

Chapter 9

COURTS AND LAW ENFORCEMENT*

* **Editors Note:** Ord. No. 2004-41, § 2, adopted June 15, 2004, repealed former Ch. 9, in its entirety, and enacted provisions designated as a new Ch. 9 to read as herein set out. Prior to inclusion of said ordinance, Ch. 9 pertained to similar subject matter. See also the Code Comparative Table.

Cross References: Definitions and rules of construction generally, § 1-2; local laws relating to courts and law enforcement, App. A, Ch. 9.

Art. I. General Provisions §§ 9-1--9-10

Art. II. Court Costs and Fees §§ 9-11--9-17

ARTICLE I.

GENERAL PROVISIONS

Sec. 9-1. Sheriff; designated, duties.

(a) *Designation of sheriff.* Pursuant to Section 951.061, Florida Statutes, the sheriff of Lake County is hereby designated as the chief correctional officer of the Lake County Correctional Facility and the Lake County correctional system in its entirety.

(b) *Duties of sheriff.* The sheriff of Lake County shall do the following:

(1) Appoint such officers as the sheriff deems necessary and as are required by rules of the State of Florida Department of Corrections.

(2) Enforce all existing state laws and administrative rules of the department of corrections concerning the operation and maintenance of county jails.

(3) Salaries for county correctional officers shall be included by the Sheriff of Lake County in the sheriff's proposed budget of expenditures for the maintenance and operation of the Lake County correctional system, as provided in Section 30.49, Florida Statutes.

(4) Assume all operational and maintenance responsibility for the Lake County Correctional facility and Lake County correctional system.

(Ord. No. 2004-41, § 2, 6-15-04)

Sec. 9-2. Gain time allowances for county prisoners.

(a) *Definitions.* For the purposes of this section, the following words shall have the meanings

indicated:

- (1) *Statutory gain time* means reduction from sentence based upon the length of sentence under the provisions of Sections 951.21(1), (2), Florida Statutes, and subsection (e) of this section.
- (2) *Additional gain time* means:
 - a. Work gain time, which is a deduction from sentence in an amount up to one (1) day for every eight (8) hours of productive or institutional labor to inmates whose conduct is in compliance with the rules of the county jail, the rules of the department of corrections and the laws of the state.
 - b. Constructive gain time, which is a credit awarded on a sentence in lieu of work gain time to inmates unable to work, but whose conduct complies with the rules of the county jail, the rules of the department of corrections and the laws of the state.
 - c. Extra gain time, which is a credit awarded on a sentence in lieu of work gain time and constructive gain time to those in various self-betterment programs who meet and comply with the rules of the county jail, the rules of the department of corrections and the laws of the state.
- (3) *Unsatisfactory performance* means performance that does not meet minimum requirements.
- (4) *Satisfactory performance* means average or normal performance that meets with minimum requirements.
- (5) *Above-satisfactory performance* means performance that exceeds what is expected.
- (6) *Outstanding performance* means performance in which there is little room for improvement.
- (7) *Skilled* means proficiency, ability or dexterity; expertness in art, trade or technique, particularly one requiring use of the hands or body.
- (8) *Semi-skilled* means possessing some skills, but not enough to do specialized work.
- (9) *Unskilled* means lacking skill or technical training or requiring no training or skill.
- (10) *Administrative confinement* means temporary housing that removes an inmate from the general population upon determining a danger would exist either for the inmate, other inmates, the facility itself or the general public if the inmate was permitted to remain in the general population. Inmates in this status should be maintained only for the period of time they are a threat or threatened.
- (11) *Close management* means long-term, single-cell housing that removes an inmate from the general population housing when a clear and continuing danger exists for other inmates, the

facility itself or the general public if the inmate was to remain in the general population.

(12) *Disciplinary confinement* means temporary housing either part-time or full-time in which the inmate is removed from the general population and placed in a restricted housing environment as a result of being found guilty of a violation of the rules of the county jail, the rules of the department of corrections or the laws of the state.

(b) *Authorized.* The sheriff of the county is hereby authorized and empowered to grant additional gain time in accordance with the procedures set forth in this section.

