

ORDINANCE # 10-23-1997-B

AN ORDINANCE TO DO THE FOLLOWING VILLAGE OF NASHVILLE ORDINANCE AMENDMENTS.

SECTION 1. Amendment of Section 2 of Ordinance 1-1-1967. Section 2 of Ordinance 1-1-1967 shall be amended to read in its entirety as follows:

PENALTIES FOR VIOLATION Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00.

SECTION 2. Amendment of Section 5 of Ordinance 6-16-1902. Section 5 of Ordinance 6-16-1902 shall be amended to read in its entirety as follows:

PENALTIES FOR VIOLATION Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00.

SECTION 3. Amendment of Section 2 of Ordinance 3-02-1905. Section 2 of Ordinance 3-02-1905 shall be amended to read in its entirety as follows:

PENALTIES FOR VIOLATION Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00.

SECTION 4. Amendment of Section 4 of Ordinance 3-23-1937. Section 4 of Ordinance 3-23-1937 shall be amended to read in its entirety as follows:

PENALTIES FOR VIOLATION Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00.

SECTION 5. Amendment of Section 7 of Ordinance 12-27-1956. Section 7 of Ordinance 12-27-1956 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$100 for a first violation, \$200 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00.

SECTION 6. Amendment of Section 8 of Ordinance 1-22-1981. Section 8 of Ordinance 1-22-1981 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 7. Amendment of Section 8 of Ordinance 10-8-1981. Section of Ordinance 10-8-1981 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable the payment of costs in an amount of not less than \$9.00 and more than \$500.00

SECTION 8. Amendment of Section 4 of Ordinance 4-17-1939. Section of Ordinance 4-17-1939 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished a civil fine of \$50 for a first violation, \$150 for a second violation and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 9. Amendment of Section 4 of Ordinance 10-9-1986. Section be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 10. Amendment of Section 5 of Ordinance 7-22-1982. Section 5 of Ordinance 7-22-1982 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 11. Amendment of Section 15 of Ordinance 12-15-1954. Section 15 of Ordinance 12-15-1954 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 12. Amendment of Section 2 of Ordinance 8-01-1892. Section 2 of Ordinance 8-01-1892 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 13. Amendment of Section 5 of Ordinance 5-21-1934. Section 5 of Ordinance 5-21-1934 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 14. Amendment of Section 1 and 2 of Ordinance 6-12-1878(1). Section 1 & 2 of Ordinance 6-12-1878(1) shall be amended to read in its entirety as follows:

Section 1. The Council of the Village of Nashville ordains, that shall be unlawful for any person or persons to throw or knock any ball or snowball, on Main Street in the Village of Nashville.

Section 2.

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00.

SECTION 15. Amendment of Section 2 of Ordinance 6-11-1878(3). Section 2 of Ordinance 6-11-1878(3) shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 16. Amendment of Section 3 of Ordinance 6-18-1906. Section of Ordinance 6-18-1906 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 17. Amendment of Section 5 of Ordinance 7-26-1979. Section 5 of Ordinance 7-26-1979 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 18. Amendment of Section 1 and 2 of Ordinance 6-11-1878(5). Section 1 & 2 of Ordinance 6-11-1878(5) shall be amended to read in its entirety as follows:

Section 1. The Council of the Village of Nashville ordain, that any person or persons shall not injure or deface any shade or other tree, in any street or alley of this Village, or on any lot not his own, or upon any of the public grounds in said Village, either by fastening any horse or other animal thereto, or in any other manner.

Section 2.

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 19. Amendment of Section 2 of Ordinance 9-05-1910. Section of Ordinance 9-05-1910 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$25 for a first violation, \$50 for a second violation, and \$100 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 20. Amendment of Section 1-B & D and Section 5 of Ordinance 8-10-1989. Section 1-B & D and Section 5 of Ordinance 8-10-1989 shall be amended to read in its entirety as follows:

Section 1 (B) Radios, Phonographs and Musical Instruments: The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device at any time in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be a FACIE evidence of a violation of this section.

Section 1 (D) Yelling, Shouting, Etc.,: Yelling, shouting, hooting, whistling, or singing on the public streets at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel, or other type of residence, or of any persons in the vicinity. Such yelling, shouting, hooting, whistling or singing occurring at any time shall be PRIMA FACIE evidence of a violation of this provision.

