

ORDINANCE NO. 2023

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 11.12.010 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO FINES AND IMPRISONMENTS

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 11.12.010 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

Section 11.12.010 General penalty; continuing violations

Whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or any ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, any person, upon conviction for the violation of any such provision of this Code or any ordinance where such violation is deemed an infraction, shall be punished by a fine not exceeding five hundred dollars. Any person convicted of an infraction who has, within one year prior to commission of the infraction of which he was convicted, been previously convicted of an offense classified as an infraction may be sentenced as though convicted of a class B misdemeanor. If the prosecution contends that the infraction is punishable as a class B misdemeanor, the complaint shall specify that the offense is a misdemeanor.

Whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or any ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, any person, upon conviction for the violation of any such provision of this Code or any ordinance, shall be punished by a fine not exceeding one thousand five hundred dollars or by imprisonment not exceeding thirty days, or both such fine and imprisonment, for each such offense. Each day any violation of any provision of this Code or of any ordinance shall continue shall constitute a separate offense. In the construction and interpretation of this section, the revocation of a license or permit shall not be considered as a recovery or a penalty so as to bar any other penalty being enforced. (Code 1958, § 1-9; Ord. No. 516, § 1; Ord. No. 939, § 1; Ord. No. 1157 § 2.)

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: _____, 2023

Second Reading: _____, 2023

Final Passage: _____, 2023