

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 30-1 OF THE NORTH LITTLE ROCK MUNICIPAL CODE IN REGARD TO THE FINE ASSESSED TO DEFRAY COSTS OF INCARCERATING PRISONERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Section 30-1 of the North Little Rock Municipal Code (“NLRMC”) authorizes the North Little Rock District Court to levy an additional fine of \$5.00 to defray costs of incarcerating prisoners; and

WHEREAS, Act 209 of 2009 amends Ark. Code Ann. § 16-17-120 to allow cities in which a district court is located, upon adoption by ordinance, to increase the fine from \$5.00 to \$20.00 for a defendant upon each conviction, each plea of guilty or *nolo contendere*, or each bond forfeiture; and

WHEREAS, the City desires to amend its code to increase the additional fine from \$5.00 to \$20.00.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 30-1 of the North Little Rock Municipal Code is hereby amended to read as follows:

Sec. 30-1. Fine to defray costs of incarcerating prisoners.

(a) That the North Little Rock District Court is hereby authorized and directed to levy an additional ~~\$5.00~~ \$20.00 fine to each defendant who pleads guilty or *nolo contendere* to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in said court.

(b) That the revenue from the additional fine levied shall be used to defray the city’s costs of incarcerating prisoners, including the construction and maintenance of the city’s jail and payments to other entities for incarcerating city prisoners.

Editor’s Note: Deleted text noted by ~~strikethrough~~; added text noted by underline.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of North Little Rock, Arkansas and is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR:

Mayor Patrick H. Hays

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b