

## COURT

Sec. 6-101

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### CHAPTER 1 MUNICIPAL COURT

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SECTION 6-102      DEFINITIONS.

As used in this chapter, unless the context requires a different meaning, the following words shall have the meanings ascribed to them in this section:

1. "Court" means the municipal criminal court of the City of Dewey;
2. "Judge" means the judge of the municipal criminal court, including any acting judge or alternate judge thereof as provided for by the statutes of this state and this chapter;
3. "Clerk" means the clerk of this city, including any deputy or member of the office staff of the clerk while performing duties of the clerk's office;
4. "Chief of Police" means the peace officer in charge of the police force of the city; and
5. "This judicial district" means the district court judicial district of the State of Oklahoma wherein the government of this city is situated.

SECTION 6-103      JURISDICTION OF COURT.

The court shall exercise original jurisdiction to hear and determine all prosecutions wherein a violation of any ordinance of this city is charged, including any such prosecutions transferred to the court in accordance with applicable law.

SECTION 6-104      JUDGE; QUALIFICATIONS.

There shall be one judge of the court. A judge need not be an attorney licensed to practice law in the state, but, if not, he must be a resident of this city, be at least twenty-five (25) years of age, and have good moral character. A judge who is a licensed attorney may engage in the practice of law in other courts, but he shall not accept employment inconsistent with his duties as judge, or arising out of facts which give rise to or are connected with cases within the jurisdiction of the court, pending therein or which might become the subject of proceedings therein. A judge who is a licensed attorney must be a resident of this county or an adjacent county or maintain a law office in the county. He may serve as judge of other municipal courts, if such service may be accomplished consistently with his duties as judge of this court, with the consent of the council.

SECTION 6-105      TERM OF JUDGE.

The official term of the judge shall be two (2) years expiring in each odd-numbered year. Each judge, unless sooner removed for proper cause, shall serve until his successor is appointed and qualified.

SECTION 6-106      ALTERNATE JUDGE.

There shall be appointed for each judge of the court an alternate judge possessed of the same qualifications as the judge. His appointment shall be for the same term and made in the same manner as the judge. He shall sit as acting judge of the court in any case if the judge is:

1. Absent from the court;

2. Unable to act as judge; or
3. Disqualified from acting as judge in the case.

SECTION 6-107      ACTING JUDGE.

If at any time there is no judge or alternate judge, duly appointed and qualified, available to sit as judge, the mayor shall appoint some person, possessing the qualifications required by this chapter for the judge, who shall preside as acting judge over the court in the disposition of pending matters until such time as a judge or alternate judge shall be available.

SECTION 6-108      APPOINTMENT OF JUDGE AND ALTERNATE JUDGE.

Judges and alternate judges shall be appointed by the mayor with the consent of the city council. A proposed appointment shall be submitted in writing to the city council at the next to the last regularly scheduled meeting prior to the day upon which the appointment is to take effect, and shall be acted upon at the next regularly scheduled meeting. The city council may decide upon the proposed appointment by a majority vote of a quorum present and acting. Failure of decision upon a proposed appointment shall not prevent action thereon at a later regularly scheduled meeting of the city council unless the mayor, in writing, withdraws the proposed appointment.

SECTION 6-109      SALARY AND PAYMENTS TO JUDGES.

A judge, other than an alternate judge or an acting judge, shall receive a salary as set by the city council from time to time paid in the manner as set by the city council. An alternate or acting judge shall be paid in such sum as set by the council, however their payments shall not exceed the salary of the judge in whose stead the acting or alternate judge sits for any month.

SECTION 6-110      REMOVAL OF JUDGE.

Judges shall be subject to removal from office by the city council for the causes prescribed by the constitution and laws of this state for the removal of public officers. Proceedings for removal shall be instituted by the filing of a verified written petition setting forth facts sufficient to constitute one or more legal grounds for removal. Petitions may be signed and filed by:

1. The mayor; or
2. Twenty-five (25) or more qualified electors of this city. Verification of the number or qualifications of electors shall be executed by one or more of the petitioners.

The city council shall set a date for hearing the matter and shall cause notice thereof, together with a copy of the petition, to be served personally upon the judge at least ten (10) days before the hearing. At the hearing, the judge shall be entitled to:

1. Representation by counsel at his own expense;
2. To present testimony and to cross-examine the witnesses against him; and
3. Have all evidence against him presented in open hearing.

So far as they can be applicable, the provisions of the Oklahoma Administrative Procedures Act governing individual proceedings (Sections 309 to 317 of Title 75 of the Oklahoma Statutes as amended) shall govern removal proceedings hereunder. Judgment of removal shall be entered only upon individual votes, by a majority of all members of the governing body, in favor of such removal.

SECTION 6-111      VACANCY IN OFFICE OF JUDGE.

A vacancy in the office of judge shall occur if the incumbent:

1. Dies;
2. Resigns;
3. Ceases to possess the qualifications for the office; or
4. Is removed, and the removal proceedings have been affirmed finally in judicial proceedings or are no longer subject to judicial review.

Upon the occurrence of a vacancy in the office of judge, the mayor shall appoint a successor to complete the unexpired term in the same manner as an original appointment is made.

SECTION 6-112      DISQUALIFICATION OF JUDGE.

In prosecutions before the court no change of venue shall be allowed; but the judge before whom the case is pending may certify his disqualification or he may be disqualified from sitting under the terms, conditions and procedure provided by law for courts of record. If a judge is disqualified, the matter shall be heard by an alternate or acting judge appointed as provided in this chapter.

SECTION 6-113      CHIEF OF POLICE.

All writs or processes of the court shall be directed, in his official title, to the chief of police of this municipality, who shall be the principal officer of the court.

SECTION 6-114      CLERK OF THE COURT; DUTIES.

The clerk, or a deputy designated by him, shall be ex officio the clerk of the court. He shall assist the judge in recording the proceedings of the court and in preparing writs, processes and other papers. He shall administer oaths required in proceedings before the court. He shall enter all pleadings, processes, and proceedings in the dockets of the court. He shall perform such other clerical duties relating to the proceedings of the court as the judge shall direct. He shall receive and receipt for forfeitures, fines, deposits, and sums of money payable to the court. He shall pay to the treasurer of this municipality all money so received by him, except such special deposits or fees as shall be received to be disbursed by him for special purposes. All money paid to the treasurer shall be placed in the general fund of the municipality, or in such other funds as the governing body may direct, and it shall be used in the operation of the municipal government in accordance with budgetary arrangements governing the fund in which it is placed.

SECTION 6-115 PROSECUTING ATTORNEY; DUTIES; CONFLICT OF INTEREST.

The attorney for this municipality, or his duly designated assistant, shall have the power to be prosecuting officer of the court. He shall also prosecute all alleged violations of the ordinances of the city. He shall be authorized, in his discretion, to prosecute and resist appeal, proceedings in error and review from this court to any other court of the state, and to represent this municipality in all proceedings arising out of matters in this court.

SECTION 6-116 BOND OF COURT CLERK.

The court clerk of the court shall give bond, in the form provided by Section 27-111 of Title 11 of the Oklahoma Statutes, in a sum to be determined by the city council. When executed, the bond shall be submitted to the governing body for approval. When approved, it shall be filed with the clerk of this city and retained in the city archives.

SECTION 6-117 RULES OF COURT.

The judge may prescribe rules, consistent with the laws of the state and with the ordinances of this city, for the proper conduct of the business of the court.

SECTION 6-118 ENFORCEMENT OF RULES.

Obedience to the orders, rules and judgments made by the judge or by the court may be enforced by the judge, who may fine or imprison for contempt committed as to him while holding court, or committed against process issued by him, in the same manner and to the same extent as the district courts of this state.

SECTION 6-119 WRITTEN COMPLAINTS TO PROSECUTE ORDINANCE VIOLATIONS.

All prosecutions for violations of ordinances of this city shall be styled "The City of Dewey, Oklahoma vs. (naming defendant or defendants)". Except as provided hereinafter, prosecution shall be initiated by the filing of a written complaint, subscribed and verified by the person making complaint, and setting forth concisely the offense charged.

SECTION 6-120 TRAFFIC ORDINANCE VIOLATIONS; PROCEDURES FOR ISSUING CITATION; CUSTODY, ARREST.

