

619 PENALTIES AND ENFORCEMENT

619.010. MISDEMEANOR. Any person who violates any provision of the City of Birchwood Code shall be guilty of a misdemeanor, unless state law provides for a different criminal penalty.

619.015. PENALTY. Whenever in this Code or in any ordinance of the city any act is prohibited, or is made or declared to be unlawful or a misdemeanor, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided therefore, the violation of any such provision of this Code or any ordinance shall be punishable by a fine of not more than One Thousand Dollars (\$1000.00) or imprisonment for a period of not exceeding ninety (90) days, or both. Each day any violation of any provisions of this Code or of any ordinance shall constitute a separate offense.

619.020. INJUNCTION. The City of Birchwood may seek to enjoin any conduct that is in violation of the city code.

619.030. ABATEMENT. If authorized by law, the City may elect to undertake its own abatement action to correct an alleged violation of any provision of the city code. The City shall not take action to abate an alleged violation itself without affording the alleged violator a reasonable amount of time to achieve compliance and without giving the alleged violator notice that the City intends to abate the alleged violation. If the City elects to undertake abatement of a violation, after completion of the abatement action, the City shall send an invoice for the cost of the abatement to the responsible person for payment.

619.031. COSTS OF ABATEMENT BILLED TO PROPERTY OWNER. If the City elects to undertake abatement of a violation, after completion of the abatement action, the City shall send an invoice for the cost of the abatement to the responsible person for payment.

619.032. CERTIFICATION ON PROPERTY TAXES. If an invoice for payment of abatement costs is not paid on or before September 1 of any given year, and the violation is related to a property, the City may extend such sum owed as a special tax or special assessment against the property upon which the violation occurred and to certify the same to the County Auditor for collection in the same manner as taxes and special assessments are certified and collected, as otherwise allowed by law.

619.040. CITY OPTIONS. The City may at any time elect to commence civil or criminal action against a person who is alleged to have violated any provision of the city code, regardless of whether a complaint has been filed or an investigation has been conducted.

619.050. COLLECTION. The City may, after obtaining a court order directing the violator to pay a fine, fees, costs, disbursements, attorney's fees or any other monies to the City, seek to recover such monies through any method available to the City. If the violator is a property owner in the City of Birchwood, the City may extend such sum owed as a special tax against the property

upon which the violation occurred and to certify the same to the County Auditor for collection in the same manner as taxes and special assessments are certified and collected, as otherwise allowed by law.