

Memorandum

To: Santaquin City Council
From: Brett B. Rich
Date: 2/17/2023
Re: Proposed Resolution to Reconcile Fine Schedule and Ordinance Provisions

In 2019, the City Council addressed a concern that the process for dealing with Nuisance violations did not provide enough incentive to remove a nuisance in a timely manner. The Council adopted an ordinance allowing for a reduction in the scheduled fine for a Nuisance violation if the nuisance was resolved before Sentencing. In conjunction with that ordinance the Council set the scheduled fine for the most common violations at five-hundred dollars.

The 2021 revisions to the Santaquin City Uniform Bail Schedule ("Fine Schedule") include reductions in the fine amounts for the most common Nuisance violations from five-hundred dollars to fifty dollars, which appears to conflict with the present ordinance allowing for a reduction of the fine if the property is cleaned up before Sentencing.

To address this issue, we have prepared a proposed resolution to raise the minimum scheduled fine for violations of S.C.C. Title 4, Chapter 08 to five hundred dollars. This resolution addresses only the scheduled fine amounts, which should restore the intent of the Council as expressed in the present Nuisance ordinance.

A copy of the proposed Resolution is attached to this memo. Please contact our office with any questions.

Thank you for your consideration.