

**Carson City  
Request for Board Action**

**Date Submitted:** October 13, 2014

**Agenda Date Requested:** November 6, 2014  
**Time Requested:** 15 Minutes

**To:** Mayor and Supervisors  
**From:** Justice Court

**Subject Title: For Possible Action:** Action to introduce, on first reading, Bill No. \_\_\_ an ordinance amending the Carson City Municipal Code (“CCMC”) Title 2, Administration and Personnel, Chapter 2.37, fees on court actions to support programs for prevention and treatment of abuse of alcohol and adding two new sections, 2.37.030 and 2.37.040 to include justice courts pursuant to NRS 4.075 and NRS 453.580 and other matters properly relating thereto.

**Staff Summary:** Pursuant to NRS 4.075, by this proposed ordinance the Carson City Justice Court would be able to, on the commencement of any civil action or proceeding for which a filing fee is required and on the filing of any answer or appearance for which a filing fee is required, charge and collect an additional fee of ten dollars (\$10.00). On or before the fifth day of each month, the Carson City Justice Court would, in accordance with this proposed ordinance and pursuant to NRS 4.075, be required to account for and pay over to the Carson City Treasurer such fees collected during the preceding month. The Treasurer would deposit these fees into an account for programs for the prevention and treatment of alcohol and drugs in the Carson City General Fund. The funds in such account is required to be used to support programs for the prevention or treatment of the abuse of alcohol or drugs which could include any program of treatment for the abuse of alcohol or drugs established pursuant to NRS 453.580.

**Type of Action Requested:** (check one)

Resolution                       Ordinance – First Reading  
 Formal Action/Motion       Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to introduce, on first reading, Bill No. \_\_\_ an ordinance amending the Carson City Municipal Code (“CCMC”) Title 2, Administration and Personnel, Chapter 2.37, fees on court actions to support programs for prevention and treatment of abuse of alcohol and adding two new sections, 2.37.030 and 2.37.040 to include justice courts pursuant to NRS 4.075 and NRS 453.580 and other matters properly relating thereto.

**Explanation for Recommended Board Action:** Taking this action will facilitate funding, at the Justice Court level, to enable offenders participate in programs of treatment for the abuse of alcohol or drugs.

**Applicable Statute, Code, Policy, Rule or Regulation:** CCMC 2.37 and NRS 4.075.

**Fiscal Impact:** None

**Explanation of Impact:** N/A

**Funding Source:** N/A

Prepared By: Joe Ward, Senior Deputy DA

Reviewed By: [Signature] Date: 10/3/14

John Tatro  
Justice of the Peace/Municipal Court Judge

[Signature] Date: October 13, 2014

Thomas R. Armstrong  
Justice of the Peace/Municipal Court Judge

[Signature] Date: 10/28/14

Nick Marano, City Manager

[Signature] Date: 10/28/14

(District Attorney)

[Signature] Date: 10/28/14

Nick Providenti, Finance Director

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay

2) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

Ordinance No. 2014-\_\_\_\_\_

Bill No. \_\_\_\_\_

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, Title 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.37, FEES ON COURT ACTIONS TO SUPPORT PROGRAMS FOR PREVENTION AND TREATMENT OF ABUSE OF ALCOHOL AND ADDING TWO NEW SECTIONS, 2.37.030 AND 2.37.040 TO INCLUDE JUSTICE COURTS PURSUANT TO NRS 4.075 AND NRS 453.580 AND OTHER MATTERS PROPERLY RELATING THERETO.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF CARSON CITY DOES ORDAIN:

**Section 1:** Title 2, Chapter 2.37 of the Carson City Municipal Code is hereby amended as follows:

**Chapter 2.37 FEES ON COURT ACTIONS TO SUPPORT PROGRAMS FOR PREVENTION AND TREATMENT OF ABUSE OF ALCOHOL AND DRUGS**

**Sections:**

2.37.010 Fees in district court.

2.37.020 Collection—Payment to treasurer.

2.37.030 Fees in justice court.

2.37.040 Collection – Payment to treasurer.

**2.37.010 Fees in district court.**

Pursuant to NRS 19.031[3]5, the Carson City clerk recorder, in his capacity as clerk of the First Judicial District Court, shall, on the commencement of any civil action or proceeding in the district court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required, charge and collect a fee of ten dollars (\$10.00) from the party commencing, answering or appearing in the action or proceeding. These fees are in addition to any other fee required by law.

(Ord. 2001-11 § 3, 2001)

**2.37.020 Collection—Payment to treasurer.**

On or before the fifth day of each month, the Carson City clerk recorder shall account for and pay over to the Carson City [county] treasurer any such fees collected by him during the preceding month for credit to an account for programs for the prevention and treatment of the abuse of alcohol and drugs in the Carson City [county] general fund. The money in that account must be used only to support programs for the

prevention or treatment of the abuse of alcohol or drugs which may include, without limitation, any program of treatment for the abuse of alcohol or drugs established in a judicial district pursuant to NRS 453.580.

(Ord. 2001-11 § 4, 2001)

**2.37.030 Fees in justice court.**

Pursuant to NRS 4.075, the Carson City justice court shall, on the commencement of any civil action or proceeding in the justice court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required, charge and collect a fee of ten dollars (\$10.00) from the party commencing, answering or appearing in the action or proceeding. These fees are in addition to any other fee required by law.

(Ord. 2014-?? § ?, 2014)

**2.37.040 Collection—Payment to treasurer.**

On or before the fifth day of each month, the Carson City justice court shall account for and pay over to the Carson City treasurer any such fees collected by such court during the preceding month for credit to an account for programs for the prevention and treatment of the abuse of alcohol and drugs in the Carson City general fund. The money in that account must be used only to support programs for the prevention or treatment of the abuse of alcohol or drugs which may include, without limitation, any program of treatment for the abuse of alcohol or drugs established in a judicial district pursuant to NRS 453.580.

(Ord. 2014-?? § ?, 2014)

**Section 2:** If any clause, sentence, section, provision or part of this chapter shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not invalidate, impair or affect the remainder of this chapter.

**Section 3:** That no other provisions of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2014.

PROPOSED by \_\_\_\_\_.

PASSED \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2014.

VOTE: AYES: SUPERVISORS: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS: SUPERVISORS: \_\_\_\_\_

\_\_\_\_\_

ABSENT: SUPERVISORS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Robert Crowell, Mayor

ATTEST:

\_\_\_\_\_  
ALAN GLOVER  
CLERK/RECORDER.

This ordinance shall be in force and effect from and after the \_\_\_\_ day of the month of \_\_\_\_\_ of the year, 2014.