

**PUBLICATION OF ORDINANCE
TITLES AND PENALTY CLAUSES
CITY OF STANLEY ORDINANCE**

The following ordinance contains
penalty provisions and are published
pursuant to City of Stanley Ordinance
2.0105 and North Dakota Century Code
40-11-06:

**CITY OF STANLEY,
NORTH DAKOTA**

**AN ORDINANCE AMENDING
SECTIONS 1.0104, 2.0204,
3.0202, 3.0211C(6b), 3.0301(3), 4.0401,
6.0114, 7.0307, 7.0601, 8.0301, 8.0406,
10.0301(2), 10.0503, 10.0602, 18.0117 OF
THE STANLEY CITY ORDINANCES
TO INCREASE THE MAXIMUM AL-
LOWABLE FINE IN MUNICIPAL
COURT FROM ONE THOUSAND
DOLLARS (\$1,000.00) TO ONE THOU-
SAND FIVE HUNDRED DOLLARS
(\$1,500.00)**

**BE IT ORDAINED BY THE
CITY OF STANLEY:**

SECTION 1. PURPOSE.

The City of Stanley finds it necessary
and appropriate to amend Sections 1.0104,
2.0204, 3.0202, 3.0211C(6b), 3.0301(3),
4.0401, 6.0114, 7.0307, 7.0601, 8.0301,
8.0406, 10.0301(2), 10.0503, 10.0602,
18.0117 of the Stanley City Ordinances
to bring the maximum allowable fine in
municipal court into conformity with
North Dakota Century Code Section 12.1-
32-01(6), which provides a maximum
fine of one thousand five hundred dollars
(\$1,500.00) for Class B misdemeanor of-
fenses. The current municipal ordinance
cap of one thousand dollars (\$1,000.00)
is inconsistent with existing state law and
creates an internal conflict with other Stan-
ley ordinances that already impose fines
up to one thousand five hundred dollars
(\$1,500.00).

SECTION 2. AMENDMENT.

Section 1.0104 of the Stanley City Or-
dinances is hereby amended to read as fol-
lows:

**1.0104 City Fines and Penalties Lim-
ited**

The maximum allowable penalty and
fine which can be assessed in a municipal
court is a one thousand five hundred dollar
(\$1,500.00) fine or a thirty (30) day term
of imprisonment, or both such fine and im-
prisonment.

**SECTION 3. CONFORMING
AMENDMENTS TO STANDARD PEN-
ALTY CLAUSE.**

- Section 2.0204 of the Stanley City

Ordinances is hereby amended to read as
follows:

2.0204 Form of Penalty Clause

The standard penalty clause for ordi-
nances for which there shall be a penalty
incurred upon violation shall be as follows:

"Any person, firm, or corporation vio-
lating any of the terms or provisions of this
chapter shall upon conviction be punished
by a fine not to exceed one thousand five
hundred dollars (\$1,500.00) or imprison-
ment not to exceed thirty (30) days, or both
such fine and imprisonment, in the discre-
tion of the court; the court to have power
to suspend said sentence and to revoke the
suspension thereof."

- Section 3.0202 of the Stanley City
Ordinances is hereby amended to read as
follows:

**3.0202 Destruction of City Property -
Prohibited - Penalty**

It shall be unlawful for any firm, per-
son, or corporation to willfully and without
just cause or excuse, to injure, deface or
destroy any property owned by the City of
Stanley or held by the City of Stanley for
public use. Any person violating the provi-
sions of this section shall be guilty of an
offense and upon conviction be fined not
more than one thousand five hundred dol-
lars (\$1,500.00) or by imprisonment not to
exceed thirty (30) days or both such fine
and imprisonment.

- Section 3.0211C(6b) of the Stanley
City Ordinances is hereby amended to read
as follows:

**3.0211C Depositing of Snow or Ice
on City Streets, Alleys or Sidewalks and
City Property Prohibited**

Subsection 6(b) Penalties

Any person who does not satisfactorily
correct a violation within the time provided
in Subsection 3.0211C(6a), upon convic-
tion thereof, be punished by a fine not
exceeding one thousand five hundred dol-
lars (\$1,500.00) or by imprisonment not to
exceed thirty (30) days or both such fine
and imprisonment in the discretion of the
court; the court to have power to suspend
said sentence and to revoke the suspension
thereof. Each day or part thereof that a per-
son shall be in violation of the terms or pro-
visions of this section shall be considered a
separate violation.

- Section 3.0301(3) of the Stanley City
Ordinances is hereby amended to read as
follows:

**3.0301(3) Curfew, General Regula-
tions - Penalty**

Subsection 3

Any person, firm or corporation vio-

lating any of the terms or provisions of
this article shall, upon conviction thereof,
be punished by a fine not to exceed one
thousand five hundred dollars (\$1,500.00)
or imprisonment not to exceed thirty (30)
days or both such fine and imprisonment.

- Section 4.0401 of the Stanley City
Ordinances is hereby amended to read as
follows:

4.0401 Penalty

Any person who violates any provi-
sions of this chapter or fail to comply there-
with, or who shall violate or fail to comply
with any order made thereunder shall sever-
ally for each and every violation and non-
compliance respectively, be punishable by
a fine of not more than one thousand five
hundred dollars (\$1,500.00) or by impris-
onment not to exceed thirty (30) days or
both such fine and imprisonment.

