

**COUNCIL BILL NO. 1722,  
AS AMENDED BY SECOND AMENDMENT**

**INTRODUCED BY JOHN D. MICKS**

**ORDINANCE NO. 1633**

**AN ORDINANCE**

**AN ORDINANCE OF THE CITY OF DUBOIS AMENDING CHAPTER 10, PART III OF THE CODE OF ORDINANCES OF THE CITY OF DUBOIS TO AUTHORIZE AND EMPOWER THE CITY OF DUBOIS POLICE FORCE WITH THE SAME AUTHORITY AS THE CODES ENFORCEMENT OFFICER IN THE INSPECTING OF MOTOR VEHICLES AND THE ENFORCEMENT OF THE PROVISIONS OF CHAPTER 10, PART III WITH REGARD TO THE STORAGE OF MOTOR VEHICLES AND TO INCREASE THE PENALTIES FOR VIOLATION OF THE PROVISIONS OF PART III AND TO DELETE SECTION 303 ALLOWING FOR STORAGE OF MOTOR VEHICLE NUISANCES.**

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Council of the City of DuBois, in Council assembled, and it is hereby enacted and ordained by authority of the same as follows:

**SECTION 1.** Chapter 10, Part III, Section 304, Subsection 1 of the Code of Ordinances of the City of DuBois is hereby amended to read as follows:

- 1. The Codes Enforcement Officer and the City of DuBois Police are hereby empowered to inspect private property on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, they or anyone of them, shall issue a written notice to be served by registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

**SECTION 2.** Chapter 10, Part III, Section 306, Subsection 1 is hereby amended to read as follows:

- 1. Any person aggrieved by the decision of the Codes Enforcement Officer or by any member of the City of DuBois Police Force, may request and shall then be granted a hearing before the City Council, providing he files with the City Council within ten (10) days after notice of the decision by either the Codes Enforcement Officer or a member of the City of DuBois Police Force, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than thirty (30) days after the date on which the Petition was filed unless postponed for sufficient cause.

**SECTION 3.** Chapter 10, Part III, Section 307 of the Code of Ordinances of the City of DuBois is hereby amended to read as follows:

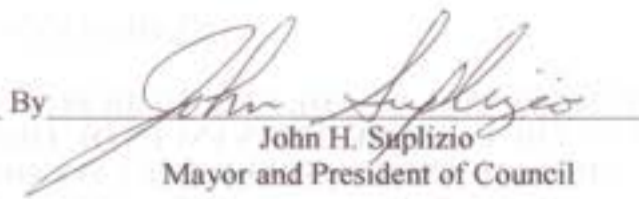
Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than Three Hundred (\$300.00) Dollars nor more than One Thousand (\$1,000.00) Dollars plus costs and, in default of payment of said fine and costs, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense.

**SECTION 4.** Chapter 10, Part III, Section 303 of the Code of Ordinances of the City of DuBois is hereby repealed in its entirety.

**SECTION 5.** All other provisions of Chapter 10, Part III of the Code of Ordinances not specifically amended or repealed hereby are re-affirmed and re-ratified as if set forth at length herein.

ATTEST:

  
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City Manager

By   
\_\_\_\_\_  
John H. Suplizio  
Mayor and President of Council

PASSED BY COUNCIL:

August 13, 2001