

ORDINANCE NO. 94-04

AN ORDINANCE INCREASING COURT COST USED TO FUND RETIREMENT
BENEFITS FROM MUNICIPAL COURT JUDGES AND CLERKS

WHEREAS, the Baxter County Municipal Court is now levying a fee of \$1.00 for entering upon the records of the Court each criminal case and each moving traffic violation and the fee of 20 cents for the issuance of each summons in a civil action;

WHEREAS, said levies are used to fund the retirement benefits for Municipal Court Judges and Clerks;

WHEREAS, the current levies are insufficient to maintain the fund needed to pay retirement benefits for Municipal Court Judges and Clerks; and

WHEREAS, the Arkansas Legislature pursuant to ACT 162 of 1993 has authorized the City Council of the City of Mountain Home, Arkansas to increase court costs used to fund retirement benefits for Municipal Court Judges and Clerks;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS:

1. In the Baxter County Municipal Court there is hereby levied a fee of \$7.00 for entering upon the records of the Court each criminal case and each moving traffic violation and a fee of \$1.00 for the issuance of each summons in a civil case. The costs provided for shall be collected by the same persons and in the same manner as provided for the collection of other costs in Municipal Court. The costs shall be paid to the City Treasurer, who shall place it into an account as provided in Arkansas Code Annotated §24-8-301 et. seq., for the sole purpose of payment of retirement benefits for Municipal Judges and Clerks.

2. That the previous levy of \$1.00 for entering upon the records of the Court each criminal case and each moving traffic violation and a fee of 20 cents for each issuance of summons in a civil case is hereby repealed, so that the costs set out in the above paragraph are the only costs collected by the Baxter County Municipal Court to fund the retirement benefits for the Municipal Court Judges and Clerks.

3. That this action is taken by the City Council of the City of Cotter, Arkansas pursuant to authority given under Act '162 of 1993 and Arkansas Code Annotated §24-8-301 et. seq.

4. It is hereby found and determined by the City Council of the City of Cotter, Arkansas that the Baxter County Municipal Court is experiencing a shortage in the retirement fund used to fund retirement benefits for Municipal Court personnel and that an increase is necessary to restore fiscal soundness to those funds.

THEREFORE, an emergency is declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

DATED this _____ day of April, 1994.

REX S. BAYLESS, MAYOR

ATTEST:

AL MILLER, RECORDER/TREASURER