



City of Grand Island

Tuesday, January 24, 2006

Council Session

Item G17

#2006-26 - Approving Waiver/Fine Schedule Revisions

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney
Meeting: January 24, 2006
Subject: Approving Waiver/Fine Schedule Revisions
Item #'s: G-17
Presenter(s): Douglas R. Walker, City Attorney

Background

The Court Administrator for the State of Nebraska annually updates the fines that are assessed by waiver for traffic and non-traffic violations processed throughout the County Court system. The update that has been done for 2006 will increase the fines for several violations of the Grand Island City Code.

Discussion

The schedule of fines for Grand Island code violations has not been updated since 2001. The proposed resolution adopting the Court Administrators 2006 fee schedule will increase the fines for No Operators License, No Motorcycle License, Traffic Sign/Signal Infractions, Stop Sign/Failure to Yield violations, Careless Driving, Failure to Remove Debris from Streets, Overloaded Front Seat, and Following Too Closely. Updating the fines for City Code violations processed through the County Court System will make them consistent with the recommendations of the State of Nebraska and other governmental entities.

Alternatives

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

1. Approve the revisions to the Waiver/Fine Schedule.
2. Do not approve the revisions.
3. Table these revisions until a future meeting.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the revisions to the Waiver/Fine Schedule.

Sample Motion

Move to approve the resolution revising the City of Grand Island's Waiver/Fine Schedule to reflect the recommendations of the Court Administrator for the State of Nebraska.

RESOLUTION 2006-26

WHEREAS, the Court Administrator for the State of Nebraska annually updates the fines to be assessed by waiver for traffic and non-traffic violations processed through the county court system; and

WHEREAS, the Waiver/Fine Schedule has been modified to incorporate city code sections in lieu of state statutes; and

WHEREAS, the Waiver/Fine Schedule attached hereto as Exhibit "A" sets out the fines to be assessed for various violations of the Grand Island City Code; and

WHEREAS, it is recommended that such Waiver/Fine Schedule be approved and adopted, and the City Attorney be authorized to file such Waiver/Fine Schedule with the Clerks of the County Court of Hall and Merrick County for use in prosecuting such violations of the Grand Island City Code.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

1. The Waiver/Fine Schedule attached hereto as Exhibit "A" is hereby approved and adopted.
2. The City Attorney is hereby authorized to file such Waiver/Fine Schedule with the Clerks of the County Court for Hall and Merrick County.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 24, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form _____
January 18, 2006 City Attorney

CITY CODE VIOLATIONS - WAIVER SCHEDULE

Effective 2-1-2006

1-8	Failure to Appear.....	50.00
4-18	Drinking in Public	100.00
4-19	Alcohol in Park.....	100.00
5-7	Failure to Obtain Commercial Animal Establishment Permit	25.00
5-12	No Animal License.....	15.00
5-14	No Pet Shelter	25.00
5-17	Failure to Register Animal Enclosure.....	25.00
5-22	Cruelty to Animals.....	100.00
5-30	No Vaccination.....	15.00
5-34	Dog/Cat at Large	15.00
5-37	Vicious Animal Off Owner's Property.....	100.00
5-38	Barking Dog Violation.....	25.00
6-3	No Bicycle Registration.....	25.00
6-13	Bicycle Light & Brakes	10.00
6-15	Riding Bicycle Wrong Side.....	10.00
8-15	Failure to Obtain Permit	25.00
8-71	Illegal Occupancy of Building.....	25.00
8-80	Building Code Violation	25.00
16-4	Unlawful Transportation of Dangerous Material.....	25.00
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	25.00
16-13	No Permit to Sell Fireworks.....	25.00
16-14	Improper Location for Sale of Fireworks.....	25.00
16-15	Unlawful Sale of Fireworks	50.00
16-16	Improper Fireworks Stand	25.00
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.....	25.00
16-21	Sky Rockets Prohibited.....	25.00
16-22	Discharge of Fireworks.....	50.00
17-3	Accumulation of Litter	50.00
17-8	No Garbage Receptacle	25.00
17-25	Violation of Garbage Collection Time	25.00
17-40	Junked Vehicles	50.00

20-1	Disturbing the Peace - Noise	35.00
20-1	Disturbing the Peace - Fighting	75.00
20-2	Trespassing	50.00
20-3	Littering	50.00
20-4	Shoplifting - Juvenile only	To be Notified
20-5	Tampering with Meter	25.00
20-6	Theft of Services	50.00
20-7	Public Urination.....	25.00
20-8	Discharge Gun/BB Gun, etc.....	50.00
20-9	Juvenile Curfew.....	10.00
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
20-20	Minor in Possession of Tobacco.....	To be Notified
22-13	No Valid Registration.....	25.00
22-14	No Plates.....	50.00
22-14	Fictitious Plates	50.00
22-16	No Operator's License.....	75.00
22-16	No Motorcycle License.....	75.00
22-17	No License on Person.....	25.00
22-19	Improper Use of Horn.....	25.00
22-20	No Red Tail Lights after Dark	10.00
22-21	Vehicle Head Lights	10.00
22-23	Failure to Dim	10.00
22-24	Defective Brakes.....	50.00
22-25	Rearview Mirror, etc.....	25.00
22-28	Traffic Sign/Signal	75.00
22-28	Wrong Way on a One Way.....	20.00
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	20.00
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	10.00
	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 + mph over.....	200.00

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.....	50.00
22-57	Following Too Close to Emergency Vehicles	50.00
22-58	Driving over Fire Hose	25.00
22-59	Spilling Contents of Vehicle	25.00
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
22-69	Riding Outside Vehicle	25.00
22-70	Driving on Sidewalk	25.00
22-71	Driving Over Newly-laid Pavement.....	100.00
22-82	Improper Use of Loading Zone	25.00
22-83	Improper Parking.....	10.00*
22-85	Unlawful Parking on Sidewalk	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
22-104	Parking Ticket.....	10.00 to 25.00
24-3	Driving on Grass in Park.....	100.00
24-5	Park Curfew	10.00
28-1	Railroad Crossing Arms	100.00
36-50	Visibility Obstruction.....	25.00

60-6,267	Child Restraint Violation.....	25.00
60-6,279	No Motorcycle Helmet	50.00
60-6,270	Seatbelt Violation.....	25.00
ALL OTHER VIOLATIONS.....		25.00

j:\files\prosecut\waiver.sch