

Council of the City of York, PA
Session 2014
Resolution No.

INTRODUCED BY: **Renee S. Nelson**

DATE: **July 15, 2014**

A RESOLUTION

Amending Bill No. 16 of Session 2014 establishing Article 730 "Neighborhood Improvement Ordinance," Subsection 730.99 "Fines and Penalties," to clarify fines and penalties.

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Bill No. 16 of Session 2014 establishing Article 730 "Neighborhood Improvement Ordinance," Subsection 730.99 "Fines and Penalties" is hereby amended as follows:

730.99 FINES AND PENALTIES

A. Violation Ticket Fines

1. For the first and second offense of a violation of this Article within a twelve (12) month period, or a continuous offense which has not been remedied, violation tickets shall be issued in the amounts of Twenty-five (\$25.00) Dollars ~~or One Hundred (\$100.00) Dollars.~~
2. For the third offense of a violation of this Article within a twelve (12) month period, or a continuous offense with has not been remedied, violation tickets shall be issued in the amounts of One Hundred and Fifty (\$150.00) Dollars ~~or Two Hundred and Fifty (\$250.00) Dollars.~~
3. For the fourth or subsequent offense of a violation of this Article within a twelve (12) month period, or a continuous offense which has not been remedied, violation tickets shall be issued in the amounts of Three Hundred (\$300.00) Dollars ~~or Five Hundred (\$500.00) Dollars.~~
4. Any person who receives a violation ticket for any violation of this Article, except ~~720.06~~ **730.06**, may within ten (10) days, admit the violation, waive any right to a hearing and pay the fine in full satisfaction.
5. Any person who violates Section ~~720.06~~ **730.06** Illegal Dumping shall pay a fine of One Thousand (\$1,000.00) Dollars for a violation of 720.06(A) or Five Thousand (\$5,000.00) Dollars for a violation of 720.06(B) for each offense, plus all direct and indirect costs incurred by the City for the clean-up and abatement of the violation.

A. Violation Ticket Penalties

1. If the person in receipt of a twenty five (\$25.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a ten (\$10.00) dollar penalty for days eleven (11) through twenty (20).
2. If the person in receipt of a one hundred (\$100.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25.00) dollar penalty for days eleven (11) through twenty (20).
3. If the person is in receipt of a one hundred and fifty (\$150.00) dollar, two hundred and fifty (\$250.00) dollar, three hundred (\$300.00) dollar or five hundred (\$500.00) dollar violation ticket

does not pay the fine or request a hearing within ten (10) days, the person will be subject to a fifty (\$50.00) dollar penalty for days eleven (11) through twenty (20).

- 4. If the person in receipt of a on thousand (\$1,000.00) dollar or five thousand (\$5,000.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a one hundred (\$100.00) dollar penalty for days eleven (11) through twenty (20).
- 5. Failure of the person to make payment or request a hearing within twenty (20) days of a violation ticket shall make the person subject to a citation.

B. Citation Fines

- 1. Any person, firm or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Article, except Section ~~720.06~~ **730.06**, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine not less than one hundred (\$100.00) dollars, not more than one thousand (\$1,000.00) dollars on each offense or imprisoned no more than ninety (90) days, or both.
- 2. Any person, firm, or corporation who shall fail, neglect or refuse to comply with the provisions of Section ~~720.07~~ **730.06** of this Article shall, upon conviction, be ordered to pay a fine of not less than one thousand dollars, not more than five (\$5,000.00) dollars on each offense or imprisoned no more than ninety (90) days, or both. In addition, the Magisterial District Judge may impose any other such remedy deemed proper, including, without limitation, an order to clean up unlawful dump sites.

C. Restitution

The Magisterial District Judge may order the violator to make restitution to said real or personal property owner.

PASSED FINALLY:

BY THE FOLLOWING VOTE:

YEAS: _____, _____, _____, _____, _____

NAYS: _____, _____, _____, _____, _____

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk