

ORDINANCE 15-02

AN ORDINANCE OF HOLMES COUNTY, FLORIDA, AMENDING HOLMES COUNTY, FLORIDA ORDINANCE 04-05 DEALING WITH IMPOSING A SURCHARGE IN NON-CRIMINAL OR CRIMINAL TRAFFIC VIOLATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 10th day of August, 2004, the Board of County Commissioners for Holmes County Florida adopted Ordinance 04-05 which imposed a mandatory surcharge on noncriminal or criminal traffic violations; and

WHEREAS, during the 2009 Florida Legislative Session, Section 318.18 (13) Florida Statutes, was amended by Chapter 2009-204, Laws of Florida, to allow the Board of County Commissioners to increase this assessment from fifteen dollars (\$15) to thirty dollars (\$30); and

WHEREAS, the Board of County Commissioners is desirous of amending Ordinance 04-05 to reflect the amendment to Section 318.18, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Holmes County, Florida, that:

SECTION 1. AMENDMENT.

Section "1" of Ordinance 04-05 is hereby amended and replaced with the following:

"Section 1: Pursuant to Section 318.18(13), Florida Statutes, an additional surcharge of thirty dollars (\$30.00) is hereby imposed on each noncriminal or criminal traffic violation, in Holmes County, Florida. Said surcharge should be collected by the Clerk of the Court and remitted to Holmes County. The surcharge may not be waived by the Court"

SECTION 2. REPEALER.

Any Ordinance, or section of Ordinance, in conflict herewith is hereby repealed only to the extent of such conflict.

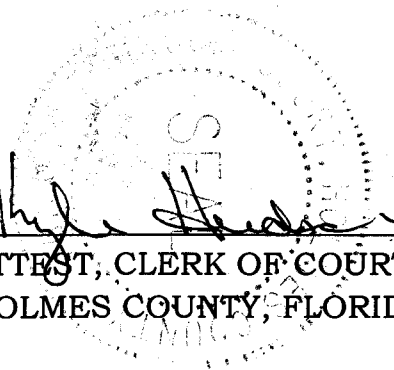
SECTION 3. SEVERABILITY.

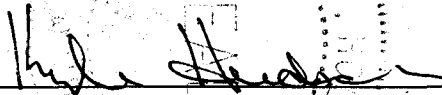
If, for any reason, any section, phrase, sentence, clause, part or provision of this Ordinance is found to be invalid or unconstitutional by a Court of competent jurisdiction, the same shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of this Ordinance as a whole, or any portion thereof, other than the portion declared to be invalid.

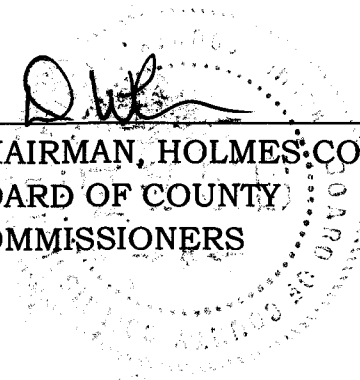
SECTION 4. EFFECTIVE DATE.


A certified copy of this Amended Ordinance shall be filed with the Department of State by the Clerk to the Board within ten (10) days after adoption of this Amended Ordinance, and this Amended Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED this 25th day of August, 2015.




ATTEST, CLERK OF COURT
HOLMES COUNTY, FLORIDA




CHAIRMAN, HOLMES COUNTY
BOARD OF COUNTY
COMMISSIONERS