(c) *Sentence modifications.* The sentences of inmates are modified by deductions and forfeiture of gain time. There are two (2) categories of gain time: Statutory gain time and additional gain time. There are three (3) subcategories of additional gain time: Work gain time, constructive gain time, and extra gain time.

(d) *Limitation on gain time deductions.* The total of additional gain time received by an inmate may not exceed the number of days in the month in which the awards are made.

(e) *Statutory gain time.* Statutory gain time will be awarded or withheld monthly as follows:

(1) When no charge of misconduct is sustained against an inmate the deduction shall be deemed earned and the inmate shall be entitled to credit for a month as soon as the inmate has served such time as, when added to the deduction allowable, will equal a month. An inmate under two (2) or more cumulative sentences shall be allowed commutation as if they were all one (1) sentence.

(2) Inmates are ineligible to receive statutory gain time awards who:

- a. Are found guilty of a disciplinary report violation or violation of state law but only for the month in which the violation occurred; or
- b. Are serving a portion of a mandatory sentence which precludes a gain time award.

(3) Eligible inmates will be awarded deductions for this gain time from their sentences in accordance with Form 5, attached to Ordinance No. 1982-13, in the amount of:

- a. Five (5) days per month off the first and second years of the sentence
- b. Ten (10) days per month off the third and fourth years of the sentence
- c. Fifteen (15) days per month off the fifth and all succeeding years of the sentence.

(f) *Work gain time.* Inmates in recognized work programs are eligible to receive this gain time monthly if they have committed no infraction of the rules of the county jail, the rules of the department of corrections or state laws, and have performed in a satisfactory and acceptable manner assigned work, duties and tasks. Inmates participating in work release or community drug treatment programs are ineligible for work gain

time. Inmates assigned as permanent party to work release centers are eligible for work gain time. Work gain time will be computed in accordance with Form 6, attached to Ordinance No. 1982-13, as follows:

- (1) The amount of work gain time awarded depends on the skill level assigned to the particular job performed and the diligence and performance of the inmates' at that job. Performance of less than satisfactory will result in no gain time being awarded.
 - (2) Those aspects of performance to be evaluated in awarding work gain time are quality, quantity and diligence. Each area will be rated either: Unsatisfactory, satisfactory, above satisfactory or outstanding. This performance rating will be done monthly.
 - (3) An inmate who has an overall rating of above satisfactory may earn up to one-half (1/2) day work gain time for each eight (8) hours worked and an inmate with an overall rating of outstanding may earn from one-half (1/2) to one (1) day work gain time for each eight (8) hours worked.
- (g) *Constructive gain time.* The following applies to constructive gain time:
- (1) Inmates who, because of age, illness, infirmity or confinement for reasons other than discipline, do not participate in a correctional work program and demonstrate a constructive utilization of time and have not committed infractions of the rules of statutes, may be granted additional gain time allowances up to six (6) days per month. Inmates will be evaluated on attitude, behavior and following orders. Inmates eligible to receive constructive gain time who are found guilty of a disciplinary infraction or in violation of the laws of this state will not be awarded constructive gain time for the month of the violation. Inmates are ineligible who:
 - a. Are in administrative confinement because they refuse to accept an open population assignment unless the sheriff states in writing that the assignment is the result of a medical quarantine, legitimate protection cases or other extraordinary circumstances.
 - b. Are in close management status for failure to make a satisfactory adjustment in open population upon the determination of the sheriff who relates to the inmate his decision and reasons.
 - c. Receive an unsatisfactory performance report but only for the month of the report.
 - d. No inmate shall receive concurrently work gain time and constructive gain time.
 - (2) If an inmate is eligible to receive consideration under this subsection, institutional personnel will review the inmate status and recommend from zero to six (6) days per month and provide written justification of this recommendation with the inmate's progress report/review, in accordance with Form 7, attached to Ordinance No. 1982-13. When an inmate's progress report/review is due, any constructive gain time earned will be submitted and forwarded to the sheriff for review and approval.

