

ORDINANCE 4411

ORDINANCE VIOLATIONS BUREAU

BE IT ORDAINED by the Common Council of the City of Goshen, Indiana, that:

Section 1. Creation

1.1 An Ordinance Violations Bureau ("Bureau") was created for the City of Goshen by Ordinance 3846.

Section 2. Violations Clerk; Duties

2.1 The Clerk of the City Court serves as the Violations Clerk, who administers the Bureau.

2.2 The Clerk of the City Court shall accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties of not more than Two hundred fifty Dollars (\$250.00), subject to the schedule set forth in Section 3 of this Ordinance.

Section 3. Schedule of Civil Penalties

3.1 Upon the admission of a violation, the following civil penalties shall be assessed:

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| A. | Parking Violations,
first offense | \$125.00 |
| B. | Parking Violations,
second offense within one (1) year | \$175.00 |
| C. | Parking Violations,
third offense and subsequent offenses within one (1) year | \$250.00 |
| D. | All other Ordinance Violations,
first offense | \$150.00 |
| E. | All other Ordinance Violations,
second offense within one (1) year | \$200.00 |
| F. | All other Ordinance Violations,
third offense and subsequent offenses within one (1) year | \$250.00 |

3.2 On January 1, 2009, the monetary penalties prescribed in Sections 3.1.A., 3.1.B, 3.1.D, and 3.1.E shall each increase by Twenty-five Dollars (\$25.00), respectively.

Section 4. Right to Trial; Denial of Violation, Failure to Satisfy Civil Penalty Assessed

4.1 Nothing in this Ordinance shall be construed to limit the rights of trial to a person charged with an ordinance violation. If a person charged with an ordinance violation wants to

exercise the right to trial, the person shall appear before the Violations Clerk and deny the violation or enter a written denial with the Violations Clerk.

- 4.2 If a person denies an ordinance violation, fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation, or fails to deny or admit the violation, the Violations Clerk shall report this fact to the Legal Department, who may then initiate proceedings in court against the person for the alleged ordinance violation.

Section 5. Severability

- 5.1 The provisions of this ordinance are severable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 6. Effective Date


- 6.1 This ordinance shall be in full force and effect from and after its passage, approval and publication according to the laws of the State of Indiana.

This Ordinance is passed by the Common Council of the City of Goshen, Indiana on the 6th day of February, 2007.



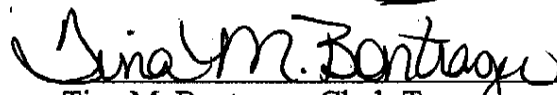
Allan Kauffman, Presiding Officer

Attest:



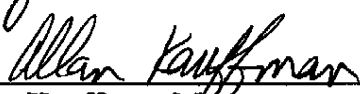
Tina M. Bontrager, Clerk-Treasurer

This Ordinance, having been passed by the Common Council, is presented by me to the Mayor on the 8th day of February, 2007 at 2:00 a.m. (p.m.)



Tina M. Bontrager, Clerk-Treasurer

This Ordinance, having been passed by the Common Council and presented to me is approved by me and adopted on the 9th day of February, 2007.



Allan Kauffman, Mayor