

189.440 Starting a parked vehicle

No person shall start a vehicle that is stopped or parked unless and until the movement can be made with reasonable safety.

HISTORY: 1942 c 208, § 1, eff. 10-1-42; KS 2739g-69o

189.450 Stopping, standing, parking, or repairing vehicle on roadway or shoulders of highway

(1) No person shall stop a vehicle, leave it standing, or cause it to stop or to be left standing upon any portion of the roadway; provided, however, that this section shall not be construed to prevent parking in front of a private residence off the roadway or street in a city or suburban area where such parking is otherwise permitted, as long as the vehicle so parked does not impede the flow of traffic. This subsection shall not apply to:

- (a) A vehicle that has been disabled on the right-of-way of such a highway in such a manner and to such extent that it is impossible to avoid the occupation of the shoulder of a state-maintained highway or impracticable to remove it from the shoulder of the highway until repairs have been made or sufficient help obtained for its removal. In no event shall a disabled vehicle remain on the shoulder of a state-maintained highway for twenty-four (24) hours or more;
 - (b) Motor vehicles when required to stop in obedience to the provisions of any section of the Kentucky Revised Statutes or any traffic ordinance, regulation, or sign or the command of any peace officer;
 - (c) Vehicles operating as common carriers of passengers for hire and school buses taking passengers on such vehicle or discharging passengers therefrom; provided that no such vehicle shall stop for such purposes at a place on the highway which does not afford reasonable visibility to approaching motor vehicles from both directions; or
 - (d) Any vehicle required to stop by reason of an obstruction to its progress.
- (2) When any police officer finds a vehicle standing upon such a highway in violation of this section, he may move or cause to be moved the vehicle or require the operator or other person in charge of the vehicle to move it. The police officer may cause the vehicle to be removed by ordering any person engaged in the business of storing or towing motor vehicles to remove the vehicle to a site chosen by such person. Ownership of the vehicle shall be determined by the police officer's enforcement agency through the vehicle's license plates, serial number, or other means of determining ownership. As soon as practicable, the police officer's enforcement agency shall notify the owner by mail that the vehicle was illegally upon public property; the name and address of the storage facility where the vehicle is located; that removal of the vehicle from the storage facility will involve payment of towing and storage charges; and that the vehicle may be sold pursuant to the provisions of KRS 376.275 if not claimed within sixty (60) days. No notification shall be required if ownership cannot be determined. In the event of a sale pursuant to KRS 376.275, the state shall receive any proceeds after the satisfaction of all liens placed on the vehicle.

- (3) No vehicle shall be parked, stopped, or allowed to stand on the shoulders of any toll road, interstate highway, or other fully controlled access highway, including ramps thereto, nor shall any vehicle registered at a gross weight of over forty-four thousand (44,000) pounds be parked, stopped, or allowed to stand on the shoulders of any state-maintained highway, except that, in the case of emergency or in response to a peace officer's signal, vehicles shall be permitted to stop on the shoulders to the right of the traveled way with all wheels and projecting parts of the vehicles, including the load, completely clear of the traveled way. Parking of any vehicle which is disabled on the shoulders of a toll road, interstate highway, other fully controlled access highway, including ramps thereto, or any state-maintained highway not mentioned in this section for twenty-four (24) hours continuously is prohibited and vehicles violating this provision may be towed away at the cost of the owner.
- (4) When any police officer finds a vehicle unattended upon any bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest garage or other place of safety as provided in subsection (2) of this section.
- (5) No person shall stop or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in the following places:
 - (a) On a sidewalk;
 - (b) In front of sidewalk ramps provided for persons with disabilities;
 - (c) In front of a public or private driveway;
 - (d) Within an intersection or on a crosswalk;
 - (e) At any place where official signs prohibit stopping or parking;
 - (f) Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
 - (g) On any controlled access highway;
 - (h) Within a highway tunnel;
 - (i) Within fifteen (15) feet of a fire hydrant; or
 - (j) In an area between the roadways of a divided highway.
- (6) No person shall move a vehicle not lawfully under his control into any such prohibited area.
- (7) The restrictions in subsection (5)(e) of this section shall not apply to sheriffs and their deputies or police officers when operating properly identified vehicles during performance of their official duties.

