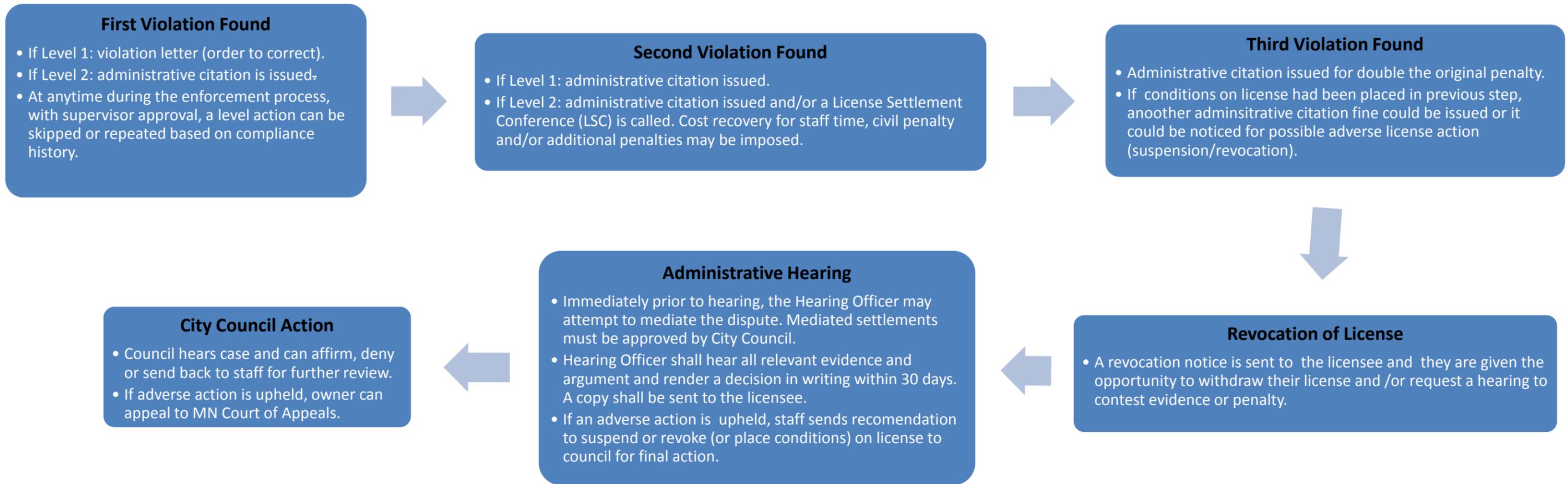


## Business Licensing – Enforcement Process



### Examples of Level 1 Violations

- Smoking ban violation: presence of ash trays, "No Smoking" signs not posted, failure to instruct person to stop smoking
- Litter within 100 feet of property line
- Dumpster enclosure violation
- Failure to meet proper food to alcohol sales requirement (60/40 and 70/30)
- Windows covered by more than 30%
- Failure to maintain required landscaping
- Inoperable vehicle storage
- Operating beyond legal hours of operation
- Improperly working surveillance cameras
- Unauthorized persons on premises after 2:30a.m.
- No Ship List violation
- Violations of authorized level
- Sidewalk cafe oversized

### Examples of Level 2 Violations

- Failure to allow inspectors access to inspection
- Falsifying food to alcohol sales requirement
- Consumption on premises after 2:30 am for 2:00 am licenses
- Expansion of liquor premises w/o prior approval
- Over occupancy and/or inadequate security
- Any activity or behavior leading to the physical harm of any member of the public or a city employee
- Sale of illegal drug paraphernalia
- Unlicensed vehicles
- Tobacco sale violations
- No surveillance cameras

### Penalties/Fines

- Generally, administrative citations are \$250 for first violation under Chapter 2 (which encompasses the majority of the city's transactional administrative enforcement functions) and \$200 for all other violations unless otherwise specified.
- Second or subsequent violations of the same type by the same person or entity within 24 month period is subject to 2x fine for the previous violation up to a maximum of \$2,000.
- Civil fines vary depending on violation, but range from \$50-\$1,000 (most for Business licensing falling within \$250-\$500 range).
- Late payment incurs additional 10% of fine.
- Hearing Officer can consider the following when imposing a fine: duration of violation; frequency or reoccurrence of violation; seriousness of violation; history of the violation; violator's conduct after issuance of notice of hearing; good faith compliance efforts; economic impact of fine; impact of violation on community; prior record of city violations; and any other facts appropriate to a just result.
- Punitive damages may be awarded in accordance with state law requirements.