

GENERAL AVIATION NOISE ORDINANCE

ARTICLE 3. NOISE

Sec. 2-1-30.1. Policy.

- (a) As proprietor of John Wayne Airport, the County of Orange, by its Board of Supervisors, is empowered to restrict or deny the use of its Airport based upon noise considerations and finds it is in the public interest to minimize any risk of potential liability to the County of Orange for claims of damage caused by noise associated with aircraft operations at John Wayne Airport. This article reflects the intent of the Board of Supervisors of Orange County to enact a reasonable regulatory scheme, using the legislative process, to minimize noise and any potential for damage liability, which does not unjustly discriminate between types, kinds or classes of aeronautical uses.
- (b) Any aircraft operator or person desiring to use John Wayne Airport for the purpose of commercial airline or general aviation operations shall be authorized, pursuant to this article, to engage in such use provided that all aircraft operations are in compliance with noise standards as set forth in this article and as set forth in the Phase 2 Commercial Airline Access Plan and Regulation. Consistent with the noise standards as enumerated in this article, the Board of Supervisors of Orange County does hereby grant a revocable license to use John Wayne Airport by commercial airline and general aviation aircraft as such are defined in this article.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 04-016, § 16, 9-9-04)

Sec. 2-1-30.2. Reserved.

Sec. 2-1-30.3. Definitions.

- (a) *Class A and Class E Aircraft*, for the purposes of this Division, shall mean aircraft which: (i) operate at maximum permitted gross takeoff weights at John Wayne Airport not greater than the maximum permitted gross takeoff weight for the individual aircraft main landing gear configuration, of 140,000 pounds for dual gear and 300,000 pounds for dual tandem gear; and which (ii) generate actual energy average SENEL levels during takeoff, averaged during each noise compliance period, as measured at the John Wayne Airport noise monitoring stations ("NMS"), which are not greater than the SENEL values Specified in Section 2-1-30.4. In determining whether an aircraft is a Class A or Class E Aircraft, its noise performance at the noise monitoring stations shall be determined at each individual noise monitoring station and the aircraft must meet each of the noise monitoring station criteria, without "trade-offs," in order to qualify as Class A or Class E Aircraft.
- (b) *Commercial Air Carrier Aircraft*, for the purposes of this Division, shall mean those aircraft operated as a federally certificated air carrier at John Wayne Airport under a current Certificated Passenger Airline Lease or Operating Agreement granted by the Orange County Board of Supervisors.
- (c) *dB*, A-weighted sound pressure level or A-level shall mean, for the purposes of this Division, the sound pressure level as measured using the slow dynamic characteristic for sound level meters specified in American National Standard Specification for Sound Level Meters, (ANSI S 1.4-1983, Type 1 for Aircraft Noise Measurement), which is hereby incorporated by reference. The A-weighting characteristic modifies the frequency response of the measuring instrument to account approximately for the frequency characteristics of the human ear. The reference pressure is 20 micronewtons/square meter (2×10^{-4} micro- bar).
- (e) *General Aviation Aircraft*, for the purposes of this article, shall mean all other aircraft operated at John Wayne Airport, except those as defined in Section 2-1-30.3(b) or exempted under Section 2-1-30.6.
- (f) *Arrival*, for the purposes of this Division, shall mean the flight of an aircraft from the time it descends for its approach on Runway 20L/R or Runway 02L/R until it is taxied from the runway.

- (g) *Noise Compliance Period*, for the purposes of this Division, shall mean each calendar quarter (successive three-month periods) occurring at regular intervals four (4) times a year, the first quarter of any given year beginning on the first day of April, the last quarter of any given year ending on the thirty-first day of March of the succeeding calendar year.
- (h) *Regularly Scheduled Commercial User*, for the purposes of this Division, shall mean any person conducting aircraft operations at John Wayne Airport for the purpose of carrying passengers, freight, or cargo where such operations: (i) are operated in support of, advertised, or otherwise made available to members of the public by any means for commercial air transportation purposes, and members of the public may travel or ship commercial cargo on the flights; (ii) the flights are scheduled to occur, or are represented as occurring (or available) at specified times and days; and (iii) the person conducts, or proposes to operate, departures at John Wayne Airport at a frequency greater than two (2) times per week during any consecutive three (3) week period.
- (i) *Single Event Noise Exposure Level ("SENEL")*: The single event noise exposure level, in decibels, for the purposes of this Division, shall mean the noise exposure level of a single event, such as an aircraft fly-by, measured over the time interval between the initial and final times for which the noise level of a single event exceeds a predetermined threshold noise level. For implementation of this Section, the threshold noise level shall be at least ten (10) decibels below the numerical value of the single event noise exposure level limits specified in Sections 2-1-30.4(a), 2-1-30.5 or 2-1-30.6, as the case may be. Specific SENEL limitations, for purposes of this article, shall be determined at each noise monitoring station without "trade-offs" between noise monitoring stations.
- (j) *Departure*, for the purposes of this Division, shall mean the flight of an aircraft from the time it commences its departure on Runway 20L/R or Runway 02L/R.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 00-1, § 2, 2-1-00; Ord. No. 04-016, § 17, 9-9-04)

Sec. 2-1-30.4. Commercial airline operations.

- (a) No person may engage in commercial airline operations at John Wayne Airport if such aircraft generate a SENEL level at any of the following respective noise monitoring stations ("NMS"), averaged over each noise compliance period, which is greater than the following SENEL values for Class A aircraft when operating as a Class A operation and for Class E aircraft when operating as a Class E operation:

	Class A	Class E
NMS 1S	102.5 dB	94.1 dB
NMS 2S	101.8 dB	93.5 dB
NMS 3S	101.1 dB	90.3 dB
NMS 4S	94.8 dB	86.6 dB
NMS 5S	95.3 dB	87.2 dB
NMS 6S	96.8 dB	87.2 dB
NMS 7S	93.7 dB	86.6 dB

- (b) The location of the noise monitoring stations shall be as set forth in the John Wayne Airport Regulations.
- (c) *Curfew*. No aircraft may engage in regularly scheduled commercial operations at John Wayne Airport as follows: (i) for departures between the hours of 10:00 p.m. and 7:00 a.m. (8:00 a.m. on Sundays) (local time), as measured at any John Wayne Airport noise monitoring

Editor's note: Ord. No. 00-1, § 1, adopted February 1, 2000, amended the Code by repealing former § 2-1-30.2 in its entirety. Former § 2-1-30.2 pertained to remedies for violation, and derived from Ord. No. 3642, adopted June 16, 1987; and Ord. No. 3793, adopted September 11, 1990.

station; or (ii) arrivals between the hours of 11:00 p.m. and 7:00 a.m. (8:00 a.m. on Sundays) (local time), as measured at any John Wayne Airport noise monitoring station.

Sundays) (local time), as measured at any John Wayne Airport noise monitoring station.

(d) *Scheduled Departure Time Prohibition.* No commercial airline aircraft shall publish or advertise a scheduled departure time for any flight originating from John Wayne Airport which is: (i) prior to 6:45 a.m. or after 9:45 p.m. (local time) Monday through Saturday; or (ii) before 7:45 a.m. or after 9:45 p.m. (local time) Sunday. For purposes of this subsection, "scheduled departure time" shall mean the time at which a commercial aircraft is scheduled by its operator to depart from the passenger terminal gate. If the operator is a commuter carrier which has been authorized by the Airport Director to conduct operations from a fixed base operator ("FBO"), scheduled departure time shall mean the time when the aircraft is scheduled to depart the FBO location for departure operations. In light of current passenger airline practices, it is presumed, for the purposes of this Division, that the scheduled departure time is the departure time published by the operator in the Official Airline Guide and computer reservation databases.

(e) Any person conducting air service at John Wayne Airport is deemed conclusively to have accepted all terms and conditions of this Division of the County's Ordinances and of the terms and conditions of the Phase 2 Commercial Airline Access Plan and Regulation. In addition, the terms of any lease or operating agreement with an airline require the airline to conduct all operations and activities at John Wayne Airport in strict compliance with this Division and with the Phase 2 Commercial Airline Access Plan and Regulation. In addition to the enforcement remedies provided for in Section 2-1-30.14, violation of the noise or operating limitations of this Section shall be cause for termination of the passenger airline lease or operating agreement by the County of Orange against such operator and shall be subject to the penalties and/or fines set forth in Section 8 of the Phase 2 Commercial Airline Access Plan and Regulation.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 00-1, § 3, 2-1-00; Ord. No. 04-016, § 18, 9-9-04)

Sec. 2-1-30.5. General aviation operations.

