

**B. ORDINANCE AMENDMENT
COURTHOUSE MAINTENANCE FEE ON CIVIL CASES**OPENING STATEMENT

This public hearing is held pursuant to § 15.2-2204, Code of Virginia, 1950, as amended to receive public comment on an ordinance amending Section 1-13 of the Southampton County Code to impose a fee of two dollars (\$2.00) in all civil cases for construction, renovation, or maintenance of the courthouse or jail and court-related facilities.

The notice of public hearing was published in the Tidewater News on August 9 and August 16, 2009 as required by law. After conclusion of the public hearing, the Board of Supervisors will consider the comments offered this morning and will proceed to adopt, reject or defer action on the proposed ordinance.

MOTION REQUIRED: If the Board is so inclined, a motion is required to adopt the attached ordinance.

AN ORDINANCE TO AMEND SECTION 1-13 TO IMPOSE A FEE
OF TWO DOLLARS (\$2.00) IN ALL CIVIL CASES
FOR CONSTRUCTION, RENOVATION OR MAINTENENACE OF THE COURTHOUSE
OR JAIL AND COURT-RELATED FACILITIES

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended to read as follows:

Sec. 1-13. Assessment for construction, renovation or maintenance of courthouse or jail and court-related facilities.

The sum of two dollars (\$2.00) is hereby assessed, as part of the fees taxed as costs, in (i) *each civil action filed in the Southampton County General District Court, Southampton County Juvenile and Domestic Relations District Court or the Circuit Court of Southampton County, Virginia, and (ii) each and every criminal or traffic case in the Southampton County General District Court, the Southampton County Juvenile and Domestic Relations District Court and or the Circuit Court of Southampton County, Virginia in which the defendant is charged with a violation of any statute or ordinance.*

The total assessments in a civil action, pursuant to this section and Section 42.1-70 of the Code of Virginia shall not exceed four dollars (\$4.00).

Such assessment shall be collected by the clerk of said court in which the action is filed and remitted to the treasurer of the County of Southampton to be held by said treasurer subject to disbursements by the board of supervisors of Southampton County for the construction, renovation or maintenance of courthouse or jail and court-related facilities and to defray increases in the cost of heating, cooling and electricity and ordinary maintenance. The assessment provided for herein shall be in addition to any other fees prescribed by law, *except as provided hereinabove. The assessment shall be required in each felony, misdemeanor or traffic infraction case regardless of the existence of a local ordinance requiring its payment.*

For State Law Authority, see § 17.1-281 of the 1950 Code of Virginia, as amended.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted: August 24, 2009