

**CITY OF LAVON, COLLIN COUNTY TEXAS**

**ORDINANCE NO: 2015-07-01**

**Penalties (amended)**

**AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS: PROVIDING A PENALTY FOR VIOLATING CERTAIN CITY ORDINANCES; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lavon recognizes that it is imperative to provide clear penalties for violation of certain city ordinances; and

**WHEREAS**, the City Council of the City of Lavon recognizes that certain ordinances may have no clear penalty for violation of those ordinances; and

**WHEREAS**, the City Council of the City of Lavon recognizes that from time to time it becomes necessary to update this ordinance; and

**WHEREAS**, City Council of the City of Lavon believes it is in the best interest of the citizens and visitors to the City, to declare the penalty for violation of certain ordinances;

**NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:**

**SECTION 1. Findings**

1.1 The City Council of the City of Lavon finds that the above foregoing recitals are true and correct and are hereby incorporated for all purposes as official findings of the City Council of the City of Lavon.

1.2 The City Council of the City of Lavon finds that when there exists reasonable doubt as to the penalty listed within a regulatory Ordinance of the City, the penalty contained in this Ordinance shall control as if no penalty was provided.

1.3 The City Council of the City of Lavon finds that the following Ordinances are regulatory Ordinances of the City for the purpose of this Ordinance:

1.3.1 The City Zoning Ordinance and all amendments to the City Zoning Ordinance; and

1.3.2 The City Subdivision Ordinance and all amendments to the City Subdivision Ordinance; and

1.3.3 The City International Building Code Ordinance and all amendments to the City International Building Code Ordinance; and

1.3.4 The City International Plumbing Code Ordinance and all amendments to the City International Plumbing Code Ordinance; and

- 1.3.5 The City International Mechanical Code Ordinance and all amendments to the City International Mechanical Code Ordinance; and
- 1.3.6 The City International Fire Code Ordinance and all amendments to the City International Fire Code Ordinance; and
- 1.3.7 The City International Energy Conservation Code Ordinance and all amendments to the City International Energy Conservation Ordinance; and
- 1.3.8 The City International Property Maintenance Code Ordinance and all amendments to the City International Property Maintenance Ordinance.

## **SECTION 2. Offense**

- 2.1 It shall be unlawful for any person, business, business owner, employee or any other entity to fail to comply with the regulations contained in the City's regulatory ordinances.

## **SECTION 3. Penalty**

- 3.1 Violations of this Ordinance shall be Class C Misdemeanor and upon conviction shall be punishable in accordance with Chapter 54 of the Texas Local Government Code. Further each day a violation continues shall be considered a separate and distinct violation resulting in a separate charge and penalty.
- 3.2 Except where a different penalty is listed in the Ordinance, failing to comply with any regulation contained in the City's regulatory Ordinances that is not related to health and safety shall be deemed guilty of a Class C Misdemeanor and upon conviction shall pay a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).
- 3.3 Except where a different penalty is listed in the Ordinance, failing to comply with any regulation contained in the City's regulatory ordinances that is related to health and safety shall be deemed guilty of a Class C Misdemeanor and upon conviction shall pay a fine of not less than one hundred dollars (\$100.00) nor more than two thousand dollars (\$2000.00).

## **SECTION 4. REPEALING ORDINANCE 2015-1-1**

- 4.1 This Ordinance shall, in act and affect, repeal and replace the previously passed Ordinance 2015-01-01.

## **SECTION 5. SEVERBILITY**

- 5.1 It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this Ordinance shall be declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not affect any remaining the sections, paragraphs, sentences, clauses or phrases of this Ordinance.

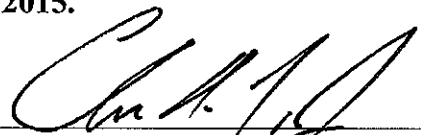
**SECTION 6. Open Meeting.**

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

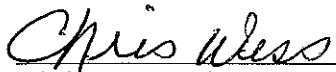
**SECTION 7. Effective Date**

This Ordinance shall be in full force and effect from and after its passage and publication and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS ON THIS 7<sup>th</sup> DAY OF July, 2015.**

  
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The Honorable Charles Teske, Mayor

Attest:

  
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Chris Wess, City Secretary

