

ORDINANCE NO. 2004-46

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, RELATING TO COURT SURCHARGES; PROVIDING FOR A COURT SURCHARGE OF \$15.00 FOR NONCRIMINAL TRAFFIC INFRACTIONS AND CERTAIN CRIMINAL VIOLATIONS PURSUANT TO SECTION 318.18(13)(a), FLORIDA STATUTES; PROVIDING FOR USE OF SURCHARGE; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 318.18(13)(a), Florida Statutes, authorizes the Board of County Commissioners to impose a surcharge of up to \$15 for noncriminal traffic infractions pursuant to Chapter 318 or criminal violations listed in Section 318.17, Florida Statutes, to fund state court facilities; and

WHEREAS, the Board of County Commissioners finds it to be in the best interest of the citizens of Nassau County to impose a \$15 surcharge pursuant to said statutory authority; and

WHEREAS, the adoption of this ordinance will promote the health, safety, and welfare of the citizens of Nassau County, Florida.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida this 4th day of October, 2004 as follows:

SECTION 1. COURT SURCHARGE.

In addition to any penalties imposed for noncriminal traffic infractions pursuant to Chapter 318 or imposed for criminal violations listed in s. 318.17, there is hereby imposed a surcharge of \$15.00. The court shall not waive this surcharge.

SECTION 2. USE OF SURCHARGE.

The revenue generated from the \$15 surcharge shall be used to fund state court facilities.

SECTION 3. APPLICABILITY.

The provisions of this Ordinance shall apply within the incorporated and unincorporated areas of Nassau County.

SECTION 4. REPEAL OF ORDINANCES.

All ordinances, or parts of ordinances, in conflict with this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5. SEVERABILITY.

It is declared to be the intent of the Nassau County Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.


SECTION 6. INCLUSION IN CODE.

It is the intention of the Board of County Commissioners of Nassau County, Florida, and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Nassau County, Florida, that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

SECTION 7. EFFECTIVE DATE


This Ordinance shall become effective upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA




FLOYD I. VANZANT
Its: Chairman

ATTEST:



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

APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:



MICHAEL S. MULLEN