

RESOLUTION NO. 26-1990

A RESOLUTION OF THE MILWAUKIE CITY COUNCIL ESTABLISHING BAIL AMOUNTS FOR MILWAUKIE MUNICIPAL CODE VIOLATIONS

WHEREAS, at the City's instruction, the City Attorney for the City of Milwaukie recently reviewed the Milwaukie Municipal Code to identify all fines and bail for code enforcement purposes; and

WHEREAS, the City Attorney prepared a schedule of fines and bail which was reviewed by the various department heads of the City; and

WHEREAS, after a review of the fine and bail schedule, the City finds that the current bail amounts are inadequate when compared with the fines; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE:

Section 1. All bail amounts reflected on the City's Bail Schedule shall be equal to fifty percent (50%) of the maximum daily fine or one hundred dollars (\$100), whichever is greater. In the event the maximum daily fine is less than one hundred dollars (\$100), the bail shall equal the maximum daily fine.

Section 2. The Municipal Judge or Pro Tem Judge for the City of Milwaukie shall have the authority to raise or lower the set bail amount at his or her discretion.

Section 3. The effective date of this resolution shall be August 8, 1990.

Introduced and adopted by the City Council on August 8, 1990.

Roger A. Hall
Mayor

ATTEST:

Jenni Z. Wedman
City Recorder

Approved as to Form:
[Signature]
City Attorney

MILWAUKIE CODE ENFORCEMENT

FINE AND BAIL SCHEDULE

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Code Enforcement			
1.08.290	Failure to comply	\$2,500	\$1250
	Failure to appear	\$2,500	\$1250
Business License			
5.04.030	No business license	\$ 250/day	\$ 125
5.04.090	Failure to display license	\$ 250/day	\$ 125
5.04.100	Violation of rule or regulation	\$ 250/day	\$ 125
Business Tax			
5.08.030	Failure to pay business tax	\$ 200/day	\$ 100
5.08.090	Failure to display receipt	\$ 200/day	\$ 100
5.08.100	violation of rule or regulation	\$ 200/day	\$ 100
Adult Businesses			
5.12.030	Adult business w/o permit	\$ 500/day	\$ 250
5.12.110	Employment of unlicensed person	\$ 500/day	\$ 250
5.12.120	Failure to post notice	\$ 500/day	\$ 250
5.12.140	Advertising unlicensed business	\$ 500/day	\$ 250
5.12.150	Prohibited conduct	\$ 500/day	\$ 250
5.12.190	Violation of permit	\$ 500/day	\$ 250

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Cable Communication			
5.16.050	Unfranchised cable TV	\$1,000/day	\$ 500
Coin Operated Machines			
5.20.010	Unlicensed games	\$ 300	\$ 150
Secondhand Dealers			
5.24.040	No business license	\$ 300/day	\$ 150
5.24.050	Failure to complete report	\$ 300/day	\$ 150
5.24.060	Failure to maintain register	\$ 300/day	\$ 150
5.24.070	Failure to hold items	\$ 300/day	\$ 150
5.24.080	Receipt of item with altered I.D.	\$ 300/day	\$ 150
5.24.090	Failure to identify articles	\$ 300/day	\$ 150
5.24.100	Failure to keep articles 10 days	\$ 300/day	\$ 150
5.24.110	Transient merchant without bond	\$ 300/day	\$ 150
5.24.120	Dealing with minors	\$ 300/day	\$ 150
Poolrooms			
5.28.020	Unlicensed poolroom	\$ 300	\$ 150
5.28.050	Failure to display license	\$ 300	\$ 150
Security Services			
5.32.020	Unlicensed security service	\$ 500	\$ 250
	Failure to maintain bond & insurance	\$ 500	\$ 250
	Viol. of firearm reg.	\$ 500	\$ 250

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Vehicles for Hire			
5.36.010	Operation of taxi without permit	\$ 25/day	\$ 25
5.36.060	Failure to post fares	\$ 25/day	\$ 25
Nuisances			
8.04.030	Diseased animal at large	\$ 500/day	\$ 250
8.04.040	Dangerous animal at large	\$ 500/day	\$ 250
8.04.050	Livestock at large	\$ 500/day	\$ 250
8.04.060	Failure to dispose of carcass	\$ 500/day	\$ 250
8.04.070	Permitting or causing a public health nuisance	\$ 500/day	\$ 250
8.04.080	Abandoned refrigerator	\$ 500/day	\$ 250
8.04.090	Attractive nuisance	\$ 500/day	\$ 250
8.04.100	Failure to remove snow and ice	\$ 500/day	\$ 250
8.04.110	Failure to trim weeds	\$ 500/day	\$ 250
8.04.120	Scattering rubbish	\$ 500/day	\$ 250
8.04.130	Maintaining barbed-wire or electric fence	\$ 500/day	\$ 250
8.04.140	Surface drainage onto street or sidewalk	\$ 500/day	\$ 250
8.04.150	Radio or television interference	\$ 500/day	\$ 250
8.04.160	Posting notices and advertisements	\$ 500/day	\$ 250

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Noise Control			
8.08.060	Prohibited noise - generally	\$ 500	\$ 250
8.08.070	Prohibited noise - designated	\$ 500	\$ 250
8.08.080	Noisy recreational vehicles	\$ 500	\$ 250
8.08.090	Exceeding maximum noise levels	\$ 500	\$ 250
Dismantled Vehicles			
8.12.020	Unlicensed wrecking business	\$ 500	\$ 250
8.12.030	Dismantled vehicle	\$ 500	\$ 250
8.12.040	Failure to keep property free from dismantled vehicles	\$ 500	\$ 250
Alarm Systems			
8.16.020	No alarm system permit	\$ 500/day	\$ 250
	Use of automatic dialing device	\$ 500/day	\$ 250
Library Property			
9.04.010	Damage to library property	\$ 200	\$ 100
	Unlawful detention of library property	\$ 200	\$ 100
Curfew			
9.08.020	Violation of designated curfew	\$ 300	\$ 150
	Library & Scott Park curfew	\$ 300	\$ 150

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Weapons			
9.12.010	Unlawful discharge of firearm	\$ 750	\$ 375
Fire Control			
9.16.010	Tampering with hydrant	\$ 750	\$ 375
	Tampering with fire alarm	\$ 750	\$ 375
Parades and Funerals			
10.28.010	No parade permit	\$ 500	\$ 250
10.28.040	Interference with parade	\$ 500	\$ 250
10.28.060	Interference with a funeral procession	\$ 500	\$ 250
Street Excavation			
12.08.010	Street cut w/o permit	\$ 100/day	\$ 100
12.08.050	Violation of permit	\$ 100/day	\$ 100
Obstructions			
12.12.010	Obstruction of street or sidewalk	\$ 100	\$ 100
Driveways			
12.16.020	Curb cut or install without permit	\$ 100/day	\$ 100
12.16.100	Failure to remove abandoned driveway	\$ 100/day	\$ 100
Sidewalk Benches			
12.20.020	Sidewalk bench without permit	\$ 100	\$ 100
12.20.060	Failure to maintain bench	\$ 100	\$ 100
12.20.080	Prohibited writing on benches	\$ 200	\$ 100

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Clear Vision			
12.24.030	Violation of clear vision requirements	\$ 250/day	\$ 125
Basketball Hoops			
12.28.010	Unlawful basketball hoops	\$ 250/day	\$ 125
Water System			
13.04.030	Misuse of city water	\$ 500/day	\$ 250
13.04.050	Unlawful connection	\$ 500/day	\$ 250
13.04.060	Temp. water service violation	\$ 500/day	\$ 250
13.04.070	Failure to provide water shut-off	\$ 50	\$ 50
	Tampering with city water shut-off	\$ 50	\$ 50
13.04.140	Tampering with city water system or private service	\$ 500/day	\$ 250
Cross-connection			
13.08.010	Violation of cross-connection rules	\$ 500/day	\$ 250
Sewer System			
13.12.020	Failure to connect to sewer	\$ 500/day	\$ 250
	Maint. of septic tank	\$ 500/day	\$ 250
	Discharge of sewage to storm drain	\$ 500/day	\$ 250
13.12.030	Construction of sewer without permit	\$ 500/day	\$ 250
	Failure to maintain service lateral or building sewer	\$ 500/day	\$ 250

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Sewer cont.			
13.12.050	Business license required for installation	\$ 500/day	\$ 250
13.12.060	Prohibited discharge to sewer	\$ 500/day	\$ 250
	Tampering with sewer system	\$ 500/day	\$ 250
	Failure to monitor and treat sewage	\$ 500/day	\$ 250
Utilities			
13.20.070	Violation of utility rate reduction program	\$ 200/day	\$ 100
Solid Waste			
13.24.060	Offensive waste	\$ 500	\$ 250
13.24.070	Unauthorized deposit of waste	\$ 500	\$ 250
13.24.080	Unauthorized disposal site	\$ 500	\$ 250
13.24.100	Exceeding container weight restriction	\$ 500	\$ 250
13.24.140	Collection without franchise	\$ 500 + 100/day	\$ 250
13.24.150	Salvage business without permit	\$ 500	\$ 250
13.24.230	Failure to prevent scattering of garbage	\$ 500	\$ 250
Signs			
14.08.010	No sign permit	\$ 500/day	\$ 250
14.12.010	Violation of sign exemptions	\$ 500/day	\$ 250

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
Signs cont.			
14.12.020	Maintenance of prohibited sign	\$ 500/day	\$ 250
14.16.010	Non-complying sign	\$ 500/day	\$ 250
14.16.020	Non-complying sign	\$ 500/day	\$ 250
14.16.030	Non-complying sign	\$ 500/day	\$ 250
14.16.040	Non-complying sign	\$ 500/day	\$ 250
14.16.050	Non-complying sign	\$ 500/day	\$ 250
14.20.010	Failure to construct to UBC	\$ 500/day	\$ 250
	Failure to maintain sign	\$ 500/day	\$ 250
14.24.010	Failure to remove abandoned sign	\$ 500/day	\$ 250
14.24.020	Maintaining non-conforming sign	\$ 500/day	\$ 250
14.24.040	Maintaining non-complying sign	\$ 500/day	\$ 250
14.28.010	Violation of variance conditions	\$ 500/day	\$ 250
Building Code			
15.04.010	Violation of building code	\$ 100	\$ 100
Plumbing Code			
15.08.010	Failure to comply with county code	\$ 300	\$ 150
15.08.020	No plumbing permit	\$ 300	\$ 150

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
	Fire Code		
15.12.010	Violation of Uniform Fire Code		
	(1) Unlawful continuance of hazard	\$ 500	\$ 250
	(2) Failure to comply with order or notice	\$ 500	\$ 250
	(3) Unlawful use of tag affixed	\$ 500	\$ 250
	(4) Unlawful removal of tag	\$ 500	\$ 250
	(5) Other violations	\$ 75/day	\$ 75
	Moving Buildings		
15.20.010	Moving building without permit	\$ 500/day	\$ 250
	Vacant Buildings		
15.24.010	Failure to secure vacant building	\$ 300	\$ 150
	Swimming Pools		
15.28.020	Failure to fence pool	\$ 100/week	\$ 100
	Public Facilities Improvements		
15.32.060	Failure to comply with requirements	\$ 500/day	\$ 250
	Environmental Protection		
16.04.030	Failure to comply with regulations	\$ 500/day	\$ 250
	Subdivisions		
17.12	Failure to comply with subdivision regulations	\$ 200/day	\$ 100

<u>Code Section</u>	<u>Offense</u>	<u>Max. Fine</u>	<u>Bail</u>
	Flood Hazard		
18.04	Failure to comply with flood hazard regulations	\$1,000	\$ 500
	Zoning Code		
	Failure to comply with zoning code	\$ 200	\$ 100