

FINANCE COMMITTEE

12-0220R

RESOLUTION AMENDING THE 2012 FEE SCHEDULE; ADDING FEE, FINE AND PENALTY CHARGES REMOVED FROM THE DULUTH CITY CODE.

CITY PROPOSAL:

RESOLVED, that the 2012 fee schedule be amended by adding the following fees, fines and penalty charges, pursuant to Section 31-8 of the Duluth City Code, 1959, as amended:

Citywide	
Fee, Fine or Penalty Name	2012 Fee
Code and ordinance violation - maximum (§ 1-7)	\$1,000.00
Clerk	
Fee, Fine or Penalty Name	2012 Fee
Alcoholic beverages - violation (§ 8-9)	
First offense	\$500.00
Second offense	\$1,000.00
Third offense	\$2,000.00
Fourth offense	\$2,000.00
Maximum fine	\$2,000.00
* Garbage customer - improper articles found in solid waste containers penalty - per container (billable by and payable to garbage collector) (§ 24-17.1)	\$25.00
Planning	
Fee, Fine or Penalty Name	2012 Fee
Stormwater permit noncompliance deduction or violation - per calendar day (§ 50-39.3)	\$500.00
Temporary certificate of occupancy - penalty percentage for failure to construct city-required improvement within one year (§ 50-37.1.P.4)	110 percent
Police	
Fee, Fine or Penalty Name	2012 Fee
Feeding of pigeons or deer - minimum (§ 6-78)	\$50.00
Parking violation (§ 33-46)	
Section 33-46(b) violation	\$10.00
Section 33-46(c) violation	\$15.00
Section 33-46(d) violation	\$20.00
Section 33-46(e) violation	\$25.00
Section 33-46(f) violation	\$40.00
Pawnbroker - failure to submit transaction report - per day (§ 36-7)	\$50.00

Fee, Fine or Penalty Name		2012 Fee
Precious metal dealer - failure to submit transaction report - per day (§ 36-20)		\$50.00
Predatory offender - residency violation - maximum (§ 34-17)		\$1,000.00
Snowmobile regulation violation - maximum (§ 33-237)		\$1,000.00
Vehicle noise limit violation - maximum (§ 34-23)		
	First offense	\$50.00
	Second offense	\$100.00
Public Administration		
Fee, Fine or Penalty Name		2012 Fee
Administrative fines		
	Late payment charge (§ 12-14)	25 percent
Tobacco - selling to minors (§ 11-5)		
	Individual penalty	\$50.00
Licensee/employee penalty		
	First offense	\$75.00
	Second offense within 24 months	\$200.00
	Third offense within 24 months	\$250.00
Public Works and Utilities		
Fee, Fine or Penalty Name		2012 Fee
FOG program (§ 43-50.7)		
	Failure to maintain records - per day	\$100.00
	Noncompliance - maximum penalty - per month	\$1,000.00
Water and gas		
	Delinquent interest charge - per month (§ 48-15)	1.33 percent
	Shut off or turn on - minimum charge (§ 48-210)	\$1.00
Treasurer		
Fee, Fine or Penalty Name		2012 Fee
Gambling (§ 10A-7)		
	Gross receipt tax	3 percent
	Interest rate on unpaid tax - per annum	18 percent
	Late payment penalty	10 percent
Sales and use tax (§ 42A-48)		
	Interest rate - per annum	18 percent
Failure to make and file a return		
	Less than 30 days late	10 percent
	More than 30 days late - each 30 days or fraction thereof	5 percent
	Maximum	25 percent
	For penalty not exceeding...	\$10.00

Fee, Fine or Penalty Name	2012 Fee
Minimum penalty charge	\$10.00
Late fee	10 percent
Willful failure to file return or make payment	
Abatement requiring city attorney approval - minimum	\$100.00
Misdemeanor fine - maximum	\$500.00
Penalty	50 percent
Special assessment	
Interest rates - per annum	
Administrative property violation (§ 12-16)	10 percent
Alarm system violation (§ 29B-7)	10 percent
Demolition (§ 10-3)	8 percent
Local improvement	
Delinquent penalty (§ 45-82.1)	10 percent
Non-installment payment (§ 45-82)	10 percent
Point of sale - inspection fee - delinquent penalty (§ 43-33.4)	10 percent
Property violation abatement or removal (§ 50-39.2.C.5)	8 percent
Solid waste account (§ 24-26)	10 percent
Stormwater utility account - delinquent penalty (§ 43-66)	10 percent
Street lighting system utility - delinquent penalty (§ 45-108)	10 percent
Tree/shrub/plant trimming, removal or treatment (§ 35-30)	10 percent

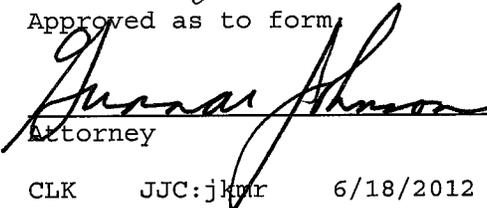
Fee, Fine or Penalty Name	2012 Fee
Local improvements	
Installation payment (§ 45-82(c))	\$100.00
Non-installment assessment limit - maximum (§ 45-82(b))	\$500.00
* Fee change	

Approved:



 Department Director

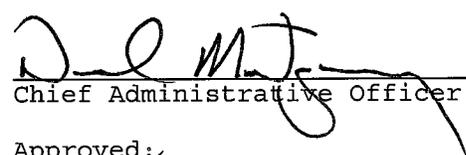
Approved as to form:



 Attorney

CLK JJC:jkr 6/18/2012

Approved for presentation to council:



 Chief Administrative Officer

Approved:



 Auditor

STATEMENT OF PURPOSE: This resolution adds fees, fines and penalties charges to the 2012 city fee schedule which were removed from the Duluth City Code in Ordinance No. 10155, adopted on May 29, 2012.

The "garbage customer - improper articles..." fee is outdated. Based on information from WLSSD, there are still a substantial amount of improper items in solid waste collections.