



Meeting Date: 4/3/07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input checked="" type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Clifford A. Waer, Police Department Agenda Item No. I-3

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: March 27, 2007

TO: City Council

FROM: Clifford A. Waer, Senior Alcohol Compliance Officer [Signature]
Police Department

SUBJECT: Resolution Amending the Fine Schedule for Civil Fines for Underage Drinking

RECOMMENDATION

That City Council adopt a resolution increasing the fine for underage drinking.

DISCUSSION

On March 13, 2007, City Council adopted ordinance number 2734, adding sections 7-148 through 7-148.13 to the Oxnard City Code. The new ordinance will be effective on April 12, 2007, and concerns alcohol consumption by minors.

The civil fines for violations of the City Code are set by resolution. The attached resolution would increase the civil fine from the existing \$100 for a first violation to \$250, from the existing \$200 for a second violation within 12 months to \$500, and from the existing \$500 for a subsequent violation within 12 months to \$1,000 for any person who violates sections 7-148.2 and 7-148.3 of the City Code.

FINANCIAL IMPACT

The fines imposed by this ordinance and the cost recovery component will add an unknown amount to the city budget and will help offset some of the expenses associated with city services related to alleviating nuisance events.

JD/CW

Attachment #1 - Resolution amending civil fine schedule

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CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD AMENDING THE FINE SCHEDULE FOR CIVIL
FINES FOR VIOLATION OF THE OXNARD CITY CODE

WHEREAS, Article 3 of Chapter 7 of the Oxnard City Code ("OCC") establishes civil fines for violations of the OCC, and

WHEREAS, section 7-56 of Article 3 of Chapter 7 of the OCC provides that the amount of the civil fines shall be adopted by resolution of the City Council.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that effective April 4, 2007, the civil fines, interest and penalties and implementing provisions for violations of the OCC pursuant to section 7-56 of Article 3 of Chapter 7 of the OCC, as it shall be amended and renumbered from time to time, shall be those specified in the Schedule of Fines attached hereto and incorporated in full herein by this reference.

PASSED and ADOPTED this ____ day of _____, 2007, by the following vote:

AYES:

NOES:

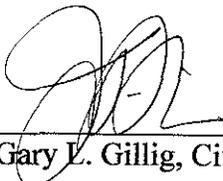
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk

 for

Gary L. Gillig, City Attorney

ATTACHMENT 1
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SCHEDULE OF FINES

**FINES, INTEREST AND PENALTIES FOR
VIOLATIONS OF THE OXNARD CITY CODE**

A. Violators of the Oxnard City Code shall be subject to the fines listed below:

<u>Code Sections:</u>	<u>First violation:</u>	<u>Second violation within 12 months:</u>	<u>Subsequent violations within 12 months:</u>
Section 7802.3 of the 2001 California Fire Code for fireworks and Sections 7-82, 7-84(B), 7-86(A), 7-87, 7-88, and 7-89 of the Oxnard City Code	\$1,000	\$1,000	\$1,000
Sections 7-148.2 and 7-148.3(A) of the Oxnard City Code	\$250	\$500	\$1,000
All except those listed above	\$100	\$200	\$500

B. Violators of any permit, license, or other approval (including but not limited to subdivision maps, special use permits, and zoning clearances) shall be subject to the fines listed below:

<u>Permit, license, or other approval:</u>	<u>First violation:</u>	<u>Second violation within 12 months:</u>	<u>Subsequent violations within 12 months:</u>
All	\$100	\$200	\$500

C. Interest shall accrue upon all delinquent fines and penalties at the annual rate of ten percent.

D. A violator shall owe a \$25 late payment penalty for fines not paid within 30 days of the date such fine is due.

E. Interest and penalties may be waived by the City Manager upon a showing of hardship or upon a showing that such waiver will further the collection of a fine and resolve the violation.