

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING AMOUNTS FOR FINES IMPOSED FOR CODE VIOLATIONS PURSUANT TO SECTION 1.10.050 OF THE FULLERTON MUNICIPAL CODE

WHEREAS, Section 1.10.050 of the Fullerton Municipal Code provides that the amount of fines imposed for code violations imposed pursuant to Chapter 1.10 (Administrative Citations) shall be established by a separate resolution of the City Council; and

WHEREAS, the authority for setting fine amounts is set forth in the California Government Code; and

WHEREAS, the City Council of the City of Fullerton desires to update the fine amounts set forth in Resolution No. 2018-46, which was adopted in 2018, consistent with the California Government Code, as the fine amounts in certain cases are ineffective to bring about code compliance; and

WHEREAS, effective code enforcement is vital to ensuring the City's commitment to safeguarding the health, safety, welfare, and quality of life of its residents and businesses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS FOLLOWS:

1. The amounts for fines pursuant to Chapter 1.10 (Administrative Citations) shall be as follows:

A. For violations which would be criminally prosecuted as infractions:

- 1) A fine of one hundred dollars (\$100.00) for a first violation.
- 2) A fine of two hundred dollars (\$200.00) for a second violation of the same ordinance within one year.
- 3) A fine of five hundred dollars (\$500.00) for each additional violation of the same ordinance within one year.

B. For violations which would be criminally prosecuted as misdemeanors:

- 1) A fine not exceeding one hundred thirty dollars (\$130) for a first violation.

- 2) A fine not exceeding seven hundred dollars (\$700) for a second violation of the same ordinance within one year.
 - 3) A fine not exceeding one thousand three hundred dollars (\$1,300) for each additional violation of the same ordinance within one year of the first violation.
 - 4) A fine not exceeding two thousand five hundred dollars (\$2,500) for each additional violation of the same ordinance within two years of the first violation if the property is a commercial property that has an existing building/safety violation at the time of the violation and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property.
2. Resolution No. 2018-46 is rescinded and replaced by this resolution.

ADOPTED BY THE FULLERTON CITY COUNCIL ON _____, 2019.

Jesus J. Silva, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date _____