

AN ORDINANCE AMENDING CHAPTER 39: ORDINANCE VIOLATIONS BUREAU, SECTION 39.09 SCHEDULE OF PENALTIES. OF THE CITY OF FORT WAYNE, INDIANA CODE OF ORDINANCES.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYEN, INDIANA, AS FOLLOWS:

SECTION 1. That Section 39.09 Schedult of Penalties of the city of Fort Wayne, Indiana Code of Ordinances is amended as follows:

§ 39.03 SCHEDULE OF PENALTIES.

The following are subject to admission of violation before the Violations Clerk and the amount of the civil penalties to be assessed:

Nature of Violations	Code Section	Civil Penalty
Failure to Appear before the Violations Clerk within 30 days of receipt of notice of violation	<u>39.06</u>	Fine Doubles
Refuse	<u>50.99(B)</u>	\$25 for 1st violation; \$50 for each subsequent violation over the next 12 months
	<u>50.99(C)</u>	Not less than \$50 and not more than \$1000
Possession or consumption	<u>71.99</u>	\$50 for 1st offense; \$100-\$500 2 nd offense
Operator or owner of motor vehicle in violation	<u>71.99</u>	\$50 for 1st offense; \$100-\$500 2 nd offense
Parking		
Impaired Mobility	<u>72(F)</u>	with a valid placard/permit : \$0

Spaces.		1st violation; \$20 2nd violation; \$100 each subsequent violation; \$100 if no valid placard/permit; \$150 after 30 days
Parking meter violations; Bus stops and taxicab stands, Citizens Square parking Lot	<u>72.99(A)(1)</u>	\$10/Failure to appear after 30 calendar days from the date of notice, \$20
Fire hydrants	<u>72.99(D)</u>	\$100
Fire lanes	<u>72.99(D)</u>	\$100
License plates, false or not current	<u>72.99(D)</u>	\$150/failure to appear after 30 calendar days from the date of notice
Parking on the Street; parking prohibited during certain hours	<u>72.99(A)(2)</u>	\$20/Failure to appear after 30 calendar days from the date of notice, \$40
Parking Meters		
Damage to parking meters	<u>72.99(A)(3)</u>	Not less than \$1000 nor more than \$2500
Parking violations	<u>72.99(A)(3)</u>	\$20/Failure to appear after 30 calendar days from the date of notice, \$40
Impaired mobility spaces	<u>72.99(C)</u>	\$50/Failure to appear after 30 calendar days from the date of notice, \$75
	<u>72.72(F)</u>	If authorized, but without placard/ permit, \$0 first violation, \$20 second violation, \$50 each subsequent violation
Residential Districts	<u>72.99(B)</u>	
Illegal vehicles		\$100
Inoperable/abandoned vehicles		\$100
Operable vehicles in yard		\$100
General Penalty for this Chapter	<u>73.99(A)</u>	\$250

Weight Violations	73.99(B)	\$.01/pound
Abandoned vehicles	90.99(A)	Not more than \$50
Animal control violations	91.999(A)(1)	Not less than \$50 nor more than \$2,500
Animal control violations	91.999(B)(1)	Not less than \$50 nor more than \$2,500
Fire Code - General	94.199	Not less than \$20 nor more than \$2,500
Penalty for failure to correct a cited violation	94.199(B)(1)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for obstructing a fire hydrant, fire department connection or fire protection control valve	94.199(B)(2)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for failure to install or maintain portable fire extinguishers	94.199(B)(3)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for failure to establish and maintain open fire lanes	94.199(B)(4)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for parking in or obstructing a fire lane	94.199(B)(5)	\$50; \$75 if failure to appear after 30 calendar days from date of notice.
Smoke detector violations	94.199(B)(6)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for burning of combustible materials out of doors or open burning	94.199(B)(7)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for failure to obtain a tire storage permit	94.199(B)(8)	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100

Penalty for failure to obtain a temporary propane tank storage permit	<u>94.199(B)(9)</u>	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for failure to obtain a fireworks and pyrotechnics permit	<u>94.199(B)(10)</u>	\$75/ Failure to appear after 30 calendar days from the date of notice, \$100
Penalty for Failure to Report Tank Installation	<u>94.199(B)(11)</u>	\$500.00
Health, Safety and Sanitation violations	<u>95.99(A)</u>	Not more than \$2,500
Penalty for abandoned refrigerators and containers	<u>95.99(B)</u>	Not more than \$300
Certification in cardiopulmonary child care situations	<u>95.99(C)</u>	\$25
Penalty for hazardous chemicals and substances reporting requirements	<u>95.99(D)</u>	Not more than \$2,500
Allowing Smoking in Business entity, restaurant, workplaces and public spaces	<u>95.99(E)</u>	\$100/Not more than \$100 for second violation; \$500 for third violation; \$2500 for each subsequent violation
Person Smoking in restaurant, workplaces and public places	<u>95.99(F)</u>	\$25 for first violation; \$100 for second violation; \$250 for each additional violation
Skateboarding where prohibited	<u>97.47(D)(1)</u>	Not less than \$50 and not more than \$200 per violation
General Penalty	<u>97.99(A)</u>	Not more than \$2,500
Possession, sale or consumption of alcoholic beverages	<u>97.99(B)</u>	\$25 - \$200

