

1 **BILL NO. G-26-02-05**

2 General Ordinance No. G-6-20

3
4 **AN ORDINANCE AMENDING CHAPTER 39: ORDINANCE**
5 **VIOLATIONS BUREAU (39.03 SCHEDULE OF PENALTIES) OF**
6 **THE FORT WAYNE MUNICIPAL CODE OF ORDINANCES**

7 WHEREAS, The City of Fort Wayne has an extensive system of sidewalks
8 and trails; and

9 WHEREAS, The City of Fort Wayne is a fun, family-friendly, and safe
10 community with a commitment to providing an enhanced quality of life for all; and

11 WHEREAS, Chapters 74 and 97 have been amended; and

12 WHEREAS, corresponding changes to Chapter 39 of the Fort Wayne
Municipal Code of Ordinances are necessary.

13 **NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL**
14 **OF THE CITY OF FORT WAYNE, INDIANA.**

15 SECTION 1. Chapter 39: ORDINANCE VIOLATIONS BUREAU, Section 39.03
16 Schedule of Penalties is amended as follows:

17 CHAPTER 39: ORDINANCE VIOLATIONS BUREAU

18 Section

- 19 39.01 Establishment of Bureau; duties, rights and responsibilities
20 39.02 Violations Clerk appointed as Administrator
21 39.03 Schedule of penalties
22 39.04 Payment of civil penalties
23 39.05 Failure to satisfy civil penalty; prosecution
24 39.06 Failure to appear; violation
25 39.07 Separate and/or additional violations
26 39.08 Receipt of civil penalties prior to passage of provisions
27 39.09 Enforcement of scheduled code sections; greater civil penalties

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1 § 39.01 ESTABLISHMENT OF BUREAU; DUTIES, RIGHTS AND
2 RESPONSIBILITIES.

3 There is hereby created and established the "City of Fort Wayne Ordinance
4 Violations Bureau," which Bureau is granted all the duties, rights, and
5 responsibilities as provided by state law.

6 ('74 Code, § 2-111) (Ord. G-30-88, passed 10-11-88)

7 § 39.02 VIOLATIONS CLERK APPOINTED AS ADMINISTRATOR.

8 The Clerk of the City is hereby appointed Violations Clerk to be the
9 administrator of the bureau. ('74 Code, § 2-112) (Ord. G-30-88, passed 10-11-
10 88)

11 § 39.03 SCHEDULE OF PENALTIES.

12 The following are subject to admission of violation before the Violations Clerk
13 and the amount of the civil penalties to be assessed:

14 Nature of Violations	Code Section	Civil Penalty
15 Refuse	50.99(B)	\$25 for 1st violation; \$50 for 16 each subsequent violation over 17 the next 12 months
18 Possession or consumption	71.99	\$50 for 1st offense; not less 19 than \$100 for 2nd offense nor 20 more than \$500
21 Operator or owner of motor 22 vehicle in violation	71.99	\$50 for 1st offense; not less 23 than \$100 for 2nd offense nor 24 more than \$500
25 Parking		
26 Bus stops and taxicab stands; 27 Citizen Square Parking Lot	72.99(A)(1)	\$10/Failure to appear after 30 28 calendar days from the date of 29 notice, \$20
30 Fire hydrants	72.99(D)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Fire lanes	72.99(D)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
License plates, false or not current	72.99(D)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Prohibited	72.99(A)(2)	\$20/Failure to appear after 30 calendar days from the date of notice, \$40

1	Parking meters		
2	Damage to	72.99(A)(3)	Not less than \$1000 nor more than \$2500
3	Violations	72.99(A)(1)	\$10/Failure to appear after 30 calendar days from the date of notice, \$20
4			
5	Parking violations	72.99(A)(3)	\$40/Failure to appear after 30 calendar days from the date of notice, \$80
6			
7	Impaired mobility spaces	72.99(C)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
8			
9		72.72(F)	If authorized, but without placard/ permit, \$0 first violation, \$20 second violation, \$100 each subsequent violation
10			
11	Residential Districts	72.99(B)	
12	Illegal vehicles	72.99 (B) 90.99 (C)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
13			
14	Inoperable/abandoned vehicles	72.99 (B) 90.99 (A)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
15			
16	Operable vehicles in yard	72.99 (B) 90.99 (A)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
17			
18	Bicycles etc.	74.99	\$25 to \$200 (First time \$15)/not more than \$2,500 and/or impoundment of vehicle
19			
20	Abandoned vehicles	90.99(A)	Not more than \$50 /Failure to appear after 30 calendar days from the date of notice, \$150
21			
22	Animal control, Class A offense	91.999	Not less than \$50 nor more than \$2,500
23	Animal control, Class B offense	91.999	Not less than \$50 nor more than \$2,500
24	Animal control, Class C offense	91.999	Not less than \$15 nor more than \$2,500
25	Fire Code violations	94.199	Not less than \$20 nor more than \$2,500
26			
27	Penalty for failure to correct a cited violation	94.199(B)(1)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
28			
29	Penalty for obstructing a fire	94.199(B)(2)	\$100/Failure to appear after 30
30			

