

ORDINANCE NO. 1153
AN ORDINANCE OF THE CITY OF FOLSOM
ADDING A NEW SECTION 1.08.035 TO THE FOLSOM MUNICIPAL CODE
PERTAINING TO RECOVERY OF FEES AND COSTS FOR CODE VIOLATIONS

The City Council of the City of Folsom does hereby ordain as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to amend the Folsom Municipal Code to establish provisions for recovery of fees and costs in instances where a civil action is required to obtain compliance with Municipal Code provisions.

SECTION 2

Section 1.08.035 is hereby added to the Folsom Municipal Code to read as follows:

1.08.035 Cost and fee recovery.

Any person violating any provision of this Code resulting in the City filing a civil action to obtain Code compliance or remedy such violation shall be liable for the costs of such matter, including but not limited to costs of investigation, court costs, attorney's fees, and costs of monitoring compliance. (Ord. 1153, 2011)

SECTION 3

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 5 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

The foregoing instrument is a correct copy of
the original on file in this office.

ATTEST: *Angela J. Knapton for:*
City Clerk of the City of Folsom, California

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on September 13, 2011 and the second reading occurred at the regular meeting of the City Council on September 27, 2011.

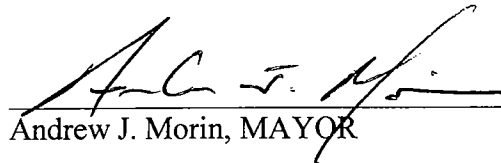
On a motion by Council Member Howell seconded by Council Member Starsky, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 27th day of September 2011 by the following roll-call vote:

AYES: Council Member(s): Miklos, Sheldon, Starsky, Howell, Morin

NOES: Council Member(s): None

ABSENT: Council Member(s): None

ABSTAIN: Council Member(s): None



Andrew J. Morin, MAYOR

ATTEST:



Lydia Konopka, ASSISTANT CITY CLERK

Effective: October 27, 2011