

CITY OF SILVERTON
ORDINANCE
18-09

AN ORDINANCE OF THE SILVERTON CITY COUNCIL AMENDING SILVERTON MUNICIPAL CODE CHAPTER 10.08 TO UPDATE CODE LANGUAGE AND REMOVE FINE AMOUNTS

WHEREAS, on August 21, 2017, the Silverton City Council discussed changes to the Silverton Municipal Code (Code) whereby the parking, standing, and stopping (Chapter 10.08) portions of the Code would be updated with new fine amounts; and

WHEREAS, removing the fine amounts from the Code altogether will make it easier for the City Council to update those amounts through resolutions on a more regular basis; and

WHEREAS, other sections of the Code needed to be updated to remove references to taxi cabs and other outdated references; and

WHEREAS, the City desires to revise the Code to remove fine amount references and to make other updates.

NOW THEREFORE THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Section 1: The Silverton Municipal Code is amended in substantially the same form as set forth in the attached Exhibit A (Chapter 10.08).


Section 2: That this ordinance is and shall be effective within 30 days of its passage.

Ordinance adopted by the City Council of the City of Silverton, this 2nd day of April, 2018.



Mayor, City of Silverton
Kyle Palmer

ATTEST



City Manager/Recorder, City of Silverton
Christy S. Wurster

EXHIBIT A

(additions in *italics* and deletions in ~~strikethrough~~)

Chapter 10.08 STOPPING, STANDING AND PARKING

Sections:

- 10.08.010 Definitions.
- 10.08.020 Parking meter zones designated.
- 10.08.021 Parking – Methods authorized – Emergencies and fires.
- 10.08.022 Parking – Oversized vehicles.
- 10.08.023 Parking – Prohibited locations and activities.
- 10.08.024 Loading zone use restrictions.
- 10.08.025 ~~Bus and taxicabs~~ – Operation restrictions.
- 10.08.026 ~~Bus and taxicabs~~ – Use of stands.
- 10.08.027 Lights on parked vehicles.
- 10.08.028 Governmental and public utility vehicles.
- 10.08.029 Meters – Deposit of coins.
- 10.08.030 Meters – Legal time limit.
- 10.08.031 Meters – Collection of money.
- 10.08.032 Meters – Effect of defects on violations.
- 10.08.033 Parking permits and meter hoods.
- 10.08.034 Parking violation – Impoundment and disposal conditions.
- 10.08.036 Meters – Installation.
- 10.08.040 Meters – Location and operation.
- 10.08.050 Meters – Parking space markings.
- 10.08.070 Repealed.
- 10.08.080 ~~Loading and unloading – Meter parking permits.~~
- 10.08.090 ~~Taxicab and Bus~~ parking exemptions.
- 10.08.100 Meters – Payments as fee for services.
- 10.08.110 Meters – Deposit collections.
- 10.08.120 Meters – Holidays and exempt days.
- 10.08.130 Meters – Recordkeeping of parking violations.
- 10.08.140 Meters – Unlawful coins.
- 10.08.150 Meters – Tampering and other prohibited acts.
- 10.08.160 Meters – Penalty for violation.
- 10.08.170 ~~East Main Street parking restrictions.~~
- 10.08.180 ~~Oak Street parking restrictions.~~
- 10.08.190 Logging trucks and other large vehicles.
- 10.08.210 Violation – Notice – Form and contents – Penalties.

10.08.220 Violation – Failure to pay fine – Penalty.

10.08.230 Chapter provisions not exclusive.

10.08.300 Street sweeping.

10.08.010 Definitions.

Whenever in this chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section:

A. "Parking meter zones" means portions of streets described and established by the city council as zones within which the parking of vehicles shall be controlled, regulated and inspected with the aid of timing devices or meters, referred to in this chapter as "parking meters" or "meters."

B. "Roadway" means that portion of a street between the regularly established curb lines.

C. "Sidewalk" means that portion of a street between the curb lines and the adjacent property lines.

D. "Stand" means the halting of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

E. "Street" means every public way, road, thoroughfare and place, including bridges, viaducts, and other structures within the boundaries of the city, open, used or intended for use by the general public for vehicles or vehicular traffic as a matter of right.

F. "Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public street and includes vehicles that are propelled or powered by any means. (Ord. 99-120 § 3, 1999; Ord. 384 § 1, 1949)

10.08.020 Parking meter zones designated.

Sections of streets may be established as parking meter zones as determined by city council resolution. (Ord. 03-103 § 1, 2003; Ord. 90-206 § 1, 1990; Ord. 697 § 1, 1975; Ord. 674 § 1, 1974; Ord. 603 § 14, 1970; Ord. 388 § 1, 1949; Ord. 384 § 2, 1949)

10.08.021 Parking – Methods authorized – Emergencies and fires.

A. No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking, in which case motor vehicles shall be parked with the front head-in to the curb at the angle of and between painted stripes or other markings upon the pavement where such head-in parking is indicated.

B. Where parking space markings are placed on a street, no person shall stand or park a vehicle other than in the indicated direction and within a single marked space.

C. An owner or driver of a vehicle, upon discovering that such vehicle is parked immediately in front of or close to a building to which an emergency vehicle has been summoned, shall immediately remove such vehicle from the area unless otherwise directed by police or fire personnel.

D. No person, whether in a vehicle or not, shall intrude upon a street or premises where a fire is in progress in such manner as to interfere with fire personnel in their efforts to extinguish a fire, and no person shall congregate in the vicinity of a fire in such a manner as to hinder or interfere with fire personnel in their efforts to extinguish a fire. (Ord. 99-120 § 4, 1999; Ord. 860 § 6, 1987)

10.08.022 Parking – Oversized vehicles.

Any vehicle which because of its size or shape cannot be parked as provided by SMC 10.08.021 may be parked outside the restricted or limited parking area of the city in a manner which will not impede or interfere with vehicular traffic. (Ord. 99-120 § 4, 1999; Ord. 860 § 7, 1987)

10.08.023 Parking – Prohibited locations and activities.

In addition to provisions of the Motor Vehicle Laws of Oregon prohibiting parking, no person shall park a vehicle:

A. Upon a bridge, viaduct or other elevated structure used as a street, unless otherwise indicated by lawfully installed signs;

B. In any alley, except to load or unload persons or materials, not to exceed 20 minutes for loading or unloading;

C. Upon a street for the principal purpose of:

1. Displaying the vehicle for sale,
2. Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency,
3. Displaying advertising from the vehicle,
4. Selling merchandise from the vehicle, except in an established market place, or when so authorized or licensed under the ordinances of the city,
5. Storing the vehicle, or as junkage or dead storage, for more than 72 consecutive hours;

D. Upon any parkway, except where specifically authorized. (Ord. 99-120 § 4, 1999; Ord. 860 § 8, 1987)

10.08.024 Loading zone use restrictions.

A. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the continuous and expeditious unloading and delivery or pickup and loading of materials or freight in any place designated as a loading zone, during the hours when the provisions applicable to loading zones are in effect.

B. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the continuous and expeditious loading or unloading of passengers in any place designated as a passenger loading zone, during the hours when the provisions applicable to passenger loading zones are in effect.

C. The penalty for violation of this section shall be *set by resolution of the city council.* ~~\$25.00 on the date of violation and \$50.00 after 72 hours from the date of the violation.~~ (Ord. 99-120 § 4, 1999; Ord. 93-127 § 1, 1993; Ord. 93-110 § 1, 1993; Ord. 860 § 9, 1987)

10.08.025 Bus and taxicabs – Operation restrictions.

The driver of a bus ~~or taxicab~~ shall not stand or park such vehicle upon any street in any business district at any place other than at a bus stand ~~or taxicab stand~~, respectively, except that this provision shall not prevent the driver of any passenger vehicle from temporarily stopping for the purpose of and while actually engaged in the loading or unloading of passengers. (Ord. 99-120 § 4, 1999; Ord. 860 § 10, 1987)

10.08.026 Bus and taxicabs – Use of stands.

No person shall stop, stand or park a vehicle other than a bus in a bus stand, ~~or other than a taxicab in a taxicab stand~~, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading of passengers, when such stopping does not interfere with any bus ~~or taxicab~~ about to enter or using such zone. (Ord. 99-120 § 4, 1999; Ord. 860 § 11, 1987)

10.08.027 Lights on parked vehicles.

No lights need be displayed upon any vehicle parking in accordance with this chapter, and upon a street where there is sufficient light to reveal any person or object upon such street within a distance of 500 feet. (Ord. 99-120 § 4, 1999; Ord. 860 § 13, 1987)

10.08.028 Governmental and public utility vehicles.

The provisions of this chapter regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while in use for construction or repair work on the street, or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail. (Ord. 99-120 § 4, 1999; Ord. 860 § 13, 1987)

10.08.029 Meters – Deposit of coins.

No person shall park a vehicle in any metered parking space, except as otherwise permitted by ordinance, without immediately depositing in the parking meter adjacent to such space such lawful coin or coins of the United States as are required by such meter and as designated by directions on the meter, and when required by the directions on the meter, unless the parking meter indicates at the time such vehicle is parked that an unexpired portion remains of the period for which a coin or coins had been previously deposited. (Ord. 99-120 § 4, 1999; Ord. 860 § 14, 1987)

10.08.030 Meters – Legal time limit.

A. Except as otherwise permitted by ordinance, no person shall park any vehicle and let it remain parked in any such parking metered space during any time when the parking meter adjacent to such space

indicates that no portion remains of the period for which the last previous coin or coins had been deposited, or beyond the 120 minutes time limit for parking in such space between the hours of 9:00 a.m. and 6:00 p.m. ~~of any day~~ (Monday thru Friday), Saturdays, Sundays and legal holidays excepted.

B. Continued parking beyond the 120 minutes time limit for any meter parking space shall constitute a separate offense for each period or portion of a single time limit for any such meter parking space during which the vehicle remains so parked.

C. Notwithstanding the provisions of subsections A and B of this section, where a meter specifically authorizes parking for a period in excess of 120 minutes, a person may park a vehicle in such metered space for such time as is authorized by the meter adjacent to the space. (Ord. 03-103 § 1, 2003; Ord. 99-120 § 4, 1999; Ord. 860 § 15, 1987; Ord. 391 § 1, 1949; Ord. 384 § 6, 1949)

10.08.031 Meters – Collection of money.

It shall be the duty of the chief of police to direct the collection of all money deposited in parking meters. (Ord. 99-120 § 4, 1999; Ord. 860 § 18, 1987)

10.08.032 Meters – Effect of defects on violations.

Any unintentional violation of any provisions of this chapter by reason of a mechanical failure of a parking meter is not an offense within the meaning of this chapter. (Ord. 99-120 § 4, 1999; Ord. 860 § 17, 1987)

10.08.033 Parking permits and meter hoods.

A. The city manager or their designee may issue up to two parking meter hood permits to either the general contractor or property owner engaged in the construction, reconstruction or repair of a building, or engaged in the installation or removal of equipment in a building adjacent to a street where parking meters are installed for a period of up to 10 days. In addition, the city manager or their designee may issue up to two parking meter hood permits to either the tenant or property owner engaged in a loading or maintenance activity adjacent to a street where parking meters are installed for a period of up to three days. All parking fee are *set by resolution of the city council* and shall be charged for each parking space where a parking meter hood is requested. Extensions of time may be requested prior to the expiration date of the permit if the construction activity has not been completed. Parking meter hoods may be used only for parking space(s) adjacent to the identified location under the granted permit. For construction activities, parking meter hoods shall be returned and all payments shall be received by the city prior to the issuance of a certificate of occupancy for the project.

B. Additionally, the city manager or their designee may issue parking meter hoods to a governmental agency or private, nonprofit agency engaging in an activity or event that has community-wide benefit where parking meters are installed. Parking meter hoods may be issued only for use during each particular activity or event and may not exceed a period of three days.

C. Parking meter hoods shall not be used for the construction, reconstruction or repair of a building, installation or removal of equipment, or loading or unloading or maintenance activities while community activities or events are taking place. At all times when meter hoods are used, vision clearance areas shall

be maintained at street intersections. With the exception of debris containers, meter hoods shall be removed and vehicles and equipment shall not remain in parking spaces over the weekend unless expressly allowed by the city manager or his designee.

D. An initial deposit as established by resolution shall be paid for each parking meter hood issued. The city manager or his designee may waive the meter hood deposit for governmental and/or nonprofit agencies.

E. Upon termination of use, the parking meter hood(s) shall be returned to the city. If the hood is returned within five days of permit expiration and is in good condition, the deposit shall be refunded. If the hood is not returned within the allotted time period, then the hood shall be confiscated and the deposit forfeited. Lost or stolen hoods shall be reported immediately to the city manager or their designee for the hood to be replaced and applicable fees shall be paid as per resolution. (Ord. 09-01 § 1, 2009; Ord. 07-07 § 1, 2007; Ord. 99-120 § 4, 1999; Ord. 860 § 19, 1987)

10.08.034 Parking violation – Impoundment and disposal conditions.

A. Whenever a traffic citation is issued for violation of any city parking regulation, the police department may impound the vehicle involved and remove it to a garage, parking lot or other suitable storage place.

B. The owner of the impounded vehicle, or the owner's authorized agent, may redeem such vehicle upon payment of the towing and storage charges. If redemption is not made within 30 days after the vehicle is impounded, then such vehicle shall be disposed of in accordance with the procedure provided by ordinance for the disposal of abandoned vehicles. (Ord. 99-120 § 4, 1999; Ord. 860 § 42, 1987)

10.08.036 Meters – Installation.

The installation of parking meters is authorized in all parking meter zones established by this chapter or hereafter established by the city council for the purpose of and in such numbers and at such places as the city council in its judgment may deem necessary to regulate, control and inspect the parking of vehicles therein, including the regulation of loading zones for commercial vehicles. (Ord. 99-120 § 5, 1999; Ord. 384 § 3, 1949)

10.08.040 Meters – Location and operation.

Parking meters installed in parking meter zones shall be installed upon the curb immediately adjacent to the individual parking spaces described in SMC 10.08.050, and each parking meter shall be so constructed and adjusted as to show, when properly operated, a signal that the space adjacent to which it is installed is or is not legally in use. (Ord. 384 § 4, 1949)

10.08.050 Meters – Parking space markings.

A. The city shall have lines or markings painted upon the curb or street adjacent to each parking meter, designating the parking space for which the meter is to be used, and each vehicle parked adjacent to any parking meter shall park within such lines or markings.

B. It is unlawful to park any vehicle across any such line or marking, or to park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings. (Ord. 384 § 5, 1949)

10.08.070 Meters – Operation by coins.

Repealed by Ord. 03-103. (Ord. 384 § 7, 1949)

~~10.08.080 Loading and unloading – Meter parking permits.~~

~~A. Upon application being made and approved by the city manager, a parking sign calling for no parking for a specified period of time, that being one-half day or one day, shall be attached to the meter base or stand as designated in the application and approved by the city manager.~~

~~1. One-half day shall consist of any consecutive four-hour period between the hours of 9:00 a.m. and 6:00 p.m. on days on which meter regulations are enforced within the city;~~

~~2. A permit for a full day shall be between the hours of 9:00 a.m. and 6:00 p.m. on days on which meter regulations are enforced within the city.~~

~~B. The application provided for in this section shall state the reason for the requested restricted loading and unloading zone, and show that there is an actual, bona fide need, giving regard to the nature of the business, the availability of other parking in the area, and the actual need for loading and unloading at the particular location by the applicant.~~

~~C. Upon approval of the application, the city manager shall cause a sign to be attached to the meter base or stand designated in the application, showing the hours that the parking is restricted for loading and unloading.~~

~~D. The cost for the restricted zone to be charged to the applicant shall be \$15.00 per month for a one-half day permit, and \$30.00 per month for an all-day permit, payable in advance, or such lesser or greater sum that the council may determine hereafter by resolution.~~

~~E. Upon approval of the application and payment of the fee called for herein, a permit shall be issued to the applicant indicating thereon whether it is for one-half day or one day, the hours of its use, and a description of the particular meter where the restricted parking is allowed. The permit shall also state that it is revocable, and give the license number of the vehicle or vehicles that may use it.~~

