

ORDINANCE 2015-3

AN ORDINANCE TO PROVIDE AN INFORMATION TECHNOLOGY FEE; TO PROVIDE THE PROCEDURE IN THE CASE OF MULTIPLE CITATIONS AND CONVICTIONS; TO PROVIDE A METHOD OF CHARGING SUCH FEE; TO PROVIDE AN AMOUNT CHARGED FOR SUCH FEE; TO REGULATE WHERE THE FUNDS WILL BE DEPOSITED; TO REGULATE HOW THE PROCEEDS FROM THE FEE SHOULD BE USED; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Dahlonega is responsible for establishing certain fees to cover expenses of the City of Dahlonega; and

WHEREAS, the Municipal Court of the City of Dahlonega incurs expenses for the technology in use to effectively manage the Municipal Court of Dahlonega including programs and services to accept payments online, manage information, and provide court services; and

NOW THEREFORE, it is hereby ordained by the City Council of Dahlonega, Georgia that from the effective date of this ordinance as follows:

SECTION 1: Information Technology Fee - An information technology fee shall be added to any fine imposed by the municipal court for any conviction of any state law or local ordinance within the court's jurisdiction.

SECTION 2: Multiple Citations and Convictions - In the event of multiple violations the fee shall be charged per violation of any of the laws or ordinances of the City of Dahlonega, Georgia or any laws of the State of Georgia.

SECTION 3: Amount of Fee - The fee shall be \$10.00 dollars. Mandatory state add-ons shall be calculated based on the sum of the underlying fine in addition to the information technology fee.

SECTION 4: Deposits and Use - The information technology fee shall be deposited in the city's general fund, but shall be tracked and only be used for expenditures related to technology needs in the municipal court of the City of Dahlonega, Georgia and any ancillary financial technology needs of the municipal court of the City of Dahlonega, Georgia. Funds collected pursuant to this ordinance shall be accounted for by the City and shall be used only for the purposes authorized in this section at the direction of the City Manager.

SECTION 5: EXCEPTIONS - The technology fee shall not be added to any fine in which Georgia law prohibits any additional fees to be added to such fine. Examples of such violations are failure to wear a safety belt pursuant to O.C.G.A. 40-8-76.1(E)(2) and failure to not properly restrain a child passenger in an automobile pursuant to O.C.G.A. 40-8-76(B)(2).

SECTION 6: If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect nor impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

All ordinances and parts of ordinances in conflict herewith are hereby repealed. This ordinance shall become effective immediately upon its passage.

(signatures on next page)

IT IS SO ORDAINED this _____ day of _____, 2015.

By: _____
Gary McCullough, Mayor

Attest: _____
Angela Wirth, City Clerk