1	hydrant, fire department		calendar days from the date of
2	connection or fire protection		notice, \$150
3	control valve		
4	Penalty for failure to install or	94.199(B)(3)	\$100/Failure to appear after 30
5	maintain portable fire		calendar days from the date of
6	extinguishers		notice, \$150
7	Penalty for failure to establish	94.199(B)(4)	\$100/Failure to appear after 30
8	and maintain open fire lanes		calendar days from the date of
9			notice, \$150
10	Penalty for parking in or	94.199(B)(5)	\$100/Failure to appear after 30
11	obstructing a fire lane		calendar days from the date of
12			notice, \$150
13	Smoke detector violations	94.199(B)(6)	\$100
14	Penalty for burning of	94.199(B)(7)	\$100/Failure to appear after 30
15	combustible materials out of		calendar days from the date of
16	doors or open burning		notice, \$150
17	Penalty for failure to obtain a	94.199(B)(8)	\$100/Failure to appear after 30
18	tire storage permit		calendar days from the date of
19			notice, \$150
20	Penalty for failure to obtain a	94.199(B)(9)	\$100/Failure to appear after 30
21	temporary propane tank		calendar days from the date of
22	storage permit		notice, \$150
23	Penalty for failure to obtain a	94.199(B)(10)	\$100/Failure to appear after 30
24	fireworks and pyrotechnics		calendar days from the date of
25	permit		notice, \$150
26	Health, Safety and Sanitation	95.99(A)	Not more than \$2,500
27	violations		
28	Penalty for abandoned	95.99(B)	Not more than \$300
29	refrigerators and containers		
30	Penalty for certification in	95.99(C)	\$25
31	cardiopulmonary child care		
32	situations		
33	Penalty for hazardous	95.99(D)	Not more than \$2,500
34	chemicals and substances		
35	reporting requirements		
36	Smoking in restaurant	95.99(E)	Warning for the first violation,
37			not more than \$100 for second
38			violation, up to \$500 for third
39			violation, and up to \$2,500 per
40			day for subsequent violations
41	Smoking in workplaces and	95.99(E)	Warning for the first violation,
42	public places		not more than \$100 for second
43			violation, up to \$500 per day for
44			subsequent violations
45	Skateboarding where	97.47 (D)(1)	Not less than \$50 and not more

1	prohibited		than \$200 per violation/Failure to appear after 30 calendar days from the date of notice, \$75 and not more than \$225
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4	Operation of motor vehicles	97.99 (A)	\$25 to \$200 (First time \$15)/not more than \$2,500 and/or impoundment of vehicle
5			
6	General nuisance/rubbish	100.99(A)	Not less than \$25 nor more than \$100
7	False alarms, and failure to register	102.02(E)	\$200 per offense up to maximum allowed by law
8	Automatic telephone dial devices	102.04(D)	\$200 per offense up to prohibited maximum allowed by law
9			
10	Audible alarm violations	102.05(D)	\$50 per offense
11	Penalty for false alarm	102.07(B)	\$50 per offense beginning with the 3rd offense occurring in a calendar year/Failure to appear after 30 calendar days from the date of notice, \$75
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13			
14	Penalty for false alarm	102.07(C)	\$50 per offense beginning with the 3rd offense occurring in a calendar year/ Failure to appear after 30 calendar days from the date of notice, \$75
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16			
17	Taxicabs (Company)		
18	Failure to display plate	Ch. 116, App.	\$500
19	Failure to report change in employee's status	Ch. 116, App.	\$500
20	Failure to report transfer of plates	Ch. 116, App.	\$500
21	Operating without required vehicle equipment	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
22	Operating without valid inspection	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
23	Operating without valid permit	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
24			
25	Tampering with taximeter	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
26	Other offenses	Ch. 116, App.	\$500 and/or revocation or suspension of license
27	Taxicabs (Driver)		
28	Falsifying application	Ch. 116, App.	\$1000 and/or revocation or suspension of license
29			
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1	Operating without a valid license	Ch. 116, App.	\$1500
2	Tampering with taximeter	Ch. 116, App.	\$1500 and/or revocation or suspension of license
3			
4	Other offenses	Ch. 116, App.	\$500 and/or revocation or suspension of license
5	Penalty for sale, use and/or possession of synthetic cannabinoid	130.10 (E)	\$2,500
6			
7	Housing and Building Standards	152.12	\$50 for 1st 30-day reinspection
8	Housing and Building Standards	152.12	\$75 for 2nd 30-day reinspection
9			
10	Housing and Building Standards	152.12	\$100 for 3rd 30-day inspection