(a) No person shall operate any general aviation aircraft at John Wayne Airport if it generates a SENEL level, as measured at John Wayne Airport NMS 1S, NMS 2S, or NMS 3S, on takeoff or landing, which is greater than the following SENEL values:

NMS 1S	102.5 dB
NMS 2S	101.8 dB
NMS 3S	101.1 dB

(b) *Curfew.*

(1) No person shall operate any general aviation aircraft at night at John Wayne Airport if it generates a SENEL level at any of the following respective noise monitoring stations, either on takeoff or landing, which is greater than the following SENEL values:

NMS 1S	87.5 dB
NMS 2S	87.6 dB
NMS 3S	86.7 dB
NMS 4S	86.7 dB
NMS 5S	86.7 dB
NMS 6S	86.7 dB
NMS 7S	86.7 dB
NMS 8N	86.9 dB
NMS 9N	86.9 dB
NMS 10N	86.9 dB

(2) For purposes of this Section, general aviation aircraft operations at night shall mean departures between the hours of 10:00 p.m. and 7:00 a.m. (8:00 a.m. on Sundays) (local time), as measured at any John Wayne Airport noise monitoring station, and arrivals between the hours of 11:00 p.m. and 7:00 a.m. (8:00 a.m. on

(c) The location of the noise monitoring stations shall be as set forth in the John Wayne Airport Regulations.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 00-1, § 4, 2-1-00; Ord. No. 04-016, § 19, 9-9-04)

Sec. 2-1-30.6. General exemption.

The following categories of aircraft shall be exempt from the provisions of Sections 2-1-30.4 and 2-1-30.5:

(a) Aircraft operated by the United States of America or the State of California;

(b) Law enforcement, emergency, fire or rescue aircraft operated by any county or city of said state;

(c) Aircraft used for emergency purposes during an emergency which has been officially proclaimed by competent authority pursuant to the laws of the United States, said State, or the County;

(d) Civil Air Patrol aircraft when engaged in actual search and rescue missions;

(e) Aircraft engaged in arrival(s) or departure(s) while conducting tests under the direction of the Airport Director in an attempt to rebut the presumption of aircraft noise violation pursuant to the provisions of Section 2-1-30.7 or 2-1-30.9;

(f) Emergency aircraft flights for medical purposes by persons who provide emergency medical care, provided written information concerning dire emergency is submitted to the Airport Director for all emergency aircraft flights within seventy-two (72) hours prior to or subsequent to the departure or arrival of the aircraft. It is intended that the exemption provided for in this subparagraph shall have the same meaning and be interpreted consistent with, and to the same extent as Public Utilities Code Section 21662.4 as enacted or as it may be amended.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 04-016, § 20, 9-9-04)

Sec. 2-1-30.7. Presumption of aircraft noise violation.

(a) In the event that the Airport Director determines in his reasonable discretion that available published noise measurements or historical noise data gathered and maintained by John Wayne Airport, for a particular type or class of aircraft, indicate that it cannot meet the noise levels set forth in Section 2-1-30.4 or 2-1-30.5, it shall be presumed that operation of such aircraft will result in a continued violation of the provisions of Section 2-1-30.4 or 2-1-30.5, and any aircraft of such particular type or class will not be permitted to arrive at, tie down on, be based at or depart from John Wayne Airport, except in dire emergencies for the preservation of life or property; provided, however, that the owner or operator of such aircraft shall be entitled to rebut such presumption to the reasonable satisfaction of the Airport Director by furnishing evidence to the contrary.

(b) The Airport Director shall attempt to notify all aeronautical users of the list of aircraft not permitted to operate at John Wayne Airport by means including, but not limited to, notification to the Federal Aviation Administration, business and general aviation organizations and John Wayne Airport fixed base operators.