HISTORY: 2006 c 173, § 19, eff. 7-12-06; 1994 c 405, § 39, eff. 7-15-94; 1988 c 80, § 1, eff. 7-15-88; 1986 c 322, § 1; 1982 c 318, § 1; 1980 c 163, § 1; 1974 c 405, § 1; 1970 c 93, § 11; 1964 c 25, § 1; 1962 c 288, § 2; 1954 c 235; 1952 c 206, § 3; 1942 c 208, § 1; KS 2739g-48

189.456 Accessible parking placard for person with a disability; display

- (1) On the application of any person who has a severe visual, audio, or physical impairment, including partial paralysis, lower limb amputation, chronic heart condition, emphysema, arthritis, rheumatism, or other debilitating condition which limits or impairs one's personal

No
Lyndon - Gross parking

8009 Sycamore Creek

1900 (L-1)

LYNDON

CHAPTER 72: PARKING REGULATIONS

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Statutory reference:

Revenues from fees, fines, and forfeitures related to parking, see KRS 65.120

PARKING GENERALLY

§ 72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) It shall be unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any street, alley, or sidewalk within the city either during the day or night.

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.

(^91 Code, § 72.01) Penalty, see § 72.99

§ 72.02 MANNER OF PARKING.

(A) It shall be unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be

so parked, and except for commercial loading and unloading on one-way streets.

(B) No vehicle shall be parked or left standing on any street unless its two right wheels are within six inches of and parallel with the curb, except that on one-way streets where parking is permitted on the left side the two left wheels are to be within six inches of and parallel with the curb.

(C) No vehicle shall be backed to the curb on any street, except that wagons and trucks may do so when loading and unloading provided that such loading and unloading and delivery of property and material shall not consume more than 30 minutes. Such backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway by moving vehicles or occupies road space within ten feet of the center line of the street.

(D) The city may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within ten feet of the center line of any street. Such diagonal parking places shall be designated by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which such vehicle shall park.

(E) It shall be unlawful for the operator of any vehicle to so park such vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle. ('91 Code, § 72.02) Penalty, see § 72.99

§ 72.03 LIMITATIONS OF STOPPING AND PARKING.

It shall be unlawful for the operator of any vehicle to stop or park such vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

(A) On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in § 72.02.

(B) On a sidewalk.

(C) In front of sidewalk ramps provided for persons with disabilities.

(D) In front of a public or private driveway.

(E) Within an intersection or on a crosswalk.

(F) At any place where official signs prohibit stopping or parking. This does not apply to police officers when operating properly identified vehicles during the performance of their official duties.

(G) Within 30 feet of any flashing beacon, traffic sign, or traffic-control device.

(H) On any controlled access highway.

(I) Within a highway tunnel.

(J) No vehicle shall be parked within 15 feet of any fire hydrant.

(K) In an area between the roadways of a divided highway.

(L) No person shall move a vehicle not lawfully under his control into any such prohibited area. (KRS 189.450(5), (6)) ('91 Code, § 72.03) Penalty, see § 72.99

§ 72.04 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

(C) When signs are erected in compliance with the provisions of division (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

(D) When a curb has been painted in compliance with the provisions of division (F) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(E) When signs are erected in compliance with the provisions of division (F) below, in each block giving notice thereof, no person shall park a vehicle between the hours specified by official signs on any day except Sundays on any street so marked.

(F) (1) The city shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to handicapped parking, appropriate signs shall be erected giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith, the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times may be painted a solid yellow color.

(2) No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

(G) When signs are erected in compliance with division (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.

(`91 Code, § 72.04) Penalty, see § 72.99

§ 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.

(`91 Code, § 72.05) Penalty, see § 72.99

§ 72.06 PARKING IN EXCESS OF CERTAIN NUMBER OF HOURS PROHIBITED; TOWING AUTHORIZED.

It shall be unlawful for anyone to park in any one place any vehicle on any of the public ways or streets of the city for a period of 24 hours or longer. Any vehicle left parked in any one place on any of the public ways or streets of the city for a period of 24 hours or longer shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.

(`91 Code, § 72.06) Penalty, see § 72.99

Cross-reference:

Removal of abandoned vehicles, see § 72.21 et seq.

§ 72.07 PARKING ON OTHER THAN DRIVEWAY PROHIBITED.

It shall be unlawful for the owner of any vehicle or the owner of any property where the vehicle is parked to park any vehicle, or any part of the vehicle, on any part of the yard (including easements) except on the property's paved or gravel driveway.

(Ord. 3-17-97A-1996-97, passed 4-21-97)

§ 72.08 PARKING ON PARADE ROUTE.

