

CITY OF CLOVERDALE

CITY COUNCIL

RESOLUTION NO. 093-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE: (1) APPROVING REVISIONS TO THE CURRENT BAIL SCHEDULE REFLECTING AN INCREASE IN BAIL AMOUNTS; REMOVING CERTAIN SECTIONS BASED ON CHANGES IN LEGISLATION; AND ADDING SECTIONS PERTAINING TO THE POSSESSION, USE, SALE AND DISTRIBUTION OF NITROUS OXIDE; AND (2) RESCINDING RESOLUTION NO. 007-2011

WHEREAS, the City of Cloverdale has established and maintained a recommended bail schedule for non-traffic violations of the Municipal Code; and

WHEREAS, Cloverdale Municipal Code Section 1.12.030 authorizes the City Council to adopt a bail schedule, which may be amended from time to time, for violations of the Municipal Code and City Ordinances; and

WHEREAS, on January 12, 2011 City Council adopted Resolution No. 007-2011 which includes, sections CMC Title 9 Public Peace, Morals and Welfare and section CMC 9.20 Curfew and Minors; and

WHEREAS, removal of sections included in CMC Title 9, subsections 9.04.010: Loitering, 9.04.020: Obstructing free passage-standing and 09.04.030: Obstructing free passage sitting are recommended as a result of legal challenges and potential legislative changes; and

WHEREAS, removal of sections included in CMC Title 9, subsection 9.20 Curfew for Minors: 9.20.090: Violation by minor and 9.20.100: Violation parent responsibility are recommended as a result of legal challenges and potential legislative changes; and

WHEREAS, the City Council adopted Ordinance No. 721-2018, Chapter 9.40 Nitrous Oxide wherein, possession, sale or distribution is a violation of a misdemeanor and is recommended to be added to the bail schedule;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cloverdale hereby:

1. Approves the recommended bail schedule, attached hereto as Exhibit "A" and pertaining to violations of the City of Cloverdale Municipal Code and City of Cloverdale Ordinances, is hereby approved.
2. Directs the City Attorney to send a certified copy of this Resolution to the Sonoma County Clerk's Office for approval by the Presiding Judge, which, upon approval, will be used by the Court in processing citations issued for violations of the City of Cloverdale Municipal Code and City of Cloverdale Ordinances.
3. Sets the Effective Date: This Resolution shall become effective immediately.

4. Severability: Should any portion of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining portions shall be and continue in full force and effect, except as to those portions that have been adjudged invalid. The City Council of the City of Cloverdale hereby declares that it would have adopted each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more of the sections, subsections, clauses, sentences, phrases or other portions of this Resolution may be held invalid or unconstitutional.

4. Rescinds Resolution No. 007-2011 in its entirety.

The foregoing Resolution No. 093-2019 was duly introduced and adopted by the City Council of the City of Cloverdale at its regular meeting held on the 25th day of September 2019 by the following roll call vote:

Ayes: (5) Councilmember Brigham, Councilmember Cruz, Councilmember Turner, Vice Mayor Wolter and Mayor Bagby

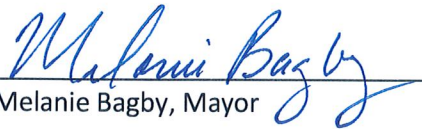
Noes: (0) None

Absent: (0) None

Abstaining: (0) None

APPROVED:

ATTEST:


Melanie Bagby, Mayor


Maria McArthur, Interim City Clerk

I, MARIA MCARTHUR, Interim City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 93-2019 adopted by the City Council of the City of Cloverdale on the 25th day of September 2019.


Maria McArthur, Interim City Clerk



Exhibit "A"
CITY OF CLOVERDALE
RECOMMENDED BAIL SCHEDULE

The City of Cloverdale recommended Bail Schedule below is subject to the following conditions:

1. Second and subsequent offenses (excepting parking violations) within a two-year period may be charged as misdemeanors by the Citing Officer or by the City Attorney pursuant to a complaint filed with the Court.
2. Where the arresting officer finds that the nature of the offence exceeds reasonable bounds, he/ she may cite any of the below offenses for a mandatory court appearance. In such case, it must be clearly stated on the original citation. The final determination shall rest with the City Attorney.
3. All sections refer to the Cloverdale Municipal Code.

