

CITY OF AUSTIN, ARKANSAS

ORDINANCE NO. 01-2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF AUSTIN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AUTHORIZING THE LEVY OF AN ADDITIONAL TWENTY DOLLARS (\$20.00) FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING CITY PRISONERS PURSUANT TO A.C.A. § 16-17-129; DECLARING AN EMERGENCY 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 Austin, 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 in all cases in the Austin District Court within Austin, Arkansas.

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

SECTION 1. That pursuant to A.C.A. § 16-17-129 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 in any case in the Austin District Court within Austin, 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 all cases before the Austin District Court, to include 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.

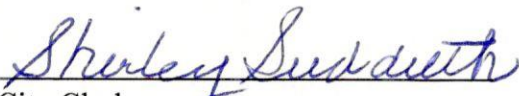
SECTION 6: Emergency Clause. Whereas, the collection of an additional twenty dollars (\$20.00) fine to help defray the expense of incarcerating city prisoners is essential for the health and welfare of the City of Austin, an emergency is hereby declared and this Ordinance shall be effective immediately from and after the passage and any publication as required by law.

PASSED AND ORDAINED BY THE CITY COUNCIL FOR THE CITY OF AUSTIN, ARKANSAS ON

THIS 27 DAY OF January 2020.


BERNIE CHAMBERLIN

ATTESTED:


City Clerk