

ORDINANCE NO. 0-91- 3

AN ORDINANCE TO CREATE THE ARKADELPHIA MUNICIPAL COURT COST FUND AND TO REQUIRE PAYMENT OF CERTAIN COSTS ALLOWED BY ARKANSAS CODE ANNOTATED 16-17-109 AND 16-17-113 AND TO ALLOW FOR DEPOSITING THE CIVIL FILING FEE ALLOWED BY ARKANSAS CODE ANNOTATED 16-17-706 IN THE ARKADELPHIA MUNICIPAL COURT COST FUND; FOR OTHER PURPOSES AND TO DECLARE AN EMERGENCY.

SECTION I. In accordance with Arkansas Code Annotated 16-17-109 and 16-17-113, the Arkadelphia Municipal Court is allowed and directed to tax an additional cost of five dollars (\$5.00) on all convictions on the charge of driving while under the influence of intoxicants (D.W.I.), an additional cost of three dollars (\$3.00) on all convictions or forfeitures for misdemeanors or traffic violations all to be used for the administration of justice by the Arkadelphia Municipal Court.

SECTION II. The costs taxed herein as above stated along with the special costs allowed under Arkansas Code Annotated 5-65-115 for each failure of a D.W.I defendant to complete a required alcohol education program and the civil filing fees provided in Arkansas Code Annotated 16-17-706 shall be deposited by the Arkadelphia Municipal Court Clerk in a separate account known as the Arkadelphia Municipal Court Cost Fund for the purpose of defraying necessary administrative expenses of the Arkadelphia Municipal Court during each calendar year. All collections from this fund shall be deposited in the Arkadelphia Municipal Court Cost Fund in the City of Arkadelphia's Clerk/Treasurer's office and shall be used exclusively for the operation and expenses of the Arkadelphia Municipal Court. Funds remaining in the Arkadelphia Municipal Court Cost Fund as of December 31 of each year shall be

carried over to be used in subsequent years. These deposits may also be made by any employee of the Clark County Municipal Clerk's office.

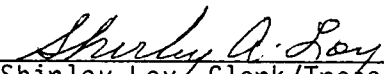
SECTION III. Due to the increasing operational and administrative expenses of the Arkadelphia Municipal Court and the availability of allowable costs and fees under the Arkansas Code and because the current level of general revenues available to Arkadelphia, Arkansas, is insufficient, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

Dated this 7th day of February, 1991.

APPROVED:

  
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Kitty Holland, Mayor

ATTESTED:

  
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Shirley Loy, Clerk/Treasurer