



**SUPPLEMENTAL AGENDA
PURCELLVILLE TOWN COUNCIL MEETING
TUESDAY, JUNE 11, 2019 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

- 1) **Additional Information for CONSENT AGENDA:**
 - 11a. Proposed Additional Fee to Support Electronic Citation/Summons System
(*C. McAlister, D. Dailey*)

*Roll Call Votes

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STAFF REPORT
ACTION ITEM

Item 11a

SUBJECT: Proposed Additional Fee to Support Electronic Citation/Summons System

DATE OF MEETING: June 11, 2019

STAFF CONTACT: Chief Cynthia McAlister, Police Dept.
Deputy Chief Dave Dailey, Police Dept.

SUMMARY:

On May 28, 2019, a public hearing was held to receive comments pertaining to Ordinance 19-05-01 amending the Town Code to impose a \$5.00 fee to be known as the Electronic Citation/Summons System Fee, on any defendant who is convicted of violating any statute or ordinance within the Town of Purcellville.

No objections were noted during public comment nor during subsequent Council discussions

BACKGROUND:

The General Assembly has authorized (Code of Virginia §17.1-279.1) counties, cities and towns to assess an additional sum, not in excess of \$5, as part of the costs in each traffic or criminal case in the district or circuit courts located within such jurisdiction's boundaries. Upon adoption, the fees collected shall be held by the Town Treasurer subject to future disbursement to the Town Police Department solely to fund hardware, software, and associated equipment costs for the implantation and maintenance of an electronic summons system.

MOTION:

I move that the Purcellville Town Council adopt Ordinance 19-05-01, amending Chapter 78 of the Code of the Town of Purcellville, Virginia to add a new Section D.78-3 imposing a new fee to be charged in traffic and criminal cases in the General District Court of the Town, to be utilized solely to implement and maintain an electronic summons system."

ATTACHMENT(S):

1. Staff Report of 1/22/2019
2. Ordinance 19-05-01



STAFF REPORT
ACTION ITEM

ATTACHMENT 1

Item #11d

SUBJECT: Electronic Summons System
DATE OF MEETING: January 22, 2019
STAFF CONTACTS: Barry A. Dufek, Business Manager

SUMMARY and RECOMMENDATIONS:

When police departments issue tickets manually, errors are to be expected. Names and addresses can be entered incorrectly, wrong statutes can be entered, and even information can be illegible by an officer writing a summons inside the vehicle while maintaining the security of their surroundings.

Fortunately, there is an alternative solution that reduces errors and the time involved in the ticket process from both the officer and the administrative staff within the police department. Using electronic citation (eCitation), police officers can enter most of the required citation information into an electronic form through the scanning of the bar code from most driver's licenses throughout the country. Officers can use drop down menus to input violations, operator and vehicle information, location and court information. After the ticket is completed, a wireless printer with a WiFi or Bluetooth connection enables on-the-spot printing of the citation. Once the eCitation machine makes contact with your secure Wi-Fi connection, all of the data is uploaded to the Report Management System (RMS) and the appropriate court of the Town reducing significant human hours.

BACKGROUND:

The General Assembly has authorized (Code of Virginia §17.1-279.1) counties, cities and towns to assess an additional sum, not in excess of \$5, as part of the costs in each traffic or criminal case in the district or circuit courts located within such jurisdiction's boundaries. If the Town Council agrees with the recommendation to adopt the \$5 fee as part of the costs in each criminal and traffic case in the district or circuit court, a new section to the Town Code imposing such fee needs to be enacted. The fees collected shall be held by the Town Treasurer subject to future disbursement to the Town Police Department solely to fund hardware, software, and associated equipment costs for the implantation and maintenance of an electronic summons system. All revenue accumulated through this adopted Town

Code will remain with the Town Treasurer until such time the initial funding is appropriate to start the program.

ISSUES:

Whether to initiate an ordinance amending Chapter 78 of the Code of the Town of Purcellville, Virginia, assessing a fee to be charged in each traffic and criminal case in the district or circuit courts of the Town, allowing for the adoption and maintenance of the electronic summons system.

BUDGET IMPACT:

The budgetary impact is minimal and only requiring few administrative staff hours and journal costs. In 2017, the Town did not capitalize on \$5,040 that would have been allowed per the State Code for the number of summonses that were issued. Likewise, in 2018 \$4,520 was forfeited by not having this code section adopted. It is projected that in calendar year 2019, with the amount of newly hired staff members, the Police Department could benefit approximately \$7,500 towards the cost of the Electronic Summons System.

2017 Yearly Productivity Summary							
Month	Summons	Warnings	Reports	Crashes	Self Directed	Calls for Service	Solo Officer in Town
Jan	58	70	58	8	1181	160	23
Feb	76	59	62	19	1105	143	36
March	68	65	45	12	959	158	22
April	93	110	49	18	1093	182	49
May	108	46	49	22	972	209	124
June	122	54	64	17	890	238	88
July	97	98	66	28	1068	223	79
Aug	104	77	66	20	1130	257	35
Sept	102	98	71	16	1157	235	69
Oct	78	92	57	15	1151	226	112
Nov	50	77	39	23	1148	188	38
Dec	52	96	56	16	1261	205	36
Totals	1008	942	682	214	13115	2424	711

2018 Yrly Productivity Summary								
Month	Summons	Warnings	Parking	Reports	Crashes	Self Directed	Calls for Service	Hours Solo Officer in Town
Jan	57	102		47	16	1284	219	31
Feb	53	79		51	17	1148	186	34
March	60	74		67	20	1040	201	35
April	50	74		49	10	944	187	56
May	85	213		45	16	1351	261	24
June	58	151		62	13	1120	239	21
July	52	108		50	15	1105	230	61
Aug	133	59		63	23	908	229	189
Sept	48	55	3	78	21	1185	225	187
Oct	103	61	9	57	26	1259	265	141
Nov	96	66	15	54	42	1137	225	143
Dec	109	104	15	45	20	1166	190	254
Totals	904	1146	42	668	239	13647	2657	1176

The current costs associated with the e-electronic summons system per unit is \$2,320, which includes the cost of one handheld device, one printer, and all software and licensing. Outfitting all officers within the police department costs roughly \$19,720 as each unit can be share between two officers. With the estimate annual income from the administrative court fee, this program will pay for itself in approximately two and a half years. Once all officers are outfitted, the administrative court fee will be applied to the cost of specialized printer paper and the purchase of additional units as the police department expands.

MOTION(S):

“I move that the Purcellville Town Council initiate an ordinance amending Chapter 78 of the Code of the Town of Purcellville, Virginia, to add a new Section D.78-3 imposing a new fee to be charged in traffic and criminal cases in the General District Court of the Town, to be utilized solely to implement and maintain an electronic summons system.”

ATTACHMENT(S):

None

§ 17.1-279.1. Additional assessment for electronic summons system.

Any county, city, or town, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply.

TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

ORDINANCE NO. 19-05-01

PRESENTED: MAY 28, 2019
ADOPTED: JUNE 11, 2019

AN ORDINANCE: AMENDING THE TOWN CODE OF PURCELLVILLE, CHAPTER 78 (“TRAFFIC AND VEHICLES”), ARTICLE I (“IN GENERAL”), SECTION 78-3 (“COMPLIANCE WITH CHAPTER; GENERAL PENALTY FOR VIOLATIONS”) AND AMENDING THE TOWN CODE OF PURCELLVILLE, APPENDIX A (“MASTER TAX AND FEE SCHEDULE”) TO ADD AN ELECTRONIC CITATION/SUMMONS FEE SUPPORTING THE TOWN’S ELECTRONIC CITATION/SUMMONS SYSTEM

WHEREAS, at its meeting on January 22, 2019, the Town Council authorized staff to amend the Town Code to add a fee of \$5.00 to support the Town’s use of an electronic citation or summons system; and

WHEREAS, Town staff has engaged Tyler Technologies, Inc. to provide electronic citation hardware and software for the next five years, at a cost to the Town in the first year of \$9,145 and at an annual cost thereafter of \$7,458; and

WHEREAS, Virginia Code Section 17.1-279.1 authorizes the Town to offset the costs of the electronic citation system by assessing a \$5.00 fee against the recipient of each citation issued, when such citation is for a criminal or traffic offense processed in the district or circuit courts, with such fee to be collected by the Court and remitted to the Town; and

WHEREAS, all fees imposed by the Town should be shown on the Town’s Master Tax and Fee Schedule, found at Appendix A of the Town Code; and

WHEREAS, a duly-advertised public hearing was held before Town Council on May 28, 2019, to receive comments on a proposed amendment to Town Code Section 78-3 and Town Code Appendix A, adding an *Electronic Citation/Summons System Fee* in the amount of \$5.00 for the purpose of offsetting costs to the Town of the Electronic Citation/Summons System.

