

Chapter 6 PENALTIES, FEES AND FINES*

***Cross reference(s)**--General penalty; continuing violations; municipal infractions excluded, Sec. 1-7; Municipal Infractions, Ch. 5; Failure to obtain and display alarm permit municipal infraction, Sec. 21-4(c).

- Sec. 6-1. Penalty for delinquent payment of taxes.
- Sec. 6-2. Fees and charges for permits and services.
- Sec. 6-3. Municipal infraction fines.
- Sec. 6-4. Presumption that violation is a municipal infraction.
- Sec. 6-5. Parking, stopping or standing fines.

Sec. 6-1. Penalty for delinquent payment of taxes.

The director of finance of the County, shall collect a penalty at the rate of one (1) percent for each month or fraction of a month against all ordinary taxes levied by the Village when payment of ordinary taxes is not received prior to October first for the fiscal year beginning October first.

Sec. 6-2. Fees and charges for permits and services.

The Board of Managers hereby establishes the following fees and charges for permits, certificates and services performed by the Village:

(a) *Building permits and licenses (Chapter 8 and Chapter 25).*

(1)	New non-residential construction	\$1,500.00
(2)	New residential construction	5,000.00
(3)	Swimming pools and tennis courts	750.00
(4)	Outdoor therapeutic baths	75.00
(5)	Detached garages	400.00
(6)	Accessory buildings	250.00
(7)	Demolition of buildings	
	a. Main building	2,250.00
	b. Garage or accessory building	250.00
(8)	Exterior alterations, modifications or repairs to residential buildings	
	a. footprint increased less than 200 square feet	150.00
	b. footprint increased 200 square feet to 500 square feet.....	250.00
	c. footprint increased 500 square feet to 1,250 square feet.....	500.00
	d. footprint increased more than 1,250 square feet.....	750.00
	e. additional fee for crawl space foundation.....	100.00
	f. additional fee for basement excavation.....	400.00

(9)	Overhead and underground wires, cables, hoses, pipes and similar facilities	30.00
	plus:	
a.	for street and/or sidewalk cut other than for the purpose of connecting a utility to premises:	
(i)	asphalt and concrete : \$3.20 per linear foot – \$130.00 minimum.	
(ii)	grass strips: \$1.65 per linear foot - \$130.00 minimum.	
b.	for overhead wires: \$1.50 per linear foot – \$130.00 minimum.	
(10)	(a) Antennae, air conditioners, heat pumps, and generators—new, enlarged, or relocated	50.00
	(b) Antennae, air conditioners, heat pumps and generators—replaced in-kind and in the same location	25.00
(11)	Dumpsters and portable storage units.....	30.00
(12)	(a) Porches, decks and stoops—new, enlarged, or replaced with different kind	50.00
	(b) Porches, decks and stoops—replaced in-kind and in the same location	25.00
(13)	(a) Patios and walkways—new, enlarged, or replaced with different kind	30.00
	(b) Patios and walkways—replaced in-kind and in the same location	15.00
(14)	(a) Fences, walls, trees, hedges, shrubbery, lamp posts, hand rails, and arbors—new, enlarged, relocated, or replaced with different kind	30.00
	(b) Fences, walls, trees, hedges, shrubbery, lamp posts, hand rails, and arbors—replaced in-kind with the same or lower height and in the same location	15.00
(15)	(a) Driveways—new, enlarged, or replaced with different kind	30.00
	(b) Driveways—replaced in-kind and in the same location.....	15.00
(16)	Curb cuts	50.00
(17)	Bond review, if required	100.00
(18)	Play equipment	30.00
(19)	Temporary construction access	100.00
(20)	Construction on Village Right-of-Way	50.00
(21)	Planting on Village Right-of-Way	30.00
(22)	(a) Right-of-Way Use Agreement, except as provided below	350.00
	(b) Right-of-Way Use Agreement for in-kind replacement of an existing non-conformity in the same location.....	175.00
	(c) Right-of-Way Use Agreement for which recordation in the Montgomery County Land Records is waived.....	175.00

(23)	Tree Preservation Plan, if required	250.00
(24)	Building Code Appeals	
a.	variance or special permit for new construction (any construction where none exists).....	300.00
b.	variance or special permit for replacing existing non-conformities (replacement of more than 50% of an existing non-conformity).....	150.00
c.	appeal from a decision of the Village Manager	50.00
d.	variance or special permit for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way.....	300.00
(25)	All other construction or work for which a building permit is required	30.00
(a.a)	<i>Stormwater management (Chapter 11).</i>	
(1)	Sec. 11-10, permit fee	500.00 plus the actual cost of engineering consultant(s)
(a.1)	<i>Sign code (Chapter 12) permit fees.</i>	
(1)	Real estate signs, each	5.00
(2)	All other signs, each	No fee
(b.)	<i>Permit parking (Chapter 14).</i> Fees annually for each residential parking sticker...	No fee
(b.1)	<i>Urban forest (Chapter 17) and Public Rights-of-Way (Chapter 25).</i>	
(1)	Fee for tree permit for removal of tree pursuant to Sec. 17-3(a)(1), (2), (3), (4), (5) or (6).....	25.00 per tree 175.00 maximum per application
(2)	Fee for tree permit for removal of tree pursuant to Sec. 17-3 (a)(7) ...	No fee
(3)	Fee for tree permit for removal of tree pursuant to Sec. 10-24	No fee
(4)	Appeal fee.....	250.00
(c.)	<i>Solicitors, hawkers and peddlers code (Chapter 19).</i> Annual fee for each license ..	25.00

(No. 49-03-84, 5-14-84; No. 55-05-84, 5-14-84; No. 19-12-88, 4-18-88; No. 38-06-88, 12-12-88; No. 0-91-05, 11-1-91; Ord. of 10-12-92; Ord. of 9-13-93; Ord. of 11-22-93; No. 7-01-00, 7-10-00; No. 01-01-02, 01-14-02; No. 02-09-02, 9-9-02; No. 10-03-04, 10-18-04; No. 01-02-06, 01-09-06; No. 10-01-06, 10-09-06; No. 01-01-07, 01-08-07; No. 03-01-07, 03-12-07; No. 10-05-08, 12-08-08; No. 02-01-09, 02-09-09; No. 11-01-08, 02-09-09; No. 09-02-11, 09-12-11; No. 06-01-13, 06-10-13; No. 04-02-14, 04-14-14; No. 06-01-14, 09-08-14; No. 06-02-14, 06-09-14.)

Sec. 6-3. Municipal infraction fines.

The fines for violating the requirements of the following sections are:

(a) Building regulations (Chapter 8).

(1)	Sec. 8-5, failure to obtain permit	\$500.00
(2)	Sec. 8-6, failure to comply with permit.....	500.00
(3)	Sec. 8-7, failure to obtain and comply with permit.....	100.00
(4)	Sec. 8-13, violation of stop work order.....	500.00
(5)	Sec. 8-16, residential building prohibitions.....	250.00
(6)	Sec. 8-17, unsafe structures.....	250.00
(7)	Sec. 8-21, fences, walls, trees, etc.....	150.00
(8)	Sec. 8-23, tennis courts.....	250.00
(9)	Sec. 8-24, swimming pools and outdoor therapeutic baths.....	250.00

(No. 16-02-90, 2-12-90; No. 0-91-05, 11-1-91; Ord. of 9-13-93; No. 02-09-02, 9-9-02; No. 10-04-02, 10-14-02; No. 10-02-06, 10-09-06; No. 02-03-09, 02-09-09; No. 06-01-13, 06-10-13; No. 04-02-14, 04-14-14.)

(b) Health and sanitation (Chapter 10).

(1)	Sec. 10-6, regular collection of household garbage, trash and recyclable material	\$15.00
(2)	Sec. 10-10, accumulation of refuse, construction rubble or household hazardous waste	50.00
(3)	Sec. 10-11, placement of refuse, construction rubble or household hazardous waste on public or private property prohibited	50.00
(4)	Sec. 10-12, restrictions on use of public trash receptacles	50.00
(5)	Sec. 10-13, advertisements and handbills	50.00
(6)	Sec. 10-14, liquids and gases	100.00
(7)	Sec. 10-15, use of poison	100.00
(8)	Sec. 10-16, household hazardous waste disposal	100.00
(9)	Sec. 10-17, maximum height of grass and weeds	100.00
		Repeat Violation 100.00 each

(b.a) *Stormwater management (Chapter 11).*

(1) Sec. 11-11:

a. Modification to approved plan	500.00
b. Modification to waiver	500.00
c. Modification to approved construction	1000.00
d. Noncompliance to stop work	1000.00