CMC 1.12 Criminal Enforcement of Code Violations

Code Section	Description	Recommended Bail		
		1 st Offense	2 nd Offense	3 rd Offense
1.12.020	Classification of Violations	\$50	\$100	\$150

CMC Title 6 – Animals

CMC 6.04 Animal Control

6.04.080	Dog License required	\$50	\$100	\$150
6.04.100	License attached to dog	\$25	\$50	\$75
6.04.150	Livestock w/ o permit	\$50	\$100	\$150
6.04.220	Kennel License required	\$100	\$200	\$300
6.04.340B	Refuse to disclose rabid animal	\$100	\$200	\$300
6.04.460	Conditions for keeping domestic animals	\$50	\$100	\$150
6.04.470	Unlawful acts involving animals	\$50	\$100	\$150
6.04.480	Unauthorized license	\$50	\$100	\$150
6.04.490	Baby animals and fowl	\$50	\$100	\$150
6.04.500	Inciting animals to vicious acts	\$100	\$150	\$200
6.04.510	Trapping wild animals	\$100	\$150	\$200

CMC 6.08 Dogs

6.08.020	Dogs at Large	\$50	\$100	\$150
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CMC Title 8 – Health & Safety

CMC 8.12, Garbage, Refuse and Collection

8.12.020	Accumulation unlawful when not contained	\$75	\$125	\$175
8.12.030	Burying solid waste prohibited	\$75	\$125	\$175
8.12.040	Burning prohibited	\$75	\$125	\$175
8.12.050	Tampering with containers	\$75	\$125	\$175
8.12.060	Solid waste, collection, hauling and transportation	\$75	\$125	\$175
8.12.110	Deposits in debris boxes restricted	\$75	\$125	\$175
8.12.120	Deposits in public and private places	\$50	\$100	\$150
8.12.130	Ownership passes to contractor of collection bins	\$50	\$100	\$150
8.12.140	Mandatory collection service	\$75	\$125	\$175
8.12.150	Violations-penalty, guilty of misdemeanor	\$75	\$125	\$175

CMC 8.30 Skateboards and other Skating and Riding Devices

8.30.040	Unsafe operation on city sidewalks prohibited	\$50	\$100	\$150
8.30.050	Obstruction of free passage and use of sidewalks and roadway	\$50	\$100	\$150
8.30.060	Use on highways and roadways prohibited	\$50	\$100	\$150
8.30.070	Use of motorized scooters on City bicycle paths, trails and bikeways prohibited	\$50	\$100	\$150

CMC Title 9 - Public Peace, Morals and Welfare CMC

CMC 9.08 Alcoholic Beverage Consumption Restriction

9.08.010	Liquor Sales Prohibited	\$50	\$100	\$150
9.08.020	Poolroom restrictions	\$100	\$200	\$300
9.08.030	Minors on premises	\$100	\$200	\$300
9.08.070	False representation of age	\$100	\$200	\$300
9.08.080	Corruption of minor	\$100	\$200	\$300
9.08.100	Public consumption	\$100	\$150	\$200

CMC 9.12 Public Urination and Defecation

9.12.010	Public urination & defecation	\$100	\$150	\$200
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CMC 9.16 Dumping and Burning Waste Materials

9.16.010	Dumping/Burning on city streets	\$100	\$100	\$100
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9.24.010	Discharge of firearm	\$75	\$125	\$175
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CMC 9.04.040 Blocking Passage of Persons or Vehicles

9.04.040	Blocking entrance to public places	\$50	\$100	\$150
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CMC 9.40 Nitrous Oxide

9.40.020	Sale or distribution of nitrous oxide	\$100	\$150	\$200
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9.40.030	In possession / under the influence of nitrous oxide	\$100	\$150	\$200
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CMC Title 10 - Vehicles and Traffic

CMC10.08 Administration and Enforcement

10.08.030	Obedience to authorized officers	\$50	\$100	\$150
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10.08.070	Unauthorized traffic direction	\$50	\$100	\$150
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10.08.080	Obstructing enforcement officers	\$50	\$100	\$150
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CMC 10.12 Traffic Control Devices

10.12.030	Driver obedience required	\$50	\$100	\$150
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10.12.090	Unauthorized painting of curbs	\$50	\$100	\$150
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CMC 10.16 Turning Movements

10.16.030	Right turns in signal- controlled intersections	\$50	\$75	\$100
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CMC 10.24 Stopping, Standing and Parking

10.24.030	Emerging from alleys	\$25	\$50	\$75
10.24.110	Peddler/vender restrictions	\$50	\$150	\$200
10.24.120	Displaying vehicles for Sale	\$50	\$75	\$100
10.24.130	Repairing vehicles on the street	\$50	\$75	\$100
10.24.140	Washing or polishing vehicles	\$25	\$50	\$75