NOW, THEREFORE, the Town Council of the Town of Purcellville, Virginia hereby ordains:

AN ORDINANCE:

AMENDING THE TOWN CODE OF PURCELLVILLE, CHAPTER 78 (“TRAFFIC AND VEHICLES”), ARTICLE I (“IN GENERAL”), SECTION 78-3 (“COMPLIANCE WITH CHAPTER; GENERAL PENALTY FOR VIOLATIONS”) AND AMENDING THE TOWN CODE OF PURCELLVILLE, APPENDIX A (“MASTER TAX AND FEE SCHEDULE”) TO ADD AN ELECTRONIC CITATION/SUMMONS FEE SUPPORTING THE TOWN’S ELECTRONIC CITATION/SUMMONS SYSTEM

Section 1. That Chapter 78, Article I, Section 78-3 of the Town Code of Purcellville is hereby amended to add subsection “d” and the double-underlined text, as follows:

ARTICLE I. – IN GENERAL

Sec. 78-3. - Compliance with chapter; general penalty for violations.

- (a) It shall be unlawful for any person to refuse, fail or neglect to comply with any of the provisions of this chapter or any rule or regulation promulgated pursuant to this chapter.
- (b) Every person convicted of a violation of any of the provisions of this chapter or any rule or regulation promulgated pursuant to this chapter, for which no other penalty is provided, shall, for a first conviction thereof, be punished by a fine of not less than \$10.00, nor more than \$200.00. For a second such conviction within one year, such person shall be punished by a fine of not less than \$20.00 nor more than \$200.00. For a third or subsequent conviction within one year, such person shall be punished by a fine of not less than \$50.00 nor more than \$200.00.
- (c) Whenever a specific penalty is provided in the Code of Virginia for the violation of any section of the Code of Virginia adopted by reference by this chapter, the penalty for a violation of such section charged on a town warrant shall be the same as provided by state statute.
- (d) In addition to any other fee or cost prescribed by law, as part of the costs assessed in each criminal or traffic case in the Loudoun County District or Circuit Court, there shall be imposed an *Electronic Citation/Summons System Fee* of \$5.00 on any defendant who is convicted of violating any statute or ordinance within the Town of Purcellville. The fee shall be collected by the clerk of the court in which the action is filed, and remitted to the Town’s Director of Finance, to be held for appropriation by the Town Council. Such monies shall be used solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic citation/summons system in accordance with Code of Virginia § 17.1-279.1.

AN ORDINANCE:

AMENDING THE TOWN CODE OF PURCELLVILLE, CHAPTER 78 (“TRAFFIC AND VEHICLES”), ARTICLE 1 (“IN GENERAL”), SECTION 78-3 (“COMPLIANCE WITH CHAPTER; GENERAL PENALTY FOR VIOLATIONS”) AND AMENDING THE TOWN CODE OF PURCELLVILLE, APPENDIX A (“MASTER TAX AND FEE SCHEDULE”) TO ADD AN ELECTRONIC CITATION/SUMMONS FEE SUPPORTING THE TOWN’S ELECTRONIC CITATION/SUMMONS SYSTEM

Section 2. That Town Code, Appendix A (“Master Tax and Fee Schedule”) is hereby amended to add an *Electronic Citation/Summons System Fee* of \$5.00 and the double underlined text, as follows:

<i>Category</i>	<i>Rates and Fees</i>	<i>Legal Authority</i>	<i>Town Ordinance</i>
Earphones while driving	\$25.00		Ordinance 17-05-01
<u>Electronic Citation/Summons System Fee</u>	<u>\$5.00</u>	<u>Va. Code 17.1-279.1</u>	<u>Ordinance 19-05-01</u>
Equipment violation (each charge)	\$30.00		Ordinance 17-05-01

Section 3. That this ordinance shall be effective on July 1, 2019.

Section 4. That if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be adjudged invalid by the courts, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid.

PASSED THIS ___ DAY OF _____, 2019.

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk