

AN ORDINANCE AMENDING CHAPTER 15 ARTICLE I - SECTION 15-5 - ADDITIONAL COURT COSTS OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE, ALABAMA

WHEREAS, Section 11-47-7.1 of the Code of Alabama allows municipalities to levy and assess additional court costs and fees up to an amount not to exceed the court costs and fees in the district court of the county for similar cases; and

WHEREAS, the District Court of Calhoun County provided the information attached as Exhibit A to the City of Jacksonville Municipal Court Magistrate regarding Calhoun County District Court costs; and

WHEREAS, the City Council of the City of Jacksonville desires to match and equalize total municipal court costs with district court costs with the additional costs being allocated to the corrections fund for use as authorized by Section 11-47-7.1 of the Code of Alabama to offset the construction, equipping, operation and maintenance of the municipal court and jail;

NOW THEREFORE BE IT NOW ORDAINED by the City Council of the City of Jacksonville, Alabama, as follows:

SECTION 1. Section 15-5 of the code of the City of Jacksonville, Alabama, is hereby amended to read as follows:

Sec. 15-5. - Additional court costs.

(a) Upon each conviction in municipal court for a violation of any ordinance of the city, there shall be taxed against the defendant as court costs the sum of \$15.00, and there shall also be taxed as costs the additional costs and fees imposed by the statutes of the state, and the latter costs and fees shall be remitted pursuant to said statutes. All costs taxed for the city, as hereinafter provided shall be paid into the city treasury.

(b) In addition to the aforesaid amounts, there shall be taxed against the defendant an additional sum for each violation as court costs as follows:

- (1) Traffic cases, other than DUI cases, \$83.50;
- (2) Drivers license offenses, \$133.50;
- (3) DUI cases, \$183.50;
- (4) Nontraffic cases, other than controlled substance & paraphernalia cases, \$196.00;
- (5) Controlled substance & paraphernalia cases, \$21.00.

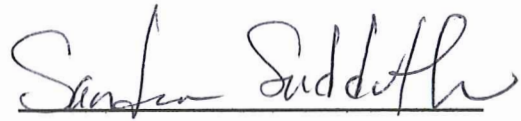
(c) All such additional costs shall be paid into a special municipal fund designated as the corrections fund. The city council shall, from time to time, allocate the said funds exclusively for the purchase of land for, and the construction, equipment, operation and maintenance of municipal jail or jails, other correctional facilities, if any, any juvenile detention center, or any court complex.

(d) This section shall not in any way affect the fines or fees to be charged for violations of ordinances on appeal.

SECTION 2. The provisions of this ordinance are severable. If any provision, section, paragraph, sentence, or part thereof, or the application thereof to any person or thing shall be held unconstitutional or invalid, such holding shall not affect or impair the remainder of this ordinance of the remaining persons or things to which it applies, it being the legislative intent to enact each provision, section, sentence, paragraph, and part thereof, and the application thereof, separately and verbally from each other.

SECTION 3. This ordinance shall become effective December 1, 2016 following its adoption and publication as required by law.

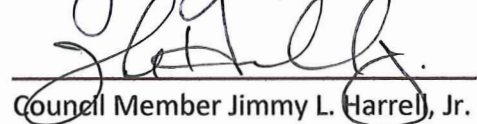
PASSED AND ADOPTED, this the 31st **day of** October **, 2016**



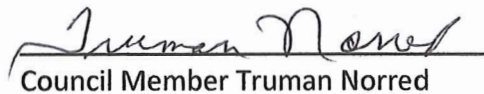
Council President Sandra Sudduth



Council Member Jerry Parris



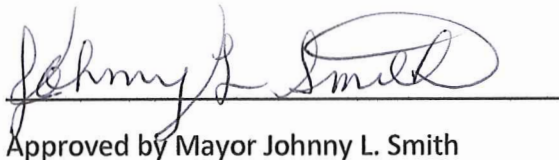
Council Member Jimmy L. Harrell, Jr.



Council Member Truman Norred


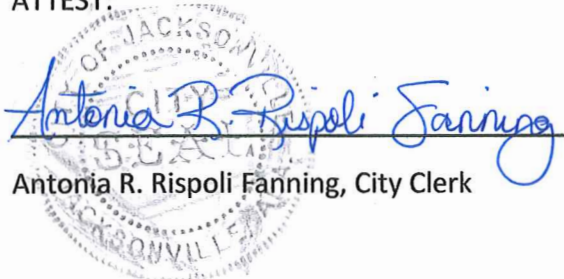


Council Member Jonathan Tompkins



Approved by Mayor Johnny L. Smith

ATTEST:



Antonia R. Rispoli Fanning, City Clerk

EXHIBIT A

COURT	TRAFFIC	DRIVERS LICENSE OFFENSES	DUI	DRUG CASES	MISDEMEANOR CASES	DOMESTIC VIOLENCE / PROTECTION ORDERS
Calhoun County Circuit / District Court	\$ 252.00	\$ 352.00	\$ 382.00	\$ 382.00	\$ 400.00	\$ 440.00
Jacksonville Municipal Court	\$ 188.00	\$ 238.00	\$ 263.00	\$ 405.00	\$ 240.00	\$ 280.00
Corrections Fund Current	19.50	19.50	64.50	21.00	36.00	36.00
Corrections Fund Maximum	83.50	133.50	183.50	-	196.00	196.00

9/20/2016

***Our Court Costs cannot exceed Calhoun County Circuit / District Court per the Administrative Office of Courts.