

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed 05-29-18

Sponsored by Fisk

First Reading _____

Second Reading _____

COUNCIL BILL 2018- 134

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Springfield City Code, Chapter 1, 'General Provisions,' by enacting
2 Section 1-14, 'Enforcement; Attorney Fees,' describing enforcement
3 provisions and providing that the City's costs and attorney fees shall
4 be paid by persons determined to have violated the City Code.
5
6

7 WHEREAS, the City is authorized to protect the taxpayer and public funds from
8 expenditures resulting from violations of laws, or contracts, or other obligations to the
9 City, including those relating to use of City property; and
10

11 WHEREAS, City Council finds it in the best interest of the City to enact a new
12 City Code section providing that the City is entitled to enforce the City Code through all
13 lawfully available remedies, and that any person determined to have violated the terms
14 of the City Code shall be required to pay the City's costs and attorney fees incurred in
15 enforcing the City Code.
16

17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
18 SPRINGFIELD, MISSOURI, as follows, that:
19

20 Section 1 – Springfield City Code, Chapter 1, 'General Provisions,' is hereby
21 amended to enact a new Section 1-14, "Enforcement; Attorney's Fees," which reads as
22 follows:
23

24 Sec. 1-14 - Enforcement; Attorney's Fees
25

26 The City shall be entitled to enforce any provision of the City Code through all
27 remedies lawfully available, and any person determined to have violated the
28 terms of the City Code shall further be liable to pay the City's cost and attorney
29 fees in enforcing such City code provisions. Additionally, any user of City
30 services, rights-of-way or other City facilities or property, shall as a condition of
31 such use or continued use, to the full extent permissible by law, be liable to pay
32 the City's costs and attorney fees incurred in enforcing any lawful requirement

33 applicable to such use when the user has violated such requirement, whether
34 arising in contract, statute, ordinance, or otherwise.

35
36 Section 2 – This Ordinance shall be in full force and effect upon passage.

37
38 Passed at meeting: _____

39
40 _____
41 Mayor

42
43 Attest: _____, City Clerk

44
45
46 Filed as Ordinance: _____

47
48
49 Approved as to form: Franklin Don Rain II, City Attorney

50
51
52 Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL 2018 - 134

FILED: 05-29-18

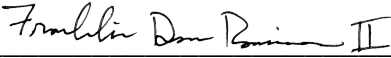
ORIGINATING DEPARTMENT: Law

PURPOSE: Amending Springfield City Code, Chapter 1, 'General Provisions,' by enacting Section 1-14, 'Enforcement; Attorney Fees,' describing enforcement provisions and providing that the City's costs and attorney fees shall be paid by persons determined to have violated the City Code.

BACKGROUND INFORMATION: The City is authorized to protect taxpayer and public funds from expenses resulting from violations of laws, contracts, or other obligations to the City including those relating to the use of City property. Adoption of this Council bill would enact a new City Code section providing that the City is entitled to enforce the City Code through all lawfully available remedies and that any person determined to have violated the terms of the City Code shall be required to pay the City's costs and attorney fees incurred in enforcing the City Code.

Submitted by:

Approved by:



Frank Romines, City Attorney



Greg Burris, City Manager