

**STONE COUNTY**                      **CODE OF ORDINANCES**  
**Chapter 3 - Law Enforcement**

**Chapter 3:            LAW ENFORCEMENT**

**Article**

**I.    COUNTY POLICIES**

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**Article I. COUNTY POLICIES**

**Section**

300.00 “Use of Force” Policy.

**§ 300.00 “USE OF FORCE” POLICY.**

- 1) Be it enacted by Stone County Quorum Court a Policy concerning the Use of Force by its law enforcement officers, the same being kept on file in the County Clerks Office and there kept available for public use, inspection, and examination. The same being adopted this 12<sup>th</sup> day of April, 1990.
- 2) All other Use of Force Policies previously adopted by the court are hereby repealed by the adoption and implementation of the policy enacted today.
- 3) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and effect from and after its date of passage and approval. ([Ord. 1990-003](#), passed 4-12-90)

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**Article II. COUNTY JAILS**

**A.C.A. § 12-41-502. Supervision.**

The county sheriff of each county in this state shall have the custody, rule, and charge of the jail within his or her county and all prisoners committed in his or her county, and he or she may appoint a jailer for whose conduct he or she is responsible.

**A.C.A § 12-41-503(a)-(b). Management of local jail populations.**

- (a) County sheriffs and other keepers or administrators of jails within the State of Arkansas are responsible for managing the populations and operations of their respective facilities in compliance with the laws and the Arkansas Constitution and within the requirements of the United States Constitution.
  
- (b) Neither a county sheriff nor another keeper or administrator of a jail shall refuse to accept any prisoner lawfully arrested or committed within the jurisdiction of the supporting agency of the jail except as necessary to limit prisoner population in compliance with subsection (a) of this section.

**A.C.A. § 12-41-506(a). Municipal prisoners; expenses.**

- (a) (1) In the absence of an agreement on jail costs between a county and all municipalities having law enforcement agencies in the county, the quorum court in a county in this state may by ordinance establish a daily fee to be charged municipalities for keeping prisoners of municipalities in the county jail.
  
- (2) The fee shall be based upon the reasonable expenses which the county incurs in keeping such prisoners in the county jail.

**Section**

Reserved.

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**Article III. COURT COSTS**

**A.C.A. § 16-10-305(a), (c)-(d). Court costs.**

(a) There shall be levied and collected the following court costs from each defendant upon conviction, each plea of guilty or nolo contendere, or each forfeiture of bond.

. . .

(c) No county, city or town shall be liable for the payment of the costs taxed under this section in any instance where they are not collected, or in any case in which the defendant pays the costs by serving time in a jail, on a county farm, or at any other official place of detention or work.

(d) No town, city, or county shall authorize and no district court or circuit court shall assess or collect any other court costs other than those authorized by this act, unless specifically provided by state law.

. . .

**Section**

340.00 Additional \$25.00 fine to help defray the expense of incarcerating prisoners.

340.01 Additional \$20.00 fine to help defray the expense of incarcerating prisoners.

340.02 Additional \$5.00 fine to help defray the expense of incarcerating prisoners.

**§ 340.00 ADDITIONAL \$25.00 FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING PRISONERS.**

- 1) The Stone County Quorum Court hereby finds that the average cost of carrying a prisoner to the Stone County Detention Facility be twenty-four dollars (\$24.00) per prisoner.
- 2) The Stone County Quorum Court hereby finds that the per diem rate shall be twenty-five (\$25.00) per day for room and board for each prisoner at the Stone County Detention Center. A “*day*” is defined to be immediately upon booking and then each twenty-four hour period thereafter.

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- 3) When each prisoner is delivered to Court, the Sheriff or the 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 detainees side of the story regarding the imposition of the Pay for State Ordinance expenses as an additional element of cost to be assessed as part of the Judgment upon conviction, and reduce the assessed amount to judgment.
- 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 (Repl. 2003).
- 5) That the appropriate offices who handle such matters shall create a line-item in the Stone County Sheriff's Office budget to address monies received under this Ordinance. Said line-item shall be entitled: "Other-jail sundry."
- 6) Revenues derived from the additional fines levied under this Ordinance shall not offset or reduce funding from other sources for the maintenance, operation, and capital expenditures of the Stone County Detention Facility.
- 7) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and effect from and after its date of passage and approval. ([Ord. 2009-005](#), passed 9-10-09)

**§ 340.01 ADDITIONAL \$20.00 FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING PRISONERS.**

- 1) Under the authority of Act 209 of 2009, there is hereby levied and shall be collected an additional fine in the amount of twenty dollars (\$20.00) from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture in all cases in the first and second class of accounting records as described in A.C.A. § 16-17-707. The additional fine shall apply to each charge, count, violation, or offense that a defendant pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for, including each misdemeanor or violation.
- 2) The additional fine levied in Section 1 hereinabove shall apply to all applicable cases brought before all District Courts and departments thereof that now exist and are in operation, or may hereafter be created and placed into operation, within Stone County.
- 3) All additional fines levied and collected under the provisions of this Ordinance shall be deposited into a special fund within the County Treasury to be used for the maintenance,

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operation, and capital expenditures of the County Jail or as otherwise specifically permitted under the provisions of Act 209 of 2009.