CMC 10.36 Miscellaneous Regulations

10.36.010	Freeway use restriction	\$30	\$50	\$70
10.36.020	Limited access roadways	\$30	\$50	\$70
10.36.030	Entering intersection/no block traffic	\$30	\$50	\$70
10.36.040	Funeral Processions	\$50	\$75	\$100
10.36.050	Commercial Vehicle Private drive	\$30	\$50	\$70
10.36.060	Obedience to signs/barriers	\$30	\$50	\$70
10.36.070	Driving on new pavement/marks	\$30	\$50	\$70
10.36.080	Using streets as play areas	\$30	\$50	\$70
10.36.090	Shrubbery Obstruction at intersection	\$30	\$50	\$70

CMC 10.40 Pedestrians

10.40.020	Crosswalks-pedestrians must use	\$35	\$50	\$75
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CMC 10.44 Bicycles

10.44.110	Riding procedures- roads and paths	\$25	\$35	\$45
10.44.120	Riding procedures-sidewalks	\$25	\$35	\$45
10.44.130	Speed restrictions	\$25	\$35	\$45
10.44.140	Yield Right-of-way	\$25	\$35	\$45
10.44.150	Parking procedures	\$25	\$35	\$45

CMC 10.48 - Trucks and Commercial Vehicles

10.48.010	Truck route requirements	\$100	\$200	\$300
10.48.020	Commercial vehicles restricted	\$100	\$200	\$300
10.48.030	Advertising vehicles unlawful	\$30	\$40	\$50

CMC Title 12 - Streets Sidewalks and Public Places

CMC 12.20 City Parks

12.20.020	In park after closing	\$25	\$50	\$80
12.20.030	Horses prohibited	\$50	\$75	\$100
12.20.040	Motorcycles prohibited	\$50	\$75	\$100
12.20.050	Bicycle riding prohibited in park	\$25	\$50	\$80
12.20.060	Motor vehicles prohibited	\$50	\$75	\$100
12.20.100	Events requiring police permit	\$50	\$75	\$100

CMC Title 13 – Public Services

CMC 13.04 – Water Systems

13.04.380	Tampering with Water System	\$100	Per each Violation	
13.04.390	Customer Use of Curb Stop	\$100	Per each Violation	

CMC Title 15 - Buildings and Construction

CMC 15.28 Mobile Home Parks

15.28.210	Use as dwelling prohibited	\$50	\$100	\$150
15.28.220	Owner consent to park vehicle	\$50	\$100	\$150

All Other Sections

All Other Sections of the Cloverdale Municipal Code Not Specified Above

All Other Sections	Cited as Infractions	\$25	\$50	\$75
All Other Sections	Cited as Misdemeanors	\$50	\$100	\$150

SCHEDULE FOR PARKING FINES AND PENALTIES FOR CITY OF CLOVERDALE

CMC 10.24 Stopping, Standing and Parking

			Fine	Delinquent Fine*	DMV Hold**
I	10.24.050	No Parking zones	\$50	\$100	\$110
I	10.24.060	Parking in a parkway	\$50	\$100	\$110
I	10.24.070	No parking/standing designated	\$50	\$100	\$110
I	10.24.080	Parking adjacent to schools	\$50	\$100	\$110
I	10.24.090	Parking-narrow streets	\$50	\$100	\$110
I	10.24.100	Blocking wheels on grade	\$50	\$100	\$110
I	10.24.150	Using streets for vehicle storage	\$150	\$300	\$310
I	10.24.160	Emergency signs-no parking	\$50	\$100	\$110

CMC 10.28 Parking

I	10.28.030	Parking outside marked space	\$50	\$100	\$110
I	10.28.040	Parallel parking	\$50	\$100	\$110
I	10.28.050	Parallel parking/one-way street	\$50	\$100	\$110
I	10.28.060	Diagonal parking	\$50	\$100	\$110
I	10.28.070	Twenty-four-minute parking	\$35	\$70	\$80
I	10.28.080	Forty-minute parking	\$35	\$70	\$80
I	10.28.090	One-hour parking	\$35	\$70	\$80
I	10.28.110	Two-hour Parking	\$35	\$70	\$80
I	10.28.120	Overweight parking	\$150	\$300	\$310
I	10.28.130	All night parking limitations	\$50	\$100	\$110
I	10.28.140	Truck parking restrictions	\$150	\$300	\$310
I	10.28.150	No stopping zones	\$50	\$100	\$110

CMC 10.32 Loading and Unloading

I	10.32.050	Loading/Unloading standing time	\$50	\$100	\$110
I	10.32.060	Passenger loading zones	\$50	\$100	\$110
I	10.32.070	Alley use restriction	\$50	\$100	\$110

Late Payment Penalties

CVC 40203.5 *Payment not received 14 days after mailing of notification of delinquent Violation:
2 x base fine amount with late payment penalty not to exceed \$150.00

CVC 40203.5 ** DMV registration hold processing fee for payment not received \$10.00