

ORDINANCE NO. 2008-05

TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS

AN ORDINANCE AUTHORIZING THE TOWN OF HIGHFILL AND THE HIGHFILL POLICE DEPARTMENT TO COLLECT FEES FOR COPYING MOTOR VEHICLE ACCIDENT REPORTS AND RECORDS OF TRAFFIC VIOLATIONS; AND DECLARING AN EMERGENCY.

WHEREAS, in order to partially reimburse municipal law enforcement agencies for the cost of making copies of motor vehicle accident reports and copies of records of traffic violations, Arkansas Code Annotated § 27-53-210 establishes fees that a municipality may collect for such reimbursement; and

WHEREAS, the Town Council of the Town of Highfill believes it to be in the best interest of the Town and its citizens to defray the costs associated with providing copies of motor vehicle accident reports and records of traffic violations by adopting the fees established in Arkansas Code Annotated § 27-53-210.

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Highfill, as follows:

Section 1. Authorization. In order to partially reimburse the Town of Highfill and the Highfill Police Department for the cost of making copies of motor vehicle accident reports and copies of records of traffic violations, from and after the effective date hereof, there shall be charged a fee of \$10.00 for each copy of a basic accident report, and a fee of \$1.50 per page for each copy of a supplemental report.

Section 2. Exemption. The above referenced charges for copies of motor vehicle accident reports and records of traffic violation shall not be assessed when the same are requested by other municipal departments of the Town of Highfill.

Section 3. Collection and Use of Funds. The Mayor, the Highfill Police Chief, or his designated representative, are authorized to collect the fees referenced herein for deposit to the Town of Highfill General Fund. All funds collected hereunder shall be retained by the Town of Highfill and utilized for the support of the Highfill Police Department.

Section 2. Repeal of Conflicting Ordinances. Any ordinances or parts of ordinances in conflict with this Ordinance, are hereby repealed.

Section 3. Severability Provision. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 4. Declaration of Emergency. It is hereby found and determined that the Town of Highfill recently established the Highfill Police Department and currently there are no provisions in place to collect fees for the reimbursement of the costs associated with providing copies of motor vehicle accident reports and records of traffic violations, and there is an immediate need to provide for fees to be charged for providing copies of motor vehicle accident reports and records of traffic violations in order to defray the costs to the Town of Highfill and the Highfill Police Department associated with providing said copies. Therefore, an emergency is declared to exist, and this Ordinance being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the Town and its citizens, shall become effective immediately from and after the date of its passage, to take effect as provided by the terms hereof.

PASSED AND APPROVED this 15th day of May, 2008.

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Recorder

(SEAL)