

CHAPTER 4

GENERAL PENALTY PROVISIONS

SECTION:

- 1-4-1: *Misdemeanor Penalty*
- 1-4-2: *Infractions*
- 1-4-3: *Applicability of Penalty*
- 1-4-4: *Multiple Violations*
- 1-4-5: *Prosecution Discretion*
- 1-4-6: *Penalty Against Officers*

1-4-1: **MISDEMEANOR PENALTY:** Whenever any act or omission constitutes a crime not constituting a felony or infraction and no specific penalty is stated in this Code, such crime shall be punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment for any single violation. (Ord. 100, 8-17-05)

1-4-2: **INFRACTIONS:** Whenever any person commits an infraction and no specific penalty is provided for such act, such person shall be punishable by a fine not exceeding \$300 and no imprisonment may be imposed. (Ord. 204-04-16; 4/19/16)

1-4-3: **APPLICABILITY OF PENALTY:** The penalties provided in this Chapter shall be applied as though they were a part of every separate section of this Code.

1-4-4: **MULTIPLE VIOLATIONS:** Whenever the same person violates the same section of this Code on two or more days, then each violation on each day shall be deemed a separate offense and shall be separately punishable for each such offense.

1-4-5: **PROSECUTORIAL DISCRETION:** Whenever the same offense, act or omission is punishable under different sections of this Code, the City Prosecuting Attorney may elect under which section to proceed; but no more than one sentence of imprisonment may be imposed against the same person for the same offense; provided that revocation of a license or permit shall not be considered a penalty so as to bar imposition of a penalty under this Code.

1-4-6: **PENALTY AGAINST OFFICERS:** The penalty provisions of this chapter shall not apply to any section of this Code which designates the duties of any officer or employee of the City unless the intention to impose a fine or penalty is specifically and clearly expressed in the section creating the duty.