



November 9, 2009

Date

APPROVING AN AMENDMENT TO THE SCHEDULE OF ADMINISTRATIVE PENALTIES TO PROVIDE THE CIVIL PENALTY AMOUNTS FOR VIOLATION OF THE AUTOMATED TRAFFIC ENFORCEMENT ORDINANCE

WHEREAS, Chapter 114, Article III, Division 3 of the Municipal Code of the City of Des Moines at section 114-243 provides for civil penalties for violations of this automated traffic enforcement ordinance to be in the amounts set in the schedule of administrative penalties adopted by the City Council by resolution; and

WHEREAS, an amendment to the schedule of administrative penalties concerning the penalties for violations of the automated traffic enforcement ordinance has been prepared for Council consideration and is recommended for adoption, which amendment is appended hereto and is now on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the amendment to the schedule of administrative penalties appended hereto is hereby approved and adopted.

AND BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to incorporate said amendment into the schedule of administrative penalties, and to maintain said schedule of administrative penalties, as amended, on file in the offices of the City Clerk for public reference.

(Council Communication No. 09-800 attached)

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:

Douglas P. Philip Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL.

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

SCHEDULE OF ADMINISTRATIVE PENALTIES

Section	Description of Violation	Penalty Amount	Penalty Due
§38-84.01	False Fire Alarms First false fire alarm in any calendar year Second and all subsequent false fire alarms in any calendar year	\$100.00 \$150.00	12/18/02 12/18/02

§38-123.01	False Police Alarms First false police alarm in any calendar year Second and all subsequent false police alarms in any calendar year	\$50.00 \$75.00	12/18/02 12/18/02
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§114-243	Traffic Control Violations (red light and stop signs)	\$65.00	
	Speeding – 1-15 MPH over	\$65.00	
	Speeding – 16-20 MPH over	\$75.00	
	Speeding – 21 MPH and more	\$80.00, plus \$2 per MPH in excess of 21MPH over	

§114-361.02	Illegal Off-Street Parking	\$30.00	12/18/02
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Notice of violation with the applicable penalty for such violation noted thereon shall be issued to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice at the City Clerk's office, City Hall, 400 East First Street Robert D. Ray Drive, Des Moines, Iowa.

Fire and Police Administrative Penalties adopted by Roll Call No. 02-3008 on December 18, 2002 Amended by Roll Call Nos. _____.