- 4) REPEALER. All ordinances or parts of ordinances found to be in conflict herewith, including specifically County Ordinance No. 2003-052 in its entirety, are hereby repealed.
- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and effect from and after its date of passage and approval. ([Ord. 2009-002](#), passed 5-14-09)

**§ 340.02 ADDITIONAL \$5.00 FINE TO HELP DEFRAID THE EXPENSE OF INCARCERATING PRISONERS.**

- 1) Pursuant to Act 1188 or 2003 of the General Assembly of the State of Arkansas, an additional fine of five dollars (\$5.00) shall be levied and collected from each defendant who pleads guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the District Court(s) or City Court(s) within Stone County, Arkansas.
- 2) The additional fine levied by the County under this Ordinance shall be deposited into a special fund within the County Treasury, and the revenues generated by the additional fine shall be used exclusively for maintenance, operation, and capital expenditures of the Stone County Detention Center.
- 3) Revenues derived from the additional fines levied under this Ordinance shall not offset or reduce funding from other sources for the maintenance, operation, and capital expenditures of the Stone County Detention Center.
- 4) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and effect from and after its date of passage and approval. ([Ord. 2004-008](#), passed 10-14-04)

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**Article IV. COUNTY LAW**

**Section**

360.00 Reward for information leading to arrest for tampering, removal, destruction, or possession of street signs, markers, and other emergency location devices.

360.01 Misdemeanor violation for persons found to be sitting upon or otherwise defacing the memorial located in the front of the Stone County Courthouse.

**§ 360.00 REWARD FOR INFORMATION LEADING TO ARREST FOR TAMPERING, REMOVAL, DESTRUCTION, OR POSSESSION OF STREET SIGNS, MARKERS, AND OTHER EMERGENCY LOCATION DEVICES.**

- 1) Stone County Quorum Court shall hereby establish a reward of \$500.00 for persons providing information leading to the arrests and convictions of persons that have knowingly tampered, removed, destroyed, or possess street signs, markers, and other emergency location devices. Said reward shall be based upon information provided to the Stone County Sheriff's Office and the 16<sup>th</sup> Judicial District Prosecuting Attorney and shall be distributed by the Stone County Court based upon the recommendation of these two law enforcement officials.
- 2) The source of all funds allocated for a reward shall be funds appropriated by the Quorum Court and subject to the normal disbursement procedures required by law.
- 3) SEVERABILITY CLAUSE. If any part of this Ordinance shall be held void, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.
- 4) REPEALER. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.
- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and effect from and after its date of passage and approval. ([Ord. 2001-010](#), passed 08-16-01; Am. [Ord. 2000-005](#), passed 6-8-00)

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**§ 360.01 MISDEMEANOR VIOLATION FOR PERSONS FOUND TO BE SITTING UPON OR OTHERWISE DEFACING THE MEMORIAL LOCATED IN THE FRONT OF THE STONE COUNTY COURTHOUSE.**

- 1) Upon the passage and effectuation of this Ordinance it shall be a violation for any person to sit upon the memorial located in the front of the Stone County, Arkansas courthouse upon the South Side of the Square located in Mountain View, Arkansas.
- 2) Upon the passage and effectuation of this Ordinance it shall be a violation for any person to sit upon, write upon, or in any other manner deface the memorial located in the front of the Stone County, Arkansas courthouse upon the South Side of the Square located in Mountain View, Arkansas.
- 3) Any person found guilty of this ordinance shall be fined a sum not to exceed \$50.00
- 4) The Municipal Court shall have jurisdiction in Stone County, Arkansas for the purpose of a criminal prosecution in the case of a violation occurring herein, and if such person shall be convicted, they shall have the right to an appeal as is required by law.
- 5) SEVERABILITY CLAUSE. In the event that any part of this Ordinance is declared by a court of competent jurisdiction to be unconstitutional, such part of this Ordinance is hereby declared to be severable.  
([Ord. 1983-013](#), passed 11-1-83)