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**ORDINANCE NO. 377**

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**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF BRADBURY,  
CALIFORNIA AMENDING THE BRADBURY  
MUNICIPAL CODE REGARDING  
ADMINISTRATIVE FINES AND PENALTIES**

**THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS  
FOLLOWS:**

Section 1. Title I, Chapter 5 of the Bradbury Municipal Code is hereby amended in the following particulars only:

**Sec. 1.05.030. – Administrative fines and penalties**

- (a) Enforcement officers may issue notices of violation and administrative citations, inspect public and private property, and use whatever judicial and administrative remedies are available under this Code and other law to enforce the ordinances of the City. More specific provisions regarding administrative or other enforcement authority and procedures for particular violations may exist in this Code and shall, to the fullest extent permissible, be construed to complement rather than contradict this chapter.
- (b) An enforcement officer may issue a citation for a violation not committed in the enforcement officer's presence if the enforcement officer has determined, through investigation, that the responsible person did commit, or is otherwise responsible for, the violation.

**Sec. 1.05.070. – Administrative fines and penalties**

- (a) Any responsible person may be subject to an administrative fine pursuant to this chapter for any Code violation.
- (b) Each day a code violation is committed, continued or permitted shall be a separate violation for which a citation may be issued. Any enforcement officer may charge several violations of the Code on a citation.
- (c) Each and every responsible person is jointly and severally liable, in accordance with notice and procedures of this chapter, for all fines, penalties and interest imposed for the Code violation as to which they are a responsibility.

- (d) The amount of each fine shall be set forth in a resolution adopted by the City Council. If a violation is classified as an infraction under this Code, the civil fine shall not exceed one hundred dollars (\$100.00) for the first offense, two hundred dollars (\$200.00) for the second offense within one year, and five hundred dollars (\$500.00) for a third offense within a year as set forth in California Government Code section 36900(b). Fines for violations that are classified as misdemeanors under this Code shall not exceed one thousand (\$1,000.00). The amounts of such fines may be modified from time to time by a resolution of the City Council.
- (e) Any person who fails to pay the City on or before the due date any civil fine imposed, shall be liable for the payment of a late payment charge as established by a resolution adopted by the City Council. In absence of such resolution, the late payment charge for payments received after the due date shall be fifty percent (50%) of the civil fine.
- (f) Administrative fines that are not fully paid to the city on or before the due date shall bear interest at the legal rate for judgments. Interest shall not be imposed on a late charge, and shall not exceed the maximum allowable rate allowed by law. The rate of interest and the commencement of its accrual may be modified from time to time by a resolution of the city council.
- (g) The administrative fines delineated in this chapter are in addition to, and do not preclude imposition of, any other remedies, criminal, civil, or admirative, available to the City. Imposition of administrative fines shall be at the sole discretion of the City.
- (h) Abatement of a violation shall not excuse the obligation of the responsible person to pay a civil fine, or any late charges or interest imposed on its untimely payment.
- (i) Unpaid civil fines and/or late charges, as well as interest thereon, shall be a personal obligation and debt of the responsible person may be collected by the city an any manner allowed by law. The remedies set forth in this article are not exclusive and may be used in addition to those set forth elsewhere in this code or by law.
- (j) The city shall be entitled to recover its attorneys fees and all related collection costs arising from any action to collect or foreclose any confirmed, final or uncontested civil fine, late charge or other fee imposed and unpaid pursuant to the procedures set forth in this article.

**Section 1.05.110 is hereby repealed.**

**Sec. 1.05.120 – Payment of Fines**

- a. All fines are due on the day specified in the administrative citation. Thereafter, a late charge and interest shall be due and owing.

- b. Fines shall be paid to the City. Payment may be made by mailing the fine amount paid by check or money order. Cash payments may be made only at City Hall.
- c. Payment of a fine pursuant to this chapter shall not excuse or discharge any continued or repeated violation of this Code.
- d. Pending a hearing by the hearing authority, payment of a fine may be stayed if the preliminary reviewing authority determines, pursuant to Section 1.05.130, that a responsible person is unable to pay the fine.

Section 2. If any provision of this Ordinance is held to be unlawful or unconstitutional, it is the intent of the City Council that such portion of this Ordinance be severable from the remainder and that the remainder be given full force and effect.

Section 3. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this 18<sup>th</sup> day of May, 2021.

Elizabeth A Bruny  
Mayor Pro-Tem

ATTEST:

Claudia Saldana  
Claudia Saldana  
City Clerk

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF BRADBURY            )

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 377, was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the 18<sup>th</sup> day of May, 2021, that it was duly posted and that the same was passed and adopted by the following vote, to wit:

AYES: Mayor Pro-Tem Bruny,  
Council members Lathrop, Barakat and Hale

NAYS: None

ABSENT: Mayor Lewis

Claudia Saldana

Claudia Saldana  
City Clerk  
City of Bradbury