

CHAPTER 4

GENERAL PENALTY

- 1-4-1: GENERAL PENALTY
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- 1-4-3: LIABILITY OF OFFICERS:

1-4-1: GENERAL PENALTY

- A. **Applicability:** The penalty herein provided shall be applicable to every ordinance of the city the same as though it were a part of each and every separate ordinance.
- B. **Violation:** Any person convicted of a violation of any ordinance of the city shall be deemed guilty of a misdemeanor.
- C. **Fine; Imprisonment:** Any person convicted of a violation of any ordinance of the city may be fined in a sum not to exceed three hundred dollars (\$300.00) for any offense and such person may be confined in jail for a period of not more than six (6) months. Either or both such fine and imprisonment may be imposed; and in addition thereto, any person so convicted shall pay such costs as the court may assess.
- D. **Separate Offense:** A separate offense shall be deemed committed for each day during on or which a violation occurs or continues.

1-4-2: APPLICATION OF PROVISIONS:

- A. In all cases where the same offense is made punishable or is created by different clauses or sections of this City Code, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- B. Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this City Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply.

1-4-3: LIABILITY OF OFFICERS

No provision of this City Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the city council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty. (Ord. 2008-2)