A. If a police officer observes facts which he believes constitute a violation of the traffic ordinances of this city, committed by a resident thereof, in lieu of arresting such a person, he may take his name, address, operator's license number, and registered license number of the motor vehicle involved and any other pertinent and necessary information and may issue him a traffic citation embracing the above information, and also stating the traffic violation alleged to have occurred, and notifying him to answer to the charge against him at a time, no later than the date specified in the citation. The officer, upon receiving the written acknowledgment and promise of the alleged violator, endorsed on the citation to answer as specified, may then release the person from custody. If the person to whom a citation is issued fails to answer as prescribed in the citation, a complaint shall be filed and the case shall be prosecuted as otherwise provided in this chapter.

B. If the alleged traffic violation is committed by a nonresident or resident

of this city, the police officer may:

1. Release the person after obtaining sufficient information as set out in Subsection A of this section, including the deposit of the person's driver's license as provided in Section 6-125, pending his appearance on a day certain in court, as specified in the citation;

2. Take the person in custody and demand that bond for the offense charged be posted according to the provisions of this chapter; or

3. Take the person into custody under arrest. The arrested person either shall be taken immediately before the judge for further proceedings according to law or shall have bail fixed for his release in accordance with the provisions of this chapter. Upon providing bail as fixed, and upon giving his written promise to appear upon a day certain, as provided in Subsection A of this section, the person shall be released from custody.

C. If the alleged offense be a violation of an ordinance restricting or regulating the parking of vehicles, including any regulations issued under such an ordinance, and the operator be not present, the police officer shall place on the vehicle, at a place reasonably likely to come to the notice of the operator, a citation conforming substantially to that prescribed in Subsections A or B of this section, with such variation as the circumstances require; the operator of this vehicle shall be under the same obligation to respond to the citation as if it had been issued to him personally under Subsections A or B of this section. (Ord. No. 79-1262, 2/5/79)

#### SECTION 6-121      CREATION OF TRAFFIC VIOLATIONS BUREAU.

A. A traffic violations bureau may be established as a division of the office of the clerk of the court, to be administered by the clerk, or by subordinates designated by him for that purpose. Persons who are cited for violation of one of the traffic regulatory ordinances of this municipality may elect to pay a fine in the traffic violations bureau according to the schedule of fines to be determined by the city council or the judge.

B. The court may adopt rules to carry into effect this section. Payment of a fine under this section shall constitute a final determination of cause against the defendant. If a defendant who has elected to pay a fine under this section fails to do so, prosecution shall proceed under the provisions of this chapter.

Charter Reference: Minor violations bureau, Sections 7(6) and 32 of the charter.

#### SECTION 6-122      SUMMONS FOR ARREST.

A. Upon the filing of a complaint charging violation of any ordinance, the judge, unless he determines to issue a warrant of arrest, or unless the defendant previously has been issued a citation or has been arrested and has given bond for appearance, shall issue a summons, naming the person charged, specifying his address or place of residence, if known, stating the offense with which he is charged and giving him notice to answer the charge in the court on a certain day after the summons is served upon him, and including such other pertinent information as may be necessary.

B. The summons shall be served by delivering a copy to the defendant personally. If he fails to appear and to answer the summons within the prescribed period, a warrant shall be issued for his arrest, as provided by this chapter.

SECTION 6-123      FORM OF ARREST WARRANT.

A. Except as otherwise provided in the ordinances of this municipality, upon the filing of a complaint approved by the endorsement of the attorney of this city or by the judge, there shall be issued a warrant of arrest, in substantially the following form:

The City of Dewey, Oklahoma to the Chief of Police of the Municipal Court of Dewey, Oklahoma.

Complaint upon oath having this day been made by (naming complainant) that the offense of (naming the offense in particular but general terms) has been committed and accusing (name of defendant) thereof, you are commanded therefor forthwith to arrest the above named defendant and bring \_\_\_\_\_ before me, at the municipal courtroom,

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Judge of the Municipal Court  
Dewey, Oklahoma.

B. It is the duty of the chief of police, personally, or through a duly constituted member of the police force of this city, or through any other person lawfully authorized so to act, to execute a warrant as promptly as possible.

SECTION 6-124      PROCEDURES FOR BAIL OR BOND.

Upon arrest, or upon appearance without arrest in response to citation or summons, or at any time before trial, before or after arraignment, the defendant shall be eligible to be released upon giving bail for his appearance in an amount and upon conditions fixed by this chapter or the judge, who shall prescribe appropriate rules of court for the receipt of bail. In case of arrests made at night or under other conditions of emergency or when the judge is not available, the rules shall authorize the chief of police, or his designated representative, to accept a temporary cash bond of not less than Ten Dollars (\$10.00) nor more than the maximum monetary penalty provided by ordinance for the offense charged. (Ord. No. 79-1262, 2/5/79)

SECTION 6-125      DEPOSIT OF DRIVER'S LICENSE AS BAIL FOR TRAFFIC VIOLATIONS.

A. In addition to the other methods for providing or posting of bail authorized in this chapter upon arrest for traffic violations, the defendant may deposit with the police officer a valid license to operate a motor vehicle in exchange for a receipt therefor issued by the police officer. The receipt issued by the police officer shall be recognized as an operator's license and shall authorize the operation of a motor vehicle until the time and date of the hearing indicated on the receipt or traffic citation, but not to exceed twenty (20) days. The operator's license and traffic citation shall be delivered by the police officer to the clerk of the municipal court.

B. Any person who applies for a duplicate license to operate a motor vehicle while his license is deposited in accordance with Subsection A of this section shall be fined One Hundred Dollars (\$100.00) and court costs. Each such application shall constitute a separate violation. In order for the fine to be applicable to a violator applying for a duplicate license, notice of the provisions of Subsection B of this section



shall be included in receipt issued pursuant to this section. The receipt for deposit of the driver's license shall contain essentially the following notice:

"NOTICE"

"This receipt for deposit of a valid license to operate a motor vehicle constitutes a temporary operator's license until your hearing date on \_\_\_\_\_, but in no case shall this temporary license remain in effect more than twenty (20) days. Keep this receipt in your possession at all times while operating a motor vehicle."

"Application for a duplicate license to operate a motor vehicle while your license is deposited as bail is a crime punishable by a fine of One Hundred Dollars (\$100.00) and court costs. Each such application constitutes a separate offense."

(Ord. No. 79-1262, 2/5/79)

SECTION 6-126      ARRAIGNMENT AND PLEADINGS BY DEFENDANT.

Upon making his appearance before the court, the defendant shall be arraigned. The judge, or the attorney of the city, shall read the complaint to the defendant, inform him of his legal rights, including the right of trial by jury, if available, and of the consequences of conviction, and ask him whether he pleads guilty or not guilty. If the defendant pleads guilty, the court may proceed to judgment and sentence or may continue the matter for subsequent disposition. If the plea is not guilty, and the case is not for jury trial, the court may proceed to try the case, or may set it for hearing at a later date.

SECTION 6-127      FAILURE TO APPEAR, PROCEDURES, PENALTY.

A. If any person, firm or corporation having been served with traffic citation summons or tag shall fail to appear as directed, such person, firm or corporation shall be guilty of failure to appear in response to traffic citation, and shall be punished for such failure as provided in this code.

B. Immediately upon such violation, the court shall either:

1. Instruct the police department to send to the violator a letter informing such person of the violation, and requiring appearance as directed, which letter shall be and constitute a summons and, in event such summons is disregarded for a period of five (5) days, a notification to the court shall be sufficient basis for issuance of bench warrant for arrest of such violator; or

2. The court may, in its discretion, immediately cause issuance of bench warrant for arrest of such violator.

(Ord. No. 81-1291, 11/2/81)

SECTION 6-128      TRIALS AND JUDGMENTS.

A. Before trial commences, either party, upon good cause shown, may obtain a reasonable postponement thereof.

B. The defendant must be present in person at the trial.

C. In all trials, as to matters not covered in this chapter, or by the statutes relating to municipal criminal courts, or by rules duly promulgated by the Supreme Court of Oklahoma, the procedure applicable in trials of misdemeanors in the district courts shall apply to the extent that they can be made effective.

D. If the defendant pleads guilty or is convicted after the trial, the court must render judgment thereon, fixing the penalty within the limits prescribed by the applicable ordinance and imposing sentence accordingly.

E. At the close of trial, judgment must be rendered immediately by the judge who shall cause it to be entered in his docket.

F. If judgment is of acquittal, and the defendant is not to be detained for any other legal cause, he must be discharged at once.

G. A judgment that the defendant pay a fine may also direct that he be imprisoned until the fine is satisfied at the rate of one day imprisonment for each Five Dollars (\$5.00) of fine. (Prior Code, Sec. K54, in part)

#### SECTION 6-129      WITNESS FEES.

Witnesses in any proceeding in the court other than the police officers or peace officers shall be entitled to a fee as set by the city per each day of attendance, plus mileage for each mile actually and necessarily traveled in going to and returning from the place of attendance if their residence is outside the limits of the municipality. However, no witness shall receive fees or mileage in more than one case for the same period of time or the same travel. A defendant seeking to subpoena witnesses must deposit with the clerk a sum sufficient to cover fees and mileage for one day of attendance for each witness to be summoned, but such deposit shall not be required from an indigent defendant who files an affidavit setting out:

1. The name of no more than three (3) witnesses;
2. That the defendant, by reason of his poverty, is unable to provide the fees and mileage allowed by law;
3. That the testimony of the witnesses is material; and
4. That their attendance at the trial is necessary for his proper defense.

The fees of such witnesses shall be paid by the city.

#### SECTION 6-130      SUSPENSION OF SENTENCE.

After conviction and sentence, the judge may suspend sentence, in accordance with the provisions of, and subject to the conditions and procedures imposed by Sections 27-123 and 27-124 of Title 11 of the Oklahoma Statutes.

#### SECTION 6-131      IMPRISONMENT.

A. If, after conviction, judgment of imprisonment is entered, a copy thereof, certified by the clerk, shall be delivered to the chief of police, the sheriff of the county or other appropriate police officer. Such copy shall be sufficient warrant for execution of the sentence.

B. All prisoners confined to jail on conviction or on plea of guilty may be compelled, if policy of the council permits and if their health permits, to work on the public streets, avenues, alleys, parks, buildings, or other public premises or property. For each day of such work, the prisoner shall be credited for serving two (2) days of imprisonment under his sentence.

C. The chief of police, subject to the direction of the city manager, shall direct where the work shall be performed. The head of the department in charge of the place where the work is to be performed, himself, or some person designated by him, shall oversee the work. If a guard is necessary, the chief of police shall make provision therefor.

D. The city manager is hereby authorized to cause prisoners confined in the city jail for non-payment of fines or costs assessed against them in the court to be worked and to be credited for work done as provided by state law. The city manager is hereby authorized to make such reasonable regulations as may be necessary in regard to the working of such prisoners. (Prior Code, Sec. K55, in part)

SECTION 6-132      FINES AND COSTS.

If judgment of conviction is entered, the clerk of the court shall tax the costs to the defendant, which shall not exceed the maximum allowed by state law, plus the fees and mileage of jurors and witnesses, but the total amount of fine may not exceed the amount set out in Section 1-108 of this code.

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SECTION 6-133      COURT COSTS.

Every person who is charge with a violation of City Ordinance in the City of Dewey, who plead guilty, nolo contendere, or is found guilty by the municipal Judge, shall pay to the City of Dewey a court cost of \$25.00 (twenty five dollars). (Amended by Ordinance 2000-1402, adopted 10/17/00)

Violation of City Ordinance is defined as the non-performance of any act that is required by City Ordinance or the performance of any act that is prohibited by City Ordinance.

There shall also be a fine for the violations as set out in Section 1-108 of the Dewey City Code.

SECTION 6-134      WITHDRAWAL OF FINE FOR TRAINING.

Seven (9) dollars shall be sent to the Council on Law Enforcement Education and Training, of this as set out be Oklahoma State Statute 20, Section 1313.2 and the other Four (4) dollars placed in a special fund, which will enable the Dewey Police Department to obtain the Law Enforcement. Training Network and should there be any excess monies it may be used by the police department to purchase police equipment. Any donations or contributions to the training benefit of Law Enforcement shall also be placed in this fund.

Eleven (11) dollars shall be taken from each and every fine collected by the City of Dewey for the performance or non-performance of any violations of the Dewey City Code of Ordinances. (Amended 2004-1443)

SECTION 6-135      ADDITION OF TECHNOLOGY FUND

A. Four (4) dollars shall be taken from each an every fine collected by the City of Dewey for the addition of the technology fund which allows for Municipal Criminal courts not of record to collect as a separate penalty assessment and attached to the Bond and Fine schedule. (Ordinance 2003-1434, 6/16/03)

