

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF BREEZY POINT**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Breezy Point, County of Crow Wing, Minnesota, was held on the 3rd day of August , 2009, at 7:00 p.m.

Council Member Lee introduced the following resolution and moved its adoption:

Resolution #09-25

**RESOLUTION ADOPTING PENALTY SCHEDULE FOR
ADMINISTRATIVE ENFORCEMENT**

WHEREAS, the Breezy Point City Council adopted the addition of Chapter 11, Administrative Enforcement of Code Regulations at its August 3, 2009 Regular Meeting, and

WHEREAS, the City Council finds Administrative Enforcement to be a more cost effective and efficient alternative to criminal prosecution or civil litigation for City Code violations, and

WHEREAS, Chapter 11, Subd. 3 (B) of City Code states that the City Council shall, by resolution, adopt a schedule of civil penalties, and

THEREFORE BE IT RESOLVED that the City Council of the City of Breezy Point adopts the below Civil Penalty Schedule for the failure to mitigate City Code violations as outlined in Chapter 11 of City Code.

Violations of Animal Regulations.....\$50
Other City Code Violations \$50

Violations of Zoning/Building Regulations.....\$100
All Nuisance Violations.....\$100

***SUBSEQUENT VIOLATIONS WITHIN 24 MONTHS:**

If a second citation for a Code Offense is issued by the City to the alleged violator and/or owner of the property upon which the violation has occurred within twenty-four (24) months of the issuance of a previous citation for the same Code Offense, the civil penalty shall increase by 25% over the scheduled civil penalty amount. If a third citation for a Code Offense is issued by the City to the alleged violator and/or the owner of the property upon which the violation has occurred within twenty-four (24) months of the issuance of a previous citation for the same Code Offense, the civil penalty shall increase by 50% over the scheduled civil penalty amount. If a fourth citation for a Code Offense is issued by the City to the alleged violator and/or the owner of the property upon which the violation has occurred within twenty-four (24) months of the issuance of a previous citation for the same Code Offense, the civil penalty shall increase by 100% over the schedule civil penalty amount.

BE IT FURTHER RESOLVED, this schedule shall be reviewed for necessary changes on an annual basis by the City Council of the City of Breezy Point.

Adopted by the Council this 3rd day of August, 2009

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Nelson and, upon vote being taken thereon, the following voted in favor thereof: Lee, Nelson, Weaver, Schmid, Williams.

And the following voted against: None

WHEREUPON said resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Clerk.

JoAnn Weaver, Mayor

Kathy Millard, City Clerk