

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE ST. JOHNS COUNTY ALCOHOL AND OTHER DRUG ABUSE TRUST FUND FOR DEPOSIT OF ALL MONIES RECEIVED BY ST. JOHNS COUNTY AS ADDITIONAL COSTS AND/OR ASSESSMENTS FOR CRIMINAL OFFENSES UNDER CHAPTERS 893 OR 562, FLORIDA STATUTES AND/OR SECTIONS 316.193, 856.011, 856.015, 938.13, 938.21 or 938.23 FLORIDA STATUTES; PROVIDING FOR ADMINISTRATION OF AND DISBURSEMENT FROM THE TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 938.13, Florida Statutes provides that when any person is found guilty of any misdemeanor under the laws of Florida in which the unlawful use of drugs or alcohol is involved, there shall be imposed an additional cost in the case, in addition to any other cost required to be imposed by law, in the sum of \$15.00 - of which \$14.00 shall be deposited into the jurisdictional County Alcohol and Other Drug Abuse Trust Fund for allocation to local substance abuse programs under Section 893.165, Florida Statutes; and

WHEREAS, Sections 938.21 and 938.23, Florida Statutes authorize the courts to assess additional costs for any criminal offense under Chapters 893 or 562, Florida Statutes and/or Sections 316.193, 856.011 or 856.015, Florida Statutes up to the amount of the fine authorized for the offense to be deposited into the jurisdictional County Alcohol and Other Drug Abuse Trust Fund; and

(Chapter 893 - Drug Abuse Prevention and Control; Chapter 562 - Beverage Law Enforcement; Section 316.193 - Driving Under the Influence; Section 856.011 - Disorderly Intoxication; Section 856.015 - Open House Parties.)

WHEREAS, Section 893.165, Florida Statutes provides, among other things, that:

(1) Counties in which there is established or in existence a comprehensive alcohol and other drug abuse treatment or education program which meets the standards for qualification of such programs by the Department of Children and Family Services are authorized to establish a County Alcohol and Other Drug Abuse Trust Fund for the purpose of receiving the assessments collected pursuant to Section 938.23, Florida Statutes, and disbursing assistance grants on an annual basis to such alcohol and other drug abuse treatment or education program.

(2) No assessments shall be remitted to a county until the board of county

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commissioners has submitted documentation to the court substantiating the establishment of its County Alcohol and Other Drug Abuse Trust Fund.

(3) If the board of county commissioners chooses to establish a County Alcohol and Other Drug Abuse Trust Fund, the board shall be responsible for the establishment of such fund and its implementation, administration, supervision, and evaluation.

(4) In order to receive assistance grants from the County Alcohol and Other Drug Abuse Trust Fund, county alcohol and other drug abuse prevention, treatment, or education programs shall be designated by the board of county commissioners as the chosen program recipients. Designations shall be made annually, based on success of the programs.

(5) An alcohol and other drug abuse treatment or education program recipient shall, in seeking assistance grants from the County Alcohol and Other Drug Abuse Trust Fund, provide the board of county commissioners with detailed financial information and requests for expenditures.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Johns County, Florida, that:

Section 1. The Board of County Commissioners of St. Johns County, Florida (the "Board") hereby finds and determines that there is established or in existence within St. Johns County one or more comprehensive alcohol and other drug abuse treatment or education programs which meet the standards for qualification of such programs by the Department of Children and Family Services.

Section 2. Establishment of St. Johns County Drug Abuse Trust Fund. Pursuant to the authority granted under Sections 938.13, 938.21, 938.23 and 893.165, Florida Statutes, there is hereby established the St. Johns County Alcohol and Other Drug Abuse Trust Fund (hereinafter referred to as the "Trust Fund"), into which shall be deposited all monies remitted to St. Johns County pursuant to Sections 893.165, 938.13, 938.21 and/or 938.23, Florida Statutes. These monies shall be used only for the support of drug abuse treatment or alcohol treatment or educational programs based in St. Johns County, Florida, which meet the standards of qualifications for such programs of the Florida Department of Children and Families. All such assessments shall be collected by the Clerk of the Court for deposit into the St. Johns County Alcohol and Other Drug Abuse Trust Fund. Monies in such fund will be held, disbursed and accounted for in the manner set forth in Section 893.165, Florida Statutes, and other appropriate Florida law. The Trust Fund shall not replace St. Johns County "match" requirements under State law. No monies in the Trust Fund may be distributed to a designated program without the specific approval of the Board. All monies on deposit in the Trust fund at the end of any fiscal year shall be entirely carried forward into the Trust Fund for the ensuing fiscal year.

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Section 3. The County Administrator and Clerk of Courts are requested to submit documentation to the appropriate courts substantiating the establishment of the St. Johns County Alcohol and Other Drug Abuse Trust Fund.

Section 4. This Ordinance shall be effective upon filing with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 25 day of August, 1998.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Moses A. Floyd  
Moses A. Floyd, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland  
Clerk

EFFECTIVE DATE: 8-28-98

# The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

Sandra D. Oliver who on oath says that she is

Accounting Clerk of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a \_\_\_\_\_

Notice of Hearing

in the matter of Alcohol & Other Drug Abuse Trust Fund

in the \_\_\_\_\_ Court, was published in said newspaper in the

issues of Aug 14, 1998

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 14 day of Aug, 19 98,

by Sandra D. Oliver who is personally

known to me or who has produced Personally Known as

identification. (Type of Identification)



Zoe Ann Moss  
MY COMMISSION # C0641814 EXPIRES  
August 22, 2001  
BONDED THRU TROY FAIN INSURANCE, INC.

(Signature of Notary Public)

(Seal)

Zoe Ann Moss

(Print, Type or Stamp Commissioned Name of Notary Public)

Ordinance Book 21 Page 441

NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA. NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT A REGULAR MEETING HELD TUESDAY, AUGUST 25, 1998, AT THE BOARD OF COUNTY COMMISSIONERS' OFFICE, 4020 LEWIS SPEEDWAY (COUNTY ROAD 16A AND U.S. 1 NORTH), ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FOLLOWING ORDINANCE: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE ST. JOHNS COUNTY ALCOHOL AND OTHER DRUG ABUSE TRUST FUND FOR DEPOSIT OF ALL MONIES RECEIVED BY ST. JOHNS COUNTY AS ADDITIONAL COSTS AND/OR ASSESSMENTS FOR CRIMINAL OFFENSES UNDER CHAPTERS 893 OR 892, FLORIDA STATUTES AND/OR SECTIONS 816.193, 856.011, 856.013, 938.18, 938.21 OR 938.23, FLORIDA STATUTES PROVIDING FOR ADMINISTRATION OF AND DISBURSEMENT FROM THE TRUST FUND; AND PROVIDING AN EFFECTIVE DATE. The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CA 16A and U.S. 1N), St. Augustine, Florida, and may be examined by parties interested prior to the public hearing. Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance. If a person desires to appeal any decision made by the Board of County Commissioners, with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceeding should contact ADA Coordinator at (904) 823-2501 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32093. For hearing impaired individuals, Telecommunication Device for the Deaf (TDD) is 823-2501. Florida Relay Service is 800-955-8770, not later than 5 days prior to the date of the hearing. BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA. CHERYL STRICKLAND, ITS CLERK. By Patricia DeGrande, Deputy Clerk. LEAD Aug 14, 1998 #