

Staff Summary

This Ordinance allows the Board the ability to use the user fees collected for the operation and administration of Lake County's Teen Court Program and provides clarity as to the Clerk's responsibilities in collecting the fees. Although the Board is currently administering teen court, the code currently provides the Clerk is responsible for operating and administering the Teen Court Program.

ORDINANCE NO. 2015- ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING SECTION 9-13(1) OF THE LAKE COUNTY CODE; PROVIDING THAT THE BOARD OF COUNTY COMMISSIONERS OPERATE AND ADMINISTER LAKE COUNTY'S TEEN COURT PROGRAM; DELETING REQUIREMENT THAT CLERK PROVIDE THE COUNTY WITH AN ANNUAL WRITTEN REPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAKE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On November 3, 1998, the Board of County Commissioners enacted Ordinance 1998-86 imposing a user fee for the operation and administration of Lake County's Teen Court Program; and

WHEREAS, Section 938.19, Florida Statutes provides that the Board of County Commissioners may adopt costs to be assessed and deposited into an account specifically for the operation and administration of teen courts; and

WHEREAS, Section 9-13(1) currently states that the Clerk shall receive, keep and use the fees for the operation and administration of Lake County's Teen Court Program; and

WHEREAS, the Board of County Commissioners is currently operating and administering Lake County's Teen Court Program; and

WHEREAS, the Board finds that it is in the best interest of Lake County's Teen Court Program and the citizens of Lake County, Florida to enact this ordinance.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Amending. Lake County Code Chapter 9, Section 9-13(1)(c), entitled "Teen court fees" is hereby amended as follows:

- (c) Responsibilities of the clerk of the courts and the County. The clerk of court shall collect a fifty dollar (\$50.00) user fee and shall remit the funds to the County monthly~~shall be kept in a separate designated account by the clerk of the courts.~~

Such funds shall be used by the ~~clerk~~Board of County Commissioners exclusively for the operation and administration of the Lake County's Teen Court Program. The ~~clerk~~County shall ~~also~~ receive and deposit in ~~at~~ the designated account such other monies as become available for operating and administering teen courts under provisions of Florida law. Such other monies shall also be used by the ~~clerk~~County exclusively for the operation and administration of the ~~Teen eCourt~~ pProgram. ~~The clerk shall, by October 30 annually, in a written report to the Board of County Commissioners, account for all funds that have been deposited into the designated account by September 30 of that year.~~

Section 3. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 5. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 6. Effective Date. This ordinance shall become effective as provided for by law.

Enacted this ____ day of _____, 2015.

Filed with the Secretary of State _____, 2015.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Sean M. Parks, Chairman

This ____ day of _____, 2015.

Approved as to form and legality:

Melanie Marsh
County Attorney