



## Legislation Text

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**File #:** 24-0112, **Version:** 1

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Ordinance to Amend the City Code of the City of Hampton, Virginia by Amending and Reenacting Chapter 17, "Libraries;" Article II, "George Wythe Law Library;" Section 17-17, "Assessment of Additional Court Costs in Civil Actions"

### **PURPOSE/BACKGROUND:**

See Discussion.

### **Discussion:**

The City maintains the George Wythe Law Library, currently located in the Main Library at 4207 Victoria Boulevard. Code of Virginia Section 42.1-70 authorizes localities to impose, by ordinance, an assessment as part of the costs incident to each civil action filed in the City's courts, a sum not in excess of \$4.00, to be collected by each clerk of said courts, and remitted to the City Treasurer. The funds collected can be used for the acquisition of (i) law books, law periodicals and computer legal research services, and computer terminals for offsite placement to maximize access to the law library by the public and (ii) equipment for the establishment, use, and maintenance of a law library that shall be open for the use of the public at hours convenient to the public; and may include compensation to be paid to librarians and other necessary staff for the maintenance of such library and acquisition of suitable quarters for such library.

Pursuant to the authority above, the City adopted and has imposed, since 2006, a \$2.00 fee. However, in recent years the Law Library has been operating at a deficit. The fees collected are no longer sufficient to cover the current costs of subscriptions and other resources.

The current action proposes to increase the permissible fee up to the statutory maximum of \$4.00.

### **Impact:**

The increased assessment will reduce (ideally eliminate) the current deficit in the Law Library operations.

### **Recommendation:**

May 1, 2024: First reading only.

May 8, 2024: Final approval.

**BE IT ORDAINED** by the City Council of the City of Hampton, Virginia, that Chapter 17, Article II, Section 17-17 of the City Code of the City of Hampton, Virginia be amended and restated to read as follows:

### **Chapter 17 - LIBRARIES**

. . .

## ARTICLE II. - GEORGE WYTHE LAW LIBRARY

. . .

### **Sec. 17-17. Assessment of additional court costs in civil actions for support of library.**

(a) Pursuant to § 42.1-70 of the Code of Virginia, there is hereby imposed and assessed, as part of the costs incident to each civil action filed in any court located within the city, the sum of four dollars (\$4.00) for the support of the library referred to in section 17-16.

(b) The assessment provided for in this section shall be in addition to all other costs prescribed by law, but shall not apply to civil actions in which the state, or any other political subdivision thereof, or the federal government is a party and in which the costs are assessed against the state, or a political subdivision thereof, or the federal government.

This ordinance shall be effective for all civil actions filed on and after July 1, 2024.