

ORDINANCE NO. 17-14

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, CREATING A CIVIL FINGERPRINTING IMPRESSION SERVICE, AND ESTABLISHING AN INITIAL FEE FOR SAID CIVIL FINGERPRINTING SERVICES APPLICABLE IF SAID IMPRESSIONS ARE TO BE USED FOR PROFESSIONAL, TRADE, OR COMMERCIAL PURPOSES, OR IF SAID IMPRESSIONS ARE TO BE USED FOR PERSONAL USE;

WHEREAS, the City of Somerset wishes to provide civil fingerprinting impression services to the public, but due to the costs involved in providing said services, herein states its desire to charge a reasonable fee for said service as set forth herein; and

WHEREAS, the City has determined that no applicable KRS prohibits the City from providing said service, and that applicable KRS allows the City to assess a fee for providing such a service so long as the fee is not in excess of the reasonable costs associated with providing said service;

THEREFORE, be it ordained by the Common Council of the City of Somerset that a Civil Fingerprinting Impression Service may hereafter be provided by the Somerset Police Department *for a fee* as set forth herein:

- (A) For the purpose of establishing an initial fee structure for the services described above, the City of Somerset does hereby authorize the City, by and through the Somerset Police Department, to charge a *minimum* fee of \$5.00 (Five Dollars and 00/100) per person, per set (2 cards) of fingerprint impressions taken when said service is requested by a person for professional, trade, or commercial purposes, or if said service is requested by a person for personal use. Should the costs of processing fingerprinting impression requests rise above the fee amount set forth in this section, the City of Somerset may adjust the fee through administrative action of the City's executive authority as permitted by KRS Chapter 83A, Chapter 91A, and all other applicable law. Any fee charged for said service, including the initial charge set forth herein, and any adjustments which may be made in the future by the executive authority to account for an increase in costs for providing said services, will not generate revenues or profits in excess of the reasonable costs associated with providing said service to the public.
- (B) If any part of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.
- (C) Any Ordinance in conflict with this Ordinance, or any policies in conflict with the ones enacted herein are repealed in so far as the same are in conflict herewith.
- (D) This Ordinance shall be in full force and effect upon approval and publication according to law. The implementation date for this Ordinance shall be August 1, 2017.

FIRST READING:

JUNE 26, 2017

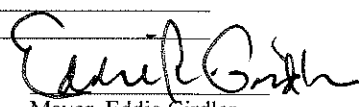
SECOND READING:

JULY 10, 2017

ATTEST:


City Clerk, Nick Bradley

APPROVED:


Mayor, Eddie Girdler