SECTION 6-136      MUNICIPAL TRUANCY

A. It shall be unlawful for a parent, guardian, or other person having custody of a child who is over the age of five (5) years, and under the age of eighteen (18) years, to neglect or refuse to cause or compel such child to attend and comply with the rules of some public, private or other school, unless other means of education are provided for the full term the schools of the district are in session or the child is excused as provided in this section. One-half (1/2) day of kindergarten shall be required of all children five (5) years of age or older unless the child is excused from kindergarten attendance as provided in this section. A child who is five (5) years of age shall be excused from kindergarten attendance until the next school year after the child is six (6) years of age if a parent, guardian, or other person having custody of the child notifies the

superintendent of the district where the child is a resident by certified mail prior to enrollment in kindergarten, or at any time during the first school year that the child is required to attend kindergarten pursuant to this section, of election to withhold the child from kindergarten until the next school year after the child is six (6) years of age. A kindergarten program shall be directed toward developmentally appropriate objectives for such children. The program shall require that any teacher employed on and after January 1, 1993, to teach a kindergarten program within the public school system shall be certified in early childhood education. All teachers hired to teach a kindergarten program within the public school system prior to January 1, 1993, shall be required to obtain certification in early childhood education on or before the 1996-97 school year in order to continue to teach a kindergarten program.

B. It shall be unlawful for any child who is over the age of twelve (12) years and under the age of eighteen (18) years, and who has not finished four (4) years of high school work, to neglect or refuse to attend and comply with the rules of some public, private or other school, or receive an education by other means for the full term the schools of the district are in session.

Provided, that this section shall not apply:

1. If any child is prevented from attending school by reason of mental or physical disability, to be determined by the board of education of the district upon a certificate of the school physician or public health physician, or, if no such physician is available, a duly licensed and practicing physician;

2. If any child is excused from attendance at school, due to an emergency, by the principal teacher of the school in which such child is enrolled, at the request of the parent, guardian, custodian or other person having control of such child;

3. If any child who has attained his or her sixteenth birthday is excused from attending school by written, joint agreement between:

a. the school administrator of the school district where the child attends school, and

b. the parent, guardian or custodian of the child. Provided, further, that no child shall be excused from attending school by such joint agreement between a school administrator and the parent, guardian or custodian of the child unless and until it has been determined that such action is for the best interest of the child and/or the community, and that said child shall thereafter be under the supervision of the parent, guardian or custodian until the child has reached the age of eighteen (18) years;

4. If any child is excused from attending school for the purpose of observing religious holy days if before the absence, the parent, guardian, or person having custody or control of the student submits a written request for the excused absence. The school district shall excuse a student pursuant to this subsection for the days on which the religious holy days are observed and for the days on which the student must travel to and from the site where the student will observe the holy days; or

5. If any child is excused from attending school for the purpose of participating in a military funeral honors ceremony upon approval of the school principal.

C. It shall be the duty of the attendance officer to enforce the provisions of this section. In the prosecution of a parent, guardian, or other person having custody of a child for violation of any provision of this section, it shall be an affirmative defense that the parent, guardian, or other person having custody of the child has made substantial and reasonable efforts to comply with the compulsory attendance requirements of this section but is unable to cause the child to attend school. If the court determines the affirmative defense is valid, it shall dismiss the complaint against the parent, guardian, or other person having custody of the child and shall notify the school attendance officer who shall refer the child to the district attorney for the county in which the child resides for

the filing of a Child in Need of Supervision petition against the child pursuant to the Oklahoma Juvenile Code.

D. Any parent, guardian, custodian, child or other person violating any of the provisions of this section, upon conviction, shall be guilty of a misdemeanor, and shall be punished as follows:

1. For the first offense, a fine of Fifty Dollars (\$50.00) and court cost of One-hundred Dollars (\$100);
2. For the second offense, a fine of One Hundred Dollars (\$100.00) and court cost of One-hundred Dollars (\$100); and
3. For the third or subsequent offense, a fine of Two Hundred Fifty Dollars (\$250.00) and court cost of One-hundred Dollars (\$100).

Each day the child remains out of school after the oral and documented or written warning has been given to the parent, guardian, custodian, child or other person or the child has been ordered to school by the juvenile court shall constitute a separate offense.

