

ORDINANCE NO. 307

ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA, AMENDING CHAPTER 9 OF THE CITY CODE ENTITLED "GARBAGE, TRASH AND LITTER" BY PROVIDING SCHEDULE OF FINES FOR VIOLATION OF CERTAIN SECTIONS AND PROVIDING THAT OFFENDERS SHALL HAVE THE OPTION OF PAYING FINES OR STANDING TRIAL FOR SUCH OFFENSES.

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF WEST MIAMI, FLORIDA, AS FOLLOWS:

Section 1. Chapter 9 of the City Code entitled "Garbage, Trash and Litter" be and is hereby amended by adding thereto as sections 9-51 and 9-52, the following:

"Sec. 9-51. Option of Offenders to plead guilty to certain offenses or to stand trial.

(a) Any person charged with an offense for which payment of a fixed, scheduled fine may be paid as set forth in Section 9-52 hereof shall have the option of (1) paying such fine to the Clerk of the Court within the time specified in the citation or summons upon entering a plea of guilty and upon waiving appearance in court; or (2) depositing any required lawful bail, and upon a plea of not guilty, shall be entitled to a trial as authorized by law.

(b) The payment of a fine to the Clerk for such violation shall be deemed an acknowledgment of the violation of the designated section of the Code."

"Sec. 9-52. Fixed schedule of fines for certain violations of this Chapter.

The following shall constitute the fixed, uniform schedule of fines to be paid by offenders to the Clerk of the Court for violations of Sections 9-9, 9-10, 9-11, 9-12, 9-14, 9-15, 9-31, 9-32, 9-33, 9-34, 9-35, 9-37, 9-46, 9-47, and 9-48 of this Chapter:

(a) For first violation -- if paid within 48 hours (excluding weekends and holidays), \$2.00.

If paid within one week but after 48 hours, \$4.00.

If paid within two weeks, \$6.00.

If bench warrant is issued, \$10.00.

If bench warrant is issued and violator is brought before court, \$15.00.

(b) For second violation -- amounts set forth in (a) above for first violation, plus an additional 50% thereof.

(c) For third violation -- amounts set forth in (a) above for first violation, plus an additional 100% thereof.

(d) For fourth and subsequent violations -- offenders shall not have the option of paying fine without court appearance and must appear in court pursuant to citation or summons.

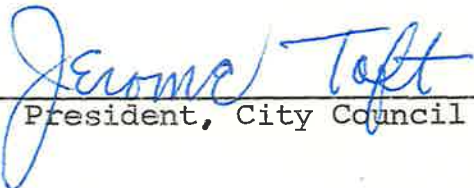
The periods of time provided herein shall be computed from the date the summons or citation is served. "

Section 2. If any section or subsection of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.


Section 3. It is the intent of the Council that the provisions of this Ordinance shall be a part of the Code of the City of West Miami, Florida, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 4. The provisions of this Ordinance shall become effective November 1, 1969.

PASSED AND ADOPTED this 1st day of October 1969.

  
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President, City Council

ATTEST:

  
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CITY CLERK

APPROVED:

  
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MAYOR