



ORDINANCE NO. 98- 27

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, PROVIDING FOR ADDITIONAL FEES IN THE COUNTY AND CIRCUIT COURT IN AND FOR NASSAU COUNTY AND IN THE FOURTH JUDICIAL CIRCUIT COURT IN AND FOR NASSAU COUNTY, FLORIDA, TO BE USED TO OPERATE AND ADMINISTER TEEN COURT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 775.0833(2), Florida Statutes, provides that a mandatory cost may be imposed and assessed by the governing authority of the County by ordinance in specified cases as provided for in Florida Statutes 775.0833(2) filed in both the Circuit and County Courts, and that such mandatory cost shall be expended as provided by such ordinance in funding the operation and administration of Teen Court within Nassau County.

WHEREAS, there is a need to operate and administer Teen Court activities; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has determined that it is reasonable and necessary to impose the mandatory cost to operate and administer the Teen Court.

NOW, THEREFORE, BE IT ORDAINED this 14th day of September by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1. SHORT TITLE.

This ordinance shall be known as the Teen Court Cost Assessment Ordinance.

SECTION 2. APPLICABILITY.

There is hereby assessed the sum of Three Dollars (\$3.00) as a court cost which shall be assessed as a court cost by both the Circuit Court and the County Court in the county against every person who pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, a violation of a state criminal statute or a municipal ordinance or county ordinance or who pays a fine or civil penalty for any violation of Chapter 316, Florida Statutes. Any person whose adjudication is withheld pursuant to the provisions of Section 318.14(9) or (10), Florida Statutes, shall also be assessed such cost. The three dollar (\$3.00) assessment for court costs shall be assessed in addition to any fine, civil penalty, or other court cost and shall not be deducted from the proceeds of that portion of any fine or civil penalty which is received by a municipality in the county or by the county in accordance with Sections 316.660 and 318.21, Florida Statutes. The three dollar (\$3.00) assessment shall specifically be added to any civil penalty paid for a violation of Chapter 316, Florida Statutes, whether such penalty is paid by mail, paid in person without request for a hearing, or paid after hearing and determination by the Court. However, the three dollar (\$3.00) assessment shall not be made against a person for a violation of any state statutes, county ordinance, or municipal ordinance relating to the parking of vehicles, with the exception of a violation of the handicapped parking laws. The Clerk of the Circuit Clerk shall collect the respective three dollar (\$3.00) assessments for Court costs established in this subsection and shall remit the same to the Teen Court account of the Clerk of the Circuit Court, less five (5) percent, which is to be retained as fee income of the Office of the Clerk of Circuit Court. The funds collected shall be used for administering and operating the Teen Court program.

SECTION 3. SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

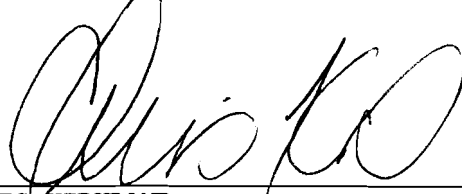
SECTION 4. INCLUSION IN THE CODE.

It is the intention of the Board of County Commissioners of Nassau County, Florida and is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Nassau County, Florida. To this end, the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article", or other appropriate designation.

SECTION 5. EFFECTIVE DATE.

A certified copy of this Ordinance shall be filed with the Department of State by the Clerk to the Board of County Commissioners within ten (10) days after enactment by the Board of county Commissioners and shall take effect on September 17, 1998.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



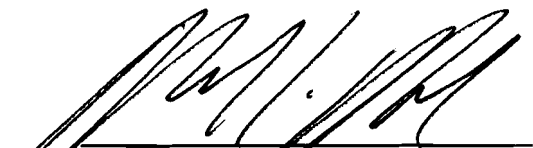
CHRIS KIRKLAND
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN