



City of Greenland

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ORDINANCE NO. 342

AN ORDINANCE LEVYING A FINE NOT TO EXCEED TWENTY DOLLARS ON EACH CONVECTIO, EACH PLEA OF GUILTY OR NOLO CONTENDERE OR EACH BOND FORFEITURE IN ALL NONTRAFFIC MISDEMEANORS OR VIOLATIONS OF CITY ORDINANCES OR STATE LAW OR TRAFFIC OFFENSES WHICH ARE MISDEMEANOTS OR VIOLATIONS UNDER STATE LAW OR CITY ORDINACES WHICH ARE COMMITTED WITHIN THE CORPORATE LIMITS OF GREENALND: AND FOR OTHER PURPOSES

WHEREAS, ACA 16-17-129 provides that each city in which district court is located man levy and collect an additional fine not to exceed \$20.00 from each defendant upon each conviction, each plea of guilt or nolo contendere, or bond forfeiture in all nontraffic misdemeanors or violations of city ordinances or state law or traffic offenses which are misdemeanors or violations under state law or city ordinances which are committed within the corporate limits;

WHEREASACA 16-17-129 further provides tat the additional fine shall be paid into the City treasure to be deposited into a fund to be used exclusively to help defray the cost of incarcerating city prisoner's, including the construction and maintenance of a city jail, and payment to other entities for incarcerating city prisoners;

WHEREAS, the Justices of the Peace for Washington County are considering and are likely to vote on a County Ordinance to charge Greenland a per day charge or a per capita charge for each prisoner housed in the Washington County Detentions Facility;

WHEREAS, in order to have funds available to promptly pay those charges when the first statement from Washington County is received without using funds for vital municipal operations or services the City Council desires to take a proactive step.

BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS, That:

Section 1: That there is herby levied an additional fine, not to exceed twenty Dollars for reach conviction, each plea of guilt or nolo contendere, or bond forfeiture in all nontraffic misdemeanors or violations of city ordinances or state law or traffic offenses which are misdemeanors or violations under state law or city ordinances which are committed within the corporate limits of Greenland;

Section 2: Provided that Section 1 above shall only apply where the arresting officer is a Greenland Officer, a Department of Arkansas State Police Officer or other certified law enforcement officer of the State.

Section 3: The Court Clerk of the Washington County District Court, Greenland Department, from and after January 2020, shall collect from each defendant a fine not to exceed Twenty Dollars on each conviction, each plea of guilt or nolo contendere, or bond forfeiture in all nontraffic misdemeanors or violations of city ordinances or state law or traffic offenses which are misdemeanors or violations under state law or city ordinances which are committed within the corporate limits of Greenland, subject to Section 2 above.

Section 4: That all funds collected pursuant to Sections 1, 2 and 3 hereof shall be paid into the City treasury to be deposited into a fund to be used exclusively to help defray the cost of incarcerating city prisoners, including the construction and maintenance of a city jail, and payments to other entities for incarcerating city prisoners and shall be used solely for such purposes; payments from such fund shall be made periodically to Washington County as billed by the County.

Section 5: In order to avoid over/Under collecting such additional fines, the additional fine is hereby determined to be \$ 5.00, effective the 1st day of January of , 2020, which shall be the fine levied until the amount is changed hereinafter provided.

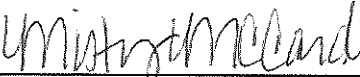
Section 6: During May and November of each succeeding year the Greenland Department Court Clerk, The Chief of Police and the Recorder-Treasurer shall review the statements received from Washington County for housing City prisoners and the sums collected pursuant hereto and shall, at the Council Meeting in June and December of such year, recommend to the Council a change in the amount of such additional fine or recommend to keep such additional fine the same so as not to collect surplus or inadequate fines hereby, Future adjustments of the additional fine set by this Ordinance shall be by Resolution of the City Council specifically referring to this Section of Ordinance No. 342

PASSED AND APPROVED this 4th day of December, 2019.



MAYOR-BILL GROOM

ATTEST:



Misty McCard, Recorder/Treasurer