(b.1) *Signs code (Chapter 12) fines.*

(1) Sec. 12-3, sign permit requirement	15.00
(2) Sec. 12-5, prohibited signs	15.00
(3) Sec. 12-7, signs permitted	15.00

(b.2) *Urban forest (Chapter 17) fines:*

(1) Sec. 17-2, tree permit requirement (private property)	1,000.00
(2) Sec. 17-9(c), removal of posted notice	100.00
(3) Sec. 17-10, control of Dutch Elm disease	1,000.00

(c) *Animal control (Chapter 18). Sec. 18-2(b) regarding:*

(1) Dogs running at large (County Code Section 5-26)	25.00
(2) Dogs on school grounds and public recreation areas (County Code Section 5-27)	15.00
(3) Creating a public nuisance, generally (County Code Section 5-28)	15.00
(4) Deposit and removal of dog feces (County Code Section 5-29)	15.00
(5) Female dogs in heat (County Code Section 5-30)	15.00
(6) Keeping or maintaining animals or fowl, prohibited (County Code Section 5-40(A)	50.00

(d) *Solicitors, hawkers and peddlers code (Chapter 19).*

(1) Sec. 19-3, license required	50.00
(2) Sec. 19-6, noise for advertising purposes, prohibited	15.00

(e) *Noise control code (Chapter 20). Sec. 20-2(a), special noise limit* 100.00

(f) *Alarm regulations (Chapter 21).*

Failure to register an alarm system.....	50.00
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(g) Public rights-of-way (Chapter 25).

(1)	Sec. 25-3, disruption of Village streets or sidewalks	150.00
(2)	Sec. 25-4, overhead or underground wires, etc.	150.00
(3)	Sec. 25-5, driveways and walkways crossing public right-of-way	50.00
(4)	Sec. 25-6, structures, fences, walls, lamp posts, hand rails, etc. in public right-of-way	100.00
(5)	Sec. 25-7, removal of snow and ice from public sidewalks	50.00
(6)	Sec. 25-8, tree permit requirement (public right-of-way trees, at least twenty-four (24) inches in circumference or larger)	1,000.00
(7)	Sec. 25-8, tree permit requirement (public right-of-way trees, less than twenty-four (24) inches in circumference)	200.00
(8)	Sec. 25-9, maintenance of the public right-of-way	100.00
		Repeat Violation 100.00 each
(9)	Sec. 25-11, violation of stop work order.....	500.00

(h) Each day that a violation continues shall constitute a separate offense and be subject to an additional fine.

(No. 49-03-84, 5-14-84; No. 55-05-84, 5-14-84; No. 05-04-86, 2-2-86; No. 19-12-88, 4-18-88; No. 16-02-90, 2-12-90; No. 01-01-02, 01-14-02; No. 02-09-02, 9-9-02; No. 11-01-08, 02-09-09; No. 05-01-11, 06-13-11; No. 06-01-13, 06-10-13; No. 01-01-14, 02-10-14; No. 04-03-14, 04-14-14; No. 06-01-14, 09-08-14; No. 09-01-16, 09-12-16.)

Editor's note--Resolution No. 55-05-84, adopted May 14, 1984, amended Sec. 6-3 by adding provisions designated paragraph (b.1). Inasmuch as Sec. 6-3 already contained provisions designated (b.1), the editor, in his discretion, has redesignated this new material as paragraph (b.a).

Sec. 6-4. Presumption that violation is a municipal infraction.

A violation of any provision of this Code is hereby specially designated to be a municipal infraction unless specifically declared to be a misdemeanor, felony, or otherwise designated, and unless otherwise specifically provided, the penalty therefore shall be a fine of twenty-five dollars (\$25.00).

Sec. 6-5. Parking, stopping or standing fines.

The following fines are established for certain parking violations:

(a)	Sec. 13-4, snow emergency routes	\$60.00
(b)	Sec. 13-7, emergency or temporary no parking zones	60.00
(c)	Sec. 13-8, time limits on parking	60.00
(d)	Sec. 13-9, restrictions on parking near public buildings or facilities	25.00
(e)	Sec. 13-10, commercial vehicle parked in residential area	75.00

(f)	Sec. 13-11, parking vehicles in violation of official signs	60.00
(g)	Sec. 13-12, snow/ice emergency, no parking	85.00
(h)	Sec. 14-12, violating residential permit parking	50.00

(No. 02-01-10, 02-16-10; No. 10-01-10, 04-09-12)

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