


*City of Alexandria, Virginia*12
10-13-09

MEMORANDUM

DATE: SEPTEMBER 25, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: ORDINANCE TO AMEND 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 CIVIL ACTION FILED IN THE ALEXANDRIA CIRCUIT AND GENERAL DISTRICT COURTS

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 civil action filed in the Alexandria Circuit and General District Courts. A two dollar fee is already assessed for criminal and traffic cases.

RECOMMENDATION: That City Council pass the proposed ordinance (Attachment) on first reading on October 13, 2009 and set it for public hearing, second reading, and final passage on October 17, 2009.

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. Virginia Code Section 17.1-281 was amended this year to delete the cap that used to be in place on fees in civil cases. Thus, the City can, by ordinance, now assess a two dollar fee in civil cases. The money collected is dedicated to the "construction, renovation or maintenance of the city's courthouse, jail or court-related facilities, or to defray increases in the costs of providing heat, cooling, electricity and ordinary maintenance services to the courthouse, jail or court-related facilities." City Code Section 3-2-53(c).

This change was not included in the FY 2010 Approved Budget because Staff was unaware of the change in statute.

FISCAL IMPACT: In FY 2010, the Alexandria Circuit and General District Courts anticipate handling approximately 14,000 civil cases. Therefore, the additional revenue would be approximately \$28,000 for the year. In accordance with City Code and state law, this money will be used for the support of the courthouse, jail and court-related facilities.

ATTACHMENT: Proposed Ordinance

STAFF:

Bruce Johnson, Chief Financial Officer
Christina Zechman Brown, Assistant City Attorney

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Introduction and first reading: 10/13/09
Public hearing: 10/17/09
Second reading and enactment: 10/17/09

INFORMATION ON PROPOSED ORDINANCE

Title

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

Summary

The proposed ordinance will allow for the assessment of a two dollar courthouse and jail maintenance fee for each civil action filed in the Alexandria Circuit and General District Courts. A two dollar fee is already assessed for criminal and traffic cases.

Sponsor

Bruce Johnson, Chief Financial Officer, Office of Management and Budget

Staff

Bruce Johnson, Chief Financial Officer, Office of Management and Budget
Christina Zechman Brown, Assistant City Attorney

Authority

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

Estimated Costs of Implementation

None

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

None

ORDINANCE NO. _____

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AN ORDINANCE to amend and reordain Section 3-2-52 of Article E (ASSESSMENT OF COURT COSTS AND FEES) of Chapter 2 (TAXATION) of 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 civil action filed in the Alexandria Circuit and General District Courts, 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.

WILLIAM D. EUILLE
Mayor

Introduction: 10/13/09
First Reading:
Publication:
Public Hearing:
Second Reading:
Final Passage: