

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 10.99, GENERAL PENALTY; PROVIDING AN EFFECTIVE DATE

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Port St. Lucie City Code Section 10.99 is hereby amended and shall read as follows:

Sec. 10.99. – General penalty.

Any person, firm, or corporation who violates any provision of this Code for which another penalty is not specifically provided shall, upon conviction, be subject to a ~~fine not exceeding \$500.00, or imprisonment for a period not exceeding 60 days, or both.~~ fine as follows:

1st offense: \$ 50.00

2nd offense: \$200.00

if uncontested and paid within 30 days of receipt of citation. If contested, the fine shall not exceed \$500.00 plus filing fee and Court costs.

A third and subsequent offense shall constitute a misdemeanor of the second degree punishable as provided in Sections 775.082 and 775.083, F.S.

A separate offense may be deemed committed upon each day during which violation occurs or continues.

Section 2. This Ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2012.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

By: _____
Roger G. Orr, City Attorney

~~COUNCIL ITEM 13C
DATE 1/23/12~~

MEMORANDUM

TO: JERRY A. BENTROTT, CITY MANAGER
THRU: ROGER ORR, CITY ATTORNEY *RO*
FROM: GABRIELLE TAYLOR, ASSISTANT CITY ATTORNEY *GT*
DATE: January 17, 2012
SUBJECT: CITY CODE SECTION 10.99 AMENDMENT

Please find attached a proposed Ordinance amendment to City Code Section 10.99 (General Penalty) to make the penalties clearer and uniform and in line with §162.21(3)(c) 8 and 9, Florida Statutes, which require that the applicable civil penalties for both not contesting and contesting the citation be specified on the citation.

GT/rfh
Attach.

H:\GABY\Ordinance\Ordinance Memo\Ordinance Section 10.99 Memo 12.20.11.docx

RECEIVED

JAN 17 2012

City Manager's Office