(A) The Chief of Police or other authorized city official shall have the authority, whenever in his judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions.

(`91 Code, § 72.07) Penalty, see § 72.99

Cross-reference:

Parades, see §§ 71.40 - 71.51

§ 72.09 PARKING ON OFF-STREET FACILITY.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of such property or facility.

(B) If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of division (A) of this section, the owner, lessee, or person in charge of the property or facility may have the unauthorized motor vehicle removed in accordance with the provisions of §§ 72.20 through 72.22.

(C) Every property owner or operator of an off-street parking facility shall post signs stating thereon that the property or parking lot or facility is privately owned and that unauthorized vehicle will be removed at the owner's expense before exercising the authority granted in division (B).

(`91 Code, § 72.08) Penalty, see § 72.99

Statutory reference:

Removal of vehicles by owners of private parking lots; signs, see KRS 189.725

§ 72.10 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

(`91 Code, § 72.09) Penalty, see § 72.99

§ 72.11 PARKING IN PARKS.

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the city not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway.

(`91 Code, § 72.10) Penalty, see § 72.99

§ 72.12 DISPLAY OF PARKED VEHICLE FOR SALE; WASHING AND REPAIRING OF VEHICLE ON STREET PROHIBITED.

(A) It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street.

(B) No person shall park a vehicle upon any street for the purpose of washing, greasing, painting or repairing such vehicle except repairs necessitated by an emergency.

(`91 Code, § 72.11) Penalty, see § 72.99

§ 72.13 PARKING WITH HANDICAPPED PERMITS.

(A) Any other provision to the contrary notwithstanding, a motor vehicle bearing a decal in its front windshield issued by the County Clerk pursuant to appropriate county ordinances for handicapped persons, when operated by a handicapped person or when transporting a handicapped person, may be parked in a designated handicapped parking place, or when parked in a metered parking space may be parked for two hours for no fee, or when parked where any parking limit is imposed may be parked for two hours in excess of the parking limit. The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the handicapped person to or from the parked vehicle, but in no circumstances longer than 30 minutes.

(B) This section shall not permit parking in a "no stopping" or "no parking" zone nor where parking is prohibited for the purpose of creating a fire lane or to accommodate heavy traffic during morning, afternoon, or evening hours, nor permit a motor vehicle to be parked in such a manner as to constitute a traffic hazard.

(`91 Code, § 72.12) Penalty, see § 72.99

§ 72.14 LOADING AND UNLOADING OF PASSENGERS.

No vehicle shall take on or let out passengers except on the right hand side of the vehicle which shall be within two feet of the right hand curb or edge of the street.

(`91 Code, § 72.13) Penalty, see § 72.99

§ 72.15 USE OF LOADING ZONE RESTRICTED.

"Loading Zone" signs shall be erected at such places along public streets in front of business establishments and for such time as determined by order of the legislative body; and no person shall use such area for any other purposes during the time indicated on the sign. If no time is specified on the sign, it shall mean between the hours of 8:00 a.m. and 4:00 p.m.

(`91 Code, § 72.14) Penalty, see § 72.99

IMPOUNDING

§ 72.25 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police

Department. Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator's arrest.

(C) All fines, fees, and charges must be paid in full before a release of impoundment can be issued for the vehicle's release.

(`91 Code, § 72.20)

§ 72.26 REQUIRED NOTICE TO OWNER.

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other authority, or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 and within ten business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number, and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

(B) If a vehicle described in division (A) is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in division (A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 within ten business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number, and identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges due on the vehicle. When the owner of the facility fails to provide notice as

provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten business days from the date of tow. This division (B) shall not apply to a tow lot or storage facility owned or operated by the city.

(KRS 376.275(1), (2)) ('91 Code, § 72.21)

§ 72.27 SALE OF VEHICLE.

Any person engaged in the business of storing or towing motor vehicles in either a private capacity or for the city who has substantially complied with the requirements of § 72.26 shall have a lien on the motor vehicle for the reasonable or agreed charges for storing or towing the vehicle as long as it remains in his possession. If after a period of 45 days, the reasonable or agreed charges for storing or towing a motor vehicle have not been paid, the motor vehicle may be sold to pay the charges after the owner has been notified by certified mail ten days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting, and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting, and storage charges by the owner or responsible casualty insurer of the vehicle. This lien shall be subject to prior recorded liens.

