

ORDINANCE NO. 81-1

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WILLIE D. WISE
CLERK OF COURTS

BY _____
DEPUTY

An Ordinance to be entitled

AN ORDINANCE RELATING TO COURT COSTS WITHIN CALHOUN COUNTY; PROVIDING FOR THE INCREASE OF COURT COSTS ON CRIMINAL CASES IN CALHOUN COUNTY; PROVIDING MEANS FOR ENFORCEMENT OF PAYMENT OF COURT COSTS; PROVIDING REQUIREMENTS FOR COLLECTION OF SAID COURT COSTS; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

This Ordinance is adopted pursuant to the authority conferred on the Board of County Commissioners by Chapter 125, Florida Statutes. It is hereby found that the Calhoun County Sheriff's Office is in need of greater funds for its law enforcement responsibilities, including providing better protection of the property and citizens of Calhoun County, Florida.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA:

Section 1. The County Court and Circuit Court of Calhoun County, Florida, shall assess an additional \$10.00 as a Court cost against every person convicted for a violation of a State penal or criminal statute, or convicted for violation of a municipal or county ordinance, as well as all criminal traffic violations.

Section 2. No such additional assessment shall be made against any person convicted for violation of any state statute, municipal ordinance, or county ordinance relating to the parking of vehicles.

Section 3. No such additional assessment shall be made against any person in any case in which the Court withholds the adjudication of guilt.

Section 4. Where there are multiple charges against the Defendant arising out of the same or a continuing factual situation, the Court is required to assess the additional court cost for each specific offense in which the Defendant is convicted.

Section 5. The additional court cost shall be assessed against every person convicted of a state penal or criminal statute or convicted for violation of a municipal or county ordinance, regardless of the type of sentence that could or could not be imposed by the Court.

Section 6. The additional court cost shall be paid as required by the Court. In the event same is not paid as directed by the Court, then that nonpayment shall be deemed a misdemeanor of the second degree and punishable by a fine not to exceed \$500.00 or by imprisonment in the County Jail not to exceed sixty (60) days, or by both such fine and imprisonment. Each entity shall be deemed guilty of a separate offense for each and every day or a portion thereof during which any violation of nonpayment is continued.

Section 7. The additional court cost shall constitute a lien upon all real and personal property of the Defendant located within Calhoun County as of the date of any violation of the provisions hereof, and said lien may be enforced as any other civil lien on property, with the Defendant being required to pay all attorneys' fees and costs and expenses that may be incurred in enforcing said lien.

Section 8. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a Court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holdings shall not affect the validity of the remaining portions thereof.


Section 9. This Ordinance shall become effective June 1, 1981.

PASSED AND ADOPTED in open special session this 22nd day of May, 1981.


BOARD OF COUNTY COMMISSIONERS
OF CALHOUN COUNTY, FLORIDA

ATTEST:

BY:



WILLIE D. WISE, Clerk of the
Board of County Commissioners
of Calhoun County, Florida.



CLAYTON SHIVER, Chairman