



STATE OF ARKANSAS  
*City of Brookland*

ORDINANCE 2009-16

**AN ORDINANCE AUTHORIZING THE LEVY OF AN ADDITIONAL TWENTY DOLLARS (\$20.00) FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING CITY PRISONERS PURSUANT TO ACT 209 OF 2009; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Arkansas General Assembly passed Act 209 of 2009, amending A.C.A. § 16-17-129, which authorizes the city, by ordinance, to levy up to an additional Twenty Dollar (\$20.00) fine, and not to exceed Twenty Dollars (\$20.00) , to help defray the expense of incarcerating city prisoners; and

**WHEREAS**, it is in the best interest and welfare of the citizens of Brookland, Arkansas, that an additional fine of Twenty Dollars (\$20.00) be levied and collected from each defendant who pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the District Court(s) within Craighead County, Arkansas.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Brookland, Arkansas:

**SECTION 1.** That pursuant to Act 209 of 2009, of the General Assembly of the State of Arkansas, an additional fine of Twenty Dollars (\$20.00) shall be levied and collected from each defendant who pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the District Court(s) within Craighead County, Arkansas.

**SECTION 2.** That the additional fine levied by the city under this Ordinance shall be deposited into a special fund within the City Treasury, and the revenues generated by the additional fine shall be used exclusively to help defray the cost of incarcerating city prisoners.

**SECTION 3.** The additional fine authorized by this Ordinance shall apply to each charge, count, violation, or offense that a defendant pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for, including each misdemeanor or traffic violation.

**SECTION 4.** The various provisions and parts of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extend the provisions hereto are declared to be severable.

**SECTION 5.** That all Ordinances or parts of Ordinances found to be in conflict herewith, are hereby repealed.

PASSED and ADOPTED this 9 day of February, 2010.

*Kenneth D. Jones*  
Kenneth D. Jones, Mayor

ATTEST:

*John Davis*  
Recorder



1<sup>st</sup> reading date: 12-8-2009 2<sup>nd</sup> reading date: 1-12-2010 3<sup>rd</sup> reading date: 2-9-2010