

CITY OF COLUMBIA, ILLINOIS

ORDINANCE NO. 3180

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
COLUMBIA MUNICIPAL CODE TO SET THE FINE AMOUNT
FOR ORDINANCE VIOLATIONS TO A MINIMUM FINE OF
ONE HUNDRED DOLLARS AND A MAXIMUM FINE OF
SEVEN HUNDRED FIFTY DOLLARS**

**Adopted by the
City Council
of the
City of Columbia, Illinois
This 20th day of April, 2015**

**Published in pamphlet form by
authority of the City Council
of the City of Columbia,
Illinois, this 22nd day of
April, 2015.**

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CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3180


City Clerk

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE COLUMBIA
MUNICIPAL CODE TO SET THE FINE AMOUNT FOR ORDINANCE VIOLATIONS
TO A MINIMUM FINE OF ONE HUNDRED DOLLARS AND A MAXIMUM FINE OF
SEVEN HUNDRED FIFTY DOLLARS**

WHEREAS, the Illinois Municipal Code provides that the City of Columbia (the "City") may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper (65 ILCS 5/1-2-1); and

WHEREAS, fine amounts established by the City cannot exceed seven hundred fifty dollars (\$750.00) for a single violation; and

WHEREAS, the City Council has previously adopted and set, to the extent allowed by law, a minimum fine amount generally between fifty dollars (\$50.00) and one hundred dollars (\$100.00) for a single violation of the City of Columbia Municipal Code; and

WHEREAS, the City Council has previously adopted and set, to the extent allowed by law, a maximum fine amount generally between five hundred dollars (\$500.00) and seven hundred fifty dollars (\$750.00) for a single violation of the City of Columbia Municipal Code; and

WHEREAS, the City Council believes it is proper and in the best interest of the City to establish the minimum fine amount for a single violation of the City of Columbia Municipal Code at one hundred dollars (\$100.00), and establish the maximum amount for a single violation of the City of Columbia Municipal Code at seven hundred and fifty dollars (\$750.00).

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Columbia, as follows:

- Section 1. The preceding recitations in the upper part of this Ordinance are re-alleged, restated and adopted as paragraph one ("1") of this Ordinance.
- Section 2. The various Sections of the City of Columbia Municipal Code identified in the attached Exhibit A, are adopted as amended and shall read as set forth in the attached Exhibit A.

Section 3. All other Sections of the City Municipal Code, not specifically amended by this ordinance, remain unchanged and in full force and effect.

Section 4. This Ordinance shall take full force and effect following its passage and approval in accordance with law.

Alderman Reis moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Roessler, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis and Holtkamp.

NAYS: None.

ABSENT: Alderman Mathews.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 20th day of April, 2015.


KEVIN B. HUTCHINSON, Mayor

ATTEST:


WESLEY J. HOEFFKEN, City Clerk

(SEAL)

EXHIBIT "A"

Section 1.16.010 Violation--Penalty.

Unless otherwise specifically provided elsewhere in this code or in ordinances of the city that are subject to enforcement, any person violating any provision of this code shall, upon conviction, be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00). Further, upon conviction, such person may be assessed such other and further, or different, penalty as Section 1-2-

1 of the Illinois Municipal Code, as from time to time in effect, shall authorize, including the performance of public service work. Each day on which a violation occurs or continues shall be a separate offense.

Chapter 2.50.050 Violation--Penalty.

Any person, firm or corporation who shall continue to work in violation of a stop order of the building inspector shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each day on which any work in violation of such stop order is done.

Chapter 2.52.050 Violation--Penalty.

Any person, firm or corporation who shall continue work in violation of a stop order shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed to have been committed on each day during or on which a violation of a stop order occurs or continues.

Chapter 2.52.050 Violation--Penalty.

Any person, firm or corporation who shall continue work in violation of a stop order shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation of a stop order occurs or continues.

Chapter 2.60.070 Violation--Penalty.

