

ORDINANCE NO. 712

AN ORDINANCE RELATING TO THE TIME AND METHOD OF PAYMENT OF FINES AND COSTS AND PROVIDING FOR THE NON-PAYMENT OF FINES OR COSTS IN MUNICIPAL COURT.

THE CITY OF PRINEVILLE ORDAINS AS FOLLOWS:

Section 1. Time and Method of Payment of Fines and Costs.

- (1). When a defendant is sentenced to pay a fine or cost, the municipal court may grant permission for payment to be made within a specified period of time or in specified installments. If no such permission is included in the sentence the fine shall be payable forthwith.
- (2). When a defendant sentenced to pay a fine or cost is also placed on probation or imposition or execution of sentence is suspended, the court may make payment of the fine or costs a condition of probation or suspension of sentence.

Section 2. Effect of Non-Payment of Fines or Costs

- (1). When a defendant sentenced to pay a fine defaults in the payment thereof or of any installment, the municipal court on motion of the City Attorney or upon its own motion may require him to show cause why his default should not be treated as contempt of court, and may issue a show cause citation or a warrant of arrest for his appearance.
- (2). Unless the defendant shows that his default was not attributable to an intentional refusal to obey the order of the court or to a failure on his part to make a good faith effort to make the payment, the municipal court may find that his default constitutes contempt and may order him committed until the fine, or a specified part thereof is paid.
- (3). The term of imprisonment for contempt for non-payment of fines shall be set forth in the commitment order, and shall not exceed one day for each \$25.00 of the fine. A person committed for non-payment of a fine shall be given credit toward payment for each day of imprisonment at the rate specified in the commitment order.
- (4). If it appears to the satisfaction of the municipal court that the default in the payment of a fine is not contempt, the court may enter an order allowing the defendant additional time for payment, reducing the amount thereof or of each installment or revoking the fine or the unpaid portion thereof in whole or in part.

Section 3. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Passed by the City Council this 8th day of JAN, 1974.

Approved by the Mayor this 10th day of JAN, 1974.


MAYOR

ATTEST:


CITY ADMINISTRATOR