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13 ('74 Code, § 2-113) (Ord. G-30- 88, passed 10-1-88; Am. Ord. G- 24-89, passed 11-14-89; Am. Ord. G-21-92, passed 5-29-92; Am. Ord. G-23-96, passed 10-8-96; Am. Ord. G-10-97, passed 8-23-97; Am. Ord. G-31-98, passed 8-25-98; Am. Ord. G-36-98, passed 11-24-98; Am. Ord. G-11-00, passed 4-11-00; Am. Ord. G-06-01, passed 4-24-01; Am. Ord. G-17-03, passed 5-13-03; Am. Res. R-75-02, passed 11-26-02; Am. Ord G-21-03, passed 6-24-03; Am. Ord. G-13-10, passed 8-24-10; Am. Ord. G-2-11, passed 1-11-11; Am. Ord. G-5-15, passed 4-4-15; Am. Ord. G-17-17, passed 6-27-17; Am. Ord. G-17-21, passed 11-23-21)

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19 § 39.04 PAYMENT OF CIVIL PENALTIES.

20 (A) The Ordinance Violations clerk shall receive, receipt and account for the payment of the civil penalties under procedures provided for by the state board of accounts. ('74 Code, § 2-114)

21
22 (B) The payment of civil penalties designated under this schedule may be made in person, by mail, online, or to those individuals and/or places designated by the City Clerk. ('74 Code, § 2-115)

23
24 (Ord. G-30-88, passed 10-11-88; Am Ord. S-49-05, passed 4-12-05)

25
26 § 39.05 FAILURE TO SATISFY CIVIL PENALTY, PROSECUTION.

27 If a person denies an ordinance or code violation under this procedure, fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation, or fails to appear to admit or deny the violation, then the

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1 Violations Clerk shall report such fact to the office of the Corporation Counsel
2 who shall prosecute the ordinance violation cases on behalf of the city.

3 ('74 Code, § 2-116) (Ord. G-30-88, passed 10-11-88)

4 § 39.06 FAILURE TO APPEAR; VIOLATION.

5 Any person who fails to appear before the Ordinance Violations Clerk within 30
6 days after receipt of a notice of a violation set forth in the ordinance violations
7 bureau schedule commits a separate violation of failure to appear and shall pay
8 a civil penalty, regardless of the disposition of the initial violation, as follows:

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Original Violation Penalty	Failure to Appear Penalty
\$10	\$10
\$20	\$20
\$40	\$40
and over \$100	\$50

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14 ('74 Code, § 2-117) (Ord. G-30- 88, passed 10-11-88; Am. Ord. G- 24-89,
15 passed 11-14-89; Am. Ord. G-17-21, passed 11-23-21)

16 § 39.07 SEPARATE AND/OR ADDITIONAL VIOLATIONS.

17 With respect to any of the violations listed in the preceding schedule, each 24-
18 hour period shall constitute a separate violation except for parking violations
19 which may be considered a separate and additional violation for each and every
20 hour such violation occurs unless otherwise specified in the city code.

21 ('74 Code, § 2-118) (Ord. G-30-88, passed 10-11-88)

22 § 39.08 RECEIPT OF CIVIL PENALTIES PRIOR TO PASSAGE OF
23 PROVISIONS.

24 The receipt of civil penalties prior to the passage of this article is hereby
25 approved and ratified.

26 ('74 Code, § 2-119) (Ord. G-30-88, passed 10-11-88)

27 § 39.09 ENFORCEMENT OF SCHEDULED CODE SECTIONS; GREATER
28 CIVIL PENALTIES.

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1 Nothing in the establishment of the Ordinance Violation Bureau nor in the
2 establishment of special fines for first time offenders or non-aggravated
3 circumstances shall be construed to prohibit the city's designated officers and
4 employees from enforcing the code sections in § 39.03 pursuant to IC 36-1-6-3
and IC 34-28-5 and seeking the greater civil penalties which may be provided for
by the penalty provision of the applicable city code sections.

5 ('74 Code, § 2-120) (Ord. G-30-88, passed 10-11-88)

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7 **SECTION 2.** That this Ordinance shall be in full force and effect from
8 and after its passage and any and all necessary approval by the Mayor.

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10 
11 _____
12 Council Member

13 APPROVED AS TO FORM AND LEGALITY

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15 _____
16 Malak Heiny, City Attorney

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CHAPTER 39: ORDINANCE VIOLATIONS BUREAU

Section

- 39.01 Establishment of Bureau; duties, rights and responsibilities
- 39.02 Violations Clerk appointed as Administrator
- 39.03 Schedule of penalties
- 39.04 Payment of civil penalties
- 39.05 Failure to satisfy civil penalty; prosecution
- 39.06 Failure to appear; violation
- 39.07 Separate and/or additional violations
- 39.08 Receipt of civil penalties prior to passage of provisions
- 39.09 Enforcement of scheduled code sections; greater civil penalties

§ 39.01 ESTABLISHMENT OF BUREAU; DUTIES, RIGHTS AND RESPONSIBILITIES.

There is hereby created and established the "City of Fort Wayne Ordinance Violations Bureau," which Bureau is granted all the duties, rights, and responsibilities as provided by state law.

('74 Code, § 2-111) (Ord. G-30-88, passed 10-11-88)

§ 39.02 VIOLATIONS CLERK APPOINTED AS ADMINISTRATOR.

The Clerk of the City is hereby appointed Violations Clerk to be the administrator of the bureau. ('74 Code, § 2-112) (Ord. G-30-88, passed 10-11-88)

§ 39.03 SCHEDULE OF PENALTIES.

The following are subject to admission of violation before the Violations Clerk and the amount of the civil penalties to be assessed:

Nature of Violations	Code Section	Civil Penalty
Nature of Violations	Code Section	Civil Penalty
Refuse	50.99(B)	\$25 for 1st violation; \$50 for each subsequent violation over the next 12 months

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Possession or consumption	71.99	\$50 for 1st offense; not less than \$100 for 2nd offense nor more than \$500
Operator or owner of motor vehicle in violation	71.99	\$50 for 1st offense; not less than \$100 for 2nd offense nor more than \$500
Parking		
Bus stops and taxicab stands; Citizen Square Parking Lot	72.99(A)(1)	\$10/Failure to appear after 30 calendar days from the date of notice, \$20
Fire hydrants	72.99(D)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Fire lanes	72.99(D)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
License plates, false or not current	72.99(D)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Prohibited	72.99(A)(2)	\$20/Failure to appear after 30 calendar days from the date of notice, \$40
Parking meters		
Damage to	72.99(A)(3)	Not less than \$1000 nor more than \$2500
Violations	72.99(A)(1)	\$10/Failure to appear after 30 calendar days from the date of notice, \$20
Parking violations	72.99(A)(3)	\$40/Failure to appear after 30 calendar days from the date of notice, \$80
Impaired mobility spaces	72.99(C)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
	72.72(F)	If authorized, but without placard/permit, \$0 first violation, \$20 second violation, \$100 each subsequent violation
Residential Districts	72.99(B)	

