

ORDINANCE NO. 2016-01-04

ORDINANCE AMENDING SECTION 94-36 REGARDING CRIMINAL, ENVIRONMENTAL AND TRAFFIC VIOLATION FINE SCHEDULE FOR THE CITY OF MARIETTA; PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

Section 1. Section 94-36 of the Marietta City Code which provides:

Sec. 94-36. Traffic violations fine schedule.

(a) The City Council, by resolution or motion, shall establish from time to time a fee schedule for traffic violations within the City.

(b) The court may adopt rules to carry into effect this section. Payment of a fine under this section shall constitute a final determination of the cause against the defendant. If a defendant who has elected to pay a fine under this section fails so to do, such failure shall constitute a violation of this Code. (Code 1984, § 12-21(8))

(c) The schedule of fines and costs which may be paid in lieu of appearance is as follows:

FINES	
Speeding Minimum Bond	109.00
SCHOOL ZONE	169.00
(10) to (20) Over the limit	169.00
SCHOOL ZONE	269.00
(21) to (30) Over the limit	269.00
SCHOOL ZONE	369.00
(31) or More Over the limit	369.00
SCHOOL ZONE	469.00
Failure to Stop for Stop Sign or Signal	99.00
Improper Equipment or Load	114.00
Fail to Yield	114.00
No Drivers License	139.00
Fail to Comply W/ Mandatory Ins. Law	139.00
Improper or No Tag	139.00
Fail to Yield to Emergency Vehicle	269.00
Driving in a Manner not Reasonable or Proper	169.00
Leaving Scene of Accident	269.00

Fail to stop for School Bus Loading or Unloading	269.00
All other traffic not listed	169.00
Driving Under Suspension	369.00
Accident Involved in any above + other charges	169.00
Parking Fire Zone or Handicap	69.00
Seat Belt or Child Restraint	25.00
Designated Truck Route Violation	221.00

ALCOHOL RELATED OFFENSES

Contributing to a Minor	269.00
Permitting a Minor to Sell	269.00
Selling to an Intoxicated Person or Mentally Ill	369.00
Open Container in Package Store	369.00
Public Intoxication	269.00
Transporting an Open Container	269.00
Person Under 21 in Possession of	169.00
Driving Under Influence/Actual Physical Control	569.00

VIOLATIONS IN GENERAL

Soliciting Without a Permit	139.00
Possession of Marijuana	569.00
Placing sign on Property of Others	109.00
Discharging Fireworks	109.00
Animal Violations	139.00
Health and Sanitation	139.00
Unlawful intrusion or Trespass	139.00
Improper Dumping on Ground	169.00
Aiding in Offense	169.00
Shoplifting or Petty Larceny	269.00
Injury to Auto or other Property	269.00
Throwing or Shooting at persons or property	469.00
Disturbing the Peace	169.00
Assault and Battery	269.00
Domestic Abuse	469.00
Refusing or Failure to Assist an Officer	369.00
Resisting Arrest	569.00
Impersonating an Officer	369.00
Falsely Reporting a Crime	169.00
Attempting to Elude	369.00
All other violations not specifically listed	269.00
As of 11/1/06	

is amended and shall read as follows:

Sec. 94-36. Criminal, environmental and traffic violations fine schedule.

(a) The City Council, by resolution or motion, shall establish from time to time a fee schedule for criminal, environmental and traffic violations within the City.

(b) The court may adopt rules to carry into effect this section. Payment of a fine under this section shall constitute a final determination of the cause against a defendant. If a defendant who has elected to pay a fine under this section fails so to do, such failure shall constitute a violation of this code.

(c) The schedule of fines and costs which may be paid in lieu of appearance is as follows:

BOND SCHEDULE

The bond amounts listed below include a \$69 court cost unless indicated by an asterisk (*). Violations displayed in *italics* reflect a general violation type and include other related violations.

