCE TO AMEND AND REORDAIN SECTION 3-2-52 OF THE CODE OF THE CITY OF ALEXANDRIA TO ALLOW FOR THE ASSESSMENT OF A TWO DOLLAR COURTHOUSE AND JAIL MAINTENANCE FEE FOR EACH ADULT CRIMINAL AND JUVENILE TRAFFIC CASE IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

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**ISSUE:** Consideration of an ordinance to amend and reordain section 3-2-52 of the code of the City of Alexandria to allow for the assessment of a two dollar Courthouse and Jail Maintenance Fee for each adult criminal and juvenile traffic case in the Juvenile and Domestic Relations Court.

**RECOMMENDATION:** That City Council pass the proposed ordinance (Attachment I) on first reading, and set it for public hearing, second reading and final passage Saturday, December 15, 2001.

**DISCUSSION:** Currently section 3-2-52 of the City Code allows for the assessment of a two dollar fee in each criminal and traffic case in Circuit Court and General District Court. The City Code does not allow for the assessment of this fee in cases in Juvenile and Domestic Relations District Court. The Virginia Supreme Court is modifying its computers to allow for automatic assessment of costs in all traffic and criminal cases and that would include Alexandria court cases. Not assessing a fee will create a computer problem for the Juvenile and Domestic Relations District Court unless the City changes its ordinance to allow for the assessment of the fee. Therefore, the Juvenile and Domestic Relations Court Judge has requested that the proposed ordinance be prepared and that its fees become uniform with the Alexandria Circuit and General District Courts.

Under state law, juvenile and domestic relations district courts across the state can only assess a fee in adult criminal and juvenile traffic cases. These fees also must be used to support the maintenance of the courthouse and jail. As there are no civil filing fees for the Juvenile and Domestic Relations Courts' custody and other cases, the Juvenile and Domestic Relations Court is unable to assess a fee for the law library, which is another type of fee that the Alexandria Circuit and General District Courts assess.

**FISCAL IMPACT:** In calendar year 2000, the Juvenile and Domestic Relations District Court had 323 juvenile traffic cases and 913 criminal cases, therefore, the additional revenue would have been approximately \$2,500 for the year. In accordance with the City Code and state law, this money will be used for the support of the courthouse and jail maintenance.

**ATTACHMENT:**

Attachment I - Proposed Ordinance

**STAFF:**

D.A. Neckel, Director of Finance

Steven L. Rosenberg, Senior Assistant City Attorney

EXHIBIT NO. 2

18  
12-11-01

Introduction and first reading:	12/11/01
Public hearing:	12/15/01
Second reading and enactment:	12/15/01

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 3-2-52 (ASSESSMENT OF FEE FOR COURTHOUSE AND JAIL) of Article E (ASSESSMENT OF COURT COSTS), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

Section 3-2-52 of the city code currently provides for the assessment of a \$2 fee for the support of the courthouse and jail, in criminal and traffic cases in the Alexandria Circuit and General District Courts. The proposed ordinance amends this section to provide for the same assessment in adult criminal and juvenile traffic cases in the Alexandria Juvenile and Domestic Relations District Court.

Sponsor

Staff

Daniel A. Neckel, Director of Finance  
Steven L. Rosenberg, Senior Assistant City Attorney

Authority

§ 17.1-281, Code of Virginia (1950), as amended

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

EXHIBIT NO. 3

18  
12-11-01

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 3-2-52 (ASSESSMENT OF FEE FOR COURTHOUSE AND JAIL) of Article E (ASSESSMENT OF COURT COSTS), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-52 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-52            Assessment of fee for courthouse and jail.

In addition to any other fee or cost prescribed by law, there is hereby assessed a fee of \$2, for the support of the courthouse and jail, as part of the fees taxed as costs in each criminal and traffic case in the Alexandria Circuit and General District Courts, and in each adult criminal and juvenile traffic case in the Juvenile and Domestic Relations District Court, in which the defendant is charged with a violation of any statute or ordinance.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Introduction:            12/11/01  
First Reading:           12/11/01  
Publication:  
Public Hearing:  
Second Reading:  
Final Passage:

N.B. Underlining is not part of the ordinance but denotes material that is new or amended. Strike-outs or dashes are not part of the ordinance but denote material that is being deleted.

17<sup>1</sup>18  
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- CITY SEAL -

Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber, City Hall, City of Alexandria, Virginia, on Saturday, December 15, 2001, at 9:30 a.m., or as soon thereafter as may be heard on the hereinafter described ordinances.

TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 1-2-3 (SAME -- MEMBERSHIP; APPOINTMENT; COMPENSATION; STRUCTURE), of Chapter 2 (SISTER CITIES), Title 1 (GENERAL PROVISIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended. The proposed ordinance allows the School Board of the City of Alexandria to designate a member of the School Board, or another person, to serve as the Board's representative on the Sister Cities' Committee.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 3-2-52 (ASSESSMENT OF FEE FOR COURTHOUSE AND JAIL) of Article E (ASSESSMENT OF COURT COSTS), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Section 3-2-52 of the city code currently provides for the assessment of a \$2 fee for the support of the courthouse and jail, in criminal and traffic cases in the Alexandria Circuit and General District Courts. The proposed ordinance amends this section to provide for the same assessment in adult criminal and juvenile traffic cases in the Alexandria Juvenile and Domestic Relations District Court.

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THE PUBLIC IS ADVISED THAT AMENDMENTS OR ADDITIONS MAY BE MADE TO PROPOSED ORDINANCES WITHOUT FURTHER PUBLICATION. IT IS RECOMMENDED THAT PERSONS INTERESTED IN ANY OF THESE ORDINANCES OBTAIN FREE FULL-TEXT COPIES FROM THE CITY CLERK AT CITY HALL. BEVERLY I. JETT, CMC, CITY CLERK

To be published in the:

Alexandria Journal on Thursday, December 13, 2001  
Alexandria Gazette Packet on Thursday, December 13, 2001