

RESOLUTION 2024-005

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BUCKLIN ASSESSING DIVERSION FEES AND ESTABLISHING A DIVERSION FUND

WHEREAS, in carrying out their statutory duties, the City Attorney of the City of Bucklin has offered and may continue to offer diversions to certain individuals charged with violating the provisions of the City Code of the City of Bucklin (“the Code”) and deemed eligible for such diversions; and

WHEREAS, in consideration of such diversion, eligible individuals who enter into such diversions are required to pay a diversion fee; and

WHEREAS, said diversion fee is not a court cost or a fine; and

WHEREAS, the City Code of the City of Bucklin does not contain any provision pertaining to the collection and use of diversion fees.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BUCKLIN, KANSAS:

SECTION ONE: The City Code of the City of Bucklin is hereby amended to add the following Section:

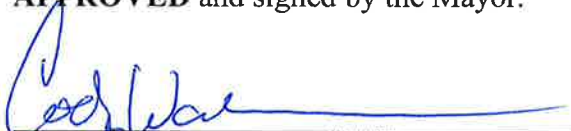
Section 9-113. Diversion Fee; Diversion Fund.

- (a) Individuals charged with any city ordinance violation who enter into a diversion agreement with the Bucklin City Attorney in lieu of further prosecution shall be charged a diversion fee in the amount of \$150, unless such fee is waived or reduced by the Bucklin City Attorney in the interests of justice.
- (b) The City Council for the City of Bucklin establishes a Diversion Fee Fund for the purpose of receiving and disbursing monies collected from diversion fees paid pursuant to diversion agreements entered into with the Bucklin City Attorney.
- (c) All diversion fees received pursuant to the Bucklin City Attorney’s diversion program shall be deposited into said Diversion Fee Fund. Said fees shall be used for law enforcement and prosecutorial purposes as the City of Bucklin deems appropriate, including educational purposes. The Diversion Fund shall be a non-budgeted fund, and no direct mill levy shall be used to support said fund.
- (d) This Ordinance does not impede in any fashion the ability of the City Council to use any other legally available source of funds for any purposes contained herein; nor does this Ordinance impede in any fashion the ability of the City Council to transfer monies to this fund from any legally available source.

SECTION TWO: This Ordinance shall take effect upon its publication in the Mullinville Merchant's Directory.

SO APPROVED by the Governing Body of the City of Bucklin, Kansas, this 16th day of September, 2024, a majority voting in favor thereof.

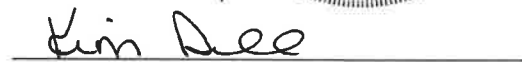
APPROVED and signed by the Mayor.


Cody Warden, Mayor

(SEAL)

ATTEST:




Kim Dill, City Clerk