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Dewey-Humboldt

§ 10.99 GENERAL PENALTY. (amended)

(A) Any person found responsible for violating any provisions of this code, ~~except as otherwise provided in this code,~~ shall be responsible for a civil code infraction, and upon such finding of responsibility therefor may be punished by a civil sanction not to exceed ~~\$500~~ \$300, ~~Each day that a violation continues shall be a separate offense punishable as herein provided.~~ IF THE INFRACTION IS NOT REMEDIED WITHIN SIX MONTHS.

(1) In addition to any monetary civil sanction, the Civil Hearing Officer shall order the defendant to abate the civil code infraction, WITHIN SIX MONTHS, unless it has been abated by the date of a finding of responsibility therefor.

(2) The Civil Hearing Officer shall have the authority, within his or her discretion, to suspend the payment of any civil sanction imposed.

(3) In any case involving a civil code infraction relating to the occupancy or use of land, any monetary civil sanction imposed pursuant to this section upon a defendant who holds an ownership interest in such land shall be PROHIBITED FROM BEING recordable as a lien upon the land and shall run with the land. The town, at its sole option, may IS PROHIBITED FROM recording a notice of civil sanction and abatement order with the Yavapai County Recorder. THE TOWN COUNCIL IS PROHIBITED FROM ADOPTING A LEIN AND ABATEMENT ORDINANCE TO CIRCUMVENT THESE AMENDMENTS TO and thereby cause compliance by THE OWNER OR any person(s) or entity thereafter acquiring the property. ~~When the property is brought into compliance by the owner or responsible party, a satisfaction of notice of civil sanction and abatement order shall be filed at the request and expense of the owner or responsible party. It shall be the property owner's responsibility to secure the satisfaction of notice of civil sanction and abatement order from the town.~~

~~(B) Any person found guilty of violating any provision of this code which is classified as a Class 1 misdemeanor, upon conviction thereof, may be punished by a fine not to exceed \$2,500, by imprisonment for a period not to exceed six months, by a term of probation not to exceed three years, or by any combination of the fine, imprisonment and probation.~~

~~(C) Notwithstanding any other provision of this code, any person found to have violated any provision of this code or amendments thereto, which pursuant to this section is classified as a civil code infraction, and who has been twice previously found to have violated the provision within the preceding 24 months, shall, in addition to any penalty prescribed for such civil code infraction, be guilty of a Class 1 misdemeanor and shall be punished by a fine not to exceed \$2,500, by imprisonment for a period not to exceed six months, by a term of probation not to exceed three years, or by any combination of the fine, imprisonment and probation.~~

Statutory reference:

Maximum penalty for civil traffic violations, see A.R.S. § 28-1598

Misdemeanor penalty authorized, see A.R.S. § 9-240(B)(28)(b)