

**TOWN OF LEESBURG  
NOTICE OF PUBLIC HEARING**

**AMENDING THE LEESBURG TOWN CODE**

**CHAPTER 2 (ADMINISTRATION), ARTICLE IV (FINANCE), SECTION 2-166  
(ELECTRONIC SUMMONS SYSTEM FEE) AND  
APPENDIX B (FEE SCHEDULE)**

In accordance with Code of Virginia of 1950, as amended, Sections 15.2-107, 15.2-1427, 17.1-275.5 and 17.1-279.1, the Leesburg Town Council will hold a public hearing on:

**Tuesday, August 11, 2015, at 7:30 P.M.**  
in the Council Chambers of Town Hall,  
25 West Market Street, Leesburg, VA

to consider an amendment to the Town Code to establish an electronic summons system fee. The following amendment will be proposed:

**NEW Section 2-166 (Electronic Summons System Fee).**

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 summons system fee of five dollars (\$5.00) on any defendant who is convicted of a violation of any statute or ordinance within the Town of Leesburg. The fee shall be collected by the clerk of the court in which the action is filed, and remitted to the Director of Finance and Administrative Services to be held for appropriation by the Town Council in accordance with Virginia Code § 17.1-279.1.

**Appendix B – Fee Schedule**

**Sec. 2-166.** Electronic Summons System Fee: \$5.00

A copy of the proposed ordinance is available from the Town Clerk, located in Town Hall, 25 West Market Street, Leesburg, Virginia, during normal business hours (Monday-Friday, 8:30 a.m. to 5:00 p.m.); or by calling Lee Ann Green, Town Clerk, at 703-771-2733.

At this hearing, all persons desiring to express their views concerning these matters will be heard. Persons requiring special accommodations should contact the Clerk of Council at 703-771-2733, three days in advance of the meeting. For TTY/TDD service, use the Virginia Relay Center by dialing 711.

8/5/2015



Date of Council Meeting: August 11, 2015

**TOWN OF LEESBURG  
TOWN COUNCIL MEETING**

**Subject:** Ordinance to create an electronic summons system.

**Staff Contact:** Barbara Notar, Town Attorney  
Joseph Price, Chief of Police

**Council Action Requested:** To approve the proposed ordinance to create an electronic summons system.

**Staff Recommendation:** Staff supports the proposed ordinance to create an electronic summons system.

**Commission Recommendation:** The Police Department and Department of Finance and Administrative Services recommend adoption of the ordinance to create an electronic summons system.

**Fiscal Impact:** The ordinance to create an electronic summons system will contain a fee of \$5.00 per ticket or arrest occurring within the Town of Leesburg limits. If such fee is in place for a full year, it is estimated that the fee could generate several thousands of dollars annually. In the first year (Fiscal Year 2016), a reduced amount will be likely given the start-up will not occur until after the adoption of the proposed ordinance.

These accumulated funds will be held in a capital account and will be utilized for the future implementation of an electronic summons system with the purchase of all required equipment and maintenance. Estimates of the cost of equipment needed to fund this system are not confirmed at this point, but would likely be less than \$150,000. The fee will continue to be assessed on an annual basis assuring sufficient funds to pay for maintenance and future equipment replacement. If the fund grows to an amount that sustains the system for a period greater than 3 years, consideration will be given to suspending the fee.

**Work Plan Impact:** None.

**Executive Summary:** The Code of Virginia § 17.1-279.1 was amended this year to include towns to allow towns the benefit of an assessment by the courts on all traffic and criminal tickets and arrests to pay for an electronic summons system. An electronic summons system will significantly improve efficiency and accuracy in the processing of issued citations.

**Background:** Code of Virginia, § 17.1-279.1 enables localities, by ordinance, to assess up to an additional \$5.00 as part of the costs in each criminal or traffic case in the

## Electronic Summons Ordinance

August 11, 2015

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locality's district or circuit courts when a defendant is charged and convicted with a violation of any criminal or traffic statute or ordinance. The \$5.00 fee is used to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

The Leesburg Police Department promotes traffic safety and enforces violations of criminal law on a daily basis. During Fiscal Year 2015, the Leesburg Police Department (LPD) issued 5,782 Virginia Uniform Summonses which include citations for traffic violations and some misdemeanor offenses. LPD made 1,247 arrests and issued over 1,800 written warnings.

An electronic summons system will significantly improve efficiency and accuracy in the processing of issued citations. With an electronic summons system, citation data is automatically scanned and electronically entered at the point of activity, and a paper copy of the summons is printed locally and given to the vehicle operator. Personnel will no longer have to re-enter data from hand-written summons. Once the citation is completed, the transaction data is sent electronically to the court's case management systems usually within 24 hours. This will allow violators to prepay their fines promptly, and aid the courts in managing their dockets while tracking caseloads. The utilization of the electronic summons system will help reduce data entry errors.

When motorists are stopped by police, an element of danger is added, as both the motorists and officers are exposed to passing traffic. An electronic summons system would reduce the chances of a road-shoulder accident during the course of officers' traffic stops, and provide the motorist with a more efficient transaction.

Funding from the proposed ordinance will support the purchase of new peripheral equipment such as handheld devices, portable printers, driver's license scanners and barcode readers, as well as the maintenance required for the system.

**Attachment:** Ordinance

PRESENTED: August 11, 2015

ORDINANCE NO. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

AN ORDINANCE: CREATING CHAPTER 2 (ADMINISTRATION), ARTICLE IV (FINANCE), SECTION 2-166 (ELECTRONIC SUMMONS SYSTEM FEE) AND APPENDIX B (FEE SCHEDULE)

WHEREAS, Code of Virginia of 1950, as amended, Sections 15.2-107, 15.2-1427, 17.1-275.5 and 17.1-279.1 authorize the governing body of any county, city or town to assess an additional sum for an electronic summons system; and

WHEREAS, the Leesburg Town Council wishes to address safety issues for the Town of Leesburg Police Department officers; and

WHEREAS, the Leesburg Town Council wishes to improve efficiency and accuracy in the processing of issued citations;

The Council in the Town of Leesburg, Virginia hereby ORDAINS:

**SECTION I. Sec. 2-166. Electronic Summons System Fee.**

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 summons system fee of five dollars (\$5.00) on any defendant who is convicted of a violation of any statute or ordinance within the Town of Leesburg. The fee shall be collected by the clerk of the court in which the action is filed, and remitted to the Director of Finance and Administrative Services to be held for appropriation by the Town Council in accordance with Virginia Code § 17.1-279.1.

**Appendix B – Fee Schedule**

Sec. 2-166. Electronic Summons System Fee: \$5.00

**SECTION II.** Severability. If a court of competent jurisdiction declares any provision of this ordinance invalid, the decision shall not affect the validity of the ordinance as a whole or any remaining provisions of the Leesburg Town Code.

**SECTION III.** This Ordinance shall become effective on January 1, 2016.

AN ORDINANCE: CREATING CHAPER 2 (ADMINISTRATION), ARTICLE IV  
(FINANCE), SECTION 2-166 (ELECTRONIC SUMMONS SYSTEM  
FEE) AND APPENDIX B (FEE SCHEDULE)

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Kristen C. Umstatt, Mayor  
Town of Leesburg

ATTEST:

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Clerk of Council