

RESOLUTION NO. 16-0057

**A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
SETTING FORTH FINES AND PENALTIES FOR
ADMINISTRATIVE CITATIONS PURSUANT TO CALIFORNIA
GOVERNMENT CODE SECTION 53069.4 AND MANHATTAN
BEACH ORDINANCE 16-0018**

**THE MANHATTAN BEACH CITY COUNCIL DOES HEREBY DECLARE, FIND,
DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. Pursuant to Government Code Section 53069.4(a)(1), the City Council may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. On September 6, 2016, the City Council adopted Ordinance No. 16-0018, which makes any violation of the Municipal Code or any ordinance enacted by the City subject to an administrative fine or penalty.

SECTION 2. Ordinance No. 16-0018 provides that the amount of the fine associated with the administrative citation will be assessed according to a schedule of fines adopted by the City Council.

SECTION 3. Based upon the foregoing, the City Council hereby adopts the followings fines and penalties:

(A) Where the violation would otherwise be a misdemeanor, the administrative fine or penalty shall not exceed the maximum fine set forth in Municipal Code Section 1.04.010A, as currently in force or subsequently amended. As of the date of the effective date of Ordinance No. 16-0018, the maximum fine set forth in Municipal Code Section 1.04.010A is a fine not to exceed \$1,000.

(B) Where the violation would otherwise be an infraction, the administrative fine or penalty shall not exceed the maximum fine or penalty amounts for infractions set forth in Government Code Section 36900(b) and Municipal Code Section 1.04.010B, as currently in force or subsequently amended. As of the date of the effective date of Ordinance No. 16-0018, the maximum fines set forth in Government Code Section 36900(b) and Municipal Code Section 1.04.010B are: (1) a fine not exceeding \$100 for a first violation; (2) a fine not exceeding \$200 for a second violation of the same ordinance within one year; (3) a fine not exceeding \$500 for each additional violation of the same ordinance within one year.

(C) Pursuant to Government Code Section 36900(c), notwithstanding any other provision of law, a violation of local building and safety codes

determined to be an infraction is punishable by (1) a fine not exceeding \$100 for a first violation; (2) a fine not exceeding \$500 for a second violation of the same ordinance within one year; (3) a fine not exceeding \$1,000 for each additional violation of the same ordinance within one year of the first violation.

SECTION 4. The adoption of this Resolution approves and sets forth a procedure for establishing fines and penalties for administrative citations and is, therefore, exempt from the California Environmental Quality Act (Public Resources Code Sections 21080 et seq.) pursuant to Public Resources Code Section 21080(b)(8)(A).

SECTION 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED September 6, 2016.

Ayes:
Noes:
Absent:
Abstain:

Tony D'Errico
Mayor

ATTEST:

Liza Tamura
City Clerk

APPROVED S TO FORM:



Quinn M. Barrow
City Attorney