



STATE OF ARKANSAS
City of Brookland
ORDINANCE 2015-33

AN ORDINANCE TO RATIFY THE LEVYING OF A \$20.00 FINE FROM EACH DEFENDANT UPON EACH CONVICTION, EACH PLEA OF GUILTY OR NOLO CONTENDERE, OR EACH BOND FORFEITURE FOR ANY MISDEMEANOR OR TRAFFIC VIOLATION IN CASES FROM THE CITY OF BROOKLAND, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated § 16-17-129(a)(2)(A), authorizes each town or city that has a police department and which contributes to the expenses of a district court to levy and collect an additional fine not to exceed twenty dollars (\$20.00) from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture for any misdemeanor or traffic violation in cases from the contributing town or city filed in the district court to which the town or city contributes; and

WHEREAS, Arkansas Code Annotated § 16-17-129(a)(2)(B), states all sums collected from the additional fine described in subdivision (a)(2)(A) shall be paid into the town or city treasury to be deposited into a fund to be used exclusively to help defray the cost of incarcerating town or city prisoners, including the construction and maintenance of the town or city jail and payments to other entities for incarcerating town or city prisoners; and

WHEREAS, the Brookland City Council wishes to impose a fine of twenty (\$20.00) dollars from each defendant who pleads guilty or *nolo contendere*, is found guilty of, or forfeits bond for any misdemeanor or traffic violation from the City of Brookland, Craighead County, Arkansas; and

WHEREAS, such fines are to be used to contribute for the cost of incarcerating city prisoners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKLAND, ARKANSAS:

Section 1. The City of Brookland, Arkansas hereby levies an additional twenty dollar (\$20) fine upon each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture for any misdemeanor or traffic violation in cases from the City of Brookland, Arkansas filed in the Craighead County District Court.


Section 2. All sums collected from the additional fine described in Section 1 herein shall be paid into the City of Brookland treasury to be deposited into a fund to be used exclusively to help defray the cost of incarcerating City of Brookland prisoners, including the construction and maintenance of a city jail or payments to other entities for incarcerating City of Brookland prisoners.

Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion is so declared or adjudged invalid or unconstitutional were not originally a part of this ordinance.

Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Emergency Clause. Whereas, it is hereby found and determined that the additional fine levied herein is necessary to pay for the increased cost to incarcerate Brookland city prisoners; therefore an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage.

Passed and adopted this 9th day of November, 2015.

ATTEST

Billy W. Dacus, City Clerk




Kenneth D. Jones, Mayor