

ORDINANCE NO.: 7-20-09

MUNICIPAL COURT COSTS

WHEREAS, the Alabama Legislature on May 22, 2009, in Act 2009-768, passed legislation that requires the municipal court to assess and collect additional court costs in the amount of Twelve Dollars (\$12.00) in all municipal court criminal cases (excluding parking tickets), bond forfeiture proceedings, and upon the issuance of any alias or capias warrant of arrest; and

WHEREAS, the additional court costs are to be collected and thereof remitted to the Alabama DNA Database Fund and the Citizenship Trust in the portions as set out in Act 2009-768; and

WHEREAS, the City Council for the City of Rainsville has determined that it would be beneficial for Municipal Court costs to be increased and such additional court costs to be remitted, all as required by Act 2009-768,

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

Section 1. Court costs for Municipal Traffic cases is hereby set at One Hundred Forty-Nine and 50/100 Dollars (\$149.50) subject to Section 6 of this Ordinance.

Section 2. Court costs for Driving Under the Influence cases is hereby set at One Hundred Seventy-Nine and 50/100 Dollars (\$179.50) subject to Section 6 of this Ordinance.

Section 3. Court costs for Misdemeanor, Non-Traffic (excluding Unlawful Possession of Marihuana and Unlawful Possession of Drug Paraphernalia) cases is hereby set at One Hundred Eighty-Three and No/100 Dollars (\$183.00) subject to Section 6 of this Ordinance.

Section 4. Court costs for Unlawful Possession of Marihuana and Unlawful Possession of Drug Paraphernalia cases is hereby set at Two Hundred Twenty-Three and No/100 Dollars (\$223.00) subject to Section 6 of this Ordinance.

Section 5. The clerk for the Municipal Court of Rainsville, Alabama, shall apply and remit such additional court cost amounts to the entities named, and in the proportions described, by Act 2009-768.

Section 6. Any future increase in Municipal Court costs, in either traffic or non-traffic cases, mandated by the State of Alabama or any increase in District Court costs, either traffic or misdemeanor court costs, shall cause the Rainsville Municipal Court costs to increase by the same dollar amount.

and all remaining portions not so held to be unconstitutional or otherwise unlawful shall remain in full force and effect.

Section 7. This Ordinance shall become effective at, and shall apply to increase the court costs of all defendants who are arrested on or after, 12:00 a.m. on August 1, 2009.

ADOPTED AND APPROVED ON THIS 20TH DAY OF JULY, 2009.



DONNIE CHANDLER, Mayor

ATTEST:


DEBBIE LANIER, Assistant City Clerk

CLERK CERTIFICATION OF PUBLICATION

I hereby certify that this Ordinance No.: 7-20-09 has been duly published by publication thereof in *The Weekly Post*, a newspaper of general circulation published in Rainsville, Alabama, in its issue of the 20th day of July, 2009.


JUDY LEWIS, City Clerk