

## Chapter 1 GENERAL PROVISIONS

### Sec. 1-12. Mandatory Penalty and Fees; Disposition and Use of Fees.

1. Mandatory Penalty. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, the maximum penalty for violation of any municipal ordinance shall be as follows:
  - (1) Except for those violations of ordinances described in subsections 1-2 and 1-3 of this section, a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days or both;
  - (2) For violations of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) or imprisonment for not more than one hundred seventy-nine (179) days or both; and
  - (3) For violations of a industrial user waste-water pretreatment ordinance as required by the United States Environmental Protection Agency, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) a day for each violation.  
(Code 2007, 1-12-1)
  
2. Specific Penalty Schedule. A fine and fee schedule for specific penalties.
  - (1) *Traffic and Offenses*. In reference to Chapter 12 and 24.
  - (2) *Alcohol*. In reference to Chapter 4.
  - (3) *Animals*. In reference to Chapter 5.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
5-223	Unauthorized Removal Of Animals	No	\$100	\$28	\$128
5-301	Liability Of Damages Caused By Animal	Yes		Set Hearing	
5-302	Restraint Of Animal	No	\$100	\$28	\$128
5-303	Restraint Devices	No	\$150	\$28	\$178
5-304	Confinement Of Female Dogs & Cats	No	\$50	\$28	\$78
5-305	Dog And Cat Licenses	No	\$65	\$28	\$93
5-401	Interference With Animal Control Officer	Yes		Set Hearing	
5-402	Service Animals	No	\$300	\$28	\$328
5-403	Fraudulent Use Of Rabies & License Tags	No	\$100	\$28	\$128
5-404	Number Of Dogs Cats Wolves & Coyotes	No	\$200	\$28	\$228

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
5-421	Cruelty Animals	Yes		Set Hearing	
5-422	Neglect	Yes		Set Hearing	
5-424	Abandonment	Yes		Set Hearing	
5-425	Poisoning	Yes		Set Hearing	
5-426	Injury By Motorist	Yes		Set Hearing	
5-427	Keeping Of Diseased Or Painfully Crippled Animals	Yes		Set Hearing	
5-428	Animal Fights	Yes		Set Hearing	
5-429	Confining Or Crating Of Fowl	Yes		Set Hearing	
5-430	Birds	Yes		Set Hearing	
5-431	Leghold Traps Prohibited	Yes		Set Hearing	
5-451	Animals Running At Large				
	1 <sup>st</sup> Offense	No	\$100	\$28	\$128
	2 <sup>nd</sup> Offense	No	\$150	\$28	\$178
	3 <sup>rd</sup> Offense	No	\$200	\$28	\$228
	4 <sup>th</sup> Offense	No	\$300	\$28	\$328
5-452	Animals Disturbing The Peace				
	1 <sup>st</sup> Offense	No	\$100	\$28	\$128
	2 <sup>nd</sup> Offense	No	\$150	\$28	\$181
	3 <sup>rd</sup> Offense	No	\$200	\$28	\$228
	4 <sup>th</sup> Offense	No	\$300	\$28	\$328
5-453	Animal Defecation Clean-Up	No	\$100	\$28	\$128
5-454	City Parks - Animals Prohibited	No	\$100	\$28	\$128
5-461	Sale Or Gift Of Animals	No	\$200	\$28	\$228
5-462	Slaughterhouses And Slaughtering	No	\$300	\$28	\$328
5-463	Animals On Unenclosed Premises				
	1 <sup>st</sup> Offense	No	\$100	\$28	\$128
	2 <sup>nd</sup> Offense	No	\$150	\$28	\$178
	3 <sup>rd</sup> Offense	No	\$200	\$28	\$228
	4 <sup>th</sup> Offense	No	\$300	\$28	\$328
5-464	Unlawful Retention Of Strays	No	\$75	\$28	\$103
5-465	Confining Of Animals In A Motor Vehicle	No	\$100	\$28	\$128
5-466	Poultry	No	\$50	\$28	\$78
5-501	Rabies Vaccination Required	No	\$75	\$28	\$103
5-502	Human Exposure Animal Symptom	No	\$75	\$28	\$103

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
	Of Rabies				
5-505	Possession Of Skunks	No	\$60	\$28	\$88
5-601	Vicious Animal	Yes		Set Hearing	
5-603	Dangerous Animal	Yes		Set Hearing	
5-722	Permit Required	No	\$250	\$28	\$278
5-731	Limit Number Of Dogs And Cats	No	\$250	\$28	\$278
5-741	Hobby Breeder Or Litter Permit Required	No	\$250	\$28	\$278
5-743	Enclosure For Breeding	No	\$50	\$28	\$78
5-801	Mandatory Spaying And Neutering	No	\$250	\$28	\$278
5-901	Wild Or Exotic Animals	No	\$200	\$28	\$228
5-922	Guard Dog Permit Required	No	\$200	\$28	\$228

(4) *Tobacco*. In reference to Chapter 10.

(5) *Nuisances*. In reference to Chapter 14.

3. Mandatory Fees Collected Upon Conviction. In addition to any fine or imprisonment described in Sections 1-12-1 and 1-12-2 above, there is imposed upon any person convicted of violating any municipal ordinance the penalty for which carries a potential jail term or any ordinance relating to the operation of a motor vehicle the following mandatory fees:

- (1) A corrections fee of ten dollars (\$10.00);
- (2) A judicial education fee of one dollar (\$1.00); and
- (3) A court automation fee of six dollars (\$6.00).

As used in this section, "convicted" means the defendant has been found guilty of a criminal charge by the municipal judge, either after trial, a plea of guilty or a plea of nolo contendere, or has elected to pay a penalty assessment in lieu of trial.

(Code 2007, 1-12-3)

4. Disposition and Use of Fees Collected.

- (1) All corrections fees collected shall be deposited in a special corrections fund in the municipal treasury and shall be used only for municipal jailer training, for construction planning, construction, operation and maintenance of the municipal jail, for paying the costs of housing the municipality's prisoners in other detention facilities in the state, or for complying with match or contribution requirements relating to jails.
- (2) All judicial education fees collected shall be remitted monthly to the state treasurer for credit to the judicial education fund and shall be used for the education and training including production of bench books and other written materials; of municipal judges and other municipal court personnel.

- (3) All court automation fees collected shall be remitted monthly to the state treasurer for credit to the municipal court automation fund and shall be used for the purchase and maintenance of court automation systems in the municipal courts. The court automation systems shall have the capability of providing, on a timely basis, electronic records in a format specified by the judicial information system council.

(Code 2007, 1-12-4)