(h) *Extra gain time.* The following applies to extra gain time:

(1) An inmate who faithfully performs the assignments given in a conscientious manner over and above that which may normally be expected and against whom no disciplinary report has been filed for which the individual has been found guilty within the preceding six (6) months and whose conduct, personal adjustment and individual efforts toward rehabilitation show a desire to be a better than average inmate or who diligently participates in an approved course of academic or vocational study may be granted on an individual basis from one (1) to six (6) days per month extra gain time in accordance with Form 8, attached to Ordinance No. 1982-13. The six (6) days per month consideration will be prorated on the total number of days in the program. No inmate is eligible to receive consideration under this section if the inmate has earned additional gain time awards for constructive gain time in the same month. An inmate may be considered for extra gain time in addition to work gain time only if assigned to school or other training activities on a part-time basis and to work during other portions of the day. In such cases, the inmate would be considered for work gain time in proportion to the hours worked and for extra gain time up to a maximum of three (3) days per month for the part-time involvement in school or vocational training programs. An inmate in a full-time work program, other than a work release program is ineligible for extra gain time.

(2) Institutional personnel will evaluate the inmate's performance and educational programs, other self-betterment programs, and adjustment in living quarters and submit reports to the sheriff. Consideration will be given to the number of recommended programs the inmate is participating in, the availability of programs and the inmate's ability to participate. While emphasis should be placed on recommended programs, credit should be considered for non-recommended programs. Those aspects of performance to be evaluated are quality, quantity and diligence. Each area will be rated either unsatisfactory, satisfactory, above satisfactory or outstanding. An inmate who has an overall rating of above satisfactory may earn from one (1) to three (3) days extra gain time per month and an inmate with an overall rating of outstanding may earn four (4) to six (6) days extra gain time per month.

(3) If the school or vocational training activity produces a production or service, the inmate will be eligible for work gain time. Otherwise, the inmate will be considered for extra gain time.

(i) *Award period if sentence is expiring or inmate is transferred.* In the event an inmate is being transferred or his expiration date falls before the regular progress report/review period and he meets all of the requirements for eligibility, he may be granted additional gain time for a shorter period of time.

(j) *Withholding or forfeiture of gain time.* Any inmate found guilty of a charge of misconduct shall forfeit the award of any gain time for the month in which the infraction occurred. The sheriff after determination of guilt by a disciplinary team may cause to be forfeited any amount of gain time permitted by this section or by statute. Likewise, the sheriff may restore any gain time forfeited if, in his opinion, there are sufficient reasons for restoration. For each sustained charge of escape or attempted escape, mutinous conduct or other serious misconduct, all the commutation which shall have accrued in favor of the county inmate up to that day shall be forfeited except that in case of escape if the prisoner voluntarily returns without expense to the state or county, then such forfeiture may be set aside if, in the sheriff's judgment, the inmate's subsequent conduct entitles him

thereto.

(Ord. No. 2004-41, § 2, 6-15-04)

Sec. 9-3. Lake County Public Safety Coordinating Council.

(a) *Creation.* Pursuant to F.S. § 951.26, the Lake County Public Safety Coordinating Council is hereby created.

(b) *Purpose.*

(1) The council shall assess the population status of all detention or correctional facilities owned or contracted by Lake County, and formulate recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county.

(2) The council may also develop a local public safety plan for future construction needs. The plan must cover at least a five-year period. The plan may be submitted for consideration to the local planning agency for the county, at least one hundred twenty (120) days before the adoption of or amendment to the comprehensive plan for the county by the local planning agency pursuant to F.S. Ch. 163, Pt. II.

(c) *Membership.* Members of the Lake County Public Safety Coordinating Council shall be appointed by the board of county commissioners and shall consist of thirteen (13) members as follows:

(1) The state attorney, or an assistant state attorney designated by the state attorney.

(2) The public defender, or an assistant public defender designated by the public defender.

(3) The chief circuit judge, or another circuit judge designated by the chief circuit judge.

(4) The chief county judge, or another county judge designated by the chief county judge.

(5) The chief correctional officer.

(6) The sheriff, or a member designated by the sheriff.

(7) The state probation circuit administrator, or a member designated by the state probation circuit administrator, to be appointed to a four-year term.

