

ORDINANCE AMENDING Title VII, Section 71.99 - PENALTY

WHEREAS, there presently exists in the Code of Ordinances of the City of Delphi Title VII, Section 71.99 titled "Penalty"; and

WHEREAS, the language of said section states:

- (A)(1) Unless another penalty is specifically stated, any person who shall violate any of the parking provisions of this title may, within 48 hours of the time a notice of violation is attached to such person's motor vehicle, pay a penal sum of \$7, in full satisfaction of the violation, to the office of the City Clerk-Treasurer or to the City Police Department.
- (2) On the lapse of such 48 hours period and within 7 days of the time a notice of violation is attached to such person's motor vehicle, that person may pay a penal sum of \$25, in full satisfaction of the violation, to the office of the City Clerk-Treasurer or to the City Police Department.
- (B) In any calendar year, if any person should receive three (3) or more violations of any of the parking provisions of this title, that such person shall be assessed the sums pursuant to the schedule in Sections (A)(1)-(3) an enumerated above. In addition, a further penal sum of \$50 for the third violation and every subsequent violation in that calendar year shall be assessed against such person and may be paid in full satisfaction of the violation to the office of the City Clerk-Treasurer or to the City Police Department.
- (C) Any person who shall violate § 71.09 or § 71.15 or any other applicable parking regulation of the city wherein no other penalty has been specifically established, or any person who aids, abets, or assists therein, shall be fined not less than \$10 nor more than \$500 for each offense or violation, payable to the City.

WHEREAS, the ordinance shall be amended to reflect the new penalty amount and subsequent violation penalties.

WHEREFORE, be ordained by the Common Council of the City of Delphi, Indiana, Title VII, Section 71.99 is hereby amended to read as follows:

§ 71.99 Penalty.

- (A)(1) Unless another penalty is specifically stated, any person who shall violate any of the parking provisions of this title may, within 2 business days from the time a notice of violation is attached to such person's motor vehicle, pay a penal sum of \$15.00 in full satisfaction of the violation, to the office of the City Clerk-Treasurer or to the City Police Department. The penal sum of \$15.00 is applicable to all subsequent violations in a given calendar year.
- (2) On the lapse of such 2 business days and within 7 business days of the time a notice of violation is attached to such person's motor vehicle, that person may pay a penal sum of \$25.00, in full satisfaction of the violation, to the office of the City Clerk-Treasurer or to the City Police Department.
- (3) If such person has not paid the penal sum of \$25.00 within the 7 business day period, that person shall be subject to summons to the City Court for a damage suit for violation of this title or any other applicable parking regulation of the City in an amount not to exceed \$500.00 plus court costs, payable to the City.
- (4) Any person who shall violate §71.09 or §71.15 or any other applicable parking regulation of the city wherein no other penalty has been specifically established, or any person who aids, abets, or assists therein, shall be fined not less than \$10.00 nor more than \$500.00 for each offense or violation, payable to the City.

Passed and adopted by the Common Council of the City of Delphi, Indiana this 5th
day of JULY, 2016 at 7:00 o'clock p.m.

Shane Evans

Shane Evans, Mayor

Leanne Aldrich
Leanne Aldrich, Clerk-Treasurer

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