Any person violating the provision of this chapter or executive order issued pursuant thereto shall be guilty of an offense against the city and shall be punishable by a fine not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00).

Section 3.24.080 Violation--Penalty.

Any taxpayer who fails to make a return, or who makes a fraudulent return, or who willfully violates any other provision of this chapter is guilty of a misdemeanor offense and, upon conviction thereof, shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00), and in addition thereto, shall be liable in a civil action for the amount of tax due.

Section 3.24.150 Penalty.

Any consumer who fails to make a return, or who makes a fraudulent return, or who willfully violates any provision of Sections 3.24.090 through 3.24.150 of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) in addition, shall be liable in a civil action for the amount of tax due.

Section 5.04.270 Penalty; Enforcement.

In addition to the suspension and revocation provisions above, any person, firm, or corporation convicted of violating any provision of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00) and not more than seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 5.24.200 Violations--Penalties.

Any person, firm or corporation violating any of the provisions of this chapter, upon conviction, shall be fined not less than one hundred dollars (\$100.00) and not more than seven hundred fifty dollars (\$750.00) for each violation. Each day a violation persists shall be deemed a separate violation.

Section 5.46.110 Violation--Penalty.

Any person violating any of the provisions of this chapter, upon conviction thereof shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day that an offense continues shall constitute a separate offense.

Any machine available for operation for which a license has not been paid for, obtained, and affixed thereto, or the license for which has been revoked, shall be removed and taken into custody by the city until such time as a license is procured for and affixed to the machine.

Section 8.16.050 Violation--Penalty.

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 8.20.110 Violation--Penalty.

Any person, firm or corporation violating or refusing to comply with any provision of this article shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 8.20.170 Penalty.

Any person found guilty of violating the provisions of this chapter shall, in addition to the penalties provided, upon conviction be fined not less than one hundred dollars (\$100.00) and not more than seven hundred fifty dollars (\$750.00). Each day upon which a violation occurs or continues shall be deemed a separate offense.

Section 8.24.035 False alarms.

It shall be unlawful for any person to transmit a false alarm to the city fire department, the city police department or the city emergency medical service in violation of this section.

1. As used in this section, the following definitions shall apply:

A. "Alarm" shall mean any mechanical or electric device or assembly of equipment, designed or arranged to signal the occurrence of an illegal entry, a fire, an emergency medical assistance need or other activity requiring urgent attention and to which the police department, the fire department and/or an emergency medical service are expected to respond.

B. "Alarm Company" means any firm, person, partnership, corporation or other legal entity required to be licensed by the state which, with respect to any alarm installed upon any premises within the city, has servicing, maintenance or monitoring duties or responsibilities under the terms of any agreement or arrangement with an alarm user.

C. "Alarm User" means any person, firm, partnership, corporation, or other legal entity of any kind in control of any building, premises, structure or facility upon which an alarm is maintained.

D. "False Alarm" shall mean an alarm signal to which a police department, a fire department and/or an emergency medical service respond with emergency service personnel and/or equipment when a situation requiring such response does not in fact exist, and which signal is caused by the inadvertence, negligence or an intentional act or omission of an alarm company or alarm user, or a malfunction of the alarm. The following shall not be considered false alarms:

(1) Alarms caused by the installation, repair, maintenance, or testing of an alarm if the public safety agency is notified in advance of the activity in connection with the alarm system.

(2) Alarms caused by an act of God, including earthquakes, floods, windstorms, thunder or lightning (but excluding dust, dirt, insects or rodents or similar causes that are the result of faulty inspection and maintenance).

(3) Alarms caused by an attempted illegal entry of which there is visible evidence.

(4) Alarms caused by the installation, repair, maintenance or testing of electrical utility equipment or lines if the public safety agency was notified in advance of the activity in connection with the alarm system.

(5) False alarms if the public safety agency is notified that the alarm is unfounded before a public safety agency responds to the alarm.

E. "Response" means the activation of the personnel and equipment of the emergency service agency to initiate movement in the direction of the alarm for purposes of servicing the alarm.