(KRS 376.275(3)) ('91 Code, § 72.22)

SNOW EMERGENCY

§ 72.40 ANNOUNCEMENT OF SNOW EMERGENCY.

Whenever the Chief of Police or other authorized city official finds that falling snow, sleet, or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he finds on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a

condition making it necessary that such parking be prohibited, he is authorized to announce such prohibition, to become effective at a time specified by him. After the effective time of such prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet, or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Chief of Police or other authorized city official has not announced prior to 11:00 p.m. that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until 7:00 a.m. following such fall. The prohibition of parking announced by the Chief of Police or other authorized city official under the authority of this section shall remain in effect until he announces the termination of the snow emergency, in part or in which the prohibition of parking authorized by this section shall no longer be in effect.

('91 Code, § 72.35) Penalty, see § 72.99

§ 72.41 TERMINATION OF EMERGENCY.

Whenever the Chief of Police or other authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If such announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.

('91 Code, § 72.36)

§ 72.42 SNOW EMERGENCY ROUTES.

The term **SNOW EMERGENCY ROUTE** shall mean any route designated by the Chief of Police or other authorized city official. On such street or highway designated as a snow emergency route, special signs shall be posted to this effect.

('91 Code, § 72.37)

**LARGE VEHICLES, TRAILERS,
EQUIPMENT AND BOATS**

§ 72.50 PARKING PROHIBITED.

(A) No motor vehicle of any type exceeding 6,000 pounds manufacturer's gross vehicle weight shall be parked on the street adjacent to any area of the city zoned single-family residential (R-1 through R-5).

(B) No equipment, such as tractors, sweepers, mowers, sprayers, work trailers or boat trailers, of any type, weight or length, shall be parked on the street adjacent to any area of the city zoned single-family residential (R-1 through R-5).

(Ord. 3-22-04A, passed 4-26-04) Penalty, see § 72.99

Cross-reference:

Zoning Code, see § 152.01

§ 72.51 PERSON IN CONTROL OF VEHICLE.

The fact that any motor vehicle which is illegally parked is registered in the name of a person, firm or corporation shall be considered prima facie proof that such person was in control of the motor vehicle at the time of such parking.

(Ord. 3-22-04A, passed 4-26-04)

§ 72.52 DELIVERY; LOADING; UNLOADING PERMITTED.

Notwithstanding the previous sections of this subchapter, it shall not be in violation to temporarily park a vehicle described in § 72.50 solely for the purpose of delivery, to perform work on-site, or for loading or unloading.

(Ord. 3-22-04A, passed 4-26-04)

§ 72.53 ENFORCEMENT.

(A) Any violation of this subchapter shall subject the offender to fines, penalties, and forfeitures that

may be imposed by law, and the city may secure injunctions and abatement orders, when appropriate, to insure compliance with its ordinances as authorized by KRS 83A.065.

(B) This subchapter may be enforced by any one or a combination of the remedies authorized by § 72.99.

(Ord. 3-22-04A, passed 4-26-04)

§ 72.99 PENALTY.

(A) Any person receiving a citation for any parking violation in the city shall be deemed to have committed a violation and shall be fined in an amount not less than \$20 nor more than \$100.

(KRS 189.990(1))

(B) Any person who shall violate any provision of §§ 72.50 through 72.53 shall be subject to the following penalties:

(1) *Criminal.*

(a) Fined not less than \$20 nor more than \$100. Where the Kentucky Revised Statutes mandate a fine higher than that stipulated in this division, the fine contained in the Kentucky Revised Statutes shall apply.

(b) Any continuing violation of §§ 72.50 through 72.53 shall be considered a separate offense for each day on which a violation continues, and a separate penalty may be imposed therefor.

(2) *Civil.*

(a) Civil penalty in an amount equal to two times the minimum fine prescribed in this division (B), with a minimum civil penalty of \$50 for each violation.

(b) The civil penalty provided herein may be recovered by the city in a civil action in the nature of a debt if the offender does not pay the penalty within 20 days after the offender has been

cited for the ordinance violation. As used herein, **CITED** shall mean notified of the violation and the penalty in writing by an elected or appointed official of the city or the official attorney for the city. The civil penalty may be used as an alternative to or in conjunction with the criminal penalties authorized herein.

('91 Code, § 72.99) (Am. Ord. 3-22-04A, passed 4-26-04)

Cross-reference:

*Fine schedule for ordinances administered by
Code Enforcement Board, see § 40.11*