

Sponsor: Mayor Rife  
First Reading: 9/10/18  
Second Reading: 10/1/18

**ORDINANCE #48-18 - 2**

**AN ORDINANCE AUTHORIZING THE TOWN TO ISSUE ELECTRONIC TICKETS FOR ORDINANCE VIOLATIONS AND AUTHORIZING THE COLLECTION OF COURT COSTS AND ADMINISTRATIVE FEES ASSOCIATED WITH ELECTRONIC TICKETS**

WHEREAS, the Town of Wyoming is authorized pursuant to Section 18.21 of the Wyoming Town Charter to “prescribe fines, or penalties, or both, for violations of any of the provision of [the Charter]” or the ordinances of the Town;

WHEREAS, the Town desires to utilize an electronic ticket process by which electronic tickets are issued to individuals who have violated certain ordinances and/or laws in the Town of Wyoming;

WHEREAS, court costs and administrative fees, including victims’ compensation fund fees, are assessed by the State of Delaware as part of the electronic ticket process; and

WHEREAS, in the opinion of the Town Council, it is in the best interest of the public health, safety, and welfare for the Town to issue electronic tickets and pass the court costs and administrative fees, including victims’ compensation fund fees, associated with electronic tickets on to those individuals who have been issued electronic tickets.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Wyoming, a majority thereof concurring in council duly met, that the following be and hereby is enacted as follows, to wit:

Section 1. The Town of Wyoming is hereby authorized to issue electronic tickets for violations of all ordinances and laws for which the State of Delaware has authorized the Town to use the electronic ticket process. The issuance of electronic tickets shall be done in compliance with all rules and procedures established by the State of Delaware. This ordinance shall apply to all ordinances and laws enforceable in the Town of Wyoming, whether adopted by the Town, the State of Delaware, or another governing body, for which the Town is authorized to issue electronic tickets.

Section 2. When an electronic ticket is issued by the Town of Wyoming, in addition to any penalty prescribed for violating the underlying ordinance or law, anyone convicted of violating the ordinance or law or agreeing to voluntarily pay a fine or penalty through voluntary assessment procedures shall pay all court costs and administrative fees, including victims’ compensation fund fees, imposed by the State of Delaware as part of the electronic ticket procedure.

Section 3. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that Town Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Town Council's intent.

Section 4. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Town Council.

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SYNOPSIS

This ordinance authorizes the Town to issue electronic tickets for any violations of ordinances or laws in the Town of Wyoming. Individuals who are issued electronic tickets are required to pay, in addition to any fine or penalty, the administrative fees and court costs required as part of the electronic ticket procedure, along with the victims' compensation fund.

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This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Wyoming at a duly-noticed and convened meeting at which a quorum was present on October 1<sup>st</sup> 2018.

Attest: Laura Comon  
Town Clerk

So Certifies:  
Frankie Dale Reff  
Mayor

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This shall certify that a copy of this Ordinance was posted at the Town Hall on Oct 2, 2018.

10/2/18  
Date

So Certifies:  
Laura Comon