



City of Grand Island

Tuesday, May 10, 2022

Council Session

Item G-9

#2022-129 - Approving Changes to the Waiver Fine Schedule

Staff Contact: Stacy Nonhof, Interim City Attorney

Council Agenda Memo

From: Stacy R. Nonhof, Interim City Attorney
Meeting: May 10, 2022
Subject: City Code Violations Waiver Schedule
Presenter(s): Stacy R. Nonhof, Interim City Attorney

Background

The City of Grand Island Animal Advisory Board met to discuss any needed changes to the City's current Waiver/Fine Schedule and the fines for any violations of Chapter 5 of City Code. One violation is in need of adjustment. The current fine for Animal Abandonment is \$25.00 as that section was not previously specified on the schedule.

Discussion

The proposed change to the City Code Violations – Waiver Schedule is limited to just this one violation. Any changes to the Schedule are submitted to Hall County Court for input into Justice. This change will make it a \$200.00 fine for Animal Abandonment.

The purpose of this change is to make people think twice before they abandon their animal at the Central Nebraska Humane Society. Over the last year there have been a number of people that instead of paying a reclaim fee for the 3rd or 4th time, they are choosing to just leave that animal at the Humane Society for more than 3 days. Once those 3 days have run, the animal becomes the property of the Humane Society to not only house but to provide any medical care to along with vaccinating the animal if it is not vaccinated.

The current re-claim fees for the Humane Society are: 1st offense \$75.00, 2nd offense \$125.00, 3rd offense \$175.00 and 4th offense \$225.00. The current boarding fee is \$20.00 per day, so the 3 days until the animal becomes the property of the Humane Society is \$60.00. Other costs to the Humane Society are: a basic health care examination by a staff vet is \$50.00, rabies vaccination is \$18.00, a needed Da2pp and Bordatella vaccination is \$30/\$15, possible spay/neuter surgery can be \$200/\$300. Heart worm treatment if needed is \$25.00. The costs incurred before an animal is adopted from the Humane Society is still more than the proposed \$200.00 fine, but the hope is that people will stop leaving animals at the Humane Society because they don't want to pay the fee.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Resolution 2022-129 amending the City Code Violations – Waiver Schedule as reflected in Exhibit “A”.

Sample Motion

Move to approve Resolution 2022-129.

RESOLUTION 2022-129

WHEREAS, the City Code Violations – Waiver Schedule was last updated in 2020; and

WHEREAS, the current schedule does not specify a fine for Animal Abandonment; and

WHEREAS, the Waiver Schedule is submitted to the Hall County Court for input into the Justice program; and

WHEREAS, the Waiver Schedule will be submitted to the Nebraska Crime Commission for input into the eTracs program of electronic citations; and

WHEREAS, it is necessary to amend such Waiver Schedule to modify fines for violations of Grand Island City Code, as identified on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, it would be beneficial to the City of Grand Island to implement the amendment to the Waiver Schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the 2022 Grand Island City Code Violations – Waiver Schedule be modified and the changes incorporated as identified on Exhibit "A" Grand Island City Code Violations – Waiver Schedule.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 10, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
May 6, 2022	☒ City Attorney

EXHIBIT A

GRAND ISLAND CITY CODE VIOLATIONS - WAIVER SCHEDULE
Effective May 11, 2022

1-8	Failure to Appear	50.00
4-18	Drinking in Public	50.00
4-19	Alcohol in Park	50.00
4-20	Minors Not Permitted After 9 P.M.	50.00
5-5	Interference With Animal Control Officer	50.00
5-7	Failure to Obtain Commercial Animal Establishment Permit	150.00
5-7.1	Selling Animals On City or Private Property	50.00
5-12	No Animal License	50.00
5-14	No Pet Shelter	50.00
5-15	Enclosure/Restraint Violation	50.00
5-17	Failure to Register Animal Enclosure	50.00
5-18	Number of Animals	50.00
5-21	Food, Water, Health Care, Grooming	50.00
5-22	Cruelty to Animals	250.00
5-23	Animal Abandonment	200.00
5-30	No Vaccination	50.00
5-34	Dog/Cat at Large	
	First Offense	25.00
	Second Offense	75.00
	Third Offense	150.00
	Fourth Offense	Subject to Nuisance Owner Status
5-36	Dangerous/Potentially Dangerous Enclosure Violation	100.00
5-36.1	Dangerous/Potentially Dangerous Spay/Neuter Microchip	100.00
5-37	Dangerous/Potentially Dangerous Animal Off Owner's Property	250.00
5-38	Barking Dog Violation	
	First Offense	25.00
	Second Offense	100.00
5-40	No Wild Animal License	50.00
5-46	Nuisance Owner	100.00
8-22	Failure to Obtain Permit	25.00
8-130	Building Code Violation	25.00
16-4	Unlawful Transportation of Dangerous Material	50.00
16-6	Tampering with Fire Alarm System	50.00
16-7	Unlawful Duplication of Fire Alarm System Key	25.00
16-8	False Fire Alarm	50.00
16-9	Unlawful Storage of Combustible Material	25.00
16-10	Improper Disposal of Combustible Material	25.00
16-11	Open Burning Violation	100.00
16-12	Unauthorized Use of Fireworks	50.00

16-13	No Permit to Sell Fireworks	100.00
16-15	Unlawful Sale of Fireworks	100.00
16-16	Improper Fireworks Stand	50.00
16-17	Sale of Fireworks by Underage Individual	50.00
16-18	Discharge of Fireworks Where Sold Prohibited	25.00
16-19	Throwing Explosives Prohibited.....	50.00
16-22	Discharge of Fireworks.....	50.00
17-3	Accumulation of Litter.....	50.00
17-4	Litter and Offensive Substances	50.00
17-14	No Garbage Receptacle.....	25.00
17-15	No Garbage Receptacle Non-residential.....	25.00
17-19	Tree Limbs and Branches	50.00
17-33	Violation of Garbage Collection Time	25.00
17-45	Automobile parts at landfill	50.00
17-50	Weeds Prohibited.....	50.00
17-51	Duty to Cut.....	50.00
17-57	Inoperable/Unlicensed Vehicle.....	50.00
17-66	Graffiti.....	50.00
20-1	Disturbing the Peace	
	Noise	50.00
	Fighting.....	75.00
	Offensive Action.....	50.00
20-2	Trespassing	50.00
20-3	Littering.....	50.00
20-4	Shoplifting	
	First Offense.....	250.00
	Second Offense	500.00
20-5	Tampering with Meter	50.00
20-6	Theft of Services	50.00
20-7	Public Urination	50.00
20-8	Discharge Gun/BB Gun, etc.	50.00
20-9	Juvenile Curfew	25.00
20-10	No Horses on City Streets.....	25.00
20-11	Obstruction of Public Right-of-Way.....	25.00
20-12	Obstruction of Public Easement.....	25.00
20-16	Skateboards Prohibited	25.00
20-17	Disorderly House	50.00
20-18	Failure to Disperse	50.00
20-19	Volume Control	50.00
20-20	Minor in Possession of Tobacco.....	25.00
20-21	Directed Health Measure Violation	100.00
22-13	No Valid Registration	25.00
22-14	No Plates	50.00
22-14	Fictitious Plates.....	50.00
22-16	No Operator's/Motorcycle License	75.00
22-17	No License on Person	25.00

22-18	Operator's License Acts Prohibited	50.00
22-19	Vehicle not equipped with Horn	25.00
22-20	No Red Tail Lights after Dark	10.00
22-21	Vehicle Head Lights	10.00
22-22	Headlights; Motorcycles	10.00
22-23	Failure to Dim	10.00
22-24	Defective Brakes	50.00
22-25	Vehicle Equipment.....	25.00
22-26	Projecting Loads	25.00
22-28	Traffic Sign/Signal.....	75.00
22-28	Wrong Way on a One Way	25.00
22-30	Defacing Traffic Signs or Signals.....	25.00
22-31	Leaving Scene of Personal Injury Accident.....	150.00
22-32	Leaving Scene of Property Damage Accident	100.00
22-33	ROW Intersections.....	25.00
22-34	Fail to Yield - Left Turn.....	25.00
22-35	Failure to Yield - ROW Private Road/Drive.....	25.00
22-36	ROW Curb	25.00
22-37	Stop Sign Violation/Failure to Yield	75.00
22-38	Failure to Yield - Yield Sign.....	25.00
22-39	Failure to Yield - Emergency Vehicle	100.00
22-43	Illegal U-Turn	25.00
22-44	Improper Left Turn	25.00
22-45	Unlawful Turning or Stopping/Failure to Signal	25.00
22-46	Left of Center	25.00
22-47	Improper Pass.....	25.00
22-48	Improper Passing on Right.....	25.00
22-50	Unlawful Passing on Left.....	25.00
22-51	Speeding	
	Too Fast for Conditions	100.00
	In Excess of Posted Speed	10.00
	1 - 5 mph over	10.00
	6 - 10 mph over	25.00
	11 - 15 mph over	75.00
	16 - 20 mph over	125.00
	21 - 35 mph over	200.00
	36+ mph over	300.00
	Speeding in Construction Zone (same limits as above) FINES ARE DOUBLE	
	Speeding in School Zone (same limits as above) FINES ARE DOUBLE	
22-52	Racing on Streets	50.00
22-53	Careless Driving.....	100.00
22-54	Reckless Driving.....	75.00
22-55	Willful Reckless Driving	100.00
22-56	Failure to Remove Debris from Street.....	100.00
22-57	Following Too Close to Emergency Vehicles	50.00
22-58	Driving over Fire Hose	25.00
22-59	Spilling Contents of Vehicle.....	100.00
22-60	Unlawful Use of Toy Vehicles	25.00
22-62	Overloaded Front Seat	50.00

22-63	Soliciting Rides	25.00
22-64	Impeding Traffic	10.00
22-65	Following too Closely	50.00
22-66	Unsafe Backing	25.00
22-67	Avoiding Traffic Signal	25.00
22-68	Clinging to Motor Vehicle	25.00
22-69	Riding Outside Vehicle	25.00
22-70	Driving on Sidewalk	25.00
22-71	Driving Over Newly-laid Pavement	100.00
22-73	Off Designated Truck Route	25.00
22-76.1	Engine Braking	25.00
22-82	Improper Use of Loading Zone	25.00
22-83	Improper Parking	10.00*
22-84	Vending Vehicle Improper Parking	10.00*
22-85	Unlawful Parking on Sidewalk	10.00*
22-86	Unlawful Parking Near Intersections	10.00*
22-87	Obstruction of Private Driveway	10.00*
22-88	Unlawful Parking near Fire Hydrant	10.00*
22-92	Unlawful Truck Parking in Residential District	25.00*
	*Waiverable fine amount if failed to pay initial police tag fine within 5 days	
22-131	Handicapped Parking	
	First Offense	100.00
	Second Offense [within a 1-year period]	200.00
	Third Offense [within a 1-year period]	300.00
24-3	Driving on Grass in Park	100.00
24-5	Park Curfew	25.00
25-25	Tatooning of Minors	25.00
28-1	Railroad Crossing Arms	100.00
36-50	Visibility Obstruction	25.00
39-4	Smoking in Public Place	
	First Offense	100.00
	Second Offense	200.00
	Third Offense	500.00
39-5	Allowing Smoking in Public Place	
	First Offense	100.00
	Second Offense	200.00
	Third Offense	500.00
	ALL OTHER VIOLATIONS	25.00