Section 5:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 21. Amendment of Section 2 of Ordinance 7-23-1888. Section 2 of Ordinance 7-23-1888 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$25 for a first violation, \$50 for a second violation and \$100 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 22. Amendment of Chapter 11 of Ordinance 5-21-1934. Chapter of Ordinance 5-21-1934 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 23. Amendment of Section 8 & Section 9 of Ordinance 6-12-1911(29). Section 8 & Section 9 of Ordinance 6-12-1911(29) shall be amended to read in its entirety as follows:

Section 8.

Any person or persons, by themselves or their agents, offending against any of the provisions of this Ordinance, or who shall construct a walk not in accordance with its provisions, shall be responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

Section 9.

Any contractor or agent for property owners within said village who shall build or construct a walk in said village not in accordance with the provisions of this ordinance, whether with the knowledge and consent of the adjoining property owner or otherwise, is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 24. Amendment of Section 1 and 2 of Ordinance 6-12-1878(6). Section 1 & 2 of Ordinance 6-12-1878(6) shall be amended to read in its entirety as follows:

Section 1. The Council of the Village of Nashville ordains, that it shall not be lawful for any person to lead, ride or drive any animal on any sidewalk in said Village.

Section 2.

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 25. Amendment of Section 2 of Ordinance 6-20-1904. Section 2 of Ordinance 6-20-1904 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 26. Amendment of Section 5 of Ordinance 6-12-1911(25). Section 5 of Ordinance 6-12-1911(25) shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 27. Amendment of Section 2 of Ordinance 5-12-1955. Section 2 of Ordinance 5-12-1955 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 28. Amendment of Section 3 of Ordinance 8-05-1940. Section 3 of Ordinance 8-05-1940 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 29. Amendment of Section 2 of Ordinance 8-15-1892. Section 2 of Ordinance 8-15-1892 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 30. Amendment of Section 6 of Ordinance 4-13-1937. Section 6 of Ordinance 4-13-1937 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 31. Amendment of Section 2 of Ordinance 11-01-1950. Section 2 of Ordinance 11-01-1950 shall be amended to read in its entirety follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 32. Amendment of Section 6 of Ordinance 10-08-1964. Section 6 of Ordinance 10-08-1964 shall be amended to read in its entirety as follows:

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$100 for a second violation, and \$150 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 33. Amendment of Section 16.02 (e) and Section 20.01 of the Zoning Ordinance. Section 16.02 (e) and Section 20.01 of the Zoning Ordinance shall be amended to read in its entirety as follows:

Section 16.02 (e). The duties of the Zoning Administrator shall include without limitation, the investigation of ordinance and code violations; the preparation and service of notice of violations; the preparation and service of appearance tickets as authorized by law; the preparation and service of municipal civil infraction citations as authorized by law; appearance at hearings or in court to assist the prosecution of ordinance and code violations; and such other duties as are delegated by resolution of the Village Council from time to time.

Section 20.01

**PENALTIES FOR VIOLATION** Any person, firm., corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.00

SECTION 34. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 35. Conflicts. All Ordinances, resolutions and orders, and parts of Ordinances, resolutions, and orders inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.



SECTION 36. This Ordinance shall become effective 20 days after its adoption or upon its publication, whichever occurs later.

YEAS: Gary White, Chris Pash, Dennis Mapes, Mike Kenyon, Carroll Wolff, Frank Dunham.  
NAYS: none

ABSTAIN: none

ABSENT: none - one open seat

ORDINANCE NO. 10-23-1997-B ADOPTED.

Gary White  
Village President

Cathy Lentz  
Village Clerk

I, Cathy Lentz, hereby certify that the foregoing Ordinance was adopted at a regular meeting of the Village Council for the Village Nashville held on October 23, 1998.

Cathy Lentz  
Village Clerk

I, Cathy Lentz, hereby certify that a notice of the foregoing Ordinance was published in the Maple Valley News, a newspaper circulated in Village of Nashville, on November 4, 1997.

Cathy Lentz  
Village Clerk