(8) The chairperson of the board of county commissioners, or another county commissioner as designee.

(9) The director of the county probation or pretrial intervention program, to be appointed to a four-

year term.

- (10) The director of a local substance abuse treatment program, or a member designated by the director, to be appointed to a four-year term.
 - (11) Three (3) representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed by the chairperson of the board of county commissioners to four-year terms.
 - (12) The police chief, or a person designated by the local police chief's association.
 - (13) A representative of the substance abuse program office and the mental health program office of the department of children and family services, selected by the substance abuse and mental health program supervisor of the Florida Department of Children and Families, District 13.
 - (14) A primary consumer of mental health services, selected by the substance abuse and mental health program supervisor of the Florida Department of Children and Families, District 13.
 - (15) A primary consumer of substance abuse services, selected by the substance abuse and mental health program supervisor of the Florida Department of Children and Families, District 13.
 - (16) A family member of a primary consumer of community based-treatment services, selected by the substance abuse and mental health program supervisor of the Florida Department of Children and Families, District 13.
 - (17) A representative from an area homeless program or a supportive housing program.
 - (18) The director of the detention facility of the department of juvenile justice, or a person designated by the director.
 - (19) The chief probation officer of the department of juvenile justice, or an employee designated by the chief probation officer.
- (d) *Procedure.*
- (1) The chairperson of the board of county commissioners, or another county commissioner as designee, shall serve as the chairperson of the council until the council elects a chairperson from the membership of the council. The membership of the council shall also elect a vice-chairman.
 - (2) All meetings of the Lake County Public Safety Coordinating Council, as well as its records, books, documents, and papers, are open and available to the public in accordance with F.S. §§ 119.07 and 286.011.
 - (3) Pursuant to F.S. § 286.011(6), meetings shall not be held at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which

operates in such a manner as to unreasonably restrict public access to such a facility.

- (4) All meetings shall be noticed and minutes recorded.
- (5) Robert's Rules of Order, Newly Revised, shall be the final authority on all questions of parliamentary procedure.
- (6) A quorum for conducting business shall be a majority of the members.

(Ord. No. 2005-29, § 2, 4-5-05; Ord. No. 2007-56, § 2, 12-4-07)

Sec. 9-4. Public use of the Lake County Judicial Center.

(a) *Definitions.* For the purposes of this section, the following words shall mean:

- (1) *Designated public forum.* A forum created by government designation of a place or channel of communication for use by the public at large for assembly and speech, for use by certain speakers, or for the discussion of certain subjects.
- (2) *Designated non-public forum.* Government property that is not by tradition or designation a forum for public communication.

(b) *Designated non-public forum areas.* The interior of the Lake County Judicial Center located at 550 West Main Street, Tavares, is a designated non-public forum. Except as otherwise provided, the Judicial Center shall be open to the general public during the normal working hours of 8:30 a.m. to 5:00 p.m. Monday through Friday. Admission during periods when the Judicial Center is closed will be limited as herein provided. The following rules shall govern the interior of the Judicial Center:

- (1) The public, including employees and vendors, shall enter, and in non-emergency situations, exit the building through the east entranceway. However, employees may also enter through the north entranceway of the building and vendors may make arrangements with the bailiffs to enter through the loading dock area on the west side of the building.
- (2) Employees are permitted after-hours access to the Judicial Center through the north entranceway via the electronic keypad. A data log shall be maintained by the bailiffs' office indicating usage of the keypad. After-hours access is limited to business purposes only.
- (3) All visitors and employees to the Judicial Center shall be appropriately dressed, including but not limited to, shirts and shoes.
- (4) All packages and mail being brought into the Judicial Center, regardless of which entranceway is used, shall be subject to inspection and x-ray screening. The addressee of any questionable package or mailing shall be required to report to the east entranceway bailiff station to either remove the package or mailing from the building, or to attend its opening and inspection.
- (5) No food or drink shall be permitted in the public areas of the interior of the building. However,

this limitation does not apply to individual employee work space or offices.

- (6) The building shall be pre-keyed by departmental design and the chief bailiff shall distribute keys according to those designations, and shall maintain all spare keys in a secure location. The chief bailiff shall maintain any and all "grand master" keys for the building.
- (7) The administrative judge may enact further rules or regulations through issuance of administrative orders in accordance with Florida Rule of Judicial Administration 2.050.

(c) *Designated public forum areas.* Areas located outside the Judicial Center, including but not limited to, sidewalks and grassy areas, shall be designated public forums. Any person or entity desiring to use the public forum area shall deliver a written request to the chief bailiff no later than three (3) working days prior to the anticipated date of use, to allow for coordination of activities. Lesser notice will be accepted only if time is adequate for review and coordination requirements. All such requests shall:

- (1) Identify the person or entity desiring to use the public forum; and
- (2) Describe the particular area of the public forum desired to be used and the use intended to be made of such area; and
- (3) Identify the respective dates and times which such use is planned to commence and terminate.

Authorization, when granted, shall be granted on a first-come, first-serve basis. This subsection guarantees the opportunity for freedom of expression consistent with the first and fourteenth amendments of the United States Constitution in the public forum areas. However, all persons engaged in peacefully exercising their freedom of expression within such areas are requested to comply with this subsection.

(Ord. No. 2004-41, § 2, 6-15-04; Ord. No. 2005-29, § 2, 4-5-05)

Note: Formerly § 9-3.

Secs. 9-5--9-10. Reserved.

ARTICLE II.

COURT COSTS AND FEES

Sec. 9-11. Additional court costs to support law enforcement training.

(a) *Imposition of costs.* There is hereby assessed by the county in compliance with Section 938.15, Florida Statutes, and Section 318.18(11)(d), Florida Statutes, an additional two dollars (\$2.00) as court costs against every person convicted for violation of state, penal or criminal statute or convicted of a municipal or county ordinance where the offense occurred within the unincorporated area of the county and where collected for violation of a municipal ordinance, said funds shall be collected for the municipality and remitted to the municipality when the municipality has passed an authorizing ordinance. In addition two dollars (\$2.00) shall be deducted from every bond estreature or forfeited bail bond related to such penal statutes or ordinances. However, no such assessment shall be made against any person convicted for violation of any state statute,

municipal or county ordinance relating to the parking of vehicles.

(b) *Collection and use of funds.* All such assessments shall be collected by the appropriate court and shall be remitted to the county or the municipality and earmarked for law enforcement education and training for members of the sheriff's department or municipal police officers' training. The use and expenditure of such funds shall be in accordance with education and training programs for law enforcement personnel in accordance with Section 938.15, Florida Statutes.
(Ord. No. 2004-41, § 2, 6-15-04)

Sec. 9-12. Court facilities surcharge.

(a) *Imposition of costs.* Pursuant to F.S. § 318.18(13)(a), every person who pays a fine or civil penalty for any violation of a non-criminal traffic infraction pursuant to F.S. Ch. 318, and every person who pleads guilty or nolo contendere to or is convicted of, regardless of adjudication, a violation of a non-criminal traffic infraction or a criminal violation listed in F.S. § 318.17, shall be assessed a surcharge of thirty dollars (\$30.00). A non-criminal traffic infraction is defined in F.S. § 318.14(1).

(b) *Collection by the clerk of the court.* The court shall order payment of this additional court cost in all matters subject to this section, and the clerk of the court shall add this surcharge to all payments of fines or civil penalties for any violation of a non-criminal traffic infraction or a criminal violation listed in F.S. § 318.17.

(c) *Use of funds.* The funds collected pursuant to this article shall be used to fund state court facilities. Up to twenty-five (25) percent of the revenue from such surcharge may be used to support the local law library provided that the level of service remains equal to that provided prior to July 1, 2004, which shall include the continuation of library facilities located in or near the county courthouse or annexes. Funds collected pursuant to this article shall be expended in accordance with the direction of the Board of County Commissioners.
(Ord. No. 2004-41, § 2, 6-15-04; Ord. No. 2005-88, § 2, 10-18-05; Ord. No. 2009-46, § 2, 8-18-09)

Sec. 9-13. Teen court fees.

1. *User fees.*

(a) *Purpose.* This section is enacted for the purpose of establishing a user fee for the operation and administration of Lake County's Teen Court Program and to disburse the monies collected.

(b) *Teen court user fee.* Upon the institution of any teen court proceeding in Lake County there shall be paid by the party or parties instituting such proceeding, a user fee of fifty dollars (\$50.00) for the operation and administration thereof. However, the teen court coordinator may waive the user fee if same is found to cause an undue hardship on the party or parties. When determining whether to waive the user fee, the teen court coordinator shall follow the Guidelines for Determining Entitlement to Insolvency Benefits Pursuant to Florida Statute 57.081 promulgated by Administrative Order of the Chief Judge of the Fifth Judicial Circuit.

(c) *Responsibilities of the clerk of the courts.* The fifty dollar (\$50.00) user fee shall be kept in a

separate designated account by the clerk of the courts. Such funds shall be used by the clerk exclusively for the operation and administration of the Lake County's Teen Court Program. The clerk shall also receive and deposit in 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 exclusively for the operation and administration of the teen court program. 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.

- (d) *User fee cumulative to other service charges.* Unless otherwise provided by general or special law, all amounts set forth in this section shall be in addition to any other service charges or fees provided by general or special law or other provisions of this Code.

2. *Teen court funding.*

- (a) Pursuant to F.S. § 938.19, an additional court cost of three dollars (\$3.00) shall be imposed by the court when a person pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, or adjudicated delinquent for a violation of a criminal law, a delinquent act or a municipal or county ordinance, or who pays a fine or civil penalty for any violation of F.S. Ch. 316. Any person whose adjudication is withheld under F.S. § 318.14(9) or § 318.14(10) shall also be assessed the cost.
- (b) The assessment for court costs shall be assessed in addition to any fine or civil penalty or other court cost and may not be deducted from the proceeds of that portion of any fine or civil penalty that is received by a municipality in the county or by the county in accordance with F.S. §§ 316.660 and 318.21. The assessment shall be specifically added to any civil penalty paid for a violation of Chapter 316, regardless of whether the penalty is paid by mail, paid in person without a request for a hearing, or paid after a hearing and determination by the court. However, the assessment may not be made against a person for a violation of any state law or municipal or county ordinance relating to the parking of vehicles, with the exception of a violation of the handicapped parking laws.
 - i. The clerk of the circuit court shall collect the assessments for court costs established in this section and shall remit the assessments to the teen court monthly.
 - ii. The clerk of the circuit court shall withhold five (5) percent of the assessments collected, which shall be retained as fee income of the office of the clerk of the circuit court.
- (c) A teen court must account for all funds received under this section in a written report to the board of county commissioners. The report must be given to the commissioners by August 1 of each year or by a date required by the commissioners.
- (d) A teen court may be administered by a nonprofit organization, a law enforcement agency, the court administrator, the clerk of the court, or another similar agency authorized by the board of county commissioners.

- (e) A teen court funded under this section may not receive court costs collected under F.S. § 939.185(1)(a)4, and section 9-16 of this Code.

(Ord. No. 2004-41, § 2, 6-15-04; Ord. No. 2005-88, § 2, 10-18-05; Ord. No. 2007-37, § 2, 8-7-07)

Sec. 9-14. Collection of additional costs in misdemeanor cases involving drugs or alcohol.

(a) *Imposition of costs.* Pursuant to Section 938.13, Florida Statutes, when any defendant, on or after the effective date of this section, is found guilty of any misdemeanor under the laws of this state in which the unlawful use of drugs or alcohol is involved, there shall be imposed by the court an additional cost in the case, in addition to any other fine or cost required to be imposed by law, in the sum of fifteen dollars (\$15.00).

(b) *Collection by the clerk of the court.* The clerk of the court shall collect the fifteen dollars (\$15.00) and forward fourteen dollars (\$14.00) thereof to the Lake County Alcohol and Other Drug Abuse Trust Fund for allocation to local drug and alcohol treatment programs, pursuant to Section 893.165, Florida Statutes. The clerk shall retain the remaining one dollar (\$1.00) of each fifteen dollars (\$15.00) collected as a service charge of the clerk's office.

(c) *Lake County Alcohol and Other Drug Abuse Trust Fund.* There is hereby established the Lake County Alcohol and Other Drug Abuse Trust Fund. Monies collected pursuant to this section shall be allocated and budgeted by the board of county commissioners to local substance abuse programs which meet the standards for qualification as set by the department of children and family services. All recipients of trust fund monies shall, in seeking assistance grants from the trust fund, provide the board of county commissioners with detailed financial information and requests for expenditures.

(Ord. No. 2004-41, § 2, 6-15-04)

Sec. 9-15. Collection of additional costs in civil traffic penalty cases.

(a) *Imposition of costs.* Pursuant to F.S. § 318.1215, when any person, on or after the effective date of this section, is found guilty of any civil traffic penalty under the laws of this state, there shall be imposed by the court an additional cost in the case, in addition to any other fine or cost required to be imposed by law, in the sum of five dollars (\$5.00).

(b) *Collection by the clerk of the court.* The clerk of the court shall collect the five dollars (\$5.00) and shall deposit such funds in the Lake County Traffic Education Trust Fund.

(c) *Lake County Traffic Education Trust Fund.* There is hereby established the Lake County Traffic Education Trust Fund. Monies collected pursuant to this section shall be allocated and budgeted by the board of county commissioners to public and nonpublic schools to fund traffic education programs. Programs applying to receive trust fund monies shall comply with all requirements of F.S. § 318.1215. All recipients of trust fund monies shall, in seeking assistance grants from the trust fund, provide the board of county commissioners with detailed financial information and requests for expenditures.

(Ord. No. 2004-41, § 2, 6-15-04; Ord. No. 2006-38, § 2, 4-18-06; Ord. No. 2006-95, § 2, 10-20-06)

Editors Note: Section 5 of Ord. No. 2006-95 provides for an effective date retroactive to October 1, 2006.

Sec. 9-16. Additional court costs in criminal cases.

(a) Pursuant to F.S. § 939.185, an additional court cost of sixty-five dollars (\$65.00) shall be imposed by the court when a person pleads guilty or nolo contendere to, or is found guilty of, or adjudicated delinquent for any felony, misdemeanor, delinquent act or criminal traffic offense under Florida Statutes. Funds received from this additional court cost shall be distributed as follows:

- (1) Twenty-five (25) percent shall be remitted to fund innovations to supplement state funding for the elements of the state court system in Lake County consistent with F.S. § 29.004 and county funding for local requirements under F.S. § 29.008(2)(a)(2).
- (2) Twenty-five (25) percent shall be remitted to assist in providing legal aid programs in Lake County consistent with Section 29.008(3)(a), Florida Statutes.
- (3) Twenty-five (25) percent shall be remitted to fund personnel and legal materials for the public as part of law libraries in Lake County.
- (4) Twenty-five (25) percent of the amount collected shall be used as determined by the board of county commissioners to support teen court programs, juvenile assessment centers, and other juvenile alternative programs, except as provided in § 938.19(7), Florida Statutes, and section 9-13 of this Code.

(b) The court shall order payment of these additional court costs in all matters subject to this chapter, but may defer payment if the person against whom the cost is imposed is indigent.

(c) At the end of each county fiscal year during which said additional court costs are collected, any surplus is required to be reallocated and transferred for use to fund innovations to supplement funding for the State Court system in Lake County under paragraph (a)(1) above.

(Ord. No. 2004-41, § 2, 6-15-04; Ord. No. 2005-88, § 2, 10-18-05; Ord. No. 2007-28, § 2, 6-26-07; Ord. No. 2007-37, § 3, 8-7-07)

Sec. 9-17. Crime prevention.

The board of county commissioners hereby establishes the crime prevention fund. The purpose of this fund shall be to accept those monies allocated to the county pursuant to Section 775.083(2), Florida Statutes. Such funds shall be used by the board of county commissioners, in conjunction with the sheriff, for crime prevention programs, including safe neighborhood programs as set forth in Sections 163.501 through 163.523, Florida Statutes.

(Ord. No. 2004-41, § 2, 6-15-04)