(c) In the event any specific aircraft of the type or class of aircraft not excluded at John Wayne Airport under subsection (a) generates SENEL levels in violation of the levels set forth in Section 2-1-30.4 or 2-1-30.5 of this article, it shall be presumed that operation of such aircraft will result in a continued violation of the provisions of Section 2-1-30.4 or 2-1-30.5 and such aircraft will not be permitted to arrive at, tie-down, be based at, or depart from John Wayne Airport; provided, however, that the owner or operator of such aircraft shall be entitled to rebut such presumption to the reasonable satisfaction of the

Airport Director under procedures and limitations specified in Section 8.9.3 and Section 11 of the Phase 2 Commercial Airline Access Plan and Regulation if a commercial aircraft, or if a general aviation aircraft by furnishing contrary evidence, including but not limited to, any change in operating personnel, any retro-fitting measure, any change in engine or of maintenance or performance of a noise qualification test.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 04-016, § 21, 9-9-04)

Sec. 2-1-30.8. Denial of use of airport.

(a) In the event that any aircraft owner or operator has three (3) or more violations of Section 2-1-30.4 or 2-1-30.5 of this article within any three-year period, then for a period of three (3) years after the date of the third, or most recent, violation, such aircraft owner and/or operator shall be denied the right to arrive at or depart from John Wayne Airport, except in dire emergencies for the preservation of life or property as reasonably determined by the Airport Director, and, except for when otherwise modified, shall be denied the right to lease, rent or use space for aircraft (including tie-down) at the Airport insofar as the County has the right to deny such use of John Wayne Airport.

(b) In the event any aircraft owner or operator referred to in subsection (a) of this Section is a corporation or partnership which is owned, controlled or succeeded by another person, corporation or partnership which either operates at the Airport, or which owns or controls aircraft which could operate at the Airport (affiliated person or entity), the Airport Director may also deny the use of the Airport for a like period to: (1) the affiliated person or entity; and (2) any persons, owners or operators which are owned or controlled by the affiliated person or entity, if the Airport Director determines that such disqualification is necessary or appropriate to permit effective enforcement of the prohibitions and penalties established by this Ordinance.

(c) For purposes of subsection (b) of this Section, a person, owner or operator owned or controlled by an affiliated person or entity shall be deemed to include: (1) any aircraft owner or operator in which the affiliated person or entity owns or controls ten percent or more of the equity or voting rights; and (2) any aircraft owner or operator operating aircraft at the Airport which are leased or licensed from the disqualified owner or operator, or any affiliated person or entity of the disqualified owner or operator.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 04-016, § 22, 9-9-04)

Sec. 2-1-30.9. Exclusion of violation-prone aircraft.

In the event that any aircraft is operated by any aircraft owner or operator who has three (3) or more violations of Section 2-1-30.4 or 2-1-30.5 of this article within a three-year period then it shall be presumed that operation of such aircraft will result in a continued violation of the provisions of Section 2-1-30.4 or 2-1-30.5 of this article and such aircraft will not be permitted to arrive at, tie down, be based at or depart from the Airport except in dire emergencies for the preservation of life or property; provided, however, any new owner or operator of such aircraft not denied the right to use JWA pursuant to Section 2-1-30.8 shall be entitled to rebut such presumption to the reasonable satisfaction of the Airport Director under procedures and limitations specified in Section 8.9.3 and Section 11 of the Phase 2 Commercial Airline Access Plan and Regulation if a commercial aircraft, or if a general aviation aircraft by furnishing contrary evidence, including, but not limited to, any change of operating personnel, any retro-fitting measure, any change in engine or of maintenance or performance of a noise qualification test.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 04-016, § 23, 9-9-04)

Sec. 2-1-30.10. Unlawful to use Airport after use denied.

(a) It shall be unlawful for any aircraft owner or operator to arrive at or depart from the Airport or to lease or rent space (including tie-down)

for aircraft at the Airport after such owner and/or operator has been denied use of the Airport in accordance with the provisions of Section 2-1-30.8.

(b) It shall be unlawful for any aircraft owner and/or operator to arrive at or depart from the Airport after such aircraft has been excluded from the Airport pursuant to the provisions of Section 2-1-30.7 or 2-1-30.9.

(c) Violations of Section 2-1-30.10 (a), (b) shall be a misdemeanor and shall be punishable as set forth in Section 1-1-34 of the Codified Ordinances of the County of Orange.

(d) In the event that any aircraft owner or/operator arrives at or departs from the Airport after use has been denied, then for an additional period of three (3) years after the date of such violation and for each and every violation thereafter, such aircraft owner or operator shall be denied the right to land or take off from John Wayne Airport, except in bona fide emergencies for the preservation of life or property as is reasonably determined by the Airport Director, and for that period of time shall be denied the right to lease, rent, or use space for aircraft (including tie-down) at the Airport insofar as the County has the right to deny such use of John Wayne Airport.

(e) Within thirty (30) days after receipt of a Notice of Violation of Denial of Use, that violation may be appealed by sending a Notice of Appeal and Request for Hearing by regular U.S. mail to the attention of the Airport Director. The procedures set forth in section 2-1-30.14 of the Codified Ordinances of the County of Orange shall apply to the adjudication of such Notices of Appeal.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 00-1, § 5, 2-1-00; Ord. No. 04-016, § 24, 9-9-04)

Sec. 2-1-30.11. Culpability of instructor pilot.

In the case of any training flight in which both an instructor pilot and a student pilot are in the aircraft which is flown in violation of any of the provisions of this article, the instructor pilot shall be presumed to have caused such violation. The instructor pilot shall be entitled to rebut such presumption to the reasonable satisfaction of the Airport Director by furnishing evidence to the contrary.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90)

Sec. 2-1-30.12. Culpability of aircraft owner or lessee.

For purposes of this article, if the actual pilot or lessee of an aircraft cannot be identified, the owner and/or owners of an aircraft shall be presumed to be the pilot of the aircraft with authority to control the aircraft's operations, or presumed to have authorized or assisted the operation; except that where the aircraft is leased, the lessee shall be presumed to be the pilot, or to have authorized or assisted in the aircraft's operation. Such presumption may be rebutted only if the owner or lessee identifies the person who in fact was the pilot or aircraft operator at the time of the violation.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 04-016, § 25, 9-9-04)

Sec. 2-1-30.13. Enforcement officials.

The Airport Director, and such other Airport employees as are designated by the Airport Director and who are acting under the direction and control of the Airport Director, as well as personnel from an authorized law enforcement agency pursuant to the provisions of Penal Code Section 836.5, are authorized to enforce the provisions of this Division.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 00-1, § 6, 2-1-00; Ord. No. 04-016, § 26, 9-9-04)

Sec. 2-1-30.14. Enforcement procedures.

(a) Violation of Section 2-1-30.4 or 2-1-30.5 of this Division shall be a misdemeanor, punishable as set forth in Section 1-1-34 of the Codified Ordinances of the County of Orange.

(See excerpt of Section 1-1-34 provided on Page 4)

(b) As an alternative, the Airport Director is authorized to issue a Notice of Noise Violation to any aircraft, aircraft owner, aircraft operator, and/or any other responsible person for any violations of Section 2-1-30.4 or 2-1-30.5. The determination of whether to issue a Notice of Noise Violation shall be within the sole discretion of the Airport Director.

(c) *Notice Of Noise Violation.*

(1) A Notice of Noise Violation shall include a citation of the section violated, the noise readings at John Wayne Airport noise monitoring stations, the time and date of the violation, the type and registration number of the aircraft, the name of the aircraft owner, and/or the aircraft operator, if known, and any other pertinent information.

(2) A Notice of Noise Violation shall be sent by certified mail to the aircraft owner and/or aircraft operator, if known, within forty-five (45) days of the date of violation. If the aircraft operator is not known, and the aircraft owner identifies the person who in fact was the aircraft operator at the time of the violation and a current address for that person, a Notice of Noise Violation shall also be sent by certified mail to the aircraft operator within forty-five (45) days of the date the Airport is notified of the identity of the aircraft operator.

(d) *Right to Appeal the Notice of Noise Violation.*

(1) Within thirty (30) days after receipt of a Notice of Noise Violation, the aircraft owner and/or operator may appeal the Notice of Noise Violation by sending a Notice of Appeal by regular U.S. mail to the Airport Director.

