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**Sec. 1-14. General penalty for violations of Code; continuing violations.**

- (a) Whenever in this Code, in any ordinance of the city, or in any rule, regulation or order promulgated by any officer or agency of the city under authority duly vested in him, an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance, rule, regulation or order, shall be punishable by a fine not to exceed the maximum allowed by state law or, if no penalty is provided by state law, then \$500.00, except as otherwise provided in this section.
- (b) Any person who violates any provision of this Code relating to fire, public safety, zoning, public health and sanitation or who shall commit an act relating to fire, public safety, zoning, public health and sanitation prohibited, declared to be unlawful or made and declared to be a misdemeanor in this Code or any other ordinances shall be guilty of a misdemeanor and shall, upon conviction, be liable to a fine not to exceed \$2,000.00.
- (c) Any person who shall be convicted of dumping of refuse may be fined an amount up to and including \$4,000.00.
- (d) Violations of traffic laws and ordinances which are punishable as a Class C misdemeanor shall be punished by a fine not to exceed \$200.00.
- (e) Any condition designated as a nuisance under any provision of this Code or any other ordinance is hereby declared to be a misdemeanor.
  - (1) Any person, partnership, corporation or entity that shall create, maintain or allow a nuisance upon property owned or under the control of such person, partnership, corporation or entity shall be guilty of a misdemeanor and shall, upon conviction, be liable to a fine not to exceed \$500.00.
  - (2) Any person, partnership, corporation or entity who shall create, maintain or allow a nuisance relating to fire, public safety, zoning, public health and sanitation upon property owned or under the control of such person, partnership, corporation or entity shall be guilty of a misdemeanor and shall, upon conviction, be liable to a fine not to exceed \$2,000.00.
- (f) Each day any violation of this Code shall continue shall constitute a separate offense.
- (g) Notwithstanding any other provision of this section, no penalty for violation of this Code or any ordinance of the city shall be greater or less than the penalty provided for the same or a similar offense under state law.
- (h) In the event that any such violation is designated as a nuisance under the provisions of this Code, such nuisance may be summarily abated by the city. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.
- (i) Any person who may be convicted in municipal court of the city or who may be committed to jail in default of the payment of the fine and costs adjudged against a person, may be ordered to community service work under the supervision of the police chief, or some person appointed by him; and such person convicted and ordered to community service, or in default of payment, shall be allowed credit against the community service time ordered, or against the fine and cost adjudged in the amount established for each day's work.

(Code 1995, § 1.01.009; Ord. No. 2012-05-16(A), § 1, 5-16-2012)

State law reference(s)—Penalties for violation of municipal ordinances, generally, V.T.C.A., Local Government Code § 54.001; punishments, V.T.C.A., Penal Code ch. 12; enforcement of municipal ordinances, V.T.C.A., Local Government Code ch. 54.