



# Ordinance

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

No. 466

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING SAN LUIS CITY CODE SECTION 2.30.050 TITLED MUNICIPAL COURT FEES, AMENDING SAN LUIS CITY CODE SECTION 2.30.060 TITLED COURT COLLECTION SERVICE FEE PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, the Code of the City of San Luis, Arizona (the "Code"), sets forth Municipal Court fees in Article 2.30.050; and

**WHEREAS**, in accordance with A.R.S §9-499.15, a notice of proposed new or increase fees related to San Luis Municipal Court operations which was posted on the City's website for at least sixty (60) days.

**WHEREAS**, in accordance with A.R.S §9-499.15(B)(4), a notice of proposed new or increase fees related to San Luis Municipal Court operations which was posted on the City's social media for at least fifteen (15) days.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of San Luis, Arizona:

**Section 1.** The Code of the City of San Luis, Arizona, is amended by amending Chapter 2, Magistrate, Article 1; General Provisions, Section 2.30.050, Municipal Court fees, to read as follows:

## **Section 2.30.050 Municipal Court Fees**

### **A. Municipal Court Enhancement Fee**

Persons convicted of criminal traffic or misdemeanor offenses, or found responsible for civil traffic offenses, with an offense date of the effective date of the ordinance codified in this chapter or after, shall pay a Municipal Court Enhancement Fee of not less than forty dollars (\$40.00), plus applicable surcharges, for each offense.

### **B. Municipal Court Default Cost Recovery Fee**

A Default Cost Recovery Fee of not less than fifty dollars (\$50.00) shall be imposed on each default judgment entered for failure to appear in a civil traffic case, or for failure to satisfy in full a civil sanction imposed in a civil traffic case.

C. Municipal Court Warrant Cost Recovery Fee

When a City Magistrate issues a warrant for noncompliance with court orders, failure to pay a fine, or failure to pay any other fees, the City Magistrate shall impose a Municipal Court Warrant Cost Recovery Fee in the amount not more than one hundred-fifty dollars (\$150.00) upon the person for whom the arrest warrant is issued; and this fee shall be added to the amount set forth in the arrest warrant.

D. Municipal Court Deferred Prosecution Cost Recovery Fee

A Deferred Prosecution Fee in an amount not more than three hundred dollars (\$300.00) shall be imposed on each criminal charge for which the court defers prosecution pursuant to Rule 38 of the Arizona Rules of Criminal Procedure (or its substitute).

E. Defense Appointment Fee

The Municipal Court shall assess each person a Defense Appointment Fee in a reasonable amount, not more than five hundred dollars (\$500.00), for each case in which the person not indigent or otherwise entitled to a waiver of fee in this Chapter receives the services of a court appointed defense attorney.

F. Dishonored Check Fee

The Municipal Court shall assess each person a service fee of an amount not less than thirty dollars (\$30.00) for each dishonored check or bank draft tendered by or on behalf of such person to the Municipal Court.

G. Court Technology Fee

In addition to any other fee or assessment authorized by law, a Court Technology Enhancement Fee of fifteen (\$15.00) shall be imposed by the Court on each order or agreement to pay any fine, sanction,

penalty or assessment, or to participate in any Court-authorized diversion program.

H. Collection Fee

A person who defaults in his or her obligation for the payment of monies owed or due to the Municipal Court including, but not limited to, restitution, fines, sanctions, assessments, penalties, bonds, costs and fees, is liable for all costs of collection, including any attorney fees, court costs, costs or charges related to garnishment, attachment, levy setoff or other collection from private or public persons or entities, and any fees and charges by a collection agency engaged by the Municipal Court or City of San Luis to collect and enforce such payment. The attorney's fees and costs and charges incurred by the Municipal Court and City of San Luis shall be added to the sum or sums due from and chargeable against the person.

I. Assessment and Collection of Fees

The Municipal Court shall assess and collect fees as provided for in this chapter. Fees assessed against a person constitute a debt of the person and may be collected by the City of San Luis. In addition to any other remedies which will be allowed by law, the City Attorney is authorized to institute any appropriate civil suit in a court of competent jurisdiction for recovery of the fee(s) referred to in this chapter.

J. State Fees and Surcharges

All fees and surcharges imposed pursuant to State law shall be imposed in addition to those fees set forth in this Section.

K. Municipal Court Fund

The San Luis Municipal Court Fund shall be the repository for all fees collected pursuant to this section, with the exception of State Fees and Surcharges.

**Section 2.** All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. Thus, Section 2.30.060, Court Collection Service Fee, shall be removed.

**Section 3.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

**Section 4.** The provisions of this Ordinance shall be effective from and after June 30, 2025.

**PASSED, ADOPTED, and APPROVED** by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this \_\_\_\_ day of May 2025.

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Nieves Riedel, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Sonia Cornelio, City Clerk

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Kay Marion Macuil, City Attorney