

APPENDIX N

MUNICIPAL INFRACTIONS SCHEDULE OF PENALTIES

STANDARD PENALTY

\$ 30.00 - 1st Offense

\$100.00 - 1st Repeat Offenses

\$200.00 - Subsequent Repeat Offenses

(Plus all costs)

CHAPTER 3, ANIMALS

A violation of any provision of Chapter 3, Animals, shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof, and a penalty of \$100 for each repeat violation.

In addition, conviction of a person for violation of any provision of Chapter 3 for a fourth or subsequent time, not necessarily the same provision of said Chapter 3, shall be punished by a penalty of not less than \$500 nor more than \$750, pursuant to Sec. 3.124.

CHAPTER 4, BICYCLES

A violation of any provision of Chapter 4, Bicycles, shall be a municipal infraction punishable by a penalty of \$50.00 for a person's first violation thereof, and a penalty of \$100.00 for each repeat violation.

Alternatively, a violation of any provision of Chapter 4 can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

CHAPTER 5, BUILDING, ELECTRICAL MECHANICAL AND PLUMBING CODE.

A violation of any provisions of Chapter 5, Building, Electrical, Mechanical and Plumbing Code, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

(Ord. No. 4143, 3-26-13)

CHAPTER 8, FIRE CODE

A violation of any provision of Chapter 8, Fire Code, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 9, FLOOD PLAIN

A violation of any provision of Chapter 9, Flood Plain Zoning Regulations, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 10, GARBAGE AND REFUSE

A violation of any provision of Chapter 10, Garbage and Refuse, shall be a municipal infraction punishable by a fine of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 11, HEALTH AND SANITATION.

A violation of any provision of Chapter 11, Health and Sanitation, shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of any provision of Chapter 11, Health and Sanitation, can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

CHAPTER 13, RENTAL HOUSING

A violation of any provision of Chapter 13, Housing, Rental, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 16, NOISE CONTROL

A violation of any provision of Chapter 16, Noise Control, shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of any provision of Chapter 16, Noise Control, can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

CHAPTER 17, OFFENSES -- MISCELLANEOUS

Sec. 17.2. AIRGUNS, BOWS, SLINGSHOTS; DISCHARGING

A violation of this provision shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.3. ANTENNAE, RADIO WIRES

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Sec. 17.4. WEAPONS PERMIT REQUIRED

Violation of this section shall be a municipal infraction punishable by a penalty of \$50.00 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.6. FIREWORKS

A violation of a provision of this section pertaining to the use or exploding of fireworks shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.7. SMOKING PROHIBITED, CITY MEETINGS, BUILDINGS, AND VEHICLES

Violation of this section shall be a municipal infraction punishable by a civil penalty of \$25.00 for each offense.

Sec. 17.8. DEFACING NOTICES

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.9. DEPOSITING GUM, TOBACCO

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.10. DEPOSITING PAPER ON STREETS, IN VEHICLES

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.11. DISCHARGE OF FIREARMS

A violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.12. ABANDONED OR UNATTENDED REFRIGERATORS

A violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Sec. 17.13. FALSE FIRE ALARMS

A violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Sec. 17.14. INTERFERING WITH GRADE STAKES, OTHER MONUMENTS

A violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.15. INTERFERING WITH HYDRANTS

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.16(1) THROUGH 17.16(3). UNDERAGE PERSONS ON LICENSES PREMISES

A violation of the provisions of subsections 17.16(1) through 17.16(3) shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation and \$200 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.16(5). MINORS PROHIBITED AT NUDE PERFORMANCES

A violation of this subsection shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.17. CONSUMPTION IN PUBLIC PLACES

Violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.18. SALE OF ALCOHOL.

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.20. REMOVING DANGER SIGNALS, BARRICADES

A violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.21. AIR TRAFFIC RULES TO BE OBSERVED

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Sec. 17.22. MINIMUM ALTITUDES

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Sec. 17.23. DOPE PARAPHERNALIA

Violation of the provisions of this section with respect to drug paraphernalia shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.

Sec. 17.25. PRECIOUS METALS, PAWNBROKERS, ITINERANT DEALERS

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.26. PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS.

Violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.27. BEER KEG PARTY REGULATIONS

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.28. SKATEBOARDS PROHIBITED IN CERTAIN LOCATIONS, WAIVER

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.29. SNOWMOBILES RESTRICTED.

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.30. NUISANCE PARTY REGULATIONS

Violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.31. TOUCHING OF CERTAIN ENTERTAINERS REGULATED

Violation of this section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof and \$100 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

Sec. 17.32. PREVENTION OF CONSUMPTION OF ALCOHOLIC BEVERAGES BY UNDERAGE PERSONS AT PARTIES

Violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation.

Alternatively, a violation of this section can be charged by a peace officer of the city as a simple misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed thirty days.

CHAPTER 21, SIGNS.

A violation of any provision of Chapter 21, Signs, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof and \$750 for each repeat violation.

(Ord. No. 4143, 3-26-13)

CHAPTER 22, STREETS AND SIDEWALKS

A violation of any provision of Chapter 22, Streets and Sidewalks, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 27, TREES AND SHRUBS

A violation of any provision of Chapter 27, Trees and Shrubs, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 28, UTILITIES

All sections of this chapter carry the standard penalty, except the following:

Sec. 28.306(1) AND 28.306(3) THROUGH 28.306(11). WASTE DISPOSAL.

Up to \$1,000.00 for the 1st and each subsequent offense.

Sec. 28.306(2). WASTE DISPOSAL

\$250, in addition to the actual cost of cleanup for any sanitary sewer overflow caused by an introduction of substances as described in Sec. 28.306(2), for a facility's 1st violation, \$500 for a facility's second violation, and \$1,000 for each subsequent violation. In the event that more than one utility customer is responsible for the overflow, the municipal infraction may be levied upon each customer, and the cost of cleanup shall be prorated among those responsible.

(Ord. No. 4199, 11-25-14; Ord. No. 4328, 11-28-17)

Sec. 28.307. INDUSTRIAL PRETREATMENT REQUIREMENTS. Up to \$1000.00 for the 1st and each subsequent offense

Sec. 28.609. PENALTIES.

(1) Any person who, in making application to the City Manager for a decrease in a bill, a New Lawn Exemption Certification Placard, or otherwise provides information to the City with respect to Sections 28.603 - 28.607 that is intentionally false or incorrect shall automatically have their request, application or appeal denied. Additionally, such person shall be guilty of a municipal infraction punishable by a penalty of \$75.00 for a person's first violation and a penalty of \$150.00 for each repeat violation.

(2) Violation of any provision or prohibition of Sections 28.603 through and including 28.605 shall be a municipal infraction punishable by a penalty of \$75.00 for a person's first violation thereof, and a penalty of \$100.00 for each repeat violation.

(Ord. No. 4148, 06-25-13)

CHAPTER 29, ZONING

A violation of any provision of Chapter 29, Zoning, shall be a municipal infraction punishable by a penalty of \$500 for a person first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 30, JUNKED VEHICLES, TRAILERS AND SEMITRAILERS; AND OUTDOOR STORAGE OF MOTOR VEHICLES

A violation of any provision of Chapter 30, Junked Vehicles, Trailers, and Semi-trailers; and Outdoor Storage of Motor Vehicles, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation

CHAPTER 31, HISTORIC PRESERVATION DISTRICTS.

A violation of any provision of Chapter 31, Historic Preservation Districts, shall be a municipal infraction punishable by a penalty of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation.

CHAPTER 32, MECHANICAL CODE.

All sections of this chapter carry the standard penalty.