

CITY OF HAMPTON, GEORGIA

ORDINANCE NO. 75

AN ORDINANCE TO AMEND CERTAIN ORDINANCES OF THE CITY OF HAMPTON; TO PROVIDE MINIMUM FEES; TO PROVIDE JUDGE OF MUNICIPAL COURT WITH DISCRETION TO ASSESS FINES AND PENALTIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Hampton, Georgia, recognize that it is in the public interest that the City of Hampton set minimum fines as penalties for violations of certain ordinances of the City of Hampton; and

WHEREAS, the Mayor and Council of the City of Hampton, Georgia, recognize that it is in the public interest that the Judge of the Municipal Court of the City of Hampton have discretion to assess such fines and penalties up to the amount authorized by the Charter of the City of Hampton, Georgia, or by applicable statutes of the State of Georgia; and

WHEREAS, the Mayor and the Council of the City of Hampton, Georgia, in the exercise of their sound judgment and discretion, after giving thorough thought to all the implications involved, and keeping in mind the public interest and welfare of the citizens of the City of Hampton, have determined it to be in the best interest of the citizens of the City of Hampton that this Ordinance be adopted.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF, AS FOLLOWS:

That the Ordinances of the City of Hampton hereinafter listed are amended by striking the fines contained therein, and in lieu thereof, substituting the following minimum fines:

Ordinance No.	Section	Subject Matter	Minimum Fine
1	6	Nuisances - Firearms and Fireworks	\$ 50.00
1	7	Nuisances - Barb-Wire	\$ 100.00
1	8	Streets and Sidewalks	\$ 50.00
1	9	Railroad Cars, Trains, Etc. - Train Blocking Crossing	\$ 100.00

Ordinance No.	Section	Subject Matter	Minimum Fine
1	10	Railroad Cars, Trains, Etc. - Train Speed, 35 MPH in City	\$ 100.00
1	11	Offense against Peace, Order Morals, Etc.	\$ 300.00
1	12	Intoxicating Liquors - Unlawful Sale	\$ 300.00
1	12-A	Intoxicating Liquors - Drinking Alcoholic Beverages in Public	\$ 100.00
1	13	Intoxicating Liquors - Disorderly House	\$ 300.00
1	14	Intoxicating Liquors - Public Drunk, Disorderly Conduct	\$ 50.00
1	15	Quarreling, Profane Language, Etc.	\$ 200.00
1	17	Refusal to Aid an Officer	\$ 100.00
1	17	Resisting Arrest	\$ 300.00
1	18	Arrests, Trials, Etc. - Failure to Appear by Subpoena	\$ 50.00
1	19	Contempt of Court	\$ 50.00
1	20	Impersonating a Police Officer	\$ 100.00
1	21	Removal of Books and Records from Clerk's or Treasurer's Office	\$ 50.00
1	22	Throwing Rocks at Dwelling	\$ 25.00
1	23	Damage to City Property	\$ 100.00
1	24	Posting Signs or Bills on Utility Poles	\$ 200.00
1	25	Interfering with Water or Sanitation System	\$ 300.00
1	26	Throwing Dirt or Rubbish into Water Works	\$ 300.00
1	28	Defacing Public Buildings and Churches	\$ 250.00

Ordinance No.	Section	Subject Matter	Minimum Fine
1	29	Sale of Diseased Meat	\$ 100.00
1	30	Drawing or Threatening Knife or Gun	\$ 200.00
1	31	Failure to Disperse	\$ 200.00
1	32	Molesting or Interfering with Police Officer	\$ 200.00
1	33	Quarreling, Fighting, Acting Disorderly	\$ 300.00
1	34	Public Drunk, Use of Obscene Language	\$ 200.00
1	39(a)	Damage or Interference with Utility Company	\$ 200.00
2		Certain Animals Prohibited in City	\$ 100.00
3	10	Operation of Motor Vehicle; Excessive Noise of Vehicle	\$ 100.00
7	VIII	Interference with Civil Defense Corps	\$ 75.00
10	II	Curfew	\$ 25.00
11	3	Trucks over 5,000 Pounds Prohibited in Certain Part of City	\$ 25.00
18	3	Littering	\$ 50.00
21A	Penalties	Special License Tax (Business)	\$ 100.00
21B	6	License Fees - Life Insurance	\$ 100.00
22	IV	Junked, Wrecked, Abandoned Vehicles	\$ 50.00
24	Article VIII	Use of Sewers	\$ 100.00
25	VI	Collection of Garbage, Trash and Debris	\$ 200.00
26-A	6	Animal Control	\$ 25.00
30	IV	Collection of Water and Sewage Fees	\$ 200.00

Ordinance No.	Section	Subject Matter	Minimum Fine
32		Possession of Marijuana One ounce or less	
		First Offense	\$ 500.00
		Second Offense	\$1,000.00
		Third Offense	\$1,000.00
33	VI	Fire Hazards, Interfering with Fire Department	\$ 150.00
34-1A	Article XV	Section A. Beer and Wine	\$ 500.00
34-1A	Article XV	Section B. Beer and Wine - After Hearing	\$ 750.00
37	6	Rules of the Road:	
		Driving Under the Influence	
		First Offense	\$ 300.00
		Second Offense	\$ 600.00
		Third Offense	\$1,000.00
		Flee or Attempt to Elude Police Officers	
		First Offense	\$ 300.00
		Second Offense	\$ 600.00
		Third Offense	\$1,000.00
		Driving or Participating in Contest of Speed	\$ 300.00
		Operating Unauthorized Blue Lights	\$1,000.00
		Fail to Stop at Accident w/ Damages or Injuries	
		First Offense	\$ 400.00
		Second Offense	\$ 700.00
		Third Offense	\$1,000.00
		Driving while License Suspended or Revoked	
		First Offense	\$ 500.00
		Second Offense	\$1,000.00
		No Proof of Insurance	\$ 350.00

Ordinance No.	Section	Subject Matter	Minimum Fine
		No Proof of Insurance (proof shown)	\$ 25.00
		Permit Another to Drive Under the Influence	
		First Offense	\$ 300.00
		Second Offense	\$ 600.00
		Third Offense	\$1,000.00
		Permit Another to Drive w/ Suspended License	\$ 200.00
		Speeding 11 - 15 MPH Over Posted Limit	\$ 35.00
		Speeding 16 - 20 MPH Over Posted Limit	\$ 45.00
		Speeding 21 - 25 MPH Over Posted Limit	\$ 150.00
		Speeding 26 - 30 MPH Over Posted Limit	\$ 250.00
		Speeding 31 MPH and Over Posted Limit	\$ 350.00
		Too Fast for Conditions (Accident)	\$ 65.00
		Too Fast for Conditions (No Accident)	\$ 45.00
		Reckless Conduct with Auto	\$ 300.00
		Failure to Stop at Stop Sign (Accident)	\$ 65.00
		Failure to Stop at Stop Sign (No Accident)	\$ 35.00
		Following Too Close (Accident)	\$ 65.00
		Following Too Close (No Accident)	\$ 35.00
		Driving Wrong Way on Divided Highway	\$ 250.00
		Failure to Maintain Lane	\$ 50.00
		Improper Passing, Hill, Curve, Yellow Line	\$ 60.00

Ordinance No.	Section	Subject Matter	Minimum Fine
		Fail to Yield Right of Way (Accident)	\$ 65.00
		Fail to Yield Right of Way (No Accident)	\$ 35.00
		Improper Backing (Accident)	\$ 65.00
		Improper Backing (No Accident)	\$ 35.00
		Improper Window Tint (No Accident)	\$ 35.00
		Improper Window Tint (Accident)	\$ 65.00
		Improper Window Tint (If Corrected Before Court)	\$ 20.00
		Laying Drags	\$ 100.00
		Operating Vehicle with Defective Equipment	\$ 65.00
		If Defect Repaired Before Court Before Court)	\$ 30.00
		Defaced or Altered License Plate	\$ 25.00
		Expired, Improper or No License Plate	\$ 100.00
		Failure to Dim Headlights to On-coming Traffic	\$ 50.00
		Driving Wrong Way on "One Way" Street	\$ 30.00
		Operating Truck in "No Truck Zone"	\$ 30.00
		Operating Truck Without a Cover Over Load	\$ 40.00
		Riding Motorcycle without Safety Equipment	\$ 65.00
		"All Other Moving Traffic Offenses" (Accident)	\$ 65.00
		"All Other Moving Traffic Offenses" (No Accident)	\$ 30.00
		Disobedience to Traffic Officers	\$ 100.00

Ordinance No.	Section	Subject Matter	Minimum Fine
		Parking in Handicapped Space	
		1st Offense	\$ 60.00
		2nd Offense	\$ 100.00
		3rd Offense	\$ 200.00
		Violation of Child Restraint Law (By state law cannot exceed \$25.00)	\$ 25.00
		Fail to Yield Right of Way to Emergency Vehicle	\$ 120.00
		Parking in "No Parking" or Yellow Zone	\$ 20.00
		Littering Highway (Driver of Vehicle)	\$ 100.00
		Violation of Seat Belt Law (By state law cannot exceed \$25.00)	\$ 15.00
		Driving Without License on Person	\$ 75.00
		Driving without License on Person (License Presented)	\$ 10.00
		Permitting Unlicensed Person to Drive	\$ 75.00
		Refuse to Exhibit License on Demand	\$ 75.00
		Driving with Expired Driver's License	\$ 35.00
		Operating Vehicle with Improper Class License	\$ 45.00
		Presenting Altered Driver's License	\$ 200.00
		Endangering a Child by Driving Under the Influence of Alcohol or Drugs Code Section 40-6-391L	
		First Offense	\$ 200.00
		Second Offense	\$ 400.00
		Third Offense	\$1,000.00
42	13	Regulation of Pawnshops	\$ 100.00
43	5	Use of City Park	\$ 100.00

Ordinance No.	Section	Subject Matter	Minimum Fine
45	VI	Residential, Commercial and Industrial Garbage Service	\$ 60.00
47		Business License Tax on Financial Institution	\$ 60.00
49	4	Dog Control	\$ 60.00
50	Article 3 Section G.	Flood Damage Prevention	\$ 100.00
52	Article III	Loitering or Prowling Prohibited	\$ 60.00
54	Penalties	Numbering System for Buildings	\$ 60.00
56	Article 1 Section 6	Regulation of Flea Markets	\$ 60.00
57	7	Regulation of Yard and Garage Sales	\$ 100.00
63	Section VII(d) of Exhibit A	Control of Soil Erosion and Sedimentation	\$ 60.00
70	6	Conservation of Drinking Water; Use of Certain Plumbing Fixtures	\$ 60.00
72	17	Protection of Trees and Shrubs	\$ 60.00

The penalty provisions of the above-listed ordinances are further amended by adding the following:

"The Judge of the Municipal Court of the City of Hampton may, in his discretion, increase such fine within and up to the amount authorized by the charter of the City of Hampton or by the applicable statutes of the State of Georgia, whichever is greater. The Judge of the Municipal Court of the City of Hampton may also order in his discretion as punishment for said violation, imprisonment of not less than one (1) day nor more than three hundred sixty-five (365) days, both fine and imprisonment, and/or may order the violator to perform a specified number of hours or days of community service. The Judge may order, in his discretion, such other actions that are authorized under the City's Charter and/or under the laws of the State of Georgia.

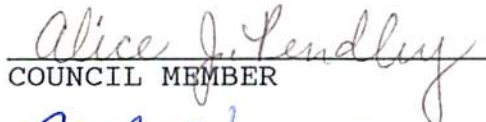
BE IT ORDAINED, that any ordinance in conflict herewith is hereby specifically repealed.

BE IT ORDAINED, that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable; and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, that unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Mayor and Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

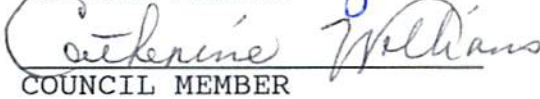
FIRST READING: APRIL 13, 1993

SECOND READING AND ADOPTION: MAY 11, 1993

  
MAYOR

  
COUNCIL MEMBER

  
COUNCIL MEMBER

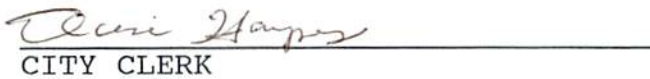
  
COUNCIL MEMBER

  
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ATTEST:

  
CITY CLERK

