

FILE NO. 001721

ORDINANCE NO. **292-00**

1 [Repealing Article X of the San Francisco Administrative Code, governing funds received by
 2 the Municipal Court. This Article is obsolete due to the consolidation of the Superior and
 3 Municipal Courts.]

4 **Ordinance amending Article X of the San Francisco Administrative Code by repealing**
 5 **Article X (sections 10.57 through 10.69) in its entirety.**

6 Note: Additions are *italic, Times New Roman*; deletions
 7 are ~~*strikethrough italic, Times New Roman*~~.
 8 Board amendment additions are double underlined.
 9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Article X of the San Francisco Administrative Code is hereby amended by
 11 repealing Article X (Sections 10.57 through 10.69), to read as follows:

12 ***ARTICLE X***

13 **~~*MONEYS RECEIVED BY MUNICIPAL COURT*~~**

14 **~~*SEC. 10.57. MONEY TO BE DELIVERED TO TREASURY AS PROVIDED BY SECTION*~~**
 15 **~~*6.311 OF THE CHARTER.*~~**

16 ~~*All money received by the Municipal Court and the Municipal Court Clerk for or in connection*~~
 17 ~~*with the business of the Municipal Court shall be paid or delivered into the treasury not later than the*~~
 18 ~~*next business day after its receipt, as provided by Section 6.311 of the Charter.*~~

19 **~~*SEC. 10.57A. PAYMENT BY CREDIT CARD.*~~**

20 ~~*The Clerk of the Municipal Court for the City and County of San Francisco and the San*~~
 21 ~~*Francisco Police Department are hereby authorized to accept credit cards for payment for the deposit*~~
 22 ~~*of bail or for any fine for any offense not declared to be a felony, or for payment of any towing or*~~
 23 ~~*storage costs for a vehicle which has been removed from a highway, or from public or private property,*~~
 24 ~~*as a result of parking violations.*~~

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1 ~~SEC. 10.58. MONEY FROM TRAFFIC COURT OR TRAFFIC FINES BUREAU TO BE~~
2 ~~DEPOSITED IN COMMERCIAL BANK ACCOUNT—GENERALLY; ACCOUNT DESIGNATED.~~

3 ~~For the purpose of clearing checks, money orders and similar documents received in the Traffic~~
4 ~~Fines Bureau or in the Traffic Court during the course of business of the court, the Clerk of the~~
5 ~~Municipal Court is hereby authorized to open a commercial bank account to be known as: "Municipal~~
6 ~~Court of the City and County of San Francisco Clearing Account."~~

7 ~~SEC. 10.59. MONEY FROM TRAFFIC COURT OR TRAFFIC FINES BUREAU TO BE~~
8 ~~DEPOSITED IN COMMERCIAL BANK ACCOUNT—SIGNING CHECKS DRAWN ON~~
9 ~~ACCOUNT.~~

10 ~~Checks drawn upon the bank account authorized by the preceding section shall be signed by~~
11 ~~either the Clerk of the Municipal Court or such employees of his or her office as are duly authorized by~~
12 ~~the Clerk to sign.~~

13 ~~SEC. 10.60. MONEY FROM TRAFFIC COURT OR TRAFFIC FINES BUREAU TO BE~~
14 ~~DEPOSITED IN COMMERCIAL BANK ACCOUNT—DEPOSIT IN ACCOUNTS.~~

15 ~~All checks, money orders and similar documents received shall be deposited in the bank account~~
16 ~~designated in Section 10.58 of this Code not later than the next business day after receipt thereof.~~

17 ~~SEC. 10.61. MONEY FROM TRAFFIC COURT OR TRAFFIC FINES BUREAU TO BE~~
18 ~~DEPOSITED IN COMMERCIAL BANK ACCOUNT—CHECK TO BE DRAWN IN FAVOR OF~~
19 ~~TREASURER IN SAME AMOUNT AS DEPOSIT.~~

20 ~~Concurrently with making the deposits in the bank, the Clerk shall issue or cause to be issued a~~
21 ~~check in the full amount of the deposit drawn in favor of the Treasurer, which check shall constitute a~~
22 ~~part of the deposit with the Treasurer prescribed in Section 10.57 of this Code.~~

23 ~~SEC. 10.62. MONEY FROM TRAFFIC COURT OR TRAFFIC FINES BUREAU TO BE~~
24 ~~DEPOSITED IN COMMERCIAL BANK ACCOUNT—EFFECT ON TREASURER'S CHECK~~
25 ~~UPON NONCOLLECTION OF DEPOSITS.~~

1 *In the event any items deposited in the bank account designated in Section 10.58 of this Code*
2 *are returned by the bank, the amount of the check drawn by the Clerk pursuant to the preceding section*
3 *shall be reduced by the amount of the uncollected items returned by the bank to the Clerk the preceding*
4 *business day.*

5 **~~SEC. 10.63. MONEY FROM TRAFFIC COURT OR TRAFFIC FINES BUREAU TO BE~~**
6 **~~DEPOSITED IN COMMERCIAL BANK ACCOUNT—EFFECT OF UNCOLLECTED DEPOSITS~~**
7 **~~ON CLEARED TRAFFIC CASES.~~**

8 *Traffic cases which were cleared by virtue of the receipt of checks, money orders and similar*
9 *documents, which were subsequently returned uncollected by the bank, shall be re-established*
10 *immediately as uncleared traffic cases.*

11 **~~SEC. 10.64. DEPOSIT OF UNIDENTIFIED AND EXCESS PAYMENTS.~~**

12 *All payments received by the Municipal Court in excess of the amount applicable to a particular*
13 *transaction, and all payments which cannot be immediately identified with a particular transaction,*
14 *shall be included in and made a part of the deposit with the Treasurer prescribed by this Article.*

15 **~~SEC. 10.65. MUNICIPAL COURT SUSPENSE ACCOUNT.~~**

16 *The receipts described in the preceding Section shall be shown separately on the daily deposit*
17 *tag and shall be credited to "Municipal Court Suspense Account," which account the Controller is*
18 *hereby authorized and directed to create.*

19 **~~SEC. 10.66. REPAYMENT OF EXCESS PAYMENTS; TRANSFER OF UNCLAIMED~~**
20 **~~EXCESS PAYMENTS.~~**

21 *In cases where payments are in excess of the correct amount, refund will be made by the*
22 *Controller upon proper authorization from the Court, on such form and in such manner as may be*
23 *prescribed by the Controller. The Clerk of the Court shall prepare a schedule daily, covering these*
24 *items. Upon the Court's order so to do, the Controller shall draw a warrant payable to each claimant*
25 *listed on the schedule where the amount claimed is on deposit in the suspense account. Where excess*

1 ~~payments remain unclaimed for a period of one year or more, the Controller is authorized to transfer~~
2 ~~such amounts from the suspense account to the General Fund.~~

3 ~~**SEC. 10.67. RETURN AND REGISTER OF INSUFFICIENT OR DEFICIENT CHECKS.**~~

4 ~~Checks, money orders and similar documents received in amounts insufficient to cover cases for~~
5 ~~which tendered, or deficient in any other respect, shall be returned to their respective senders not later~~
6 ~~than the next business day after receipt. The Clerk shall maintain a register in which shall be~~
7 ~~chronologically recorded each item so returned. There shall also be recorded in the register the date,~~
8 ~~amount, identity of the instrument returned, name and address of the sender, and the date and reason~~
9 ~~for its return.~~

10 ~~**SEC. 10.68. TRANSFER OF UNIDENTIFIABLE COLLECTIONS UPON SUBSEQUENT**~~
11 ~~**IDENTIFICATION.**~~

12 ~~With respect to collections not immediately identifiable, when identification is subsequently~~
13 ~~made, request shall be made of the Controller to transfer the applicable amount from the suspense~~
14 ~~account to the proper account. All such items remaining in the suspense account at the close of any~~
15 ~~fiscal year may be transferred by the Controller to the General Fund.~~

16 ~~**SEC. 10. 69. MUNICIPAL COURT CLERK'S RECORDS AND REPORTS.**~~

17 ~~The Clerk of the Municipal Court shall maintain such records and prepare such reports as the~~
18 ~~Controller and presiding judge shall prescribe.~~

19
20 APPROVED AS TO FORM:

21 LOUISE H. RENNE, City Attorney

22
23 By:

24 
25 DAVID A. GREENBURG
Deputy City Attorney



City and County of San Francisco

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Tails

Ordinance

File Number: 001721

Date Passed:

Ordinance amending Article X of the San Francisco Administrative Code by repealing Article X (Sections 10.57 through 10.69) in its entirety.

December 4, 2000 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee
Absent: 2 - Becerril, Yaki

December 4, 2000 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee
Absent: 2 - Becerril, Yaki

December 11, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

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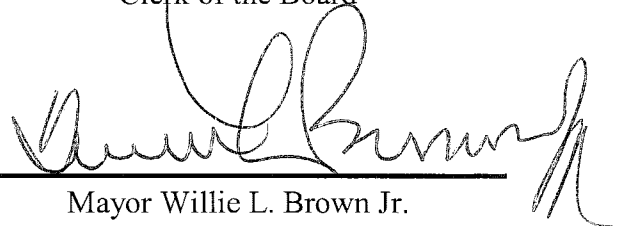
I hereby certify that the foregoing Ordinance was FINALLY PASSED on December 11, 2000 by the Board of Supervisors of the City and County of San Francisco.

DEC 22 2000

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.