

CITY OF TUCKERMAN
ORDINANCE 2016-04

AN ORDINANCE IMPOSING AN ADDITIONAL FINE ON MISDEMEANORS AND TRAFFIC VIOLATIONS; AND COMMITTING THE INCOME OF PAYMENT OF PRISONER INCARCERATION COSTS; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated Section 16-17-129 authorizes cities to enact an additional fine on misdemeanors and traffic violations, provided that income there from is used to defray incarceration expenses; and

WHEREAS, the City of Tuckerman has experienced an increase in the necessary expense of incarcerating prisoners and this cost must be defrayed to the fullest extent possible, and as soon as possible, as permitted by State Law;

NOW, THEREFORE, be it ordained by the City Council of the City of Tuckerman, Arkansas;

SECTION ONE: Under authority of Arkansas Code Annotated Section 16-17-129 there is hereby levied an additional five dollar (\$5.00) fine on every defendant who pleads guilty, *nolo contendere*, is found guilty of, or forfeits bond for in the Jackson County District Court – Tuckerman Department.

SECTION TWO: The additional fine authorized by this Ordinance shall apply to each charge, count, violation, or offense, to which a defendant pleads guilty, *nolo contendere*, is found guilty of, or forfeits bond for, including each misdemeanor or traffic violation.

SECTION THREE: The monies collected by the levy of this fine shall be deposited in the “City of Tuckerman Bond and Fine Account” until monthly settlement is made for court costs and fines. At which time, the monies collected by the levy of this fine shall be deposited into an account that shall be created and named the “Criminal Justice Account of the City of Tuckerman, Arkansas”.

SECTION FOUR: All monies collected by the levy of this fine shall be used solely to help defray the cost of incarcerating City of Tuckerman prisoners in the Jackson County Detention Center or other appropriate facilities.

SECTION FIVE: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION SIX: The provisions of this Ordinance are hereby declared to be severable. If any provisions of this ordinance should be held to be invalid, or unconstitutional, such holding shall not affect the validity or applicability of the remainder of the provisions hereof.

SECTION SEVEN: This action being necessary for the preservation of the public peace, health and safety, an emergency is therefore declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED 14 day of June, 2016.

Ronald D. Koller

Ronald Koller, Mayor

ATTEST:

Pamela J. Cawthon

Pamela Cawthon, City Clerk

