

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 1811

BY: COZORT

AS INTRODUCED

AN ACT RELATING TO CITIES AND TOWNS; AMENDING 11 O.S.

1991, SECTION 14-111, WHICH RELATES TO THE
ENFORCEMENT OF MUNICIPAL ORDINANCES; PROVIDING
MAXIMUM FINE FOR THE VIOLATION OF TRAFFIC
ORDINANCES OF CERTAIN MUNICIPALITIES; AND DECLARING
AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 1991, Section 14-111, is amended to read as follows:

Section 14-111. A. The governing body of a municipality may provide for enforcement of its ordinances and establish fines, penalties, or imprisonment, as authorized by subsections B through ~~D~~ E of this section, for any offense in violation of its ordinances, which shall be recoverable with costs of suit. The governing body may provide that any person fined for violation of a municipal ordinance who is financially able but refuses or neglects to pay the fine or costs may be compelled to satisfy the amount owed by working on the streets, alleys, avenues, areas, and public grounds of the municipality, subject to the direction of the street commissioner or other proper officer, at a rate per day as the governing body may prescribe by ordinance, but not less than Five Dollars (\$5.00) per day for useful labor, until the fine or costs are satisfied.

B. Cities having a municipal criminal court of record may enact ordinances prescribing maximum fines of Five Hundred Dollars (\$500.00) and costs or imprisonment not exceeding ninety (90) days or both the fine and imprisonment, but shall not have authority to enact any ordinance making unlawful an act or omission declared by state statute to be punishable as a felony. Provided, that cities having a municipal criminal court of record may enact ordinances prescribing maximum fines of One Thousand Dollars (\$1,000.00) and costs or imprisonment not exceeding ninety (90) days or both such fine and imprisonment for violations of municipal ordinances regulating the pretreatment of wastewater and regulating stormwater discharges.

C. Municipalities having a municipal court not of record may enact ordinances prescribing maximum fines of Two Hundred Dollars (\$200.00) and costs pursuant to the provisions of Section 27-126 of this title or imprisonment not exceeding thirty (30) days or both the fine and imprisonment, provided that municipalities having only a municipal court not of record shall not have authority to enact any ordinance making unlawful any act or omission declared by state statute to be punishable as a felony. A municipal ordinance may not impose a penalty, including fine and costs, which is greater than that established by statute for the same offense. Provided, that municipalities having a municipal court not of record may enact ordinance prescribing maximum fines of One Thousand Dollars (\$1,000.00) and costs or imprisonment not exceeding ninety (90) days or both such fine and imprisonment for violations of municipal ordinances regulating the pretreatment of wastewater and regulating stormwater discharges.

D. Municipalities having both municipal criminal courts of record and municipal courts not of record may enact ordinances, within the authority of this section, for both such courts.

E. Municipalities with a population of one thousand (1,000) or less according to the latest Federal Decennial Census, and having a municipal court not of record, may enact ordinances prescribing maximum fines of Ten Dollars (\$10.00) for violations of municipal traffic ordinances which occur on a portion of any highway which is a part of the National System of Interstate and Defense Highways or a part of the Federal-aid Primary System located within the incorporated limits of the municipality.

F. No municipality may levy a fine of over Fifty Dollars (\$50.00) until it has compiled and published its penal ordinances as required in Sections 14-109 and 14-110 of this title.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-7014

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