

ORDINANCE NO. 6426

AN ORDINANCE PRESCRIBING A GENERAL PENALTY WHERE NO SPECIFIC PENALTY IS PROVIDED OR WHERE ADOPTED BY REFERENCE; AND FOR OTHER PURPOSES.

WHEREAS, Pursuant to *A.C.A. § 14-55-502*, cities are authorized and empowered to prescribe penalties for all offenses in violating any ordinance of the city not exceeding the penalties prescribed for similar offenses against the state laws by the statutes of Arkansas; provided that it shall be unlawful for any city to prescribe, by city ordinance, less severe penalties for all offenses in violation of any ordinance of the city than are prescribed for similar offenses against the state laws by the statutes of Arkansas; and

WHEREAS, *A.C.A. § 14-55-504* prescribes the maximum penalties permitted for the violation of a bylaw or ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hot Springs, Arkansas:

SECTION 1. Pursuant to *A.C.A. § 14-55-504*, the following fine or penalty for violating any provisions of the Hot Springs Code of Ordinances shall be as stated hereinafter. This general penalty shall apply to all ordinances where no other fine or penalty is provided and to those ordinances which adopt this general penalty by reference.

a. Fine or Penalty. Upon conviction in any court of competent jurisdiction, the fine or penalty shall not exceed the following:

1. One thousand dollars (\$1,000) for the first offense or violation of a bylaw or ordinance;
2. Two thousand dollars (\$2,000) for the second offense or violation of the bylaw or ordinance;
3. Four thousand dollars (\$4,000) for each subsequent offense or violation of the bylaw or ordinance.
4. If a thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof, in violation of the bylaw or ordinance, shall not exceed five hundred dollars (\$500) for each day that it is unlawfully continued.

b. Statutory penalty. Notwithstanding the provisions contained within the foregoing subsection, the fine or penalty for violating any provisions of the Hot Springs Code of Ordinances shall not be less severe than any fine or penalty prescribed for similar offenses against the state laws by the statutes of the State of Arkansas.

c. Permit or License Revocation. In addition to the other fines and penalties established hereby, any court of competent jurisdiction may revoke any permit issued upon violation of any provision of the Hot Springs Code of Ordinances.

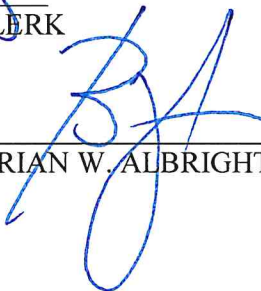
SECTION 2. Ordinance No. 4917, adopted November 20, 2000, is hereby repealed.

SECTION 3. This ordinance shall be codified in the Hot Springs Code of Ordinances and the sections may be renumbered or re-lettered to accomplish such intention.

PASSED: June 7, 2022

APPROVED: 
PAT McCABE, MAYOR

ATTEST: Harmony Hurst Morrissey
HARMONY HURST MORRISSEY, CITY CLERK

APPROVED AS TO LEGAL FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY