

RESOLUTION 2024-01

TOWN OF NORTH BRENTWOOD

Introduced by: Councilmember Dames
Seconded by: Councilmember Baynes
Date of Introduction: November 18, 2024

A RESOLUTION TO AUTHORIZE AND APPROVE FEE SCHEDULES REGARDING FINES AND FEES COLLECTED PURSUANT TO THE TOWN CODE OF ORDINANCES

Introduced By: Town Council

WHEREAS, Town Code, Section 1.13 (Fee schedules and changing fees, fines and penalties) provides that the fees, fines and penalties established in the Town Code may be changed from time to time by a separate written resolution adopted in accordance with this section including any fee schedules of any multiple fees established therein that changes any penalty, fine, or fee as codified in the Town Code; and

WHEREAS, Town Code, Section 1.13 further states that a written resolution adopted in accordance with said section shall be posted in a conspicuous place at the main municipal administrative building for at least 30 days and published in the town newsletter on at least one occasion prior to the effective date of the resolution, and should the written resolution seek to change a fine or monetary penalty as opposed to only a fee or schedule of fees, such fine or penalty must be published in a newspaper of general circulation as well as the town newsletter.

NOW THEREFORE BE IT RESOLVED, by Mayor and Town Council that the following fee schedules amending the Town Code are hereby approved and adopted:

Schedule #1 (General)

Name of Fee/Fine	Amt. of Fine or Fee	Section of Code	New Fee
Animal impounding fee	\$5 plus \$1.50 for each day of impoundment	§ 75-5 Impoundment of animal	No
Wild or exotic animal fine	Not to exceed \$100 (misdemeanor)	§ 75-8 Unlawful keeping of wild or exotic animals	No
Dead animal fine	Not to exceed \$100 (misdemeanor)	§ 75-11 Improper disposal of animal carcasses	No
Building permit fees	Any building project \$25; new residence or commercial building \$100; fence \$25	§ 88-3 Building permit fees; § 88-9 fence permit	Increase \$50.00 Increase \$50.00
Building violation fine	A fine of \$500 for each offense; each day is a	Section 88-15 Town building permits, subdivision referrals,	No

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	separate offense (municipal infraction).	rental property permits, business licenses and liquor licenses.	
Cable TV Franchise Fee	5% of gross revenues	§ 97-11 Franchise fee.	No
Assault and Weapons Fine	A fine not to exceed \$100 (misdemeanor)	§ 123-4 Violations and penalties.	\$200
Erosion and Sediment Control Fine	A fine of \$500 for each offense. (municipal infraction)	§ 131-6 Violations and penalties.	No
Fire Prevention Code Violation Fine	Fine not more than \$100	§ 142-8 Violations and penalties.	\$200
Failure to obey the Mayor's or Council's emergency order Fine	A misdemeanor punishable by a fine of not more than \$1,000 or by imprisonment for not more than 180 days, or both such fine and imprisonment.	§ 152-9 Violations and penalties.	No
Housing Standards Violation Fine	A fine of \$500 for each offense (municipal infraction).	§ 163-6.D Violations and penalties.	No
License Requirement Fees & Fines	annual business license fee is \$50; late fee of \$50; transfer fee of \$25; 20% of the annual liquor license fee; \$100 fine for the first violation, \$200 for each thirty-day period that the violation continues, and \$250 for repeat violations in a one-year period.	§ 177-8 Business license fees; and § 177-9 Violations and penalties.	Business license \$100 All other fees same no increase
Obscene Materials Fine	a fine not to exceed \$100, or may be confined to the county jail for a period not to exceed 30 days.	§ 196-3 Violations and penalties.	No
Peace and Good Order Violation Fine	Fine not to exceed \$100 (possibly pending amendment by separate Ord.)	§ 208-12 Violations and penalties.	No
Peddling and Soliciting Vendor's License Fee	The vendor's license fee is \$50 a year or \$25 for six months.	§ 212-3 Applications; licenses.	\$100 per yr \$50 6 mos

