

TITLE 1 CHAPTER 4

GENERAL PENALTY

SECTION:

1-4-1:General Penalty

1-4-2:Application of Provisions

1-4-3:Liability of Officers

1-4-1: **GENERAL PENALTY:** Any person convicted of a violation of any section or provision of this Code, where no other penalty is set forth, shall be punished by a fine not to exceed three hundred dollars (\$300.00) for any one offense, or by imprisonment in jail for a period of not more than six (6) months, or by both such fine and imprisonment.

1-4-2: **APPLICATION OF PROVISIONS:** The penalty provided in this Chapter shall be applicable to every section of this Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this Code where a duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Code.

In all cases where the same offense is made punishable or is created by different clauses or sections of this Code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply.

1-4-3: **LIABILITY OF OFFICER:** No provisions of this Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intent of the Council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.