2. False alarm penalty.

A

Any alarm user who has more than two (2) false alarms within any twelve (12) month period at a single protected location will be assessed fines according to the following schedule:

3rd- 5th one hundred dollars (\$100.00) fine per false alarm; and
6th-9th one hundred fifty dollars (\$150.00) fine per false alarm; and, More than 9 false alarms- two hundred dollars (\$200.00) fine per false alarm.

Section 9.04.020 Violation--Penalty.

Any person violating any provision of this title shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense, in accordance with the provisions of the Illinois Compiled Statutes, Division 2, Section 1-2-1, as adopted, approved and amended (65 ILCS 5/1-2-1); except that a violation of the following sections shall be regarded as a misdemeanor or criminal offenses punishable by incarceration in a penal institution other than the penitentiary not to exceed six months, in accordance with the provisions of the Illinois Compiled Statutes, Division 2, Section 1-2-1.1, as adopted, approved and amended (65 ILCS 5/1-2-1.1): Sections 9.12.020, 9.12.050, 9.12.060, 9.16.040, 9.16.120, 9.16.160, 9.16.170, 9.20.010, 9.20.020, 9.28.010--9.28.030 and 9.28.50. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 10.20.120 Violation--Penalty.

Any city resident who is a motor vehicle or motor bicycle owner who fails to pay the city license fee required by Section 10.20.030 or who fails to properly display the city license plate, tag or decal issued therefor, in accordance with Section 10.20.070 shall be subject to payment of a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each such offense, and each day a violation occurs or continues shall be deemed a separate offense.

Section 10.32.040 Penalties.

Any person or party in violation of the provisions of this chapter shall be subject to paying a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred and fifty dollars (\$750.00) for each offense, and each day a violation occurs or continues shall be deemed a separate offense.

Section 10.44.020 Prohibited parking at other public places.

It is unlawful to permit any motor vehicle to be parked in the city at the following public places, as follows:

1. Between the hours of eleven o'clock p.m. (11:00 p.m.) of every day and seven o'clock a.m. (7:00 a.m.) of the following day on the parking lot east of the Columbia City Hall at 208 South Rapp Avenue and between Cedar Street and Cherry Street, unless one (1) or more of the occupants of the motor vehicle are attending the city hall for the purpose of conducting business or receiving city services thereat, or unless one (1) or more of the occupants of said motor vehicle are city officials or employees.

2. Between the hours of eleven o'clock p.m. (11:00 p.m.) of every day and seven o'clock a.m. (7:00 a.m.) of the following day on the parking lot of the Meadow Ridge Park and/or the driveway leading to the Meadow Ridge Park.

3. On the parking lot for the Columbia Public Library at 106 North Metter Avenue, unless one (1) or more of the occupants of the motor vehicle are attending the library for the purpose of conducting library or city business or unless one (1) or more of the occupants of said motor vehicle are city or library officials or employees.

4. On the parking lot of Metter Park (which park is adjacent to the Columbia Public Library at 106 North Metter Avenue in the City), unless one (1) or more of the occupants of the motor vehicle are attending Metter Park for the purpose of utilizing the park for park and playground purposes or one (1) or more of the occupants of the motor vehicle are city officials or employees.

5. On the parking lot of Stone Arch Park (which park is adjacent to the intersection of Gall Rd. & Illinois Route 3 in the City), unless:

a. One (1) or more of the occupants of the motor vehicle are visiting Stone Arch Park for the purpose of utilizing the park; or

b. One (1) or more of the occupants of the motor vehicle are visiting or are staff members of the Monroe County Welcome Center or Shoemaker School Museum; or

c. One (1) or more of the occupants of the motor vehicle are City officials or employees.

Any person, firm, or corporation violating this ordinance shall be fined not less than one hundred (\$100.00) dollars for each offense.

Section 10.48.010 Violation--Penalty.

Any person, firm or corporation violating any provision of this title, except as otherwise specifically provided, shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each violation thereof and each day a violation continues shall constitute a separate offense.

Section 10.48.040 Parking violations.

Any person accused of a violation of an ordinance prohibiting parking a vehicle in a designated area, or restricting the length of time a vehicle may be there parked, or parking in a metered area without putting a coin in the meter to cover the required time, may settle and compromise the claim against him or her for such illegal parking by paying to the city the sum of fifty dollars (\$50.00) for the first violation and seventy five dollars (\$75.00) for subsequent violations (within twenty-four (24) hours of the time such alleged offense was committed), except those cases where, by ordinance, separate and different penalties are listed, in which instance, the listed penalty shall prevail. Such payments shall be made at the city clerk's office and a receipt shall be issued for all moneys received, and such moneys shall be promptly turned over to the treasurer to be credited to the general revenue fund.

Provided, that this section shall not apply to persons parking a vehicle so as to obstruct the entrance or exit of any place where police or fire department apparatus or other emergency equipment is kept or housed, or so as to block an emergency entrance in a hospital. Nor shall this section apply to any person charged with parking a vehicle so as to entirely obstruct traffic in any street or alley, or parking in such a way as to reduce traffic on an arterial street to one-way traffic only; nor to any person who refuses to move a vehicle illegally parked at the request of any member of the police department.

Section 12.18.020 Penalty.

Any person who violates any of the provisions of this chapter shall be issued a traffic citation as being in violation of this chapter. A person who violates any of the provisions of this chapter shall pay a fine as follows:

A. Fifty dollars (\$50.00) for the first offense;

B. Seventy five dollars (\$75.00) for the second offense;

C. One hundred dollars (\$100.00) for each subsequent offense.

All citations are required to be paid within fourteen (14) days of the date they are issued and delivered to the offender.

In the event said person fails to make payment as provided above, then the city police department shall institute formal court proceedings; and the offenders shall be subject to a minimum fine of one hundred dollars (\$100.00) up to a

maximum fine of seven hundred fifty dollars (\$750.00), plus all court costs.

The aforesaid payments shall be made at the office of the City Clerk, Columbia City Hall, 208 South Rapp Avenue, Columbia, Illinois.

The members of the Columbia police department are directed to refrain from instituting prosecution of such violation where the above amounts are paid, and, where not so paid, until the expiration of fourteen (14) days from the date of such violation.

Section 12.19.030 Penalty.

Any person who violates any of the provisions of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each separate offense.

Section 12.20.020 Violation--Penalty.

Any person found in violation of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty (\$750.00) for each separate occurrence.

Section 12.28.090 Violation--Penalty.

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 15.04.090 Violation--Penalty.

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 15.08.020 Additions, insertions and changes.

The following sections of the 2006 edition of the International Building Codes adopted by the preceding Section 15.08.010 hereof are hereby revised, supplemented and amended, as follows: "Title" is hereby changed and amended to read as follows:

These regulations shall be known as the Building Codes of Columbia, Illinois, hereinafter referred to as "this Code".

"Fee Schedule" is hereby changed and amended to read as follows:

Fee Schedule:

A building permit fee shall be paid in accordance with the schedule published in Section 18.25 (Building Permits) of Title 18 (FEES AND CHARGES TO BE ASSESSED FOR CITY SERVICES AND BUSINESS LICENSE FEES TO BE ASSESSED FOR THE CONDUCT AND OPERATION OF BUSINESSES, OCCUPATIONS AND PROFESSIONS IN THE CITY) for the City of Columbia's Municipal Code in effect at the time of reference.

"Violation or Penalties" is hereby amended to read as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof for whom shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of an offense, punishable by a fine of not less than one hundred dollars (\$100.00) or more than seven hundred fifty dollars (\$750), or by imprisonment for not to exceed six (6) months, or both such fine and imprisonment. Each day that the violation continues after due notice of violation has been served shall be deemed a separate offense.

"Unlawful Continuance" is hereby changed and amended to read as follows:

Any person who shall continue any work in or about a building or other structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than one hundred dollars (\$100.00) or more than seven hundred fifty dollars (\$750). Each day that the continuance persists shall be deemed a separate offense.

"Applicability" is hereby changed and amended as follows:

Structures existing prior to January 1, 2006, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of Section 15.08.010 hereof, as changed and amended by Section 15.08.020 hereof.

"Footings and Foundations" is hereby changed and amended as follows:

Structural requirements for building footings and foundations shall be in compliance with the requirements for 'Foundations and Retaining Walls' made and provided for in Chapter 18 of the 1999 BOC National Building Code or the requirements of the applicable International Building Code which is adopted by Section 15.08.010 hereof, whichever Code provides for and requires the higher and stricter construction standard.

Section 15.09.070 Violations.

A. Unlawful Acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, use or occupy, let to another for use or occupy or permit another person to use or occupy any structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the building commissioner, the building inspector, or a city police officer, or to remove or deface a placard or notice posted under the provisions of this code.

Any person who shall violate or who shall maintain a violation of this code, or who shall contribute to a violation or to the maintenance of a violation of this code, shall be subject to prosecution and the penalty provisions of this code.

B. Injunction.

If the owner or owners, including lien holders of record, fail to bring a building, structure, premises, or part thereof, including equipment into conformity with the minimum standards for health and safety as set forth in this code within the time specified in a notice of violation, the building commissioner, the building inspector or a city police officer may request the city's attorney to make application to a court of competent jurisdiction for an injunction requiring right of entry for inspection or compliance with this code or for such other order as the court may deem necessary or appropriate to secure compliance including the appointment of a receiver to cause such building, structure or premises or part thereof to conform to the standards and requirements of this code. (65 ILCS 5/11-31-2)"

C. Prosecution for Violation. In case of any unlawful acts (as described in subsection A of this section) the building commissioner, the building inspector or a police officer of the city shall institute an appropriate action or proceeding at law to exact the penalty provided by subsection D (entitled "Fine") of this section. Also the building commissioner, the building inspector or a city police officer shall request the city's attorney to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such building or structure;
3. To require the removal of work in violation; or
4. To prevent the occupation or use of the structure which is not in compliance with the provisions of this code.

D. Fine.

Any person, firm or corporation who shall violate any of the provisions of this code shall be guilty of a petty offense punishable by a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) plus costs. If more than one provision, standard or requirement of this code is violated, then each such provision, standard or requirement violated shall be considered to be a separate offense. Each day that a violation occurs or continues, after due notice has been served, shall be considered to be a separate offense for which the violator shall be liable to the maximum penalty herein specified for each violation.

E. Notice of Violation. When the building commissioner, the building inspector or a city police officer determines that there has been a violation of this code or has reasonable ground to believe that a violation has occurred, notices shall be given to the owner or the person or persons responsible therefore in the following manner:

1. Such notices shall be in writing;
2. Include a description of the location of the real estate sufficient for identification;
3. Refer to the specific section of the code found violated;
4. Include an order allowing a reasonable time, not less than twenty (20) days, (except in a case of an emergency, including but not limited to, threat to health or physical safety) for the repairs and improvements required to bring the property or structure into compliance with the provisions of this code; and
5. Include a brief explanation of the owner's right to seek modification or withdrawal of the notice by petition to the property maintenance board of review.

F. Service--Notice of Violation. Notices shall be deemed to be properly served upon such owner if:

1. A copy of the notice is delivered to the owner personally; or
2. By leaving a copy of the notice at this usual place of abode delivered to the owner or to someone in his family that is age fourteen (14) or older who is informed of the contents thereof; or
3. By certified mail, return receipt requested; or
4. If such mailing is returned with receipt showing the notice has not been delivered or if the service is otherwise rejected or undeliverable, then by merely placarding the subject property or premises in accordance with the provisions of subsection E of this section.

G. Disclosure of Beneficiaries of Land Trusts and Owners of Property.

The trustee who pursuant to a trust instrument has title to but no beneficial interest in real estate, after receipt (by such trustee) of the initial written notice or complaint of violation of this code shall disclose to the building commissioner, the building inspector or the city police officer who served the notice or complaint the identity and address of every beneficiary of the trust having a beneficial interest in the trust. (765 ILCS 405- Land Trust Beneficial Interest Disclosure Act)"

H. Premises of Uncertain Ownership. Notice of violation under this code shall be served on the owner or owners of the property and upon the lien holders of record. If upon diligent search, the identity or whereabouts of the owner or owners of the building and the lien holders of record are not ascertainable, notice mailed to the person or persons in whose name the real estate was last assessed by the county assessor of the county in which the real estate is situated is sufficient notice under this code. (65 ILCS 5/11-31-1-Unsafe Buildings Act)

I. Placarding--

Notice of Violation. When the building commissioner, the building inspector or a city police officer determines a violation of this code exists, he may cause a notice of such violation to be posted in a conspicuous place near the main entrance of such building or structure; and if no such entrance exists, then at a conspicuous place upon the premises.

The notices shall be at least nine (9) inches in height and fourteen (14) inches in width and at the top

thereof in large letters shall state "Notice of Violation."

The text of such notices shall contain a reference to the provision of the code violated and may contain such other information regarding the nature of the violation as the building commissioner, the building inspector or a Columbia police officer who posted the notice deems advisable."

J. Removal--Defacing--Penalty. Upon remedy of the cause of the violation for which notice is posted the building commissioner, the building inspector or a Columbia police officer shall forthwith remove the notice. Any other person removing any such notice or defacing such notices shall be guilty of a petty offense and shall be fined not to exceed one hundred dollars (\$100.00). (50 ILCS 810/0.01, et seq., the Building Code Violation Notice Posting Act)"

K. Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit, structure, or premises upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of the property to another until the provisions of the notice of violation have been complied with; except as hereinafter provided in the next succeeding paragraph of this section.

Notwithstanding the prior paragraph of this section, the owner of the property may dispose of the same without curing the violation if such owners shall first furnish the grantee, transferee, mortgagee, and lessee of the property a true copy of any notice of violation issued by the building commissioner, the building inspector or a Columbia police officer and shall furnish to said building commissioner, building inspector or Columbia police officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the responsibility without condition for making the correction or repairs required by such notice of violation.

Section 15.20.060 Violation--Penalty.

Any person, firm or corporation violating any provision of this chapter, or permitting any dangerous building, or any building or structure to remain in a dangerous condition, or to remain in the fire limits without remodeling as above provided for, after it has been damaged to the extent of fifty (50) percent of its value, shall be fined not less than one hundred dollars \$100.00 nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed to have been committed one each day during or on which a violation occurs or continues.

Section 15.24.060 Violation--Penalty.

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed to have been committed one each day during or on which a violation occurs or continues.

Section 15.28.050 Violation--Penalty.

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed one each day during or on which a violation occurs or continues.

Section 15.32.180 Violation--Penalty.

Any person violating any provision of this section thereof, shall be fined in the amount not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars, (\$750.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder as such.

Section 15.32.180 Violation--Penalty.

Any person violating any provision of this section thereof, shall be fined in the amount not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars, (\$750.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder as such.

Section 15.36.570 Violation--Penalty.

Any person, firm or corporation violating or refusing to comply with any provision of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 15.40.090 Violation--Penalty.

Any person, firm or corporation violating any of the provisions of this chapter, or continuing to work in violation of a stop order issued by the building inspector shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 15.44.310 Violations--Penalties.

A. Any person who is convicted of a violation of this ordinance shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00). Each day that a violation continues shall be considered a separate offense.

B. Nothing contained in this section shall prevent the city from taking any other lawful action that may be necessary to secure compliance with this chapter, including filing a suit in equity for injunctive relief.

Section 15.48.170 Violations--Penalties.

Any person, group or other entity who shall violate any provision of this industrial standards codes shall, upon conviction, be punished by a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00). Each day's failure to comply with any such provisions shall constitute a separate offense.

Section 15.60.110 Violation--Penalty.

Failure to obtain a permit for development in the SFHA or failure to comply with the requirements of a permit or condition of a variance resolutions shall be deemed to be a violation of this chapter. Upon due investigation the building inspector may determine that a violation of the minimum standards of this chapter exist. The building inspector shall notify the owner in writing of such violation.

A. If such owner fails after ten days notice to correct the violation:

1. The city may make application to the Circuit Court for an injunction requiring conformance with this chapter or make such other order as the court deems necessary to secure compliance with the chapter.

2. Any person who violates this chapter shall upon conviction thereof be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00).

3. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

B. The building inspectors shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

C. Nothing herein shall prevent the city from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 15.64.270 Violation--Penalty.

(A) The Commission may recommend that the City of Columbia, with the approval of the City Council apply to the Circuit Court for a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this chapter notwithstanding the existence of other remedies. A new such injunction may be issued without notice and without bond.

In addition to other remedies provided by law, appropriate action may be instituted to correct a violation of this chapter, including, but not limited to, requiring the restoration of property and improvements to their original appearance prior to the violation. If a Court shall find that an actor or omission was willful, then the Court may, in addition to any compensation, award damages for the sake of example and by the way of punishment.

Any action to recover for such loss, damage or injury may be brought in a Circuit Court of competent jurisdiction by any person or party (to include a corporation, partnership or other legal entity) who is a resident of or owns property in the City of Columbia, Illinois. In every case of recovery of damages by any person or party under the provisions of this chapter, the plaintiff shall be entitled to a reasonable attorney's fee to be fixed by the Court, which shall be

taxed and collected as part of the cost of the case.

(B) Any person who causes the alteration of any Landmark, or any improvement or area within a Historic District, which said alteration requires a permit from the City, and who does so without obtaining a COA from the Commission, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred and fifty dollars (\$750.00). Each day that a violation exists shall constitute a separate offense.

(C) Any person who causes the demolition of any Landmark, or any improvement or area within a Historic District, which said demolition requires a permit from the City, and who does so without obtaining a COA from the Commission, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00) nor greater than seven hundred and fifty Dollars (\$750.00).

(D) Any and all monies collected pursuant to the above subsections (B) and (C) of this section shall be deposited in the City Corporate General Fund and may be used and expended for general municipal corporate uses and purposes as the Columbia City Council shall decide.

Section 15.68.090 Penalty.

Any person, firm, or corporation violating or refusing to comply with any provision of this chapter of the city's municipal codes shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense. A separate offense shall be deemed to have been committed on each day during which the violation occurs or continues.

Section 18.120.000 Penalty

Any person, corporation, trust, unincorporated association, or other party who fails to pay any service charge or business license fee when due under this Title 18 of the Columbia Municipal Code, shall be subject to one or more of the following penalties:

1. Late payment of City service charges or business license fees shall be subject to payment of a delinquency charge (also known as a late payment penalty) of one percent (1%) of the amount of the delinquent payment due for each month (or part thereof) the late payment is overdue and owing;
2. The violator shall be subject to civil suit by the City in a court of competent jurisdiction to collect the service charge and/or business license fee due, plus any late payment penalty due;
3. The violator shall be guilty of an ordinance violation and upon conviction shall be fined not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00). Each day for which a delinquency in payment exists shall be a separate offense for which a separate and additional fine may be assessed upon conviction.
4. Following any such delinquency in payment, the City may decline to perform any City services or issue any business license for which a charge is to be assessed under Title 18 of the City's Municipal Code until all delinquent license fees and/or service charges and late payment penalties due from the violator have been fully paid and satisfied, (except where prohibited by law, such as disconnection of water service prior to compliance with prior notice and other state law requirements pertaining thereto).

The penalties provided for in this Chapter 18.120.00 of Title 18 of the City's Municipal Code shall be cumulative and shall not be exclusive of one another.