

ORDINANCE NO. 2020-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING CHAPTER 8 ¾ OF THE NASSAU COUNTY CODE OF ORDINANCES (ORDINANCE NO. 2004-46), SPECIFICALLY SECTION 8¾-10 COURT SURCHARGES; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 318.18(13)(a), Florida Statutes, authorizes the Board of County Commissioners to impose a surcharge of up to \$30.00 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 \$30.00 surcharge pursuant to said statutory authority; and

WHEREAS, the Board of County Commissioners finds it necessary to amend Section 8¾-10 to increase the imposed surcharge amount from fifteen dollars (\$15.00) to thirty dollars (\$30.00); and

WHEREAS, the amending of Chapter 8¾ will promote the health, safety, and welfare of the citizens of Nassau County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, that Section 8¾-10, Court Surcharges, of the Nassau County Code of Ordinances, shall be amended to read as follows:

SECTION 8¾-10 – COURT SURCHARGES

- (a) [*Surcharge imposed.*] In addition to any penalties imposed for noncriminal traffic infractions pursuant to F.S. ch. 318 or imposed for criminal violations listed in F.S.

§318.17, there is hereby imposed a surcharge of ~~fifteen~~ thirty dollars (\$~~15~~30.00). The court shall not waive this surcharge.

(b) *Use of surcharge.* The revenue generated from the ~~fifteen~~ thirty-dollar (\$~~15~~30.00) surcharge shall be used to fund state court facilities.

(c) *Applicability.* The provisions of this ordinance [section] shall apply within the incorporated and unincorporated areas of Nassau County.

SEVERABILITY.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

EFFECTIVE DATE.

This ordinance shall become effective upon its being filed in the office of the Secretary of State.

DULY ADOPTED this _____ day of _____, 2020.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

DANIEL B. LEEPER
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:

MICHAEL S. MULLIN