

Dubach, ordinances repealing out-dated ones and establishing new fine schedule

DUBACH ORDINANCE 308 - B

An ordinance providing for the repeal of Dubach Ordinance 220 and 253, which are being replaced by new ordinances.

Section 1

Dubach ordinances numbers 220 and 253 are hereby repealed in their entirety, such repeal being effective as of the date that Dubach ordinances 308 A, 308 E, and _____ become law.

308 B
308 C
308 D

Section 2

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the Town of Dubach without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To this end, the provisions of this Ordinance are hereby declared severable.

All other Ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance, are hereby repealed. To the extent that any provision or provisions of this Ordinance are inconsistent or in conflict with any other provision of the Code of Ordinances or any regulation of the Town, the provisions of this Ordinance shall be deemed to control.

This Ordinance shall become effective upon signature of the Mayor.

This Ordinance was introduced on MAY 18, 2009 by Council member Mary Billberry, Notice of Public Hearing having been published on MAY 20, 2009 and said Public Hearing having been held, the title having been read and the Ordinance considered, on motion to adopt by Council member HATTIE GRAHAM, seconded by Council member DAVIE POWELL, a record vote was taken and the following result was had:

YEA: MARY Billberry
VALLIE Carrico
HATTIE GRAHAM
DAVIE Powell
R.C. Sparks

NAY: NONE

ABSENT: NONE

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on the 15 day of June, 2009.

ATTEST:

Justina Hensley
TOWN CLERK

Margaret Lopez
MAYOR

DUBACH ORDINANCE 308-B

An ordinance providing for the establishment of a fine schedule for the violation of certain Town ordinances.

Section 1 Traffic offenses

A. Speeding.

- a. 1-10 mph over limit, first offense: \$ 100.00; second and subsequent offenses: \$ 125.00.
- b. 11-15 mph over limit, first offense: \$ 135.00; second and subsequent offenses: \$ 160.00.
- c. 16-25 mph over limit, first offense: \$ 150.00; second and subsequent offenses: \$ 175.00.
- d. 26 or more mph over limit, first offense: \$ 200.00; second and subsequent offenses: \$ 225.00.

B. Moving violations other than speeding.

- a. First offense: \$ 50.00 - 200.00
- b. Second and subsequent offenses: \$ 75.00 - 225.00

C. Non-moving violations.

- a. First offense: \$ 50.00.
- b. Second and subsequent offenses: \$ 75.00.

Section 2

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the Town of Dubach without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To this end, the provisions of this Ordinance are hereby declared severable.

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