~~F. While using the restricted zone, the vehicle shall display the permit on the dashboard or other such place in the vehicle that is readily visible from the outside.~~

~~G. In the event of an application being denied by the city manager, an applicant may appeal the city manager's decision to the city council. (Ord. 99-120 § 6, 1999; Ord. 687 § 1, 1975; Ord. 384 § 18, 1949)~~

10.08.090 Taxicab and bBus parking exemptions.

A. Upon application being made and approved by the city council, showing a public need therefor, a public transportation company ~~such as a taxicab~~ or a bus company may be exempted from the requirement of paying a fee ~~as called for in SMG 10.08.080.~~

B. The application called for in this section shall provide for a showing by the public transportation body that a genuine public need exists for their service and that the same is in the public interest.

C. Upon approval by the city council of the application, a permit shall be issued to the applicant indicating the particular area where the parking is available, and shall state thereon that the permit is revocable and give the license number or numbers of the vehicle or vehicles that may use such permit.

D. The application permit called for in this section shall be renewable annually or sooner, as the city council may direct. (Ord. 732 § 1, 1977; Ord. 384 § 19, 1949)

10.08.100 Meters – Payments as fee for services.

The amount of coins required to be deposited in parking meters as provided in this chapter is levied and assessed as a fee to provide for the proper regulation, control and inspection of traffic upon the public streets, and to cover the cost of supervising, regulating and inspecting the parking of vehicles in the parking meter zones provided for in this chapter, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters installed hereunder. (Ord. 99-120 § 6, 1999; Ord. 384 § 12, 1949)

10.08.110 Meters – Deposit collections.

It shall be the duty of the chief of police to designate some person or persons to make regular collections of the money deposited in the parking meters and deliver the money to ~~the city treasurer~~ *to the bank or finance department*, and it shall also be the duty of the ~~city treasurer~~ *finance department* to assure the money is deposited at the bank and recorded in the appropriate fund. (Ord. 99-120 § 6, 1999; Ord. 384 § 13, 1949)

10.08.120 Meters – Holidays and exempt days.

A. Parking meter regulations will not be enforced on any *Saturday*, Sunday and any federally recognized holidays.

B. When the holidays fall on *Saturday the prior Friday is exempt from parking meter enforcement, when the Holiday falls on a Sunday*, the following Monday is exempt from parking meter enforcement. (Ord. 99-120 § 6, 1999; Ord. 843 § 1, 1986)

10.08.130 Meters – Recordkeeping of parking violations.

The police department shall maintain an official account of and report the number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such meter is or has been parked in violation of any provision of this chapter, to show, in part, the date, the hour of the violation, the meter number, if appropriate, the make and state vehicle license number of the vehicle, and any other

information considered necessary to establish a better understanding of circumstances surrounding such violation. (Ord. 384 § 10(B)(2), 1949)

10.08.140 Meters – Unlawful coins.

It is unlawful to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a one-cent, five-cent, ten-cent or twenty-five cent coin of the United States. (Ord. 384 § 8, 1949)

10.08.150 Meters – Tampering and other prohibited acts.

It is unlawful for any unauthorized person to open, or for any person to deface, injure, tamper with or willfully break, destroy or impair the usefulness of any parking meter installed pursuant to this chapter, or to hitch any animals thereto. (Ord. 384 § 9, 1949)

10.08.160 Meters – Penalty for violation.

Any person violating any provisions of SMC 10.08.140 and 10.08.150 shall be deemed guilty of an infraction, and upon conviction thereof shall be punishable by a fine *set by resolution of the city council* not exceeding ~~\$50.00~~. (Ord. 99-120 § 6, 1999; Ord. 97-105 (3), 1997; Ord. 384 § 11, 1949)

~~**10.08.170 East Main Street parking restrictions.**~~

~~A. It is unlawful for any person, firm or corporation to park any automobile, truck, trailer, semi-trailer, motorcycle or vehicle, or personal property whatsoever, between the hours of 8:00 a.m. and 6:00 p.m. on any days, except holidays Saturdays and Sundays, for a period of more than two hours on East Main Street, between its intersection with Second Street and its intersection with Third Street.~~

~~B. Proper signs shall be posted within the above area indicating to the public that the parking of vehicles is limited to the period of two hours within such area.~~

~~C. Any person, firm or corporation violating the provisions of this section shall, upon conviction thereof, be subject to a fine *set by resolution of the City Council* of not more than \$25.00. (Ord. 406 §§ 1 – 3, 1952)~~

~~**10.08.180 Oak Street parking restrictions.**~~

~~A. It is unlawful for any person, firm or corporation to park any automobile, truck, trailer, semi-trailer, motorcycle, motorbike, bicycle or any vehicle or personal property whatsoever upon the south side of Oak Street in the city, between its intersection with Second Street to Norway Street.~~

~~B. Proper signs shall be posted and the curbing properly marked to indicate to the public that such area is closed to parking, and the State Highway Commission is hereby authorized to provide and erect such signs and provide for such paintings if they concur with the terms of this section.~~

~~C. Any person, firm or corporation violating the provisions of this section shall, upon conviction thereof, be subject to a fine *set by resolution of the City Council* of not more than \$50.00. (Ord. 401 §§ 1 – 3, 1952; Ord. 390 §§ 1 – 3, 1949)~~

10.08.190 Logging trucks and other large vehicles.

A. Between the hour of sunset and the hour of sunrise, Pacific Standard Time, it is unlawful for any person or persons to park any of the vehicles described in this section upon any public street or roadway within the city, within an area of one block, or within a like area upon any street or roadway which is not designated in blocks, for a period of more than two hours.

B. The vehicles covered by the provisions of this section are as follows: logging trucks, logging truck trailers, logging trucks with trailer attached, any trucks with trailers or semi-trailers attached, truck trailers, semi-truck trailers, gravel trucks, and any vehicle of an overall length exceeding 20 feet and any vehicle of a width at its widest point exceeding 80 inches.

C. Anyone violating the terms of this section shall, upon conviction thereof, be subject to a fine *set by resolution of the city council not exceeding \$50.00.* (Ord. 97-105 (3), 1997; Ord. 392 §§ 1 – 3, 1950)

10.08.210 Violation – Notice – Form and contents – Penalties.

A. The police department shall attach to such vehicle an official notice stating that it has been parked in violation of this chapter, and instructing the owner or operator to report to the finance department at city hall in regard to such violation. *The penalty amounts for violations of this subsection and any collection costs shall be set by resolution of the city council.*

10.08.220 Violation – Failure to pay fine – Penalty.

The police department shall secure the attention of the subject violator who remains unresponsive to the official citation by impoundment and/or immobilization of the vehicle identified by state license number or by official registration information identifying the vehicle for which the citation was originally issued. Costs incurred by such impoundment action of the police department shall be assessed to the registered owner at the time the vehicle is reclaimed. In addition, such costs shall include *an \$50.00 administrative fee set by resolution of the city council.* The violator cannot claim his/her vehicle until payment of all outstanding fines and fees has been received. (Ord. 99-120 § 6, 1999; Ord. 89-103 § 4, 1989; Ord. 709 § 4, 1976; Ord. 384 § 10(B)(4), 1949)

10.08.230 Chapter provisions not exclusive.

This chapter shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of existing ordinances of the city, but shall be an additional provision for the regulation of traffic and parking in the parking meter zones provided for herein. (Ord. 384 § 14, 1949)

10.08.300 Street sweeping.

A. It shall be unlawful for any person, firm or corporation to park any motor vehicle, trailer, motorcycle or to store any personal property of any nature on a public street within designated downtown parking areas on Friday mornings between the hours of 2:00 a.m. and 6:30 a.m. The city staff shall schedule those times that sweeping shall occur and establish and maintain signs for that purpose.

B. Any person, firm, or corporation who shall be found in violation of this section shall be fined *an amount set by resolution of the city council.* ~~the sum of exactly \$15.00~~ ~~\$10.00~~ for a first offense, ~~\$25.00~~ for a second offense, ~~\$50.00~~ for a third and subsequent offenses. (Ord. 99-120 § 7, 1999; Ord. 94-106 § 1, 1994)