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6B-1

ORDINANCE NO. O-2003-90

AN ORDINANCE AUTHORIZING THE LEVY AND COLLECTION OF A FINE NOT TO EXCEED FIVE DOLLARS (\$5.00) TO HELP DEFRAY THE COST OF INCARCERATING CITY PRISONERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Act 1336 of 1999, as amended by Act 1185 of 2003, codified at Arkansas Code Annotated §16-17-129, authorizes the governing bodies of cities of the first class to levy and collect an additional fine not to exceed five dollars (\$5.00) from each defendant who pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the district court of the city, and

WHEREAS, the funds generated by the additional fine shall be used exclusively to help defray the cost of incarcerating city prisoners, including payments to other entities for incarcerating city prisoners;

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

Section 1. There is hereby levied an additional five dollar (\$5.00) fine to be collected from all defendants who plead guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the district court of the city.

Section 2. That all funds generated by these fines shall be used exclusively to defray the cost of incarcerating city prisoners, including payments to other entities for incarcerating city prisoners.

Section 3. That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 4. If any part or parts of this ordinance are declared void or unconstitutional for any reason, it shall not affect the remaining parts of this ordinance.

Section 5. That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this _____ day of _____, 2003.

MAYOR TAB TOWNSELL

ATTEST:

MICHAEL O. GARRETT, CITY CLERK