

Council of the City of York, PA
Session 2014
Bill No.
Ordinance No.

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **September 2, 2014**

AN ORDINANCE

Amending Article 730 "Neighborhood Improvement Ordinance," Subsection 730.99(B) "Violation Ticket Penalties," to make it consistent with Article 730.99(A) "Violation Ticket Fines."

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(B) "Violation Ticket Penalties" is hereby amended as follows:

730.99 FINES AND PENALTIES

A. Violation Ticket Fines

1. After any warning as allowed in Section 730.99(A)(6), for the first 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). For the 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 Fifty (\$50.00) Dollars.
2. For the third 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 One Hundred and Fifty (\$150.00) 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.
4. Any person who receives a violation ticket for any violation of this Article, except 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 730.06 Illegal Dumping shall pay a fine of One Thousand (\$1,000.00) Dollars for a violation of 730.06(A) or Five Thousand (\$5,000.00) Dollars for a violation of 730.06(B) for each offense, plus all direct and indirect costs incurred by the City for the clean-up and abatement of the violation.
6. An individual whose first violation is a property maintenance violation on their own property or rented property in their name, shall receive one and only one warning which shall be on record as a violation ticket with no fine attached. Subsequent violations of the neighborhood improvement ordinance shall be subjected to the fines as outlined in Section 730.99(A)(1-5).
 - a. Upon delivery of notice of warning, a copy of the Neighborhood Improvement Ordinance shall also be attached to said notice.

B. 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 fifty (\$50.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a fifteen (\$15.00) dollar penalty for days eleven (11) through twenty (20).**
3. If the person in receipt of a one hundred ~~and fifty~~ (~~\$100.00~~)(\$150.00) 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).
4. If the person 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).
5. 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).
6. 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.

C. 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 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 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.

D. 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:

Presented to the Mayor for approval this _____ day of _____ 2014.

Dianna L. Thompson-Mitchell, City Clerk

Approved: _____
Mayor Date

Vetoed: _____
Mayor Date