

ORDINANCE NO. 2006-05

**AN ORDINANCE AUTHORIZING THE COLLECTION OF THE
STATUTORY FEE ALLOWED POLICE CHIEFS OR THEIR
DEPUTIES TO COLLECT WHEN SERVING CITY WARRANTS**

WHEREAS, A.C.A. §14-52-202 allows chiefs of police of first class cities, or their deputies to collect the same fee allowed to sheriffs when the chief or his deputies serve city warrants; and,

WHEREAS, the City Council for the City of Cherokee Village, Arkansas finds it is necessary for the Police Chief to collect such fee when he or his deputies serve a city warrant;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS:

Section 1: Pursuant to the provisions of Arkansas Code Annotated 14-52-202 and 21-6-307, the following fees shall be charged by the Cherokee Village Police Department:

For serving each notice to vacate	\$30.00
For serving warrant or order of arrest	\$50.00
For taking and entering bail bond	\$20.00

Section 2: All fees collected under this ordinance shall be paid over to the City treasury; provided, however, that all such fees shall be set aside in a special fund to be known as the POLICE DEPT. SPECIAL EQUIPMENT FUND, for the exclusive use of the Cherokee Village Police Department. In the event the fee is amended, the amended amount allowed under A.C.A. 21-6-307 shall be collected by the Police Chief or his deputies when serving a city warrant, without the necessity of amending this ordinance.

Section 3: Warrant service fees shall be assessed and collected by the court upon conviction.

Section 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

Section 5: This ordinance being necessary to collect revenues to assist in the operation of the City and defray the costs of service of the above mentioned items, to avoid the foregoing of any revenues which shall be collected to assist in the operations of the City and defray the costs of service of the above mentioned items and to protect the health, safety, and welfare of the citizens of Cherokee Village, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

DATED: April 20, 2006

APPROVED: _____

Ray Maynard, Mayor

ATTEST _____

Susan E. Maynard, Clerk/Treasurer