Illegal vehicles	72.99 (B) 90.99 (C)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Inoperable/abandoned vehicles	72.99 (B) 90.99 (A)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Operable vehicles in yard	72.99 (B) 90.99 (A)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
<u>Bicycles etc.</u>	<u>74.99</u>	<u>\$25 to \$200 (First time \$15)/not more than \$2,500 and/or impoundment of vehicle</u>
Abandoned vehicles	90.99(A)	Not more than \$50 /Failure to appear after 30 calendar days from the date of notice, \$150
Animal control, Class A offense	91.999	Not less than \$50 nor more than \$2,500
Animal control, Class B offense	91.999	Not less than \$50 nor more than \$2,500
Animal control, Class C offense	91.999	Not less than \$15 nor more than \$2,500
Fire Code violations	94.199	Not less than \$20 nor more than \$2,500
Penalty for failure to correct a cited violation	94.199(B)(1)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for obstructing a fire hydrant, fire department connection or fire protection control valve	94.199(B)(2)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for failure to install or maintain portable fire extinguishers	94.199(B)(3)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for failure to establish and maintain open fire lanes	94.199(B)(4)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for parking in or obstructing a fire lane	94.199(B)(5)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Smoke detector violations	94.199(B)(6)	\$100

Penalty for burning of combustible materials out of doors or open burning	94.199(B)(7)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for failure to obtain a tire storage permit	94.199(B)(8)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for failure to obtain a temporary propane tank storage permit	94.199(B)(9)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Penalty for failure to obtain a fireworks and pyrotechnics permit	94.199(B)(10)	\$100/Failure to appear after 30 calendar days from the date of notice, \$150
Health, Safety and Sanitation violations	95.99(A)	Not more than \$2,500
Penalty for abandoned refrigerators and containers	95.99(B)	Not more than \$300
Penalty for certification in cardiopulmonary child care situations	95.99(C)	\$25
Penalty for hazardous chemicals and substances reporting requirements	95.99(D)	Not more than \$2,500
Smoking in restaurant	95.99(E)	Warning for the first violation, not more than \$100 for for second violation, up to \$500 for third violation, and up to \$2,500 per day for subsequent violations
Smoking in workplaces and public places	95.99(E)	Warning for the first violation, not more than \$100 for second violation, up to \$500 per day for subsequent violations
Skateboarding where prohibited	97.47 (D)(1)	Not less than \$50 and not more than \$200 per violation/Failure to appear after 30 calendar days from the date of notice, \$75 and not more than \$225
Operation of <u>motor</u> vehicles	97.99 (A)	Not more than \$2,500 <u>\$25 to \$200 (First time \$15)/not more than \$2,500 and/or impoundment of vehicle</u>
General nuisance/rubbish	100.99(A)	Not less than \$25 nor more than \$100

False alarms, and failure to register	102.02(E)	\$200 per offense up to maximum allowed by law
Automatic telephone dial devices	102.04(D)	\$200 per offense up to prohibited maximum allowed by law
Audible alarm violations	102.05(D)	\$50 per offense
Penalty for false alarm	102.07(B)	\$50 per offense beginning with the 3rd offense occurring in a calendar year/Failure to appear after 30 calendar days from the date of notice, \$75
Penalty for false alarm	102.07(C)	\$50 per offense beginning with the 3rd offense occurring in a calendar year/ Failure to appear after 30 calendar days from the date of notice, \$75
Taxicabs (Company)		
Failure to display plate	Ch. 116, App.	\$500
Failure to report change in employee's status	Ch. 116, App.	\$500
Failure to report transfer of plates	Ch. 116, App.	\$500
Operating without required vehicle equipment	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
Operating without without valid inspection	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
Operating without valid permit	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
Tampering with taximeter	Ch. 116, App.	\$1500 and/or revocation or suspension of permit
Other offenses	Ch. 116, App.	\$500 and/or revocation or suspension of license
Taxicabs (Driver)		
Falsifying application	Ch. 116, App.	\$1000 and/or revocation or suspension of license
Operating without a valid license	Ch. 116, App.	\$1500
Tampering with taximeter	Ch. 116, App.	\$1500 and/or revocation or suspension of license
Other offenses	Ch. 116, App.	\$500 and/or revocation or suspension of license

Penalty for sale, use and/or possession of synthetic cannabinoid	130.10 (E)	\$2,500
Housing and Building Standards	152.12	\$50 for 1st 30-day reinspection
Housing and Building Standards	152.12	\$75 for 2nd 30-day reinspection
Housing and Building Standards	152.12	\$100 for 3rd 30-day inspection

('74 Code, § 2-113) (Ord. G-30-88, passed 10-1-88; Am. Ord. G-24-89, passed 11-14-89; Am. Ord. G-21-92, passed 5-29-92; Am. Ord. G-23-96, passed 10-8-96; Am. Ord. G-10-97, passed 8-23-97; Am. Ord. G-31-98, passed 8-25-98; Am. Ord. G-36-98, passed 11-24-98; Am. Ord. G-11-00, passed 4-11-00; Am. Ord. G-06-01, passed 4-24-01; Am. Ord. G-17-03, passed 5-13-03; Am. Res. R-75-02, passed 11-26-02; Am. Ord. G-21-03, passed 6-24-03; Am. Ord. G-13-10, passed 8-24-10; Am. Ord. G-2-11, passed 1-11-11; Am. Ord. G-5-15, passed 4-4-15; Am. Ord. G-17-17, passed 6-27-17; Am. Ord. G-17-21, passed 11-23-21)

§ 39.04 PAYMENT OF CIVIL PENALTIES.

(A) The Ordinance Violations clerk shall receive, receipt and account for the payment of the civil penalties under procedures provided for by the state board of accounts. ('74 Code, § 2-114)

(B) The payment of civil penalties designated under this schedule may be made in person, by mail, online, or to those individuals and/or places designated by the City Clerk. ('74 Code, § 2-115)

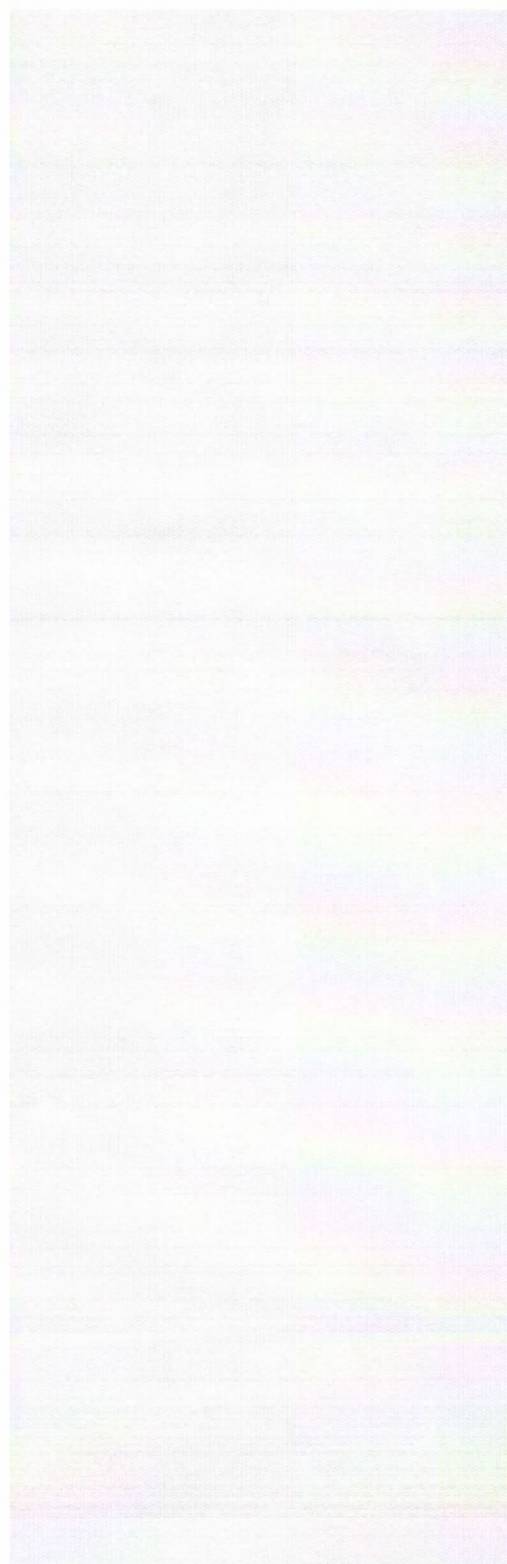
(Ord. G-30-88, passed 10-11-88; Am Ord. S-49-05, passed 4-12-05)

§ 39.05 FAILURE TO SATISFY CIVIL PENALTY, PROSECUTION.

If a person denies an ordinance or code violation under this procedure, fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation, or fails to appear to admit or deny the violation, then the Violations Clerk shall report such fact to the office of the Corporation Counsel who shall prosecute the ordinance violation cases on behalf of the city.

('74 Code, § 2-116) (Ord. G-30-88, passed 10-11-88)

§ 39.06 FAILURE TO APPEAR; VIOLATION.



Any person who fails to appear before the Ordinance Violations Clerk within 30 days after receipt of a notice of a violation set forth in the ordinance violations bureau schedule commits a separate violation of failure to appear and shall pay a civil penalty, regardless of the disposition of the initial violation, as follows:

Original Violation Penalty	Failure to Appear Penalty
\$10	\$10
\$20	\$20
\$40	\$40
and over \$100	\$50

('74 Code, § 2-117) (Ord. G-30- 88, passed 10-11-88; Am. Ord. G- 24-89, passed 11-14-89; Am. Ord. G-17-21, passed 11-23-21)

§ 39.07 SEPARATE AND/OR ADDITIONAL VIOLATIONS.

With respect to any of the violations listed in the preceding schedule, each 24-hour period shall constitute a separate violation except for parking violations which may be considered a separate and additional violation for each and every hour such violation occurs unless otherwise specified in the city code.

('74 Code, § 2-118) (Ord. G-30-88, passed 10-11-88)

§ 39.08 RECEIPT OF CIVIL PENALTIES PRIOR TO PASSAGE OF PROVISIONS.

The receipt of civil penalties prior to the passage of this article is hereby approved and ratified.

('74 Code, § 2-119) (Ord. G-30-88, passed 10-11-88)

§ 39.09 ENFORCEMENT OF SCHEDULED CODE SECTIONS; GREATER CIVIL PENALTIES.

Nothing in the establishment of the Ordinance Violation Bureau nor in the establishment of special fines for first time offenders or non-aggravated circumstances shall be construed to prohibit the city's designated officers and employees from enforcing the code sections in § 39.03 pursuant to IC 36-1-6-3 and IC 34-28-5 and seeking the greater civil penalties which may be provided for by the penalty provision of the applicable city code sections.

('74 Code, § 2-120) (Ord. G-30-88, passed 10-11-88)

BILL NO. G-26-02-05

**REPORT OF COMMITTEE ON REGULATIONS
February 24, 2026**


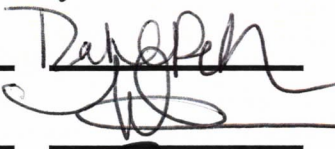
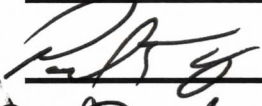


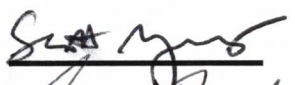

Scott Myers Chair

Rohli Booker Co-Chair


All Council Members

An Ordinance amending Chapter 39: Ordinance Violations Bureau (39.03 Schedule of Penalties) of the Fort Wayne Municipal Code of Ordinances

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**JOHN D. MCGAULEY
CITY CLERK**



Public Hearing Date: N/A

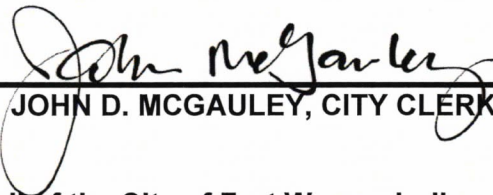
Read the first time in full and on motion by Councilperson Myers.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Myers, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MYERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: February 24, 2026

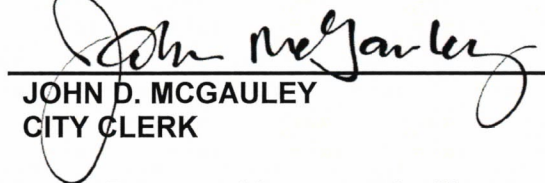


 JOHN D. MCGAULEY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. G-26-02-05 on the 24th day of February, 2026

ATTEST:



 JOHN D. MCGAULEY
 CITY CLERK




 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th of February 2026, at the hour of 9:00 o'clock A.M. E.S.T.



 JOHN D. MCGAULEY, CITY CLERK

Approved and signed by me this 25th day of February 2026, at the hour of 1:57 o'clock P.M. E.S.T.



 SHARON TUCKER, MAYOR

Fort Wayne Indiana
 Office of the City Clerk
 FEB 25 2026
 RECEIVED
 2:35 PM