

#### **4-2-4 Penalties And Abatement**

A. A violation of this chapter is a misdemeanor punishable by a fine of up to two thousand dollars (\$2,000.00), and up to six (6) months in jail.

1. **Warning Process:** Before citing a person with this misdemeanor, that person must be notified in writing of the existence of the alleged nuisance at least thirty (30) days in advance of the issuance of the citation and given the opportunity to abate the nuisance during that thirty (30) day period. Certified mailing of the notice to the address of the violator as listed with the Adams County Assessor's Office, Idaho Department of Transportation and/or to the address where the nuisance occurs shall be deemed sufficient notice for the purposes of this section. This provision does not apply if the person has been previously cited with a violation of this section within the preceding year.
2. **Cost Of Prosecution:** In addition to any fines and costs, the court shall impose the costs of prosecution and investigation notwithstanding the defendant's present ability to pay.
3. **Cost Of Abatement:** In addition to any fines and costs, the court shall impose all costs of cleanup and abatement of the nuisance incurred by the City of New Meadows.
  - a. **Payment To City:** If the City also takes action to abate the nuisance by order of the court, the court shall permit payment to the City of the cost as a condition of any probation granted in a criminal proceeding.
4. **Proof Of Abatement:** The owner of the nuisance shall provide written notice to the City of New Meadows with date stamped photos that the nuisance has been abated. Such notice shall be delivered in person or by certified mail within thirty (30) days. (Ord. 355-2018, 11-13-2018)