**RESOLUTION NO._____**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING THE ADMINISTRATIVE CITATION SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE SAN JOSE MUNICIPAL CODE IN ORDER TO MODIFY CERTAIN ADMINISTRATIVE FINES FOR VIOLATIONS RELATED TO CHAPTER 9.10 OF THE SAN JOSE MUNICIPAL CODE, AND REPEALING RESOLUTION NO. 76084**

**BE IT RESOLVED** BY THE COUNCIL OF THE CITY OF SAN JOSE:

**SECTION 1. STANDARD FINE:** Except as otherwise specifically set forth in Section 2 below, the administrative citation fine amount for a first violation of the San José Municipal Code shall be Twenty-Five and no/100 Dollars ($25.00).

**SECTION 2. NON-STANDARD FINES:** The administrative citation fine amounts set forth below are hereby established for violation(s) of the San José Municipal Code sections listed below:

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 4.50.050 | Sale of untaxed cigarettes | $500.00 |
| 4.50.070 | Cigarette distributor records and statements requirements | $250.00 |
| 4.50.080 | Reporting and remitting requirements | $250.00 |
| 4.76.300.C | Transfer of business license | $100.00 |
| 4.76.310 | Failure to carry or post a business license | $50.00 |
| 4.76.320 | Failure to display vehicle I.D. sticker (Business license); no transfer. | $75.00 |
| 4.76.770 | Failure to produce business license upon demand | $75.00 |
| 4.78.450 | Disposal Facility Tax- Reporting Requirements | $500.00 |
| 4.78.470 | Disposal Facility Tax - Records Requirements | $250.00 |
| 6.02.100 | Posting and Exhibition of Permit or License. | $250.00 |
| 6.08.050 | Owner's License – Requirements | $250.00 |
| 6.08.070 | Exhibitor's License – Requirements | $250.00 |
| 6.08.090 | Display of License Sticker | $250.00 |
| 6.08.130 | Owner's Limitation | $250.00 |
| 6.08.150 | Use Restrictions | $250.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.16.040 | No profit, wage or salary permitted | $250.00 |
| 6.16.050 | Permit – Required | $250.00 |
| 6.18.020 | Permit required for business sales | $250.00 |
| 6.18.080 | Display of going out of business sale permit | $250.00 |
| 6.24 | Compliance with chapter – Christmas Tree Sales (any violation of Chapter) | $100.00 |
| 6.26.010 | Carnival and circus permit required | $100.00 |
| 6.30.010 | Flower vendor permit required | $100.00 |
| 6.36.020 | Handbill distribution - Prohibited when | $100.00 |
| 6.36.030 | Handbill distribution without license | $100.00 |
| 6.39.080 | Ice Cream Truck Business Permit required | $500.00 |
| 6.39.090 | Employee and Trainee License required. | $250.00 |
| 6.39.210 | Violations of Operating Regulations and Permit Conditions | $500.00 |
| 6.39.330 | Failure to obtain a Trainee Work License | $150.00 |
| 6.44.090 | Massage Business Permit required | $1,000.00 |
| 6.44.100 | Massage Ownership/ Management License required | $500.00 |
| 6.44.110 | Massage Therapy License required | $500.00 |
| 6.44.200 | Violations of Operating Regulations and Permit Conditions | $1,000.00 |
| 6.46.030 | Mobilehome or trailer parking | $100.00 |
| 6.46.040 | Use of trailers for living or sleeping quarters | $100.00 |
| 6.50 | Compliance with chapter – Patrol services/security (any violation of Chapter) | $250.00 |
| 6.52 | Pawnbrokers and Secondhand dealers - permit requirements (any violation of Chapter) | $750.00 |
| 6.54.110 | Peddlers Permit required | $250.00 |
| 6.54.140 | Approved Location Permit required | $250.00 |
| 6.54.210 | ID Display requirements | $100.00 |
| 6.54.205 | Hours of Business | $250.00 |
| 6.54.220 | Noise Restrictions for Peddlers | $250.00 |
| 6.54.240 | Peddler Parking Restrictions | $250.00 |
| 6.54.295 | Arena Peddling Prohibition Zone | $250.00 |
| 6.56 | Compliance with chapter – Public pool and billiard rooms (any violation of Chapter) | $250.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.58.020 | Public Dancehalls - Permit Required<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$500.00<br>$1,000.00<br><br>$1,500.00 |
| 6.58.150(C) | Operating Regulations and Permit Conditions<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$500.00<br>$1,000.00<br><br>$1,500.00 |
| 6.58.160 | Event Promoters, Record Retention And Security Provided By Event Promoter | $1,250.00 |
| 6.60.040 | Public Entertainment Business Permit Required<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$1,250.00<br>$2,500.00<br><br>$5,000.00 |
| 6.60.060 | Ownership/Management License Required<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$1,250.00<br>$2,500.00<br><br>$5,000.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.60.200(C) | Violations of Operating Regulations and Permit Conditions<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$500.00<br>$1,000.00<br>$1,500.00 |
| 6.60.220 | Conditional Use or Planned Development Permit<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$1,250.00<br>$2,500.00<br>$5,000.00 |
| 6.60.230 | Noise | $500.00 |
| 6.60.240 | Security | $1,250.00 |
| 6.60.250 | Waiting Lines | $500.00 |
| 6.60.260 | Presence of Persons Under Twenty-one (21) Years of Age | $1,250.00 |
| 6.60.270 | Occupancy Limit | $1,250.00 |
| 6.60.280 | Reporting Requirements | $1,250.00 |
| 6.60.290 | Public Nuisance Prohibited<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$1,250.00<br>$2,500.00<br>$5,000.00 |
| 6.60.295 | Event Promoters, Record Retention And Security Hired By Event Promoters | $1,250.00 |
| 6.62.200(A) | Event Promoter Permit Required<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$1,250.00<br>$2,500.00<br>$5,000.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.62.210(B) & (C) | Event Promoter Permit Exemption | $1,250.00 |
| 6.62.300(C) | Violations of Operating Regulations and Conditions Not Otherwise Enumerated<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br><br>$500.00<br>$1,000.00<br><br>$1,500.00 |
| 6.62.310 | Posting of Permit | $500.00 |
| 6.62.320 | Identification Card Requirements | $500.00 |
| 6.62.330 | Event Promotion Contract Required | $1,250.00 |
| 6.62.340 | Record Keeping Required | $1,250.00 |
| 6.62.350 | Designated On-Site Representative | $1,250.00 |
| 6.62.360 | Other Legal Duties | $1,250.00 |
| 6.62.370 | Security and Management Functions | $1,250.00 |
| 6.62.380(D) | Rules And Regulations<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br>$500.00<br>$1,000.00<br><br>$1,500.00 |
| 6.62.390 | Violations Of Operating Regulations and Conditions for Persons Operating Pursuant to Exemption Under Section 6.62.210<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Third and subsequent violations (within 12 month period from date of previous violation) | <br><br><br>$500.00<br>$1,000.00<br><br>$1,500.00 |
| 6.62.420 | Permit Nontransferrable | $1,250.00 |
| 6.62.430(A) | Change of Name | $500.00 |
| 6.62.440(B) | Applying for a Permit Following a Revocation | $1,250.00 |
| 6.64 | Compliance with chapter - Taxi and limousine permits (any violation of Chapter) | $250.00 |
| 6.64.280 | Additional passengers in taxicab | $250.00 |
| 6.64.390 | Failure to submit to inspection | $250.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.64.450 | Insurance requirements – taxicabs | $250.00 |
| 6.66.040 | Tow car business permit required | $500.00 |
| 6.66.070 | Employment of tow car business assistants - permit required | $250.00 |
| 6.66.080 | Tow car business assistants – permit required | $250.00 |
| 6.66.240 | Removal from private property under possessory lien-Towing | $500.00 |
| 6.66.250 | Display of required documents-Towing | $250.00 |
| 6.66.270 | Removal of vehicles from private property - approval required-Towing | $500.00 |
| 6.66.290 | Tow car business – charges | $500.00 |
| 6.66.300 | Removal of vehicles from private property – Responsibility of tow car company. | $250.00 |
| 6.66.310 | Keeper liens – drop charges – removal of vehicles (Towing) | $250.00 |
| 6.66.320 | Recordkeeping requirements (Towing) | $500.00 |
| 6.66.330 | Required Signs - (Towing) | $250.00 |
| 6.70 | Compliance with chapter – Vending Machines (any violation of Chapter) | $500.00 |
| 6.74.020 | Display and storage of spray paint & marker pens | $1,000.00 |
| 6.80 | Compliance with chapter - Peep shows (any violation of Chapter) | $500.00 |
| 6.82.110 | Compliance with chapter – Window tinting at beverage service businesses<br>First violation<br>Second violation (in same year)<br>Third violation (in same year) | <br><br>$250.00<br>$500.00<br>$1,000.00 |
| 6.82.120 | Window tint specifications<br>First violation<br>Second violation (in same year)<br>Third violation (in same year) | <br>$250.00<br>$500.00<br>$1,000.00 |
| 6.86.230 | Property Maintenance (Off-Sale Alcoholic Beverage Establishment)<br>First Violation<br>Second Violation (within same year)<br>Third Violation (within same year) | <br><br>$250.00<br>$500.00<br>$1,000.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.86.240(A) | Performance Standards (Off-Sale Alcoholic Beverage Establishment) – Preventing Public Nuisance Activities<br>First Violation<br>Second Violation (within same year)<br>Third Violation (within same year) | <br><br><br>$500.00<br>$1,000.00<br>$2,500.00 |
| 6.86.240(B) | Performance Standards (Off-Sale Alcoholic Beverage Establishment)—Produce State Department of Alcoholic Beverage Control license | $250.00 |
| 6.86.240(C) | Performance Standards (Off-Sale Alcoholic Beverage Establishment) – Compliance with Section 23790.5 of the California Business and Professions Code by establishments engaged in the concurrent sale of off-sale alcoholic beverages and motor vehicle fuel<br>First Violation<br>Second Violation (within same year)<br>Third Violation (within same year) | <br><br><br><br><br><br>$250.00<br>$500.00<br>$1,000.00 |
| 6.87.200 | Tobacco Retail License Required<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.210 | Tobacco Retail License Exemption<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.300 | Operating Regulations and Conditions<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.305 | Lawful Business Operation<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |

| Section | Offense | Administrative Citation Fine |
|---|---|---|
| 6.87.310 | Posting of License | $100.00 |
| 6.87.330 | Positive Identification Required | $2,500.00 |
| 6.87.340 | Minimum Age for Persons Selling Tobacco Products and Paraphernalia | $2,500.00 |
| 6.87.350 | Self-Service Displays Prohibited<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.360A | False and Misleading Advertising Prohibited | $2,500.00 |
| 6.87.360B | False and Misleading Advertising Prohibited<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.370 | Limits on Location of Tobacco Retailing<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.380 | Other Legal Duties<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.390D | Rules and Regulations<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.410 | License Nontransferable | $500.00 |

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| 6.87.435B | Separate License<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.87.445 | Updated Information<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third Violation (within 12 month period from date of previous violation) | <br>$500.00<br>$750.00<br><br>$1,000.00 |
| 6.88.300 (A,B)* | Medical Marijuana Registration Process<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$200,000.00<br>$250,000.00<br><br>$300,000.00 |
| 6.88.360 (A-D)* | Medical Marijuana Change in Location and Updated Registration Form<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br><br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.400C* | Medical Marijuana Operating Regulations and Conditions<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br><br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.410* | Medical Marijuana - Compliance with the Code<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |

* Code sections repealed by Ordinance No. 29037.

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| 6.88.420* | Medical Marijuana - Security<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.430* | Cultivation of Medical Marijuana<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.440 (A, D - M)* | Medical Marijuana Collective Operations<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.440 (B,C)* | Medical Marijuana Collective Operations<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$10,000.00<br>$25,000.00<br><br>$50,000.00 |
| 6.88.450* | Medical Marijuana Owner, Manager and Membership Requirements<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.460* | Packaging of Medical Marijuana<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |

* Code sections repealed by Ordinance No. 29037.

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| 6.88.470* | Medical Marijuana – Public Safety and Safety of Location<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br><br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.500* | Medical Marijuana – Maintenance of Records<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.600* | Medical Marijuana – Audits<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.700B* | Medical Marijuana – Inspection and Enforcement<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br><br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.810 (A-C)* | Medical Marijuana – Compliance with Chapter and State Law<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br><br>$5,000.00<br>$7,500.00<br><br>$10,000.00 |
| 6.88.840* | Medical Marijuana Registration Nontransferable<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br>$10,000.00<br>$25,000.00<br><br>$50,000.00 |

* Code sections repealed by Ordinance No. 29037.


**DRAFT--Contact the Office of the City Clerk at (408)535-1260 or CityClerk@sanjoseca.gov for final document.**

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| 6.88.900* | Medical Marijuana Personal Use Requirements and Regulations<br>First Violation<br>Second Violation (within 12 month period from date of previous violation)<br>Third and Subsequent Violations (within 12 month period from date of previous violation) | <br><br>$2,500.00<br>$5,000.00<br><br>$7,500.00 |
| 7.20.010 | Proper and Adequate Care of Animals Requirement – Compliance with provisions of Chapter 7.20, Part 1 unless a separate fine amount is expressly provided for a section within the same part<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br><br><br><br>$100.00<br>$200.00<br>$300.00 |
| 7.20.050 | Veterinary Treatment Requirement<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.20.300(A) | Dangerous Animal Confinement Requirement | $1,000.00<br>With no escalation of fines for subsequent violations |
| 7.20.300(B) | Diseased Animal Prohibited | $1,000.00<br>With no escalation of fines for subsequent violations |
| 7.20.310 | Dead Animals<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.20.320 | Chain Collar Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.20.500(A) | Vaccination Required of Dogs and Cats<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.20.510 | Veterinarian Vaccination Certificate Requirement<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |

* Code sections repealed by Ordinance No. 29037.

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| 7.20.520(A) | License Required of Adult Cats and Dogs<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.20.570 | Metal Tags of Adult Cats and Dogs Restriction<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.20.580 | Presentation of Adult Cat or Dog License on Request<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.20.700 | Sale of Cats or Dogs Restriction<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.20.710 | Immunization of Cats and Dogs and Disclosure Requirement<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br><br>$250.00<br>$500.00<br>$750.00 |
| 7.20.730 | Location of Sale Restrictions<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.20.740 | Raffle of Animals Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.30.010 | Potentially Dangerous Dog Behavior Prohibited | $500.00<br>With no escalation of fines for subsequent violations |
| 7.30.500(A) | Special Dog Permit Required | $1,000.00<br>With no escalation of fines for subsequent violations |
| 7.30.540 | Special Dog Permit Tag | $500.00<br>With no escalation of fines for subsequent violations |
| 7.30.590 | Requirements for Notification | $500.00<br>With no escalation of fines for subsequent violations |

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| 7.30.900 | Potentially Dangerous, Dangerous, Vicious Dog Maintenance Requirement - Compliance with provisions of Chapter 7.30, Part 9 unless a separate fine amount is expressly provided for a section within the same part | $500.00<br>With no escalation of fines for subsequent violations |
| 7.40.010 | Public Nuisance Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.020 | Maximum Number of Dogs, Cats, or Litters Restriction<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.030 | Animals Running at Large Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.040 | Restraint of Dogs Restriction<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.050 | Dogs in Posted Off-Leash Areas Restriction<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.060 | Bites by Dangerous Animals – Civil Damages | $1,000.00<br>With no escalation of fines for subsequent violations |
| 7.40.070 | Animal Bites- Quarantine Requirement | $1,000.00<br>With no escalation of fines for subsequent violations |
| 7.40.080 | Abandoned Animals Prohibited | $500.00<br>With no escalation of fines for subsequent violations |
| 7.40.090 | Neglect of Animals in Vehicles Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |

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| 7.40.100 | Animals in City Buildings Restriction<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.110 | Poisoning and Abusing Domestic Animals | $1,000.00<br>With no escalation of fines for subsequent violations |
| 7.40.120 | Ban on Feeding Wild Animals<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.130(A) | Animal Traps Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.40.130(B) | Requirements for Use of Animal Traps Not Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.40.140 | Trapping and Snaring of Wild Birds Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.60.010 | Animal Event and Animal Facility Permit Required<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$500.00<br>$750.00<br>$1,000.00 |
| 7.60.020 | Animal Event and Animal Facility - Compliance with provisions of Chapter 7.60, Part 1 unless a separate fine amount is expressly provided for a section within the same part | $500.00<br>With no escalation of fines for subsequent violations |
| 7.60.050(D) | Application for Permit - Maintain records of persons from whom animals are received and sold, traded, or given. | $100.00<br>With no escalation of fines for subsequent violations |
| 7.60.120 | Excessive Noise Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |

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| 7.60.130 | Conditions Relating to Animal Events and Animal Facilities<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br><br>$250.00<br>$500.00<br>$750.00 |
| 7.60.500 | Wild Swarms of Bees Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.60.510 | Beekeeping Permit Required<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.60.520 | Beekeeping - Compliance with provisions of Chapter 7.60, Part 5 unless a separate fine amount is expressly provided for a section within the same part<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br><br><br>$100.00<br>$200.00<br>$300.00 |
| 7.60.700(A) | Small Animals and Livestock Permit Required<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |
| 7.60.705 | Small Animals and Livestock - Compliance with provisions of Chapter 7.60, Part 7 unless a separate fine amount is expressly provided for a section within the same part | $100.00<br>With no escalation of fines for subsequent violations |
| 7.60.750 | Small Animals and Livestock Confinement Requirement<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br><br>$100.00<br>$200.00<br>$300.00 |
| 7.60.775 | Veterinary Treatment Requirement<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$250.00<br>$500.00<br>$750.00 |
| 7.60.820 | Roosters Prohibited<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br>$100.00<br>$200.00<br>$300.00 |

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| 7.60.910(A) | Permit Required for Dangerous Animal | $500.00<br>With no escalation of fines for subsequent violations |
| 7.60.910(D) | Dangerous Animal Sign Posting Required | $500.00<br>With no escalation of fines for subsequent violations |
| 7.60.990(C) | Compliance with Dangerous Animal Hearing Decision Required<br>First Violation<br>Second Violation (within 36 months)<br>Third Violation (within 36 months) | <br><br>$250.00<br>$500.00<br>$750.00 |
| 9.08.1470 | Regulations or procedures – noncompliance unlawful | $500.00 |
| 9.08.1480 | Permit required - domestic septic tank cleaning | $250.00 |
| 9.08.1510 | Bond required – domestic septic tank cleaning | $250.00 |
| 9.08.1530 | Insurance required - domestic septic tank cleaning | $250.00 |
| 9.08.1550 | Outside wastes prohibited | $250.00 |
| 9.08.1560 | Source certification | $160.00 |
| 9.08.1580 | Improper discharges designated | $250.00 |
| 9.08.1590 | Sludge and certain solids prohibited | $250.00 |
| 9.08.1610 | Record of deliveries and billing of charges | $160.00 |
| 9.08.1620 | Fees and charges - domestic septic tanks | $160.00 |
| 9.10.400 | Improper handling of solid waste | $500.00 |
| 9.10.410 | Improper storage or accumulation of solid waste | $500.00 per occurrence |
| 9.10.420 | Placement of garbage in garbage containers required | $50.00 |
| 9.10.430 | Garbage container requirements, location | $500.00<br>With no escalation of fines for subsequent violations |
| 9.10.440 | Placement of rubbish in rubbish containers required | $50.00 |
| 9.10.450 | Rubbish container requirements, location | $500.00 |
| 9.10.510 | Unauthorized placement of solid waste | $50.00 |
| 9.10.520 | Weekly disposal of solid waste | $500.00<br>With no escalation of fines for subsequent violations |
| 9.10.530 | More frequent disposal of solid waste | $500.00<br>With no escalation of fines for subsequent violations |
| 9.10.540 | Dangerous accumulation prohibited | $100.00 |
| 9.10.550 | Collection and transportation of solid waste | $500.00 |

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| 9.10.560 | Interference with collector prohibited | $50.00 |
| 9.10.570 | Doing business without authorization | $500.00 |
| 9.10.590 | Failure to maintain records, failure to make records available for audit and inspection | $1,000.00 |
| 9.10.800 | Unauthorized disposal of solid waste | $1,000.00 |
| 9.10.1040 | Set out of residential solid waste | $50.00<br>With no escalation of fines for subsequent violations |
| 9.10.1050 | Unauthorized garbage containers | $50.00<br>With no escalation of fines for subsequent violations |
| 9.10.1060 | Unauthorized recyclables containers | $50.00<br>With no escalation of fines for subsequent violations |
| 9.10.1070 | Unauthorized waste oil containers | $50.00<br>With no escalation of fines for subsequent violations |
| 9.10.1080 | Recyclable materials set out requirements | $50.00 |
| 9.10.1090 | Debris boxes for residential rubbish requirements | $500.00 |
| 9.10.1100 | Unauthorized placement of solid waste or solid waste containers | First Violation: Warning notice<br><br>Second Violation in 12 months: $500.00<br><br>Third Violation in 12 months: $1,000.00 |
| 9.10.1110 | Unauthorized use of solid waste containers | $50.00<br>With no escalation of fines for subsequent violations |
| 9.10.1350 | Garbage collection authorization required<br>First Violation<br>Second Violation (within 12 months)<br>Third Violation (within 12 months) | <br>$2,500.00<br>$5,000.00<br>$10,000.00 |
| 9.10.1360 | Rubbish collection authorization required<br>First Violation<br>Second Violation (within 12 months)<br>Third Violation (within 12 months) | <br>$2,500.00<br>$5,000.00<br>$10,000.00 |
| 9.10.1410 | Placement of solid waste containers | $100.00 |
| 9.10.1420 | Requirements for labeling solid waste containers | $50.00 per day per container, cumulative |
| 9.10.1430A | Collection outside prescribed hours | $2,500.00 |

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| 9.10.1500 (except E) | Central business district solid waste requirements | $50.00 |
| 9.10.1500E | Collection in central business district outside prescribed hours | $2,500.00 |
| 9.10.1510 | Transit mall zone solid waste requirements | $50.00 |
| 9.10.1520F | Collection in transit mall zone outside prescribed hours | $2,500.00 |
| 9.10.2020A | Single-use carryout bag violation | First Violation: $500.00<br><br>Second Violation within 36 month period: $750.00<br><br>Third Violation within 36 month period: $1,000.00 |
| 9.34.030 | Mosquito abatement | $750.00 |
| 9.36.150 | Health effect warnings: Spanish and Vietnamese | $50.00 |
| 9.44.010a | Smoking prohibited | First Violation: $250.00<br><br>Second Violation within one year period: $500.00<br><br>Third Violation within one year period: $1,000.00 |
| 9.44.010b | Allowing Smoking | First Violation: $250.00<br><br>Second Violation within one year period: $500.00<br><br>Third Violation within one year period: $1,000.00 |
| 9.45.020 | Tobacco Vending Machines Prohibition | $500.00 |
| 9.50.030 | Aerial release of pesticides | $500.00 |
| 9.52.030 | Aerial release of pesticides | $500.00 |
| 9.54.010 | Discing to vacant parcels that are over two (2) acres in size | $2,500.00 |
| 9.56.410 | Polystyrene Foam Ban | $500.00 |
| 9.57.300 | Real and Personal Property Defaced with Graffiti<br>First violation (in same year)<br>Second violation (in same year)<br>Third violation (in same year) | <br>$250.00<br>$500.00<br>$1,000.00 |

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| 9.57.310 | Motor Vehicles, Boats and Trailers Defaced with Graffiti<br>First violation (in same year)<br>Second violation (in same year)<br>Third violation (in same year) | <br><br>$250.00<br>$500.00<br>$1,000.00 |
| 9.60.300 | Cart abandonment prohibited | $50.00 |
| 9.60.320 | Unauthorized removal of carts prohibited<br>First violation (in same year)<br>Second violation (in same year)<br>Third violation (in same year) | <br>$50.00<br>$100.00<br>$250.00 |
| 9.60.330 | Compliance with abandoned cart prevention plan<br>First violation (in same year)<br>Second violation (in same year)<br>Third violation (in same year) | <br><br>$50.00<br>$100.00<br>$250.00 |
| 10.04.010 | Interception of police broadcasts | $500.00 |
| 10.08.010 | Obstructing pedestrians on public ways | $500.00 |
| 10.08.020 | Obstructing entrances to places of public assembly | $500.00 |
| 10.08.030 | Impeding access to health care facilities | $1,000.00 |
| 10.09.010 | Targeted residential picketing | $1,000.00 |
| 10.09.015 | Picketing before or about a residential dwelling prohibited | $1,000.00 |
| 10.12.010 | Drinking alcoholic beverages on street | $50.00 |
| 10.12.030 | Nudity in public | $250.00 |
| 10.12.110 | Public urination and defecation prohibited | $100.00 |
| 10.16.010 | Disturbing the peace | $100.00 |
| 10.16.030 | Loudspeakers projecting noise outside | $250.00 |
| 10.20.020 | Damaging city or public property | $500.00 |
| 10.20.140 | Trespass on private property | $250.00 |
| 10.20.150 | Trespass on city property | $250.00 |
| 10.24.100 | Solicitation of tow service at location of certain occurrences | $500.00 |
| 10.28.120 | Youth Protection Curfew | $50.00 |
| 10.32.010 | Discharge of firearms | $1,000.00 |
| 10.32.020 | Restriction on weapons for persons under 18 yrs. Old | $1,000.00 |
| 10.32.140 | Prohibition of bows and crossbows | $1,000.00 |
| 10.32.150 | Weapons - Dart projectors | $1,000.00 |
| 10.38.010 | Minors prohibited from premises: owner's responsibility (Paraphernalia) | $750.00 |
| 10.38.020 | Minors excluded (Paraphernalia) | $750.00 |

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| 10.38.030 | Sale and display room (Paraphernalia) | $750.00 |
| 10.39.100 | Marketing, importing, selling imitation drug paraphernalia | $1,000.00 |
| 10.42.140B* | False alarms<br>Second false alarm within 12 months of initial false alarm<br>Third false alarm within 12 months of initial false alarm<br>Fourth and subsequent false alarms within 12 months of initial false alarm<br>*To be effective July 31, 2009, pursuant to Resolution No. _____, adopted on 6-16-09 | <br>$125.00<br>$200.00<br>$300.00 |
| 10.46.030 | Failure of driver to obey lawful order to divert/ detour:<br>First offense<br>Second offense<br>Third offense | <br>$50.00<br>$100.00<br>$500.00 |
| 11.14 | Compliance with Chapter – Limitation on Hours of Construction in City Streets (any violation of chapter)<br>First offense<br>Second Offense (within 12-month period following first offense) | <br>$500.00<br>$1,000.00 |
| 11.32.070 | Restrictions on use of county expressways | $50.00 |
| 11.34.010 | Cruising prohibited:<br>First offense<br>Second offense<br>Third offense | <br>$100.00<br>$150.00<br>$250.00 |
| 11.34.070 | Cruising violation | $100.00 |
| 11.44.340 | Improper use of meter – airport | $9.00 |
| 11.61.010 | Prohibition on Police Escorts for Private Processions | $500.00 |
| 11.62.010 | Permit required for private funeral escorts | $500.00 |
| 11.62.020 | Authorized traffic direction | $250.00 |
| 11.62.090 | Nontransferability of permits | $250.00 |
| 11.62.160 | Private processions must obey all traffic laws | $250.00 |
| 11.64.020 | Standing in roadway | $50.00 |
| 11.72.070 | Change of address notice required | $6.00 |
| 11.72.100 | Locking bicycle | $6.00 |
| 11.72.130 | Permits for bicycle racks | $6.00 |
| 11.80.030 | Operation of motorcycles on public property | $55.00 |
| 11.80.040 | Landowners' permission required for operating motorcycle on private property | $50.00 |

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| 11.96.070 | Restricted streets - 5 tons | $100.00 |
| 11.96.080 | Restricted streets - 7 tons | $100.00 |
| 13.12.020 | Parade permit required | $250.00 |
| 13.16.010 | Temporary street closure: Permit required | $250.00 |
| 13.18 | Compliance with chapter-Newsrack regulations (any violation of Chapter) | $250.00 |
| 13.20.010 | Display or storage on sidewalk | $100.00 |
| 13.20.030 | Signs | $250.00 |
| 13.20.050 | Painting numbers on curbs | $250.00 |
| 13.28.300 | Planting of Street Tree -- Permit required | $50.00 |

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| 13.28.310 | Pruning or removal of Street Tree – Permit required<br><br>Tree Pruning:<br>00.0" – 6" dia.<br>Over 6" – 12" dia.<br>Over 12" – 18" dia.<br>Over 18" – 24" dia.<br>Over 24" dia.<br><br>Tree Removal:<br>00.00" – 6" dia.<br><br><br><br><br>Over 6" – 12" dia.<br><br><br><br><br>Over 12" – 18" dia.<br><br><br><br><br>Over 18" – 24" dia.<br><br><br><br><br>Over 24" dia. | <br><br><br>$150.00<br>$175.00<br>$200.00<br>$225.00<br>$250.00<br><br><br>First Violation: $500.00<br>Second Violation within 3 years: $1,000.00<br>Third Violation within 3 years: $1,500.00<br><br>First Violation: $750.00<br>Second Violation within 3 years; $1,500.00<br>Third Violation within 3 years: $2,500.00<br><br>First Violation: $1,000.00<br>Second Violation within 3 years: $2,000.00<br>Third Violation within 3 years: $3,000.00<br><br>First Violation: $1,500.00<br>Second Violation within 3 years: $3,000.00<br>Third Violation within 3 years: $4,500.00<br><br>First Violation: $2,000.00<br>Second Violation within 3 years: $4,000.00<br>Third Violation within 3 years: $6,000.00 |
| 13.28.400 | Property owner maintenance responsibility and duty to public | $75.00 |

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| 13.28.420A<br>13.28.420B<br>13.28.420C | Interfering with maintenance work or injuring trees prohibited | $500.00 |
| 13.28.420E | Permit required for use of public street trees for electrical lines | $100.00 |
| 13.28.420F | Tree damage due to moving objects on public streets | $100.00 |
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| 13.28.440 | Sight obstructions on private property | $75.00 |
| 13.28.650 | No Interference with enforcement of Chapter 13.28 | $75.00 |
| 13.32.030 and 13.32.040 | Tree removal permits required on private property | $1,000.00 |
| 13.32.090 and 13.32.140 | Destruction of heritage trees | First Violation; $10,000.00<br>Second Violation within 3 years: $20,000.00<br>Third Violation within 3 years: $30,000.00 |
| 13.36.140 | Compliance with Construction Impact Mitigation Ordinance or Plan (when required) | $5,000.00 per day |
| 13.44.020 | Failure to comply with rules at City park | $100.00 |
| 13.44.040 | Special uses in parks - permit required | $250.00 |
| 13.44.050 | Exclusive use of parks or facilities - permit required | $375.00 |
| 13.44.060 | Unauthorized entry into restricted area in park | $500.00 |
| 13.44.080 | Entertainment or performance in park without a permit | $100.00 |
| 13.44.090 | Prohibited articles in park | $100.00 |
| 13.44.100 | Vehicle regulations in City park | $75.00 |
| 13.44.110 (A-E) | Animals and pets in certain City parks | $150.00 |
| 13.44.110 (F) | Killing, injuring, etc. - animals in City parks | $500.00 |
| 13.44.120 | Fire regulations in City park | $250.00 |


**DRAFT--Contact the Office of the City Clerk at (408)535-1260 or CityClerk@sanjoseca.gov for final document.**

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| 13.44.130 | Smoking in restricted area of City Park | First violation: $100.00<br><br>Second Violation in same year: $200.00<br><br>Third Violation in same year: $500.00 |
| 13.44.140 | Consumption of intoxicating beverage in City Park | $100.00 |
| 13.44.150 | Amplified sound without permit in City Park | $100.00 |
| 13.44.160 | Powered models where prohibited in City Park | $150.00 |
| 13.44.170 | Golfing outside of designated area in City Park | $100.00 |
| 13.44.180 | Conducting business in City Park without authorization | $250.00 |
| 13.44.190 | Water pollution of any body of water in City Park | $1,000.00 |
| 13.44.200 | Guns and dangerous instruments at park | $1,000.00 |
| 13.44.210 | Disturbing the peace and refusing to leave the park | $150.00 |
| 13.44.220 | Damage to park property | $500.00 |
| 13.44.230 | Littering in City Park | $50.00 |
| 13.44.240 | Entering or remaining after closing time of park | $100.00 |
| 13.44.250 | Supervision of children | $100.00 |
| 13.44.260 | Operation requirements of vessels | $100.00 |
| 15.10.200 | Water waste prevention | $160.00 |
| 15.10.210 | Repair of plumbing, sprinkler and irrigation systems | $160.00 |
| 15.10.220 | Water run-off prohibited | $160.00 |
| 15.10.230 | Restaurants, hotels, banquet and dining facilities | $160.00 |
| 15.10.240 | Cleaning of structure/ surfaces | $160.00 |
| 15.10.250 | Washing of vehicles | $160.00 |
| 15.10.255 | Commercial car washes | $160.00 |
| 15.10.260 | Building & construction | $160.00 |
| 15.10.270 | Hydrants | $160.00 |
| 15.10.320 | Restaurants | $160.00 |
| 15.10.325 | Hotels, motels and other lodgings | $160.00 |
| 15.10.330 | Public restrooms | $160.00 |
| 15.10.340 | Cleaning of structures/ surfaces | $160.00 |
| 15.10.350 | Operation of certain decorative fountains | $160.00 |
| 15.10.365 | Hydrants | $160.00 |
| 15.10.370 | Landscape irrigation | $160.00 |
| 15.10.400 | Landscape documentation package | $500.00 |

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| 15.10.410 | Certification | $160.00 |
| 15.14.510 | Limitations on Point of Discharge | $500.00 |
| 15.14.515 | Discharge Into Storm Drain Prohibited | $500.00 |
| 15.14.520 | Regulation of Trucked or Hauled Waste | $500.00 |
| 15.14.530 | Protection From Accidental Discharge | $500.00 |
| 15.14.535 | Pretreatment by Owner | $500.00 |
| 15.14.540 | Monitoring Facilities | $500.00 |
| 15.14.545 | Storm And Other Waters | $500.00 |
| 15.14.550 | Obstructing or Injurious Substances | $500.00 |
| 15.14.555 | Flammable or Explosive Substances | $500.00 |
| 15.14.560 | Hot Substances | $500.00 |
| 15.14.565 | Grease, Oils, Fats | $500.00 |
| 15.14.570 | Solid or Viscous Matter | $500.00 |
| 15.14.575 | Corrosive Matter<br>5.5 > pH > 2.0<br><br>2.0 ≥ Ph | <br>$500.00<br><br>$1,000.00 |
| 15.14.580 | Toxic Gases, Vapors or Fumes | $500.00 |
| 15.14.585 | Interfering Substances<br>2X < limit <10X<br><br>10X ≥ limit | <br>$500.00<br><br>$1,000.00 |
| 15.14.590 | Prohibition on Use of Diluting Waters | $500.00 |
| 15.14.595 | Suspended Solids; Dissolved Matter | $500.00 |
| 15.14.610 | Noxious or Malodorous Matter | $500.00 |
| 15.14.615 | Radioactive Matter | $500.00 |
| 15.14.620 | Colored Matter | $500.00 |
| 15.14.625 | Garbage | $500.00 |
| 15.14.630 | Oil and Grease Removal Devices | $500.00 |
| 15.14.635 | Screened Industrial Wastes | $500.00 |
| 15.14.640 | Group 1 Dischargers – Approved Mass Audit Study Required | $500.00 |
| 15.14.645 | Group 1 Dischargers - Mass Equivalent Concentration Limit | $500.00 |
| 15.14.650 | Group 1 Dischargers - Process Flow Exceeding MECL Flow | $500.00 |
| 15.14.665 | Group 2 Dischargers - Daily Maximum Average Concentration Limit | $500.00 |
| 15.14.670 | Group 3 Dischargers - Best Management Practices | $500.00 |
| 15.14.680 | Federal Pretreatment Regulations | $500.00 |

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| 15.14.685 | Falsification of Information | $500.00 |
| 15.14.695 | Late Reporting (5-15 days late)<br><br>Late Reporting (16-30 days late)<br><br>Late Reporting (31-45 days late) | $100.00<br><br>$250.00<br><br>$500.00 |
| 15.14.725 | Mandatory Wastewater Discharge Permits | $500.00 |
| 15.16.350 | Sewer lateral permit required | $500.00 |
| 15.16.510 | Sewer connection-permit required | $500.00 |
| 15.16.730 | Treatment plant connection-permit required | $500.00 |
| 15.28.160 | Cable TV franchise required | $1,000.00 |
| 15.28.210 | Cable Franchise - Information Required | $500.00 |
| 15.28.370 | Compliance With Council orders - Cable Franchisee | $500.00 |
| 15.28.410 | Restricted use of cable system | $500.00 |
| 15.28.520 | Operational Standards – cable TV | $500.00 |
| 15.28.530 | Report requirements - Cable TV | $500.00 |
| 15.28.540 | Map of installations - Cable TV | $500.00 |
| 15.28.550 | Inspection of property and records - Cable Franchisee | $500.00 |
| 15.28.560 | Installation and construction of Cable TV | $500.00 |
| 15.28.570 | Undergrounding of facilities – cable TV | $500.00 |
| 15.28.580 | Changes Required by public improvements - Cable TV | $500.00 |
| 15.28.590 | Streets – Occupancy requirements generally - Cable TV | $500.00 |
| 15.28.600 | Streets - Use restrictions – Cable TV Franchisee | $500.00 |
| 15.28.610 | Restoration of Streets - Cable TV Franchisee | $500.00 |
| 15.28.620 | Relocation of Facilities – Cable TV Franchisee | $500.00 |
| 15.28.630 | Temporary Removal of Facilities - Cable TV Franchisee | $500.00 |
| 15.28.640 | Removal of Abandoned Property - Cable TV Franchisee | $500.00 |
| 15.28.710 | Franchisee Office for Maintenance Service | $500.00 |
| 15.28.730 | Line Extension Charges | $500.00 |
| 15.28.740 | Charges for Repair or Replacement - prohibited | $500.00 |
| 15.28.750 | Limitation on denial of Cable TV service | $1,000.00 |
| 15.28.870 | Franchise Fee – when payable | $500.00 |
| 15.28.880 | Statement to Accompany Franchise Fee Payment | $500.00 |
| 15.28.900 | Accounting and Recordkeeping Requirements | $500.00 |

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| 15.28.950 | Unauthorized connection with system prohibited cable TV | $500.00 |
| 15.28.960 | Receiving signals without payment prohibited--cable TV | $500.00 |
| 15.28.970 | Tampering with cable system prohibited | $500.00 |
| 15.36.160 | Towing activities unlawful | $500.00 |
| 15.36.370 | Towing: Compliance with Council orders | $250.00 |
| 15.36.480 | Towing: Operational Standards | $250.00 |
| 15.36.490 | Towing: Report requirements | $250.00 |
| 15.36.500 | Towing: Inspection of Property and Records | $250.00 |
| 15.36.640 | Minimum Requirements for Towing Applicants and Grantees | $250.00 |
| 15.36.650 | Requirements and operation of adequate storage facility | $250.00 |
| 15.36.700 | Records of Grantees: Towing | $250.00 |
| 15.36.710 | Charges for Services: Towing | $250.00 |
| 15.36.870 | Towing: Franchise Fee – when payable | $250.00 |
| 15.36.880 | Towing: statement to accompany Franchise Fee payment | $250.00 |
| 15.36.900 | Towing: Accounting and recordkeeping requirements | $250.00 |
| 15.38.080 | Leasing permit required: solar devices | $250.00 |
| 16 | Compliance with Title –Cardroom regulations (any violation of Title) | $1,000.00 |
| 17.02.050 | Obstruction or interference with abatement work prohibited | $250.00 |
| 17.02.470 | Compliance with Restriction from Use or Occupancy Notice | $250.00 |
| 17.10 | Compliance with Chapter – Geologic Hazard (any violation of Chapter) | $1,000.00 |
| 17.12 | Fire Code<br>Any violation, unless a specific fine amount has been established in this resolution for a particular Code section within the Chapter.<br>First violation<br>Second violation (within one-year period)<br>Third violation (within one-year period) | <br><br><br><br>$500.00<br>$750.00<br>$1,000.00 |

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| 17.12.400 (California Fire Code §1302.3) | False Alarms<br><br>Nonresidential occupancy/residential over 4 units (R-1 greater than 4 units) and/or activation by any alarm service company during servicing<br>First false alarm<br>Second false alarm<br>Third false alarm within 90-day period<br>Fourth false alarm within 90-day period<br>Fifth and subsequent false alarm within 90-day period<br><br>Residential occupancy up to 4 units (R-3 and R-1 up to 4 units) except activation by any alarm service company during servicing<br>First false alarm<br>Second false alarm<br>Third false alarm within 90-day period<br>Fourth false alarm within 90-day period<br>Fifth and subsequent false alarm within 90-day period | <br><br><br><br><br>No fine<br>No fine<br>$350.00<br>$750.00<br>$1,000.00<br><br><br><br><br><br>No fine<br>No fine<br>$100.00<br>$150.00<br>$200.00 |
| 17.12.700 (California Fire Code §8001.3.1) | Failure to obtain permit to store, dispense, use or handle hazardous materials, or to install, repair, abandon, remove, temporarily or permanently close or substantially modify a hazardous materials storage facility or other regulated area.<br>First violation<br>Second violation within one-year period<br>Third violation within one-year period | <br><br><br><br><br><br>$1,000.00<br>$1,500.00<br>$2,000.00 |
| 17.12.820 | Failure to report a threatened release or unauthorized discharge of hazardous materials | $500.00 |
| 17.48.010 | Compliance with chapter – signs, marquees and awnings | $250.00 |
| 17.68 | Hazardous materials storage<br>Any violation, unless a specific fine amount has been established in this resolution for a particular Code section within the Chapter.<br>First violation<br>Second violation (within one-year period)<br>Third violation (within one-year period) | <br><br><br><br>$500.00<br>$750.00<br>$1,000.00 |

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| 17.68.310 | Failure to submit timely updated Hazardous Materials Management Plan<br>First violation<br>Second violation within one-year period<br>Third violation within one-year period | <br><br>$500.00<br>$750.00<br>$1,000.00 |
| 17.68.350 | Failure to submit timely updated Hazardous Materials Management Inventory Statement<br>First violation<br>Second violation within one-year period<br>Third violation within one-year period | <br><br>$500.00<br>$750.00<br>$1,000.00 |
| 17.72.030 | Prohibition of blighted property<br>First violation<br>Second violation<br>Third violation | <br>$250.00<br>$500.00<br>$1,000.00 |
| 17.72.300 | Enforcement – compliance with chapter<br>First violation<br>Second violation (in same year)<br>Third violation (in same year) | <br>$250.00<br>$500.00<br>$1,000.00 |
| 17.72.600 | Parking on Unpaved Surfaces | $100.00 |
| 17.74.040.E | Identification procedures – Hazardous Buildings | $250.00 |
| 17.74.060 | Engineering reports | $500.00 |
| 17.78.260 | Compliance with Chapter – Toxic gasses | $1,000.00 |
| 17.80.040 | Maintaining private property in unsafe condition | $500.00 |
| 20.30.430 | Front setback – parking and storage prohibited | $50.00 |
| 20.40.500 | Late night use and activity without a Conditional Use Permit<br>First violation<br>Second violation within one-year period<br>Third violation within one-year period | <br><br>$250.00<br>$500.00<br>$1,000.00 |

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| 20.100.310(A) | Development Permit Compliance Required (Violations of a Development Permit that are of a transient and intermittent nature and that directly and specifically involve the off-sale of alcoholic beverages)<br>First violation<br>Second violation (within 12 month period from date of previous violation)<br>Subsequent violations (within 12 month period from date of previous violation)<br><br>Permit Compliance Required (Violations involving property maintenance and performance standards)<br>First violation<br>Second violation within one-year period<br>Third violation within one-year period | <br><br><br><br><br><br>$1,000.00<br>$2,500.00<br><br>$2,500.00<br><br><br><br><br><br>$250.00<br>$500.00<br>$1,000.00 |
| 20.100.450 | Hours of Construction Within 500 Feet of a Residential Unit | $2,500.00 |
| 20.100.470 | Compliance with NPDES Storm Water Permit, including BMP's, submittal of and compliance with Erosion Control Plan (if required) | $500 per event per day |
| 20.100.480 | Compliance with NPDES General Construction Activities Permit (including development, implementation and maintenance of SWPPP and filing of NOI); submittal of and compliance with Erosion Control Plan (if required); implementation and maintenance of BMP's or control measures<br>Sites of 1-5 acres in size<br><br>Sites greater than 5 acres in size | <br><br><br><br><br><br><br>$500 per event per day<br><br>$2,500 per event per day |
| 22.01.010 | Authorization required to use Convention and Cultural facilities | $250.00 |
| 23.02.820 | Compliance with title | $250.00 |
| 23.02.900 | Construction and maintenance of signs | $250.00 |
| 23.02.1120 | Portable signs at parking lots | $250.00 |
| 23.04.240 | Signs in airport zone – temporary signs | $100.00 |
| 23.04.340 | Signs in A, R and T-M districts-temporary signs | $100.00 |
| 23.04.610 | Temporary signs | $100.00 |
| 23.04.730 | Election signs on public property | $250.00 |
| 23.04.740 | Election signs not authorized by owner or person in control of property | $150.00 |

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| 23.04.750 | Election signs in residential districts or on residential uses | $100.00 |
| 23.04.760 | Time limit on display of election signs | $100.00 |
| 23.04.810 | Private signs on public property | $350.00 |
| 23.04.830 | Signs allowed on public property | $350.00 |
| 24.01.130 | Compliance with Title – Building Codes | $1,000.00 |
| 25.06.010 | Violation of airport rules and regulations | $100.00 |
| 25.06.300 | Advertising without approval | $250.00 |
| 25.06.310 | Animals at airport prohibited | $75.00 |
| 25.06.320 | Entering restricted areas at airport | $1,000.00 |
| 25.06.340 | Restrictions in operating motorized equipment | $75.00 |
| 25.06.360 | Preservation of Property at the Airport | $500.00 |
| 25.06.370 | Roads and walkways at airport restricted use | $250.00 |
| 25.06.380 | Violation of sanitation requirements | $75.00 |
| 25.08.010 | Commercial activities without authorization | $250.00 |
| 25.08.020 | Operation at the Airport Without Authorization | $250.00 |
| 25.08.350 | Services/delivery on airport apron-permit required | $250.00 |
| 25.08.500 | On-Airport Car Rental Agencies | $250.00 |
| 25.08.510 | Off-Airport Car Rental Agencies- permit requirements | $250.00 |
| 25.08.700 | Ground Transport Providers – permit requirements. | $250.00 |
| 25.08.720 | Ground transportation permit requirements | $75.00 |
| 25.08.730 | Ground Transportation Providers – Restrictions and Requirements | $75.00 |
| 25.08.740 | Circling Solicitation Prohibited (Ground Transportation Providers | $75.00 |
| 25.08.750 | Operation by Taxicab Service Providers at the Airport Without Authorization | $250.00 |
| 25.08.900 | Aircraft maintenance permit | $75.00 |
| 25.08.910 | Airport maintenance insurance and other requirements | $75.00 |
| 25.08.920 | Aircraft maintenance fees and deposit | $75.00 |
| 25.08.940 | Flying club maintenance | $75.00 |
| 25.08.1100 | Telephone line agreement required | $75.00 |
| 25.08.1110 | Telephone line agreement terms | $75.00 |
| 25.08.1310 | General aviation fees and charges | $75.00 |
| 25.08.1500 | Other commercial activities permit or license required | $250.00 |
| 25.08.1520 | Parking/storage G.A. aircraft permit/license required | $250.00 |

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| 25.12.010 to 25.12.920 | Aircraft operations and air traffic rules | $75.00 |
| 25.12.590 | Cleaning with inflammable or volatile liquids | $1,000.00 |
| 25.12.600 | Doping restrictions | $1,000.00 |
| 25.12.630 | Open-flame operations | $1,000.00 |
| 25.12.640 | Fire Hazard | $1,000.00 |
| 25.12.650 | Improper storage inflammable material | $1,000.00 |
| 25.12.670 | Waste oil storage and removal | $500.00 |
| 25.12.1200 | Smoking near airport fuel facilities prohibited | $1,000.00 |
| 25.14.300 | Flying club permit required | $75.00 |
| 25.14.310 | Flying club nonprofit restriction | $75.00 |
| 25.14.320 | Flying club – member classes | $75.00 |
| 25.14.330 | Flying club-compensation | $75.00 |
| 25.14.340 | Flying club - aircraft use by non-members | $75.00 |
| 25.14.350 | Flying club - aircraft lessor | $75.00 |
| 25.14.360 | Flying club – insurance | $75.00 |
| 25.14.400 | Flying club - reporting requirements | $75.00 |
| 25.14.410 | Flying club permit not assignable | $75.00 |

**SECTION 3.** Except as otherwise specifically set forth in Section 2 above, the fine amount for a second violation of the same Municipal Code section by the same person within a thirty-six (36) month period shall be and equal one hundred twenty-five percent (125%) of the fine amount listed in this Resolution for a first violation of that Municipal Code section at the time of the second violation.

**SECTION 4.** Except as otherwise specifically set forth in Section 2 above, the fine amount for a third and subsequent violation of the same Municipal Code section by the same person within a thirty-six (36) month period shall be and equal one hundred fifty percent (150%) of the fine amount listed in this Resolution for a first violation of that Municipal Code section at the time of the third or, as applicable, subsequent violation.

**SECTION 5.** Any fine amount imposed pursuant to Chapter 1.15 of the San José Municipal Code and this Resolution shall be deemed delinquent if it is not paid in accordance with the terms and provisions of Chapter 1.15. Any person who fails to pay to the City the amount of any fine imposed pursuant to the provisions of Chapter 1.15 of

the San José Municipal Code and this Resolution on or before the date that fine amount is due shall be liable for the payment of an additional delinquency penalty. The delinquency penalty is equal to ten percent (10%) of the amount of the fine due to the City, or ten percent (10%) of the amount of the fine remaining unpaid to the City if a portion of the fine amount was timely paid. Interest shall accrue on all delinquent fine amounts, exclusive of delinquency penalties, at the rate of one half of one percent per month, pro rata, of the total delinquent fine amount, from the date the fine amount becomes delinquent until the date that all delinquent fine amounts are paid to the City.

**SECTION 6.** The Administrative Citation Schedule of Fines set forth in this Resolution shall supersede the administrative fine amounts and other provisions set forth in Resolution No. 76084, adopted on November 29, 2011, which is hereby repealed.

ADOPTED this _____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

_____
CHUCK REED
Mayor

ATTEST:

_____
DENNIS D. HAWKINS, CMC
City Clerk