ORDINANCE NO. 2012-15

AN ORDINANCE SETTING PRIORITY OF APPLICATION FOR TIME PAYMENTS ON FINES AND COSTS IN THE JOHNSON DEPARTMENT OF THE SPRINGDALE DISTRICT COURT, DECLARING AN EMERGENCY TO EXIST AND FOR RELATED PURPOSES

WHEREAS, many defendants coming through the Johnson Department of the Springdale District Court find it necessary to set up a payment plan to satisfy their fines and court costs;

WHEREAS, occasionally the Defendants are also required to pay restitution through the Court in reimbursement of victim damages;

WHEREAS, the Court Clerks and their deputies require guidance as to how to allocate such payments when and as made;

WHEREAS, some haste is required to make provision for such payments to be made shortly after 12-31-2012.

BE IT ORDAINED BY THE CITY COUNCIL OF JOHNSON, ARKANSAS, That:
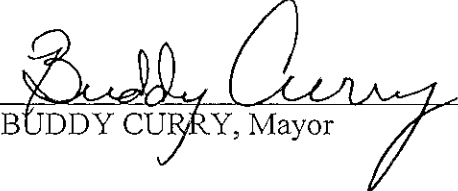
Section 1: That payments on Defendants' fines, costs and restitution, when received by the Johnson Department of the Springdale District Court Clerk and/or deputies shall henceforth be allocated first as restitution to victims pursuant to ACA § 16-20-209(5)(f)(ii)(b).

Section 2: That if there is no restitution or after restitution has been fully paid, all additional sums shall be applied as paid one-half (1/2) to costs and one-half (1/2) to fines.

Section 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4: Due to the approaching start of a new year and the necessity to have systems in the Johnson Department of Springdale District Court Clerks Office prepared for the new year and to give the Clerk and deputies time to adjust to the provisions of this ordinance, an emergency is hereby declared in order to preserve the peace and safety of the citizens of this City, therefore this Ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED this 19th day of December, 2012.

BUDDY CURRY, Mayor

ATTEST:

JENNIFER ALLEN, Recorder-Treasurer
cc: Time Payments on Fines and Costs Ord