- Section 6.0114 of the Stanley City
Ordinances is hereby amended to read as
follows:

6.0114 Penalty

Any person who violates any provi-
sions of this chapter or fail to comply there-
with, or who shall violate or fail to comply
with any order made thereunder shall sever-
ally for each and every violation and non-
compliance respectively, be punishable by
a fine of not more than one thousand five
hundred dollars (\$1,500.00) or by impris-
onment not to exceed thirty (30) days or
both such fine and imprisonment.

- Section 7.0307 of the Stanley City
Ordinances is hereby amended to read as
follows:

7.0307 Penalty

In the event that the Superintendent
determines that there is a violation of the
Ordinance in relation to the unlawful dis-
charge of the waters or wastes into the
public sewer system of the City of Stanley
listed in 7.0304 (3), the Superintendent is
hereby authorized to give notice of vio-
lation and issue an immediate "Order to
Cease and Desist" to the violator, which
would specifically list the violation that has
occurred. The notice mentioned in the pre-
ceding sentence must be delivered in per-

son to the occupant of the premises upon
which the violation has occurred and also
sent by first-class mail to the owner of the
property. Thereafter, the occupant and/or
owner of the premises may not continue to
discharge waters or wastes into the public
sewer system of the City of Stanley listed
in 7.0304 (3).

Any person who violates any provi-
sions of this chapter or fail to comply there-

with, or who shall violate or fail to comply with any order made thereunder shall severally for each and every violation and non-compliance respectively, be punishable by a fine of not more than one thousand five hundred dollars (\$1,500.00) or by imprisonment not to exceed thirty (30) days or both such fine and imprisonment.

- Section 7.0601 of the Stanley City Ordinances is hereby amended to read as follows:

7.0601 Penalty for Violation of Chapter

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a Class B Misdemeanor and, upon conviction thereof by a court of competent jurisdiction, shall be subject to a fine of not more than one thousand five hundred dollars (\$1,500.00) or imprisonment of not more than thirty (30) days or both such fine and imprisonment.

- Section 8.0301 of the Stanley City Ordinances is hereby amended to read as follows:

8.0301 Penalty

Any person, firm, corporation, or association violating any of the terms, article or provisions of this chapter, for which a specific penalty is not prescribed, shall upon conviction thereof, be punished by a fine not to exceed one thousand five hundred dollars (\$1,500.00) or by imprisonment not to exceed thirty (30) days or both such fine and imprisonment in the discretion of the court. The court shall have the power to suspend such sentence and to revoke the suspension thereof. The court may, in addition thereto, revoke the permit of such violator, or terminate or revoke all powers, rights and privileges given by any license granted under the terms of this chapter. Each day or part thereof that a person shall be in violation of the provisions of this chapter shall be considered a separate violation thereof.

- Section 8.0406 of the Stanley City Ordinances is hereby amended to read as follows:

8.0406 Penalty

Any person, firm or corporation violating the terms of this chapter shall, upon conviction thereof, be punished by a fine not to exceed one thousand five hundred dollars (\$1,500.00) or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment, at the discretion of the Court. Such a penalty should be in addition to the authority of the City Council to suspend or revoke a license.

- Section 10.0301(2) of the Stanley City Ordinances is hereby amended to read as follows:

10.0301 Prohibiting Storage and Penalty

Subsection 2:

Any person who violates this ordinance shall be subject to a fine of not more than one thousand five hundred dollars (\$1,500.00) or a term of imprisonment of not more than 30 days, or both such fine and imprisonment.

- Section 10.0503 of the Stanley City Ordinances is hereby amended to read as follows:

10.0503 Abatement Required - Penalty for Failure

If said owners allow said nuisance to exist or fail to abate said nuisance they, and each of them, upon conviction thereof shall be fined not more than one thousand five hundred dollars (\$1,500.00) or by imprisonment not to exceed thirty (30) days or both such fine and imprisonment for each offense and a separate offense shall be deemed committed on each day during or on which such nuisance is permitted to exist.

- Section 10.0602 of the Stanley City Ordinances is hereby amended to read as follows:

Section 10.0602 Penalty

Any person who violates any provisions of this chapter or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder shall severally for each and every violation and non-compliance respectively, be punishable by

a fine of not more than one thousand five hundred dollars (\$1,500.00) or by imprisonment not to exceed thirty (30) days or both such fine and imprisonment.

- Section 18.0117 of the Stanley City Ordinances is hereby amended to read as follows:

18.0117 Penalty

In the event any person, firm or corporation violates any provision of the above article sections they will be subject to, upon conviction, a fine not to exceed one thousand five hundred dollars (\$1,500.00) or imprisonment not to exceed thirty (30) days, or both a fine and imprisonment, as well as revocation of their license.

SECTION 4. AUTHORITY.

This ordinance is adopted pursuant to the authority granted to the City of Stanley under North Dakota Century Code Section 40-11-02, requiring a majority of all members of the governing body to concur in the passage of an ordinance, and in conformity with the procedural requirements of Chapter 40-11 of the North Dakota Century Code.

SECTION 5. PUBLICATION

Pursuant to North Dakota Century Code Section 40-11-06, the title and penalty clause of this ordinance shall be published in one issue of the official newspaper of the City of Stanley following final adoption.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Stanley, pursuant to North Dakota Century Code Section 40-11-07.

SECTION 7. REPEAL OF CONFLICTING PROVISIONS.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Sept. 16, 2026