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CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
(203) 797-4518 (203)796-8043 FAX

April 29, 2008

Hon. Mayor Mark D. Boughton
Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Amendment to Code of Ordinances Section 1-7.
General Penalties

Dear Mayor and Council:

A change in state law has permitted municipalities to increase the maximum fine amounts that may be levied through local citation procedure for certain violations of ordinances, from \$100.00 to \$250.00.

Section 1-7 of the Danbury Code of Ordinances, first adopted in 1983, exists to establish the amount of such fines where none is specifically set forth in other ordinances or in state law. Presently, fine amounts in the Code vary, either higher or lower, depending upon a number of factors. Over a period of time, it will be recommended to you that certain Code sections be amended to establish specific fines, in order that the public is adequately advised of the penalty established for the violation of a local law. By adopting this change, it will permit you to begin the process of examining and adjusting other ordinances' penalties within the statutory cap of \$250.00.

As a final note, in the event that you choose to amend this section, it does *not* mean that *all* fines will be \$250.00 for every violation. It simply means that when you do establish a fine by ordinance, the maximum allowable is that amount, or such other amount as specifically established by state law.

Kindly consider the proposed ordinance in the usual fashion.

Very truly yours,

Laszlo L. Pinter
Deputy Corporation Counsel

Enclosure

cc: Al Baker, Chief of Police

Llp/generalpenalty

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ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT Section 1-7 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 1-7. General penalty.

Whenever in this Code or in any ordinance of the City an act is prohibited or made or declared to be unlawful or an offense or violation, or wherever in such Code or ordinance the doing of an act is required or the failure to do an act is declared to be unlawful, and no specific penalty is provided therefor either by ordinance or statute, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine of up to two hundred fifty dollars (\$250.00) and as may be amended by state law. Each day's violation of any provision of this Code or of any ordinance shall constitute a separate offense.

COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT Section 1-7 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 1-7. General penalty.

Whenever in this Code or in any ordinance of the City an act is prohibited or made or declared to be unlawful or an offense or violation, or wherever in such Code or ordinance the doing of an act is required or the failure to do an act is declared to be unlawful, and no specific penalty is provided therefor **EITHER BY ORDINANCE OR STATUTE**, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine of **UP TO TWO HUNDRED FIFTY DOLLARS (\$250.00) AND AS MAY BE AMENDED BY STATE LAW.** ~~ninety dollars (\$90.00).~~ Each day's violation of any provision of this Code or of any ordinance shall constitute a separate offense.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.