

165.19 VIOLATIONS.

1. The violation of any of the provisions of this Chapter shall constitute a civil infraction. Each day that a violation occurs or is permitted by the violator to exist constitutes a separate offense. In the case of violations to this chapter the Zoning Administrative Officer shall deliver a citation either by personal service or by certified mail, return receipt requested, to any person alleged to be committing an infraction. Copies of the citation shall be transmitted as follows: one copy to the City Clerk, one copy to the District Court upon failure of the person to pay the fine and abate the nuisance within the designated time, one copy to the department issuing the citation, and one copy to the person cited for the infraction. The citation shall contain the following:

- A. The name and address of the violator,
- B. A description of the infraction;
- C. The location, date, and time of the infraction;
- D. The amount of civil penalty to be assessed or the alternate relief sought, or both;
- E. The manner, location, and time in which the penalty may be paid;
- F. The time and place of court appearance, which shall be set not less than three or more than ten days after the time period for voluntary payment of the fine and correction of the violation has expired;
- G. The penalty for failure to appear in court.

If a person receiving a citation for an infraction fails to pay the fine for the infraction and abate the violation by the date set forth on the citation and fails to stand trial for the offense, judgment shall be entered against the person for the relief asked and for all court costs and fees. Upon failure to satisfy the judgment, the person shall be cited for contempt.

2. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure of land is used in violation of this chapter, the City Attorney, in addition to other remedies may institute any proper action or proceed in the name of the City to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, conduct, business or use in or about said premises.

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