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Garbage or Litter Fine	fine not to exceed \$100	§ 225-6 Violations and penalties.	No
Rental Housing License Fee and Fine	Fee is \$50 and the amount of such fee may be revised from time to time by written resolution of the Council and shall be printed on the face of the application form. A late fee of \$2 per day, not to exceed \$30; a fine of \$500 for each offense.	§ 238-5 Applications; forms; fees & § 238-10 Violations and penalties.	Rental Housing License Fee \$100 ; late fee increases \$5 per day not to exceed \$100
Solid Waste Fine	A fine of \$100 for each offense (municipal infraction)	§ 270-5 Violations and penalties.	No
Construction and Truck Litter; Hedges, Shrubs and Trees Fine	a fine of \$100 (municipal infraction)	§ 282-4 Violations and penalties.	\$200
Vacant Building Registration fees and permits, and fines	For building designated as other than a single-family dwelling, a filing fee of \$500. If the building is single-family dwelling, a filing fee of \$250. Renewal fee reduced to 50% of the initial fee. Fees may be modified by written resolution of the Town Council. Boarding permit fee is \$200 for a single-family dwelling and \$400 for all other buildings. Renewal fee is \$100 for SFD and \$200 for all other buildings. Fine of \$500 for violations.	§ 310-1 Registration of vacant buildings; § 310-2 Boarding (sealing) permits. § 310-5 Violations and penalties; lien. (Municipal infraction)	No
Boarding Permits	The fee for a boarding permit shall be \$200 for a single-family dwelling and \$400 for all other buildings or structures, except for small storage or other outbuildings, which shall require a permit but no fee. The renewal fee	§ 310-2 Boarding (sealing) permits.	No

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	shall be \$100 for a single-family dwelling and \$200 for all other applicable buildings.		
Vacant Lot Registration Fee and fine	The annual registration fee is \$100 for each vacant lot, payable at the time of registration. \$500 fine for violation.	§ 310-3 Registration of vacant lots. § 310-5 Violations and penalties; lien.	\$500 \$200
Yard or estate sale application and permit fee	A yard sale or estate sale permit shall be \$10; Violation is a \$25 fine.	§ 339-3 Permit fee; § 339-5 Violations and penalties.	\$20 \$35

Schedule #2

(Specifically modifying Chapter 315. Vehicles and Traffic)

Article III. Enforcement and Penalties

§ 315-15. Schedule of fines and charges.

The following schedule of fines and charges shall apply to Chapter 315 of the Town Code:

(This schedule found in Code, § 315-15. Schedule of fines and charges)

Code Section	Brief Description	Fine	Penalty(1)	Service Charge/Fee(2)
§ 315-3, except Subsection A(13)	Parking prohibitions	\$35 \$40	\$35 \$40	\$25 \$35
§ 315-4	Manner of parking	\$35 \$40	\$35 \$40	\$25 \$35
§ 315-3A(13)	Fire lane	\$200 \$300	\$200 \$300	\$25 \$35
§ 315-5	Handicapped parking	\$200 \$300	\$200 \$300	\$25 \$35
All other violations of Chapter 315		\$35 \$40	\$35 \$40	\$25 \$35
§ 315-12	Immobilization, towing or impounding	Fine for citation, plus towing and	\$50.00	NO

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		storage charges		
§ 315-14	Returned check fee		\$35	
§ 315-16	Municipal flagging fee	All other fines, penalties, fees or charges	\$40	\$25

NOTES:

1 - See § 315-14. The fine doubles if: (a) The fine is not paid within 15 days from the date of issuance of the citation; (b) A trial request is not made within 10 days from the date of issuance of the citation; or (c) If the person requested a trial on the citation but fails to appear for trial.

2 - See § 315-14. A service charge is imposed if payment of the fine is made more than 30 days after issuance of the citation. In addition to a service charge, a returned check fee may be further charged pursuant to § 315-14, which is subject to change by resolution.

3 - See § 315-12D. In any case involving the immobilization, towing or impounding of a vehicle, the service fee of \$25 is imposed immediately and must be paid before the immobilization device will be removed or before the vehicle will be released to the owner or his or her authorized agent.

4 - See § 315-16. Any unpaid or delinquent parking fines may result in flagging or suspension of vehicle registration upon notice and a request made by the Town to the Motor Vehicle Administration ("MVA"). In order to obtain a release of the registration flag or suspension from the Town, the owner must pay all fines, charges, and fees due the Town along with an additional \$40 municipal administrative flagging fee paid to the Town and any administrative fee charged by the MVA.

AND, BE IT FURTHER RESOLVED, by Mayor and Town Council that the Mayor is authorized to sign this Resolution on behalf of the Council.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately.

THIS RESOLUTION IS ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF NORTH BRENTWOOD THIS 18 DAY OF NOVEMBER 2024 AND SHALL BE EFFECTIVE IMMEDIATELY UPON PASSAGE.

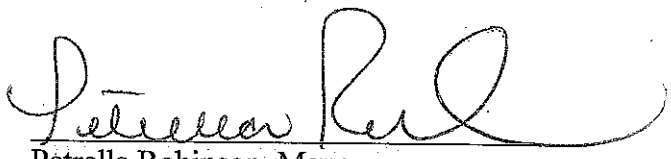
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Aye: 3
Nay: 0
Absent: 0
Abstain: 0

ATTEST:



Patricia Page, Town Clerk



Petrella Robinson, Mayor

Date: November 18, 2024