

ORDINANCE NO. 2018-88

ORDINANCE AMENDING ORDINANCES, SETTING PENALTIES FOR ORDINANCE VIOLATIONS, AND ADJUSTING THE CITY FEE SCHEDULE

The Rockville City Council does hereby ordain as follows:

Pursuant to Minnesota Statutes § 609.034, the penalty for any person violating any of the City Ordinances shall be guilty of a petty misdemeanor or misdemeanor, as stated in the Ordinance.

SECTION 1.

Ordinance Revisions: The following changes shall be made to the City of Rockville's Ordinances:

1. **Ordinance No. 2003-02: Fireworks – Section 95.5. Penalty**, shall now state:

Any person violating this Ordinance shall be guilty of a petty misdemeanor upon the first offense and a misdemeanor upon the second and subsequent offenses. See the City of Rockville's Fee Schedule for fine amounts, if any.

2. **Ordinance No. 2003-07: Prohibiting the Parking of Vehicles on City Streets for More than 72 Hours and Regulating Parking on Certain City Streets During Winter Months – Section 71.06D**, shall now state:

Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be guilty of a petty misdemeanor. See the City of Rockville's Fee Schedule for fine amounts, if any.

3. **Ordinance No. 2003-08A: Regulating the Use of the Wastewater Facilities – Section 1.16 Penalties, Subd. 1, Subd. 2, and Subd. 5**, shall now state:

Subd. 1. Administrative Fines. Notwithstanding any other Section of this Ordinance, any user who is found to have violated any provision of this Ordinance, or orders issued hereunder, shall be fined in an amount listed on the City of Rockville's Fee Schedule. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation. Such assessments may be added to the user's next scheduled sewer service charge and the city shall have such other collection remedies as it has to collect other service charges. Unpaid charges, fines, and penalties shall constitute a lien against the user's property.

Subd. 2. Criminal Penalties. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly. See the City of Rockville's Fee Schedule for fine amounts, if any.

Subd. 5. Falsifying Information. Any person who knowingly makes false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under

this Ordinance, shall be guilty of a misdemeanor, and upon conviction, be punished by a fine amount as listed on the City of Rockville's Fee Schedule.

4. **Ordinance No. 2003-09: Noise Ordinance – Section 2.13.5 and Section 3.2**, shall now state:

2.13.5. Penalties. Every owner or tenant of the premises where a party or gathering in violation of this section occurs, who is present at such party or gathering, is guilty of a petty misdemeanor. Further providing that any person who refuses to disburse form a party or gathering in violation of this section after being ordered by a police officer to do so, is guilty of a petty misdemeanor. See the City of Rockville's Fee Schedule for fine amounts, if any.

Section 3.2. This Ordinance may be enforced by injunction, action for abatement, or other appropriate civil remedy. Violation of this Ordinance is a petty misdemeanor punishable by a fine as listed in the City of Rockville's Fee Schedule.

5. **Ordinance No. 2004-21: Regulating the Use of Snowmobiles – Section 13. Penalties**, shall now state:

Any person who shall violate any provision of the Minnesota Statutes contained in this Ordinance shall be guilty of a misdemeanor. Any person who shall violate any provisions of this Ordinance not covered by the Minnesota Statutes is guilty of a petty misdemeanor and subject to fines listed in the City of Rockville's Fee Schedule.

6. **Ordinance No. 2004-22: Regulating the Use of ATV's – Section 6. Penalties**, shall now state:

Any person who shall violate any provision of the Minnesota Statutes contained in this Ordinance shall be guilty of a misdemeanor. Any person who shall violate any provisions of this Ordinance not covered by the Minnesota Statutes is guilty of a petty misdemeanor and subject to fines listed in the City of Rockville's Fee Schedule.

7. **Ordinance No. 2006-32: Regulating the Use of City Parks, Prohibiting Certain Conduct Therein and Providing Penalties for Violation – Section 17.1. Penalty**, shall now state:

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor. See the City of Rockville's Fee Schedule for fine amounts, if any.

8. **Ordinance No. 2009-59: Regulating Dogs in the City – Section 91.13. Penalty**, shall now state:

Any person who violates any provision of this Ordinance is guilty of a petty misdemeanor punishable by a fine listed in the City of Rockville's Fee Schedule.

9. **Ordinance No. 2012-75: Regulating Parking During Snow Emergencies on All City Streets During Winter Months – Section 71.04 (C)**, shall now state:

Violators of this Ordinance will be subject to a penalty listed in the City of Rockville's Fee Schedule and in the event that it is necessary that a vehicle be towed away, the cost of the towing, the penalty, and any other related charges will be at the expense of the vehicle owner and will be collected in full before any vehicle is released.

10. **Ordinance No. 2013-77: Shade Tree – Subd. 16. Penalty, (A)**, shall now state:

Any person, firm, or corporation that violates any provision of this section shall, upon conviction, be guilty of a misdemeanor. The penalty, which may be imposed for any crime that is a misdemeanor under this section, including Minnesota Statutes specifically adopted by reference, shall be fined as listed in the City of Rockville's Fee Schedule.

11. **Ordinance No. 2013-79: Rental Licensing – Section 1.11 Criminal Penalties, Subd. 1**, shall now state:

In addition to any other penalties imposed by this ordinance, any Person, firm, corporation, or partnership who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor. Each violation of this Ordinance shall constitute a separate offense. See the City of Rockville's Fee Schedule for fine amounts, if any.

SECTION 2.

Certification and Publication: The Rockville Administrator/Clerk shall certify to the adoption of this ordinance and cause the same to be published. The following is the official summary of Ordinance No. 88 approved by the City Council on January 10, 2018:

On January 10, 2017, the City Council for the City of Rockville adopted an ordinance amending ordinances, setting penalties for ordinance violations, and amending certain sections of the City of Rockville's ordinances. A complete, printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Administrator-Clerk's office.

SECTION 3.

Fee Schedule: See City of Rockville Current Fee Schedule On File at Rockville City Hall.

SECTION 4.

Effective Date: This ordinance shall be effective upon publication.

Approved this 10 day of January, 2018.


Duane Willenbring, Mayor

ATTEST:


Martin Bode, Administrator/Clerk