



## **ORDINANCE #19-16**

CITY OF PINE CITY  
COUNTY OF PINE  
STATE OF MINNESOTA

### **AN ORDINANCE AMENDING CHAPTER 2, ADDING SECTION 255 – ADMINISTRATIVE CITATIONS IN THE CODE OF ORDINANCES**

The City Council of the City of Pine City (City Council) does hereby ordain the following amendment to the City of Pine City Code of Ordinances:

#### **Section 255: ADMINISTRATIVE CITATIONS**

##### **255.01 Violations of the City Code**

- A. Purpose. Administrative offense procedures established pursuant to this section are intended to provide the public and the City of Pine City with an informal, cost effective, and expeditious alternative to traditional criminal charges for violations of certain City Code provisions. The procedures are intended to be voluntary on the part of those who have been charged with administrative offenses. At any time prior to the payment of the administrative penalty as provided for hereafter, the individual may withdraw from participation in the procedures. Likewise, the City of Pine City in its discretion may choose not to initiate an administrative offense and may bring criminal charges in the first instance.
- B. City Code Administrative Offense Defined. A City Code administrative offense is a violation of a provision of the City Code and is subject to the administrative penalties set forth in the schedule of offenses and penalties referred to in subsection (h). An administrative offense is not a crime.
- C. Notice. The following employees of the City shall have the authority to issue notices for City Code administrative offenses:
  - i. the Fire Chief, Assistant Fire Chief, Fire Marshal; and
  - ii. Building Official, Safety Inspector, Director of Community Development

Upon determining that there has been a violation, a notice shall be given to the violator, or in the case of a vehicular violation, a notice of the violation may be attached to the vehicle. Said notice shall set forth the nature, date and time of the violation, the name of the official issuing the notice, and the amount of the scheduled penalty.

- D. Payment. Once such notice is given, the alleged violator may, within Seven (7) days of the time of issuance of the notice, pay the full amount set forth on the schedule of penalties for the violation. The penalty may be paid in person, electronically, or by mail, and payment shall be deemed to be an admission of the violation. The fee for an administrative citation shall be set forth in the City of Pine City fee schedule and may be amended by the city council.
- E. Contesting Administrative Citations. Any person contesting an administrative offense pursuant to this section must, within 7 days of the time of the issuance of the administrative citation, give notice in writing to the city administrator of their intent to contest the administrative citation. If an administrative citation is contested, it shall be dismissed. Upon dismissal of an administrative citation, a person contesting an administrative citation may be issued a citation/summons for the violation.
- F. Failure to Pay. In the event a party charged with an administrative offense fails to pay the penalty within 7 days, or request a court appearance within 7 days, a misdemeanor or petty misdemeanor charge may be brought against the alleged violator in accordance with applicable city ordinances. Upon issuance of the misdemeanor or petty misdemeanor charge, the administrative offense shall be dismissed. If the penalty is paid in full within 7 days, no similar charge may be brought by the City of Pine City for the same incident.
- G. Disposition of Penalties. All penalties collected pursuant to this section shall be paid to the City of Pine City and deposited into the City's General Fund.
- H. Offenses and Penalties. Offenses which may be charged as administrative offenses and the penalties for such offenses shall be established by resolution by the Pine City Council.

Passed and adopted by the City Council of the City of Pine City this 6<sup>th</sup> day of November 2019

By: Carl Pederson  
Carl Pederson, Mayor

ATTEST:



Matthew Van Steenwyk  
City Administrator