

**ORDINANCE No 2022-07**

**CITY OF COTTER, ARKANSAS**

**AN ORDINANCE REPEALING ORDINANCE 2011-02 AUTHORIZING THE LEVY OF AN TWENTY DOLLAR (\$20.00) FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING PRISONERS IN THE COUNTY JAIL PURSUANT TO ACT 209 OF 2009.**

**WHEREAS;** the citizens of Baxter County approved a one-quarter (1/4) cent permanent sales tax to expand and pay for the operation and maintenance of the Baxter County Jail; and

**WHEREAS;** the Baxter County Quorum Court repealed an Ordinance that charged the Cities of Baxter County fees for the daily cost of housing prisoners from the Cities in Baxter County.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS.**

**Section 1** That all provisions of Cotter's Ordinance 2011-02 are hereby repealed and shall be in full force and effect on the date below.

**Section 2.** Under the authority of Arkansas A.C.A. §16-17-129, the City Council hereby reduces the \$20.00 court fine to a \$5.00 fine to be levied on every defendant who pleads guilty, nolo contendere, or who is found guilty in the District Court of the City of Cotter, Arkansas.

**Section 3.** All monies collected by the levy of this fine shall be used solely to help defray the cost of transportation and equipment need for transporting City of Cotter prisoners to and from jail. Said fee is subject to increase in accordance with the above referenced statute upon Council approval.

**Section 4.** The provisions of this Ordinance are hereby declared to be severable. If any provisions of this Ordinance should be held to be invalid, unconstitutional, or inapplicable to any person or circumstance, such holding shall not affect the validity of applicability of the remainder of the provisions hereof.

**Section 5. EMERGENCY CLAUSE.** The City Council has found and determined that the continued collection of the fine levied by Ordinance 2022-07, is required and constitutes necessary action by the Cotter District Court of Baxter to collect the levy fine of \$5.00. Therefore, an emergency is hereby declared to exist, and this ordinance shall become effective immediately upon its passage and approval.

**PASSED AND APPROVED THIS** 28 **of** July **2022.**



**McGeorge Caradine, Mayor**

**ATTEST:**



**Andrea Kray, Recorder/Treasurer**

**ORIGINAL**