

RESOLUTION 2026 - 072

A RESOLUTION AUTHORIZING AN INCREASE IN MUNICIPAL COURT FINES AND FEES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS the City of Powder Springs (the “City”) municipal court fines and forfeitures were last increased in 1991 and are 25-35% lower than the fines and forfeitures applicable in the municipal courts of the other cities in Cobb County; and

WHEREAS fines and fees often appropriately shift the costs of operating the justice system away from the general tax-paying public to the individuals who come into contact with the court system; and

WHEREAS certain monetary punishments are intended to deter offenders from committing the offense, and probation is used by the court when assessing a person’s ability to pay; and

WHEREAS the court recommends an increase in the fines and fees imposed by the municipal court.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council for the City of Powder Springs as follows:

Section 1. Municipal court fines are increased per the percentages set forth in the table below:

Violation & State Code Section	State Code Section	Fine Increase
DUI	40-6-391	20%
Improper left or right turn	40-6-12	20%
Failure to stop at railroad crossing	40-6-141	20%
Emergency Move Over Law	40-6-16 (b)	20%
Fail to stop at accident	40-6-270	20%
Fail to stop at accident/with injuries	40-6-273	20%
Fleeing attempt to allude	40-6-395	20%
Highlight requirements	40-8-22	25%
Use of multi beams/headlights	40-8-30	25%
All other Georgia codes		10%

Section 2. It is hereby declared to be the intention of the City Council that:

- (a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
- (b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph,

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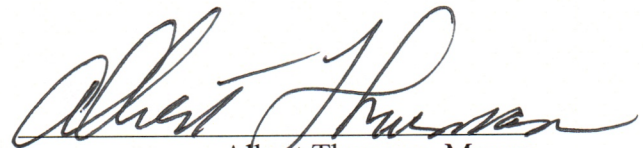
sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

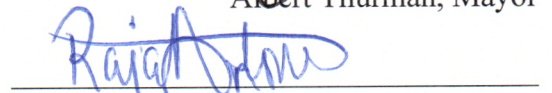
- (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this Resolution.

Section 3. The City Attorney and the City Clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing and renumbering purposes.

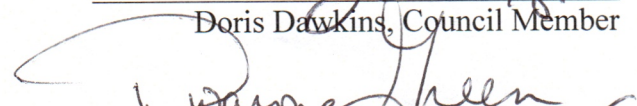
Section 4. The effective date of this Resolution shall be the date of adoption, unless provided otherwise by the City Charter, state and/or federal law.

SO RESOLVED this 20th day of April 2026.

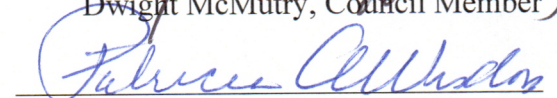

Albert Thurman, Mayor


Raja Antone, Council Member

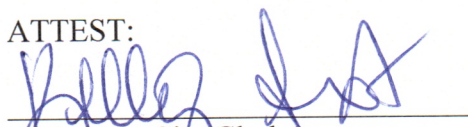

Doris Dawkins, Council Member


Dwayne Green, Council Member


Dwight McMutry, Council Member


Patricia Wisdom, Council Member

ATTEST:


Kelly Axt, City Clerk