

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 1.24.010 of the Lincoln Municipal Code
 2 relating to general penalties for violations of the Lincoln Municipal Code by adding penalties for
 3 infraction violations and specifying subsections for misdemeanor penalties and infraction penalties;
 4 and repealing Section 1.24.010 of the Lincoln Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 1.24.010 of the Lincoln Municipal Code be amended to read
 7 as follows:

8 **1.24.010 Penalty for Violations.**

9 (a) Misdemeanors. Any person upon whom a duty is placed by the provisions of this
 10 code who shall fail, neglect, or refuse to perform such duty or who shall violate any of the provisions
 11 of this code for which a penalty is not otherwise specifically provided shall be deemed guilty of a
 12 misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for
 13 a period not to exceed six months, or by a fine of not to exceed \$500.00, recoverable with costs, or
 14 both. Each day that a violation of this code continues shall constitute a separate and distinct offense
 15 and shall be punishable as such.

16 (b) Infraction. Any person upon whom a duty is placed by the provisions of this code
 17 who shall fail, neglect, or refuse to perform such duty or who shall violate any of the provisions of
 18 this code for which the penalty is specifically deemed to be an infraction and for which the penalty
 19 is not otherwise specifically provided, upon conviction thereof shall be punished:

1 (1) For the first offense, by a fine not more than \$100.00 dollars, recoverable
2 with costs;

3 (2) Upon a second conviction for the same infraction within a two-year period,
4 by a fine not less than \$100.00 and not more than \$300.00, recoverable with costs; and

5 (3) Upon a third or subsequent conviction for the same infraction within a two-
6 year period, by a fine not less than \$200.00 and not more than \$500.00, recoverable with costs.

7 (c) ~~The~~ Any penalty provided in this chapter shall be cumulative with and in addition
8 to the revocation, cancellation, or forfeiture of any license or permit as provided by law, and any
9 other penalty, punishment, or sentence specified by this code or any other law.

10 Section 2. That Section 1.24.010 of the Lincoln Municipal Code as hitherto existing
11 be and the same is hereby repealed.

12 Section 3. That this ordinance shall take effect and be in force from and after its
13 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2006: _____ Mayor
