

ORDINANCE NO. 254

Be it enacted by the City Council of Amity, Arkansas; an Ordinance entitled:

AN ORDINANCE AUTHORIZING THE LEVY OF AN ADDITIONAL TWENTY DOLLAR (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 Dollars (\$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 Amity, Arkansas, that an additional fine of Twenty dollars (\$20.00) shall be levied and collected from each defendant who pleads guilty or nolo condendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in Clark County District Court.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF AMITY, 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 nol contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the Clark County District Court.

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 extent the provisions hereto are declared to be severable.

PASSED AND ADOPTED: JANUARY 12, 2010

APPROVED:

ATTEST:

Mayor

City Clerk

(SEAL)