

ORDINANCE NUMBER 2022 - 2217

AN ORDINANCE AMENDING THE SCHEDULE OF FINES
FOR THE CITY OF ATHENS MUNICIPAL COURT

WHEREAS, the City Council desires to amend the City's Schedule of Fines to be in conformity with those recent amendments ordered by the Supreme Court of the State of Alabama, and to revise the City's Schedule of Fines to be in conformity with the City of Athens Code of Ordinances;

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on May 9, 2022, as follows:

Section 1. That Section 30-3 (b) of the Code of Ordinances, City of Athens, Alabama be repealed and replaced by amendment to read as follows:

(b) The Schedule of Fines, pursuant to Rule 20 of the *Alabama Rules of Judicial Administration*, shall be as follows:

TRAFFIC OFFENSES

OFFENSES	FINES
Allowing child under 16 to operate motor vehicle	\$ 50.00
Bicycle-no lamps or reflector	\$ 20.00
Blocking highway	\$ 30.00
Casting a light from public road (nuisance spotlighting)	\$100.00
Clinging to vehicle	\$ 20.00
Coasting	\$ 20.00
Crossing a fire hose	\$ 50.00
Disobeying traffic control devices on a controlled-access highway	\$ 20.00
Driving on wrong side of road	\$ 30.00
Driving through or around a barricade/fence/warning sign/ detour sign	\$ 20.00
Driving under the minimum speed	\$ 20.00
Driving upon sidewalk	\$ 20.00
Driving with vision obscured	\$ 20.00
Entering highway closed by State Trooper	\$ 20.00
Expired license	\$ 20.00
Expired Tag	\$ 20.00
Failure to affix tinting-compliance label	\$ 20.00
Failure to dim headlights	\$ 10.00
Failure to display flare or warning devices	\$ 20.00
Failure to exercise care	\$ 20.00
Failure to move over or reduce speed when approaching enforcement or emergency vehicles	\$ 25.00
Failure to move to the right upon approach of emergency vehicle	\$ 50.00
Failure to obey pedestrian-control signals	\$ 20.00
Failure to obey the instructions of any official traffic-control device	\$ 20.00
Failure to stop at railroad crossing	\$ 10.00
Failure to stop when emerging from alley, driveway, or building	\$ 20.00

Failure to use child restraint	\$ 25.00
Failure to wear safety belt	\$ 25.00
Failure to yield right of way	\$ 20.00
Failure to yield to emergency vehicle	\$ 50.00
Following emergency vehicle	\$ 50.00
Following too closely	\$ 20.00
Hitchhiking	\$ 10.00
Impeding the flow of traffic	\$ 20.00
Improper access to controlled-access roadway	\$ 20.00
Improper backing	\$ 20.00
Improper brakes	\$ 20.00
Improper horn	\$ 20.00
Improper lane change	\$ 20.00
Improper lane usage	\$ 20.00
Improper length/width of a motor bus	\$100.00
Improper lights	\$ 20.00
Improper motorcycle operation	\$ 20.00
Improper muffler	\$ 10.00
Improper or no rear-view mirror	\$ 20.00
Improper passing	\$ 20.00
Improper passing on a motorcycle	\$ 20.00
Improper riding of a bicycle on a roadway	\$ 20.00
Improper signal	\$ 10.00
Improper stopping or parking on or in highway (general)	\$ 30.00
Improper stopping, standing, or parking in specified places	\$ 30.00
Improper stopping, standing, or parking outside of business or residence	\$ 30.00
Improper tag	\$ 25.00
Improper tag classification	\$ 25.00
Improper tires	\$ 20.00
Improper turn	\$ 20.00
Improper use of clearly indicated divided highway	\$ 30.00
Improper window tinting	\$ 20.00
Improperly driving over the center line of a four-lane roadway	\$ 20.00
Improper opening and closing vehicle doors	\$ 20.00
Insurance-allowing the operation of a vehicle without insurance	\$ 50.00
Insurance-display of invalid insurance	\$ 50.00
Insurance-failure or refusal to display	\$ 50.00
Insurance-operating a vehicle the registration of which is suspended	\$ 50.00
Insurance-operating a vehicle without insurance	\$ 50.00
Littering highway	\$100.00
Making a U-turn	\$ 20.00
Motorcycle-no shoes	\$ 10.00
No CD license	\$100.00
No flag, flares, or other warning device	\$ 20.00
No helmet (motorcycle rider)	\$ 10.00
No motorcycle endorsement	\$ 20.00
No permit (oversized width, height, length)	\$100.00
No plainly visible tag	\$ 50.00
No red or orange flag or red light or amber strobe	\$ 20.00

No reflect device on slow-moving vehicles	\$ 20.00
No reflectors on tractor	\$ 20.00
Obstructing driver's view	\$ 20.00
Operating a motor vehicle without a driver's license	\$ 25.00*
Overweight/over height/over length truck	\$100.00
Parking more than 18 inches from curb	\$ 30.00
Pedestrian entering or remaining on bridge or railroad crossing	\$ 20.00
Pedestrian on highway	\$ 10.00
Pedestrians not yielding to authorized emergency vehicles	\$ 10.00
Refusal to weigh	\$300.00
Riding in house trailer	\$ 20.00
Running red light	\$ 20.00
Running a stop sign	\$ 20.00
Shifting load	\$ 25.00
Slowing or stopping without a proper signal	\$ 20.00
Speeding:	
Less than 25 mph over posted speed limit	\$ 20.00
25 mph or more over posted speed limit	\$ 40.00
Speed – exceeding reasonable and prudent	\$ 20.00
Spilling load	\$ 25.00
Stopping on highway	\$ 30.00
Switched personalized license plates	\$100.00
Texting while driving	\$ 25.00
Towing or hauling a disabled vehicle	\$ 50.00
Unattended motor vehicle	\$ 25.00
Unloading logs, lumber, etc., on or near highway	\$ 25.00
Violating driver's license restriction or endorsement	\$ 10.00*
Violating oversized-load permit	\$100.00

*This amount does not include the \$50.00 penalty imposed pursuant to §32-6-18 and §32-6-19, Alabama Code 1975.

CONSTRUCTION ZONE OFFENSES

Allowing child under 16 to operate motor vehicle	\$250.00
Bicycle-no lamps or reflector	\$250.00
Blocking highway	\$250.00
Casting a light from public road (nuisance spotlighting)	\$250.00
Clinging to vehicle	\$250.00
Coasting	\$250.00
Crossing a fire hose	\$250.00
Disobeying traffic control devices on a controlled-access highway	\$250.00
Driving on wrong side of road	\$250.00
Driving through or around a barricade/fence/warning sign/ detour sign	\$250.00
Driving under the minimum speed	\$250.00
Driving upon sidewalk	\$250.00
Driving with vision obscured	\$250.00
Entering highway closed by State Trooper	\$250.00
Failure to dim headlights	\$250.00

Failure to display flare or warning devices	\$250.00
Failure to exercise care	\$250.00
Failure to move over or reduce speed when approaching Enforcement or emergency vehicles	\$250.00
Failure to move to the right upon approach of emergency vehicle	\$250.00
Failure to obey pedestrian-control signals	\$250.00
Failure to obey the instructions of any official traffic-control Device	\$250.00
Failure to stop at railroad crossing	\$250.00
Failure to stop when emerging from alley, driveway, or building	\$250.00
Failure to use child restraint	\$250.00
Failure to yield right of way	\$250.00
Failure to yield to emergency vehicle	\$250.00
Following emergency vehicle	\$250.00
Following too closely	\$250.00
Hitchhiking	\$250.00
Impeding the flow of traffic	\$250.00
Improper access to controlled-access roadway	\$250.00
Improper backing	\$250.00
Improper brakes	\$250.00
Improper horn	\$250.00
Improper lane change	\$250.00
Improper lane usage	\$250.00
Improper lights	\$250.00
Improper motorcycle operation	\$250.00
Improper muffler	\$250.00
Improper or no rear-view mirror	\$250.00
Improper passing	\$250.00
Improper passing on a motorcycle	\$250.00
Improper riding of a bicycle on a roadway	\$250.00
Improper signal	\$250.00
Improper stopping or parking on or in highway (general)	\$250.00
Improper stopping, standing, or parking in specified places	\$250.00
Improper stopping, standing, or parking outside of business or residence	\$250.00
Improper tires	\$250.00
Improper turn	\$250.00
Improper use of clearly indicated divided highway	\$250.00
Improperly driving over the center line of a four-lane roadway	\$250.00
Improper opening and closing vehicle doors	\$250.00
Littering highway	\$250.00
Making a U-turn	\$250.00
Motorcycle-no shoes	\$250.00
No flag, flares, or other warning device	\$250.00
No helmet (motorcycle rider)	\$250.00
No red or orange flag or red light or amber strobe	\$250.00
No reflect device on slow-moving vehicles	\$250.00
No reflectors on tractor	\$250.00
Parking more than 18 inches from curb	\$250.00
Pedestrian entering or remaining on bridge or railroad crossing	\$250.00
Pedestrian on highway	\$250.00

Pedestrians not yielding to authorized emergency vehicles	\$250.00
Riding in house trailer	\$250.00
Running red light	\$250.00
Running a stop sign	\$250.00
Shifting load	\$250.00
Slowing or stopping without a proper signal	\$250.00
Speeding	\$250.00
Speed – exceeding reasonable and prudent	\$250.00
Spilling load	\$250.00
Stopping on highway	\$250.00
Texting while driving	\$250.00
Towing or hauling a disabled vehicle	\$250.00
Unattended motor vehicle	\$250.00
Unloading logs, lumber, etc., on or near highway	\$250.00

ORDINANCE VIOLATIONS

Violation of §46-5 of the *Code of Ordinances, City of Athens* (Noise Ordinance)

1 st offense	\$ 50.00
2 nd offense	\$100.00

Violation of §46-54 of the *Code of Ordinances, City of Athens* (Duty of keep property clear and free from litter)

1 st offense	\$ 30.00
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Violation of §46-55 of the *Code of Ordinances, City of Athens* (Duty to keep property clear and free from junk and non-conforming vehicles)

1 st offense	\$ 30.00
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Violation of §46-57 of the *Code of Ordinances, City of Athens* (Overgrown weeds and grass prohibited)

1 st offense	\$ 30.00
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Violation of §46-59 of the *Code of Ordinances, City of Athens* (Debris from construction, demolition, alterations and repairs)

1 st offense	\$ 30.00
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Violation of §54-6 of the *Code of Ordinances, City of Athens* (Library Material Ordinance)

1 st offense	Restitution to library
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Violation of Chapter 46, Article 3, of the *Code of Ordinances, City of Athens* (Solid waste and trash disposal)**

1 st offense	\$ 50.00
2 nd offense	\$100.00
3 rd offense	\$150.00
4 th or greater offense	\$200.00

** This fine schedule shall not apply to any person charged with a violation of §46-93(e), §46-93(f), and/or §46-95(d) of the City of Athens Code of Ordinances.

Section 2. This Ordinance shall become effective upon its adoption as provided by law.

Section 3. If any provision of this ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this Ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this Ordinance and such amendments and statutes are declared to be severable.

Section 4. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Athens as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

Section 5. The enactment of this Ordinance shall not affect any action, suit, or proceeding instituted or pending at this time in the Athens Municipal Court. All suits at law or in equity and/or all prosecutions, which are now pending in any court, having originated in the Athens Municipal Court, shall not be abated or abandoned by reason of this Ordinance but may be prosecuted to their finality, the same as if this Ordinance had not been adopted. Nothing in the Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may heretofore have been instituted or prosecuted.

ADOPTED this the 9th day of May, 2022.


CHRIS SEIBERT, CITY COUNCIL PRESIDENT


WILLIAM R. MARKS, MAYOR

ATTEST:

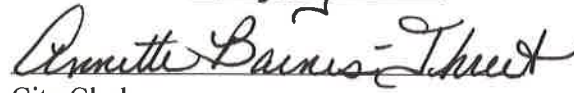

ANNETTE BARNES-THREET
CITY CLERK

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes-Threet, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City Council of the City of Athens, on the 9th day of May, 2022.

Witness my hand and seal of office this the 9th day of May, 2022.


City Clerk