CRIMINAL

All other criminal violations not specifically listed	\$269
Assault and Battery on Peace Officer.....	\$569
Attempt or Escape from Officer.....	\$569
Consume Low Point Beer / Alcohol in Public	\$169
<i>Disorderly Conduct / Disturbing the Peace</i>	\$169
False Impersonation of Peace Officer	\$169
Litter from Vehicle.....	\$169
Minor Possess Low Point Beer / Alcohol	\$169
Obstructing an Officer.....	\$569
Outraging Public Decency	\$169
Possession of Firearm on School Property.....	\$319
Reckless Conduct with a Firearm.....	\$369
Refusal of Minor to Disclose Place / Person Obtained	\$74
Refusal to Aid and Officer in Arrest	\$369
Trespass After Being Forbidden	\$169
Unlawful Possession of Marijuana.....	\$569
Unlawfully Furnish Weapon to Minor	\$369
Unlawfully Pointing a Firearm – Misdemeanor.....	\$569

ENVIRONMENT (code enforcement, animal control, and municipal permit and license violations)

All other environment violations not specifically listed.....	\$139
Breaking Pound.....	\$269
Violate Park Hours.....	\$100
Violate Time of Curfew	\$100

TRAFFIC

All other traffic violations not specifically listed.....	\$114
If involved in accident – original fine amount plus.....	\$169
Allow to Ride Outside Passenger Compartment.....	\$79
<i>Bicycle Violations</i>	\$94
<i>Driving Under the Influence</i>	\$569
<i>Driving Under Suspension</i>	\$369

Improper License Plate.....	\$139
Compose / Send / Read / Elec Message Vehicle in Motion.....	\$169
Cross Firehose without Consent.....	\$169
Display / Possess Counterfeit License.....	\$569
Fail to Comply After Striking Unattended Vehicle.....	\$269
<i>Fail to Comply with Compulsory Insurance Law</i>	\$139
Fail to Comply with Order of Police Officer	\$569
<i>Fail to Comply as Required at Accident Scene</i>	\$569
<i>Fail to Protect Child</i>	\$109
Fail to Report Change of Name or Address	\$139
Fail to Stop for School Bus Load / Unload	\$269
Failure to Yield to Emergency Vehicle.....	\$569
<i>Following an Emergency Vehicle</i>	\$569
Improper Backing on Roadway.....	\$139
Improper Parking in Handicap Designated Space.....	\$569
Improper Passing on Left in Marked Zone	\$139
Improper Passing on Right.....	\$139
Improper Parking / Stopping at Fire Station	\$169
Improper Parking / Stopping within 15' Hydrant	\$139
Improper Use of Another's License	\$369
<i>Improper Use of Flashing / Red / Blue Light</i>	\$569
<i>License Plate / Registration Violations</i>	\$139
Operate Unauthorized Vehicle on Roadway	\$139
Operate Vehicle at Speed Not Reasonable and Proper	\$169
Operate a Vehicle without a Valid License.....	\$269
Operate a Vehicle without Proper Endorsement.....	\$169
<i>Permit Unauthorized Person to Drive</i>	\$569
Reckless Driving.....	\$369
<i>Seat Belt Violations</i>	\$20*
Speeding	
1-10 MPH over Posted.....	\$109
1-10 MPH over Posted in School Zone.....	\$169
11-20 MPH over Posted	\$169
11-20 MPH over Posted in School Zone.....	\$269
21-30 MPH over Posted	\$269
21-30 MPH over in School Zone	\$369
31 MPH or More over Posted	\$369
31 MPH or More over Posted in School Zone	\$469
Train Blocking Streets.....	\$419
Unauthorized Use of a Motor Vehicle	\$569
Unlawfully Alter License Plate to Conceal Identity	\$169
Unlawfully Alter VIN or Engine Number.....	\$169
Unlawfully Move Vehicle of Another.....	\$169
Unlawfully Tampering with a Vehicle.....	\$169
Violate Designated Truck Route	\$225
Violation of License Restriction.....	\$139

Section 2. Any ordinance provisions inconsistent with the terms and provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of

such inconsistency and in all other aspects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3. It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Marietta and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take full effect and be in full force from and after the date provided herein as provided by law.

Passed by the City Council of the City of Marietta, Oklahoma and signed by the Mayor on this 12th day of April, 2016.

CITY OF MARIETTA

ATTEST:

Dottie Gwin
City Clerk

(SEAL)

BY: Jerrett Cochran
Mayor