STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

ORDINANCE NO. 2017-036

AMENDMENT TO ORDINANCE No. 2017-017

AN ORDINANCE TO AMEND TITLE 7 OF THE CITY OF SOUTH FULTON CODE OF ORDINANCES; TO PROVIDE FOR THE PAYMENT OF COSTS INCURRED BY THE CITY OF SOUTH FULTON BY THE DEFENDANT UPON CONVICTION.

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

WHEREAS, the City Council is authorized by O.C.G.A. § 36-32-1, *et seq.* to establish and maintain a municipal court having jurisdiction over the violation of City ordinances and over such other matters as are by general law made subject to the jurisdiction of municipal court; and

WHEREAS, pursuant to City Charter Sections 5.10 and 5.13, the City is authorized to create a municipal court for the purpose of serving the City by punishing violations of the City Charter, City ordinances, and other such violations as provided by law; and

WHEREAS, pursuant to O.C.G.A. § 17-11-1, the municipal court may require a criminal defendant to pay all costs accruing in the committing and trial courts upon conviction and the judgment shall act as a lien from the date of the arrest on all property of the defendant.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY AMENDS Ordinance 2017-017 to include the following Section:

Sec. 7-1011. – Payment of Costs.

(a) The costs in all cases tried before the municipal court shall be set at the discretion of the municipal court judge. Costs include all costs accrued in the committing and trial court and by any officer pending the prosecution, including but not limited to all costs incurred by the City to house the individual in the City's jail facilities.

(b) Upon conviction, the costs may be charged and collected from the defendant at the discretion of the judge.

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The foregoing Ordinance No. **2017-036** adopted on **November 28, 2017,** was offered by Councilmember **Jackson**, who moved its approval. The motion was seconded by Councilmember **Gumbs**, 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