(2) The Notice of Appeal shall be in writing and shall set forth a concise statement of: (i) each factual issue relevant to the violation; (ii) each legal issue relevant to the violation; (iii) the relief requested by the aircraft owner and/or operator; and (iv) whether a hearing is requested in connection with the Notice of Appeal. The Notice of Appeal shall include attachments of all documents relevant to the factual or legal issues raised and relied on in filing the Notice of Appeal. The Notice of Appeal shall further contain appropriate and full citation to any relevant legal authorities.

(3) It is the basic purpose of these rules to provide a reasonable, fair, constitutionally appropriate, and expeditious means by which persons contesting a Notice of Noise Violation imposed by the Airport Director can obtain review of the violation decision by administrative means.

To the extent this Section provides procedural processes and safeguards in excess of the minimum requirements of the United States and California Constitutions, those procedures are a courtesy only, and not an acknowledgement of any claim that this Division creates any "vested" right.

(4) Upon receipt of the Notice of Appeal, the Airport Director shall promptly take the following actions:

(i) The Airport Director shall review the Notice of Appeal and its contents and determine whether to (a) grant the relief requested in the Notice of Appeal; (b) modify the violation; or (c) uphold the violation and refer the matter to the Airport Noise Violation Committee for hearing, if a hearing has been requested on the matter; and

(ii) The Airport Director shall give written notice to the person requesting review of his decisions and determinations not later than forty-five (45) days after his receipt of the Notice of Appeal.

(e) *Referral To The Airport Noise Violation Committee.* If the Airport Director determines that the County should refer the Notice of Appeal, in whole or in part, to the Airport Noise Violation

Committee, pursuant to Section 2-1-30.13(d)(4)(i)(c), then, within thirty (30) days of the Committee's receipt of the Notice of Appeal, the Committee shall give written notice to the party requesting review of the date of the hearing at which the matter will be heard. In selecting the date for the hearing by the Airport Noise Violation Committee, the Committee shall seek to obtain the most expeditious review of the issues possible, taking into consideration the rights of the parties to a fair adjudication of the issues.

(f) *Hearing.*

(1) *Rules of evidence.* The hearing need not be conducted according to the technical rules relating to evidence set forth in the California Evidence Code. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. The rules of privilege shall be effective to the same extent that they are recognized in civil actions and irrelevant and unduly repetitious evidence may be excluded by the Airport Noise Violation Committee.

(2) *Determination.* The Airport Noise Violation Committee shall determine, based upon all the evidence presented, whether said Notice of Violation and/or the penalty or sanction imposed should be upheld or revoked. The decision shall be supported by appropriate findings on all material issues raised at the hearing.

(g) *Decision.*

(1) Written notice of the Airport Noise Violation Committee's decision on the Notice of Appeal shall be given to the party filing the Notice and all other interested parties within thirty (30) days after the date of the hearing.

(2) The decision of the Airport Noise Violation Committee is final and binding on all parties.

(Ord. No. 3642, § 1, 6-16-87; Ord. No. 3793, § 2, 9-11-90; Ord. No. 00-1, § 7, 2-1-00; Ord. No. 04-016, § 27, 9-9-04)

Secs. 2-1-30.15, 2-1-30.16. Reserved.

Secs. 2-1-31--2-1-39. Reserved.

Excerpt from Orange County Codified Ordinances: Title 1 – Government and Administration, Division 1 – General Provisions, Article 2 – Violations and Use of Citation.

Sec. 1-1-34. General penalty for violations.

(a) *Any person violating any of the provisions of this Code shall, unless otherwise specifically provided in this Code or by statute, be guilty of a misdemeanor.*

(b) *Any person convicted of a misdemeanor for a violation of any of the provisions of this Code shall, unless otherwise specifically provided in this Code or by statute, be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the County Jail for a period of not more than six (6) months or by both such fine and imprisonment.*

(Code 1961, §§ 11.021; Ord. No. 3001, § 1, 8-30-77; Ord. No. 3032, § 1, 1-17-78; Ord. No. 3985, § 1, 7-22-97)

Editor's note: Ord. No. 00-1, §§ 8 and 9, adopted February 1, 2000, amended the Code by repealing former §§ 2-1-30.15 and 2-1-30.16 in their entirety. Former § 2-1-30.15 pertained to enforcement, and former § 2-1-30.16 pertained to education, transition or modification periods. Both sections derived from Ord. No. 3642, adopted June 16, 1987.