on park property

Model Airplanes and Boats	<u>97.99(C)</u>	\$15 first violation, \$50 for each violation thereafter
Dogs and dog exercise areas	<u>97.99(D)</u>	\$50-\$1000
General Penalty	<u>99.999(A)</u>	Up to \$2500
Obstruction or use of streets and sidewalks in wrecking or razing buildings	<u>99.999(B)</u>	\$10-\$300
Failure to number building	<u>99.999(C)</u>	\$1-\$5
Placing signs on public land	<u>99.999(D)</u>	First violation \$50; Second violation \$100; Third and subsequent violation \$250
Registration after Third False alarm	<u>102.02(A)(3)</u>	\$50
False alarms, and failure to register	<u>102.02(A)(7)</u>	\$50 not more than \$2500
Violation of section 102.02(B)	102.02(B)(5)	Not less than \$200; not more than \$2500
Automatic telephone dial devices prohibited	<u>102.04(D)</u>	Not less than \$200; not more than \$2500
Audible alarm violations	<u>102.05(D)</u>	\$50 per offense
Penalty for false alarm	<u>102.07(B)</u>	\$250 per offense
Penalty for false alarm	<u>102.07(C)</u>	\$250 per offense
Penalty for false alarm	<u>102.07(D)</u>	\$250 per offense

**Taxicabs
(Company)**

Late charge for annual fees	<u>App.(A)(1)</u>	\$30.00
Failure to display plate	<u>Ch. 116, App.(B)(1)</u>	\$500
Failure to report transfer of plates	<u>Ch. 116, App.(B)(1)</u>	\$500
Operating without required vehicle equipment	<u>Ch. 116, App.(B)(1)</u>	\$1500 and/or revocation or suspension of permit
Operating without valid inspection	<u>Ch. 116, App.(B)(1)</u>	\$1500 and/or revocation or suspension of permit
Failure to submit monthly driver information or report changes in employee's status	<u>Ch 116, App.(B)(1)</u>	\$500
Operating without valid permit	<u>Ch. 116, App.</u>	\$1500 and/or revocation or suspension of permit
Allowing drivers to operate vehicles without a valid license or with an expired license	<u>Ch. 116, App</u>	\$1500 and/or revocation or suspension of permit
Operating without a valid inspection	<u>Ch 116, App</u>	\$1500 and/or revocation or suspension of permit
Tampering with taximeter	<u>Ch. 116, App.</u>	\$1500 and/or revocation or suspension of permit
Taxicabs (Driver)		
Falsifying application	<u>Ch. 116, App.</u>	\$1000 and/or revocation or suspension of license
Operating without a valid license	<u>Ch. 116, App.</u>	\$1500
Tampering with taximeter	<u>Ch. 116, App</u>	\$1500 and/or revocation or suspension of permit

Other offenses	<u>Ch. 116, App.</u>	\$500 and/or revocation or suspension of license
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**TRANSIENT
MERCHANTS
AND ICE CREAM
VENDORS**

General Penalty	<u>117.99(A)</u>	\$2500
Operation of an ice cream truck in violation of §117.18 through §117.21	<u>§§117.18 through 117.21</u>	Not to exceed \$100

**WEIGHTS AND
MEASURES
ENFORCEMENT**

Incorrect weighing or measuring device	Ch.120.03(A)	\$30.00/per device
Placing commercial weighing and measuring device in service before inspection	Ch. 120.03(B)	\$30.00/per device
Failure to report installation of weighing device	Ch. 120.04	\$60.00/per device
Refusal of Inspection	Ch. 120.05	\$60.00
Order to Inspect mobile weighing and measuring	Ch. 120.06	\$60.00 (per day/per device)
Tampering with security seal on weighing and measuring device	Ch. 120.07	\$60.00
Penalty for sale, use and/or possession of synthetic cannabinoid	<u>130.10(E)</u>	\$2,500

SECTION 2. That this Ordinance is in full force and effect from and after its passage and any and all necessary approvals by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney