

CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

Sec. 13-44. Restitution for offense causing economic loss; fine for reimbursement of city monies.

(a) Upon a defendant's conviction for an offense under this chapter or for an offense under an equivalent state statute causing economic loss to any person, or resulting in the expenditure of city monies for repair of damages arising out of the offense; public defender costs; or community service; shall order restitution to be paid by the defendant and may allocate all or any portion of the fine to restitution to any person who sustained economic loss or to the city as a result of the defendant's conduct.

(b) The court shall consider all losses caused by the criminal offense or criminal offenses for which the defendant has been convicted, including but not limited to the following losses incurred by the city:

(1) Reimbursement for all monies expended by the city to repair the damage caused by the criminal offense, including labor and the cost of materials.

(2) Reimbursement for all monies expended by the city to provide the defendant with the cost of a public defender.

(3) Reimbursement for all monies expended by the city in providing community service alternatives to the defendant.

(c) The court shall not consider the economic circumstances of the defendant in determining the amount of restitution and reimbursement.

(d) In deciding the manner in which the restitution and reimbursement are to be paid, the court shall consider the economic circumstances of the defendant.

(e) A restitution lien shall be created in favor of the city for the total amount of the restitution, reimbursement, surcharges, assessments, costs and fees if any ordered by the court.

(f) Effective July 17, 1994, the judge of the municipal court acting as a duly appointed juvenile hearing officer under A.R.S. §8-232 may retain jurisdiction of any matter under sections 13-71 through 13-75 of this code involving any juvenile until all orders have been fully complied with by the juvenile and their parents, guardians or any person having legal custody of the minor.

State Law Reference A.R.S. §8-232.

State Law Reference A.R.S. §13-804.

(Ord. No. 92-04, 2/11/92, Enacted)

(Ord. No. 94-31, 7/5/94, Amended)

(Ord. No. 94-59, 8/2/94, Amended)