

ORDINANCE NO. 2418

AMENDING SECTION 12-4-2 OF THE ZONING AND DEVELOPMENT CODE OF THE CITY OF GRAND JUNCTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 12-4-2, entitled "Civil Penalty" is hereby repealed and reenacted so that it shall read in its entirety as follows:

"Any person who violates or fails to comply with any of the provisions of this Code shall be subject to a civil penalty of not less than ten dollars (\$10) nor more than three hundred dollars (\$300) for each offense. Each day that a violation exists shall constitute a separate offense; however, the maximum civil penalty that may be imposed, even in circumstances where there are multiple and continuing offenses, shall be five thousand dollars (\$5000). Every such action shall only be brought in the Municipal Court of the City. The Court may order that the person successfully bringing the action to recover such civil penalty may receive all or a portion of any penalty imposed by the Court. The prevailing party in any such suit is entitled to recover judgement against any person violating or failing to comply with any provision of this Code for reasonable attorney's fees in an amount determined by the Municipal Court. The City, its officers and employees may initiate an action under this section but neither the City nor its officers or employees shall be liable for any claim for any civil penalty. Any person initiating an action for civil penalties pursuant to this section shall cause written notice thereof to be given to the City Attorney.

PASSED and ADOPTED this 1st day of February, 1989.

John W. Bennett

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2418, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 18th day of January, 1989, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 2nd day of February, 1989.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

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