

STATE OF GEORGIA

COUNTY OF GWINNETT

**ORDINANCE O-70-08**

AN ORDINANCE TO AMEND CHAPTER 1 OF THE CODE OF THE CITY OF BERKELEY LAKE, GEORGIA, ENTITLED "GENERAL PROVISIONS;" TO AMEND SECTION 1-8 TO INCREASE THE MAXIMUM FINE FOR VIOLATION FROM \$500 TO \$1000; TO AMEND SECTION 1-8 TO PROVIDE THAT EACH DAY CONSTITUTES A SEPARATE VIOLATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR A REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF BERKELEY LAKE** that Chapter 1 of the Code of the City of Berkeley Lake, Georgia is hereby amended by deleting Section 1-8, entitled "Penalty where no penalty provided," in its entirety and substituting in lieu thereof a new Section 1-8 as follows:

**Section 1-8. Penalty where no penalty provided.**

- (a) Whenever in this Code or in any ordinance of the city any act is prohibited or is declared to be unlawful, or whenever in such Code or ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefore, the violation of such provision of this Code or any ordinance shall subject the person committing the violation to a fine not exceeding \$1,000.00 or to imprisonment for a term not exceeding 60 days, or to both such fine and imprisonment, any or all of such penalties to be imposed at the discretion of the judge. Each day a violation occurs shall be considered a separate and distinct violation.
- (b) The infliction of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the city's Charter or Code.

**Severability**

If any article, section, subsection, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

**Repeal of Conflicting Provisions**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Effective Date**

This ordinance shall be effective upon its adoption by the Council of the City of Berkeley Lake.

**SO ORDAINED**, this 15th day of May, 2008.

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LOIS SALTER, MAYOR  
CITY OF BERKELEY LAKE

ATTEST:

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TOM ROZIER  
City Administrator

First Read: April 17, 2008  
Second Read and Adoption: May 15, 2008