

**VAN BUREN COUNTY QUORUM COURT
ORDINANCE NO. 2011-9**

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN,
STATE OF ARKANSAS, AN EMERGENCY ORDINANCE TO BE ENTITLED:**

**AN EMERGENCY ORDINANCE AUTHORIZING THE BILLING OF
CONVICTED PRISONERS, FOR THE COST TO CARRY TO AND HOUSE
AT THE VAN BUREN COUNTY DETENTION CENTER, IN ORDER TO
DEFRAY EXPENSES; AND FOR OTHER PURPOSES.**

WHEREAS: The costs of housing prisoners in the Van Buren County Detention Center continues to increase; and

WHEREAS: Arkansas Code Annotated 12-41-505 (Repl. 2003) allows Counties to enact Ordinances to create a mechanism to recoup housing costs from prisoners; and

WHEREAS: It is the belief and finding of the Van Buren County Quorum Court that every person who may be committed to the Van Buren County Detention Center by lawful authority for any criminal or misdemeanor offense, if he or she be convicted, shall pay the expenses in carrying him or her to jail and also for his or her support from the day of his or her initial incarceration for the time he or she remains at the Van Buren County Detention Center.

**THEREFORE BE IT ENACTED BY THE QUORUM COURT OF VAN BUREN
COUNTY, ARKANSAS:**

Section 1. The Van Buren County Quorum Court hereby finds that the average cost of carrying a prisoner to the Van Buren County Detention Center shall be five dollars (\$5.00) per prisoner.

Section 2. The Van Buren County Quorum Court hereby finds that the daily average jail housing cost shall be fifteen dollars (\$15.00) for room and board for each prisoner in the Van Buren County Detention Center. A "day" is defined to be immediately upon booking and then each twenty-four (24) hour period thereafter.

Section 3. When each non-Municipal Corporation or Incorporated Town prisoner is delivered to court, the Sheriff or Sheriff's designee shall provide the Prosecuting Attorney an invoice for the expenses in carrying him/her at the initial incarceration and for the whole time he/she remained there, so the Judge can hear the detainee's side of the story regarding the imposition of the Pay for Stay Ordinance expenses as an additional element of cost to be assessed as a part of the judgment upon conviction, and reduce the assessed amount to judgment.

Section 4. Once the collectible expenses have been reduced to judgment, they shall be collected in the same manner as fines and court costs are collected, and the property of the detainee shall be subjected to the payment of such expenses in accordance with A.C.A. 12-41-505.

Section 5. The collectible expense revenues received under this Ordinance shall be deposited into a special fund within the County Treasury, and shall be used exclusively for maintenance, operation and capital expenditures of the Van Buren County Detention Center and shall not offset or reduce the funding from other sources for the maintenance, operation, and capital expenditures of the Van Buren County Detention Center.

Section 8. EMERGENCY CLAUSE: The adoption of this Ordinance is necessary for the proper and efficient administration of the Van Buren County Detention Center and for the preservation of the health, safety, and welfare of the residents of Van Buren County, Arkansas; therefore, an emergency is declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage.

APPROVED THIS 17th DAY OF MARCH, 2011.

APPROVED: 
Roger Hooper, County Judge

ATTEST: 
Ester Bass, County Clerk