

§ 35.107 ORDINANCE FINE SCHEDULE.

Violations of ordinances that are enforced by the Code Enforcement Board shall be subject to the following schedule of civil fines:

(A) If a citation for a violation of an ordinance is not contested by the person charged with the violation, the person may elect to pay the minimum penalty set forth in this division (A).

<u>Violated</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third and Other Offenses</u>
90.02 Animals	\$25	\$50	\$100
91.31 Streets and Sidewalk Obstruction	\$25	\$50	\$100
91.32 Materials on Street or Sidewalk	\$25	\$50	\$100
92.03(A) Dangerous Trees	\$50	\$100	\$150
92.03(B) Accumulation of Rubbish	\$25	\$50	\$100
92.03(C) Storage of Explosives	\$50	\$100	\$150
92.03(D) Weeds and Grass	\$25	\$50	\$100
92.03(E) Open Wells	\$50	\$100	\$150
92.03(F) Trees and Shrubbery	\$25	\$50	\$100
92.03(G) Keeping of Animals	\$25	\$50	\$100
92.03(H) Junk; Scrap Metal; motor vehicles	\$25	\$50	\$100
92.03(I) Dilapidated Structures	\$100	\$150	\$200
92.03(J) Electrified fence	\$25	\$50	\$100
92.03(K) Garbage and refuse containers	\$25	\$50	\$100
95 Cemeteries	\$25	\$50	\$100
98.02 Display of House Numbers	\$25	\$50	\$100
110 Occupational License Taxes	\$25	\$50	\$100
114 Yard Sale Permit Required	\$5	\$10	\$20

151 Zoning	\$25	\$50	\$100
Property Maintenance Code	\$25	\$50	\$100

(B) If the citation is contested and a hearing before the Code Board is required, the following maximum penalties may be imposed at the discretion of the Code Board:

<u>Violated</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third and Other Offenses</u>
90.02 Animals	\$50	\$100	\$200
91.31 Streets and Sidewalk Obstruction	\$50	\$100	\$200
91.32 Materials on Street or Sidewalk	\$50	\$100	\$200
92.03(A) Dangerous Trees	\$100	\$200	\$300
92.03(B) Accumulation of Rubbish	\$50	\$100	\$200
92.03(C) Storage of Explosives	\$100	\$200	\$300
92.03(D) Weeds and Grass	\$50	\$100	\$200
92.03(E) Open Wells	\$100	\$200	\$300
92.03(F) Trees and Shrubbery	\$50	\$100	\$200
92.03(G) Keeping of Animals	\$50	\$100	\$200
92.03(H) Junk; Scrap Metal; motor vehicles	\$50	\$100	\$200
92.03(I) Dilapidated Structures	\$200	\$300	\$400
92.03(J) Electrified fence	\$50	\$100	\$200
92.03(K) Garbage and refuse containers	\$50	\$100	\$200
95 Cemeteries	\$50	\$100	\$200
98.02 Display of House Numbers	\$50	\$100	\$200
110 Occupational License Taxes	\$50	\$100	\$200
114 Yard Sale permit Required	\$10	\$20	\$40
151 Zoning	\$50-\$100	\$100-\$500	\$200-\$1,000

Property Maintenance Code	\$50	\$100	\$200
---------------------------	------	-------	-------

(C) If the person charged with a violation does not elect to pay the minimum civil fine and does not contest the citation by requesting a hearing within the time prescribed, or, if the alleged violator requests a hearing before the Board and fails to appear at the hearing, the Code Enforcement Board shall enter a final order determining the violation was committed and impose the civil fine set forth below:

<u>Violated</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third and Other Offenses</u>
90.02 Animals	\$50	\$100	\$200
91.31 Streets and Sidewalk Obstruction	\$50	\$100	\$200
91.32 Materials on Street or Sidewalk	\$50	\$100	\$200
92.03(A) Dangerous Trees	\$100	\$200	\$300
92.03(B) Accumulation of Rubbish	\$50	\$100	\$200
92.03(C) Storage of Explosives	\$100	\$200	\$300
92.03(D) Weeds and Grass	\$50	\$100	\$200
92.03(E) Open Wells	\$100	\$200	\$300
92.03(F) Trees and Shrubbery	\$50	\$100	\$200
92.03(G) Keeping of Animals	\$50	\$100	\$200
92.03(H) Junk; Scrap Metal; motor vehicles	\$50	\$100	\$200
92.03(I) Dilapidated Structures	\$200	\$300	\$400
92.03(J) Electrified fence	\$50	\$100	\$200
92.03(K) Garbage and refuse containers	\$50	\$100	\$200
95 Cemeteries	\$50	\$100	\$200
98.02 Display of House Numbers	\$50	\$100	\$200
110 Occupational License Taxes	\$50	\$100	\$200
114 Yard Sale permit Required	\$10	\$20	\$40

151 Zoning	\$50-\$100	\$100-\$500	\$200-\$1,000
Property Maintenance Code	\$50	\$100	\$200

(D) Upon the fourth offense for the same violation, if the Code Enforcement Board finds that a violation did exist, the Board shall enter a final order imposing a daily fine in the amount set forth in division (C) above for third and other offenses, which shall accrue up to a maximum amount of \$5,000. The daily fine shall begin on the date the final order is issued until the day the Code Enforcement Officer declares the violation cured. It shall be the responsibility of the property owner to request an inspection by the Code Enforcement Officer to certify the violation has been cured.

(Ord. 2003-11, passed 9-16-03; Am. Ord. 2003-21, passed 12-8-03; Am. Ord. 2006-1, passed 4-10-06; Am. Ord. 2009-4, passed 3-9-09; Am. Ord. 2009-14, passed 6-4-09)

§ 35.108 LIENS; FINES; CHARGES; AND FEES.

(A) If the penalty is unpaid, the city shall possess a lien on property owned by the person found by a final nonappealable order of the Code Enforcement Board, or by a final judgment of the court, to have committed a violation of a city ordinance for all fines assessed for the violation and for all charges and fees incurred by the city in connection with the enforcement of the subchapter.

(B) The lien shall be recorded in the office of the County Clerk. The lien shall be notice to all persons from the time of its recording and shall bear interest until paid at the rate allowed by law.

(C) The lien shall take precedence over all other liens, except state, county, school board, and city taxes, and may be enforced by judicial proceedings.

(D) In addition to the remedy prescribed in division (A), the person found to have committed the violation shall be personally responsible for the amount of all fines assessed for the violation and for all charges and fees incurred by the city in connection with the enforcement of the ordinance. The city may bring a civil action against the person and shall have the same remedies as provided for the recovery of a debt.

(Ord. 2003-11, passed 9-16-03; Am. Ord. 2011-9, passed 9-12-11)