STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

ORDINANCE NO. 2017-033

AMENDMENT TO ORDINANCE NO. 2017-018

The following is an amendment to Ordinance No. 2017-018 entitled "Ordinance to Amend Title 8 of the City of South Fulton Code of Ordinances to Impose a Surcharge on All Fines Imposed Under Title 8 for Specific Purposes."

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

WHEREAS, pursuant to City Charter Section 3.10(b), the City Council is authorized to adopt ordinances and amendments it deems necessary, expedient, or helpful for the health, welfare, safety, comfort and well-being of the inhabitants of the City;

WHEREAS, the City acknowledges that the latest technology for the Police Department is necessary for the protection and safety of the City and its inhabitants;

WHEREAS, the City further acknowledges that retention and active recruitment of police officers is necessary for the protection and safety of the City and its inhabitants; and

WHEREAS, the City finds it to be in the public interest and for the health, welfare, safety, comfort and well-being of the City and its inhabitants to impose a surcharge on all fines imposed under Title 8 to be used to update police department technology and to retain and recruit officers for the police department.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY AMENDS Ordinance 2017-018 to include the following Section:

Sec. 8-1015. – Technology Surcharge.

There shall be imposed by the City of South Fulton Municipal Court a technology surcharge in the amount of $10.00 per conviction, plea of guilty, or plea of *nolo contendre*. Said technology surcharge shall be in addition to all other fines and fees imposed by the City of South Fulton Municipal Court. Notwithstanding the foregoing, this additional surcharge shall not apply to citations exempt from add on fees by state law, nor shall the surcharge cause the total amount of fines to exceed that allowed by

state law or the City Charter. All revenues derived from the technology surcharge shall be used by the City to provide for the technology needs of the City Police Department and the Municipal Court.

Sec. 8-1016. – Retention and Recruitment Surcharge.

There shall be imposed by the City of South Fulton Municipal Court a police retention and recruitment surcharge in the amount of $10.00 per conviction, plea of guilty, or plea of *nolo contendre*. Said retention and recruitment surcharge shall be in addition to all other fines and fees imposed by the City of South Fulton Municipal Court. Notwithstanding the foregoing, this additional surcharge shall not apply to citations exempt from add on fees by state law, nor shall the surcharge cause the total amount of fines to exceed that allowed by state law or the City Charter. All revenues derived from the retention and recruitment surcharge shall be used by the City to recruit and retain well-qualified police officers by the City's Police Department.

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The foregoing Ordinance No. **2017-033** adopted on **November 28, 2017,** was offered by Councilmember **Willis,** who moved its approval. The motion was seconded by Councilmember **Baker,** and being put to a vote, the result was as follows:

"SECOND READING"

	AYE	NAY
William "Bill" Edwards, Mayor		
Catherine Foster Rowell, Mayor Pro Tem	√	
Carmalitha Lizandra Gumbs	√	
Helen Zenobia Willis	√	
Gertrude Naeema Gilyard	Absent	
Rosie Jackson	√	
khalid kamau	√	
Mark Baker	√	

THIS ORDINANCE adopted this **28th** day of **November 2017.**

CITY OF SOUTH FULTON, GEORGIA

"SECOND READING"

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

MARK MASSEY, CITY CLERK

CITY OF SOUTH FULTON SEAL 2017 GEORGIA

APPROVED AS TO FORM:

JOSH BELINFANTE, INTERIM CITY ATTORNEY