ORDINANCE 86- 11

AN ORDINANCE AMENDING §15.64.010 OF THE BLOOMINGTON MUNICIPAL CODE "TRAFFIC VIOLATION SCHEDULE"

WHEREAS, the City of Bloomington desires to provide all individuals with notice and opportunity to be heard prior to escalation in the fines and other penalties.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

1. Section 15.64.010(D) of the Bloomington Municipal Code shall be amended to read as follows:

(e) Class D Traffic Violations (most parking violations)

The fine for Class D Traffic Violations shall be five dollars ($5.00), if paid within three business days. For purposes of this section, a business day shall be Monday through Friday, excluding City holidays (New Year's, Good Friday, Primary Election Day, Election Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving and Christmas). The fine shall automatically increase to ten dollars ($10.00) if not paid within three business days, and shall automatically increase to fifteen dollars ($15.00) if not paid within thirty calendar days.

Provided, however, that an individual may challenge and/or appeal the issuance of the traffic violation citation and/or the automatic escalation in fine, by appearing in person before the City Clerk of his/her designee during the three business days immediately following issuance of the traffic violation citation, between the hours of 9:00 a.m. and 12:00 noon, in the office of the City Clerk, 220 East Third Street. The City Clerk shall conduct an informal hearing, which may be reconvened from time to time, and shall have the authority to declare the citation null and void or valid. If the citation is declared to be null and void, the citation shall be dismissed from further prosecution. If the citation is declared to be valid, the citation shall be due and payable as determined by the City Clerk. The decision of the City Clerk shall be final subject to judicial determination during prosecution.

For purposes of this section, an individual may challenge the traffic violation citation provided that s/he is the owner of the vehicle or his/her attorney, and/or was responsible for the vehicle at the time of issuance of the citation, or his/her attorney.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, UPON THIS 5 DAY OF March, 1986.

James C. Regester

JAMES C. REGESTER, PRESIDENT
BLOOMINGTON COMMON COUNCIL

ATTEST:

Patricia Williams

Patricia Williams, City Clerk

3/10/86 Signed copies
1. BPW
2. Controller
3. BPD (3 copies)
4. Debbie - BPD
Parking tickets

PRESENTED by me to the Mayor upon this 6 day of March, 1986

Patricia Williams

Patricia Williams, City Clerk

SIGNED AND APPROVED by me upon this 6 day of March, 1986.

Tomilea Allison
TOMILEA ALLISON, MAYOR
CITY OF BLOOMINGTON

SYNOPSIS

This ordinance creates a procedure to appeal parking citations prior to automatic increase in the fine.