

1 Introduced by Council Member Johnson:
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4 **ORDINANCE 2026-318**

5 AN ORDINANCE AMENDING SECTION 609.109
6 (APPLICABLE CHAPTERS AND PARTS), CHAPTER 609
7 (CODE ENFORCEMENT CITATIONS), *ORDINANCE CODE*, TO
8 UPDATE SCHEDULE "A1" RELATING TO COURT COSTS BY
9 ADDING A FILING FEE OF \$10 FOR VIOLATIONS OF THE
10 JACKSONVILLE ORDINANCE CODE, IN ACCORDANCE WITH
11 SECTION 34.045, *FLORIDA STATUTES*; AMENDING
12 SECTION 634.102 (ASSESSMENT OF COURT COST BY
13 CIRCUIT AND COUNTY COURTS), CHAPTER 634 (FINES
14 AND COSTS), *ORDINANCE CODE*, TO CORRECT STATUTORY
15 REFERENCES FOR COLLECTION OF COURT COSTS AND ADD
16 A NEW SUBSECTION FOR ASSESSING A FILING FEE FOR
17 VIOLATIONS OF THE JACKSONVILLE ORDINANCE CODE;
18 PROVIDING FOR CODIFICATION INSTRUCTIONS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, various Florida statutes authorize the Courts and
22 local governments to assess certain court costs and filing fees for
23 violations of municipal ordinances; and

24 **WHEREAS**, specifically, subsections 34.045(1)(a) and (c),
25 *Florida Statutes*, authorize a \$10 filing fee to be assessed against
26 a person when they do not contest a municipal code violation or when
27 the county or municipality is the prevailing party in the enforcement
28 action, regardless of adjudication; and

29 **WHEREAS**, subsection 34.045(1)(b), *Florida Statutes*, permits
30 the Courts to assess \$40 in court costs against a person who
31 unsuccessfully contests a municipal code violation in court; and

1 **WHEREAS**, Section 938.01(1), *Florida Statutes*, authorizes the
2 assessment of \$3 in court costs for every person convicted of a
3 violation of a municipal or county ordinance; and

4 **WHEREAS**, Section 938.15, *Florida Statutes*, authorizes
5 municipalities and counties to assess an additional \$2.00 in court
6 costs for criminal justice education degree programs and training
7 courses for certain qualified personnel; and

8 **WHEREAS**, Sections 938.19(1) and (2), *Florida Statutes*, permits
9 courts to assess \$3 in court costs against a person who has been
10 convicted of violating a municipal or county ordinance and Section
11 634.108 of the Jacksonville Ordinance Code includes a statutorily
12 required reference to Section 938.19, *Florida Statutes*, regarding a
13 mandatory court cost for Teen Courts; and

14 **WHEREAS**, currently, Section 609.109 of the Jacksonville
15 Ordinance Code authorizes collection of \$5 in costs for violations
16 of pertinent municipal code provisions and subsection 634.102(a),
17 *Ordinance Code*, incorrectly, references inapplicable state law for
18 \$2 as costs; and

19 **WHEREAS**, it is necessary to amend pertinent sections of the
20 Jacksonville Ordinance Code to correctly align with state law for
21 assessing court costs and filing fees for violations of the
22 Jacksonville Ordinance Code; now therefore

23 **BE IT ORDAINED** by the Council of the City of Jacksonville

24 **Section 1. Amending Section 609.109 (Applicable Chapters**
25 **and Parts), Chapter 609 (Code Enforcement Citations), Ordinance Code.**

26 Section 609.109 (Applicable Chapters and Parts), Chapter 609 (Code
27 Enforcement Citations), *Ordinance Code*, is hereby amended to read as
28 follows:

29 **CHAPTER 609 - CODE ENFORCEMENT CITATIONS**

30 *** * ***

31 **Sec. 609.109. - Applicable Chapters and Parts.**

1 * * *

2 SCHEDULE "A1"

3 CODE ORDINANCE VIOLATIONS COUNTY

4 COURT UNIFORM FINE SCHEDULE

5 LOCAL ORDINANCE VIOLATIONS

| | FINE | COSTS | FILING FEE | TOTAL |
|---------|-------|-------|------------|------------|
| CLASS A | \$50 | \$5 | \$10 | \$65\$55 |
| CLASS B | \$75 | \$5 | \$10 | \$90\$80 |
| CLASS C | \$125 | \$5 | \$10 | \$140\$130 |
| CLASS D | \$250 | \$5 | \$10 | \$265\$255 |
| CLASS E | \$350 | \$5 | \$10 | \$365\$355 |
| CLASS F | \$500 | \$5 | \$10 | \$515\$505 |

7 **Section 2. Amending Section 634.102 (Assessment of court**
8 **cost by Circuit and County Courts), Chapter 634 (Fines and Costs),**
9 **Ordinance Code.** Section 634.102 (Assessment of court costs by Circuit
10 and County Courts), Chapter 634 (Fines and Costs), Ordinance Code,
11 is hereby amended to read as follows:

12 **CHAPTER 634 - FINES, ~~AND COSTS~~ AND FILING FEES**

13 * * *

14 **Sec. 634.102. - Assessment of court costs ~~cost~~ and filing fees by**
15 **Circuit and County Courts.**

16 (a) Pursuant to subsection 938.01(1), Florida Statutes, F.S. §
17 943.25(8)(a), the Circuit and County Courts located in the
18 City shall assess the sum of \$3 ~~\$2~~ as a court cost against
19 every person convicted ~~adjudged guilty~~ and upon whom a fine
20 or sentence is imposed for violation of a State penal or
21 criminal statute or convicted for violation of a City
22 ordinance, except a statute or ordinance relating to the
23 parking of vehicles. In addition, \$3 ~~\$2~~ from every bond
24 estreature or forfeited bail bond related to such penal

1 statutes or penal ordinances shall be remitted to the
2 Department of Revenue ~~collected on behalf of the City as~~
3 ~~provided in F.S. § 943.25(8)(a).~~

4 (b) Pursuant to Section 938.15, Florida Statutes, and in addition
5 to the costs provided for in Section 938.01, Florida Statutes,
6 the City shall assess an additional \$2 for expenditures for
7 criminal justice education degree programs and training
8 courses, including basic recruit training, for its officers
9 and employing agency support personnel, provided such
10 education degree programs and training courses are approved
11 by the employing agency administrator, on a form provided by
12 the Criminal Justice Standards and Training Commission, for
13 local funding.

14 ~~(b) All court costs assessed and collected pursuant to subsection~~
15 ~~(a) shall be utilized and appropriated only for criminal~~
16 ~~justice education and training, including basic training,~~
17 ~~expenditures for law enforcement and correctional officers,~~
18 ~~part-time law enforcement officers, auxiliary officers and~~
19 ~~support personnel of the City.~~

20 * * *

21 (g) Pursuant to subsections 34.045(1)(b)-(c), Florida
22 Statutes, if a person does not contest the violation of the City's
23 Ordinance Code in court or if the City is the prevailing party, the
24 court shall assess the person or nonprevailing party \$10 for the
25 filing fee provided in subsection 34.045(1)(a), Florida Statutes,
26 which amount shall be forwarded to the City.

27 **Section 3. Codification Instructions.** The Codifier and the
28 Office of General Counsel are authorized to make all chapters and
29 division "table of contents" consistent with the changes set forth
30 herein. Such editorial changes and any other necessary changes to
31 make the *Ordinance Code* consistent with the intent of this legislation

1 are approved and directed herein, and the changes to the *Ordinance*
2 *Code* shall be made forthwith and when inconsistencies are discovered.

3 **Section 4. Effective Date.** This Ordinance shall become
4 effective upon signature by the Mayor or upon becoming effective
5 without the Mayor's signature.

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7 Form Approved:

8

9 /s/ Cherry S. Pollock

10 Office of General Counsel

11 Legislation Prepared By: Cherry S. Pollock

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