E. The court may order as a condition of a deferred sentence or as a condition of sentence upon conviction of the parent, guardian, or other person having custody of the child any conditions as the court considers necessary to obtain compliance with school attendance requirements. The conditions may include, but are not limited to, the following:

1. Verifying attendance of the child with the school;
2. Attending meetings with school officials;
3. Taking the child to school;
4. Taking the child to the bus stop;
5. Attending school with the child;
6. Undergoing an evaluation for drug, alcohol, or other substance abuse and following the recommendations of the evaluator; and
7. Taking the child for drug, alcohol, or other substance abuse evaluation and following the recommendations of the evaluator, unless excused by the court.

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MUNICIPAL COURT BOND AND FINE SCHEDULE

SECTION 6-201      MUNICIPAL COURT BOND AND FINE SCHEDULE.

This chapter sets forth the Bonds and Fines schedule associated with violation of offenses coming before the Dewey Municipal Court. (Ord. 97-1381) (Amended by Ordinance 2000-1402, adopted 10-17-2000)

SECTION 6-202      MUNICIPAL CRIMINAL COURTS NOT OF RECORDS

The previous Bond and Fine Schedule is being amended to reflect the passage of Oklahoma State Statutes 11 OS 14-111 Paragraph C which allows for Municipal Criminal courts not of Records to fine up to \$499.00 plus court cost of \$30.00 as set by Oklahoma Statute 11 OS 217-126. (Amended Ordinance 2000-1402, adopted 10/17/00)(Amended #2010-1501, 9/10/10)

SECTION 6-203      UNLAWFUL ACTS

This chapter further amends Section 1-108 of the Dewey Code of Ordinances to read as follows:

Except as otherwise provided by state law, whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in the code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any provision of this code or of any ordinance, upon conviction, shall be punished by a fine or not exceeding Three Hundred Dollars (\$300.00). Each day or any portion of a day during which any violation of this code or of any ordinance shall continue shall constitute a separate offense.

Any person who shall aid, abet or assist in the violation of any provision of this code or any other ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided in this section. (Ord. No. 83-1316, 10/17/83)( Ord. No. 2010-1501, 9/10/10)

State Law Reference: 11O.S.Section 14-111 sets out maximum fines chargeable by cities with courts not of record (\$500.00)

SECTION 6-204      BOND AND FINE SCHEDULE

The increase for Municipal Criminal Courts Not of Record shall be applicable to the attached Bond and Fine Schedule. (Amended Ordinance 2004-1444, adopted 11/01/2004)(Amended Ordinance #2010-1501, adopted 9/10/2010, Amended Ordinance No. 2014-1535, adopted 9/15/2014)

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CHAPTER 2

MUNICIPAL COURT BOND AND FINE SCHEDULE

SECTION 6-201      MUNICIPAL COURT BOND AND FINE SCHEDULE.

This chapter sets forth the Bonds and Fines schedule associated with violation of offenses coming before the Dewey Municipal Court. (Ord. 97-1381) (Amended by Ordinance 2000-1402, adopted 10-17-2000)

SECTION 6-202      MUNICIPAL CRIMINAL COURTS NOT OF RECORDS

The previous Bond and Fine Schedule is being amended to reflect the passage of Oklahoma State Statutes 11 OS 14-111 Paragraph C which allows for Municipal Criminal courts not of Records to fine up to \$200.00 plus court cost of \$25.00 as set by Oklahoma Statute 11 OS 217-126. (Amended Ordinance 2000-1402, adopted 10/17/00)

SECTION 6-203      UNLAWFUL ACTS

This chapter further amends Section 1-108 of the Dewey Code of Ordinances to read as follows:

Except as otherwise provided by state law, whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in the code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any provision of this code or of any ordinance, upon conviction, shall be punished by a fine or not exceeding Two Hundred Dollars (\$200.00). Each day or any portion of a day during which any violation of this code or of any ordinance shall continue shall constitute a separate offense.

Any person who shall aid, abet or assist in the violation of any provision of this code or any other ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided in this section. (Ord. No. 83-1316, 10/17/83)

State Law Reference: 11O.S.Section 14-111 sets out maximum fines chargeable by cities with courts not of record (\$200.00)

SECTION 6-204      BOND AND FINE SCHEDULE

The increase for Municipal Criminal Courts Not of Record shall be applicable to the attached Bond and Fine Schedule. (Amended Ordinance 2004-1444, adopted 11/01/2004, Amended Ordinance #2017-1561; 9/5/2017)