

# **Kanabec County Ordinance #25**

## **ADMINISTRATIVE OFFENSE PROCEDURES**

The County Board of Kanabec County hereby ordains:

### **Subdivision 1. Purpose.**

Administrative Offense Procedures established pursuant to this Ordinance are intended to provide the public and Kanabec County with an informal, cost effective, and expeditious alternative to traditional court actions for violation of certain traffic and criminal offenses.

The procedures are intended to be voluntary on the part of those who have been charged with administrative offenses. At any time prior to the payment of the administrative penalty, as provided for hereafter, the individual may withdraw from participation in the administrative offense procedures in which event the County may bring traffic or criminal charges in accordance with the law.

Likewise, Kanabec County, in its discretion, may choose not to initiate administrative offense procedures and may bring criminal or traffic charges in the first instance.

### **Subdivision 2. Administrative Offense.**

An administrative offense is a violation of those County ordinances identified by the Kanabec County Board of Commissioners and is subject to the administrative penalties set forth on a Schedule of Administrative Offenses and Penalties to be adopted by the Kanabec County Board of Commissioners.

### **Subdivision 3. Notice.**

Any officer of the Kanabec County Sheriff's Office or any other person employed by the County and authorized in writing by the County Administrator, having authority to enforce County ordinances, shall, upon determining that there had been a violation, notify the violator, or if a motor vehicle is involved in the violation and the violator is not present at the time, attach the notice of the violation to the vehicle. Said notice shall set forth the nature, date and time of the violation, the name of the official issuing the notice, and the amount of the scheduled penalty.

### **Subdivision 4. Payment.**

Once such notice is given, the alleged violator may, within ten (10) days of the time of issuance of the notice, pay to the County the amount set forth on the schedule of penalties for the violation, or request in writing a hearing, as is provided for hereafter. The penalty

may be paid in person or by mail, and payment shall be deemed to be an admission of the violation.

**Subdivision 5. Failure to Pay.**

In the event a party charged with an administrative offense: fails to pay the penalty within ten (10) days of issuance of the notice, or following a hearing, fails to pay the penalty within ten (10) days of a decision by the hearing officer, or fails to attend a scheduled administrative hearing, a traffic or criminal charge may be brought against the alleged violator in accordance with applicable statutes or ordinances.

If the penalty is paid within the time stated above, or if an individual is found not to have committed the administrative offense by the hearing officer, no traffic or criminal charge will be brought by Kanabec County for the same violation.

**Subdivision 6. Disposition of Penalties.**

All penalties collected pursuant to this Subdivision shall be paid to Kanabec County and deposited in the County general fund.

**Subdivision 7. Effective Date.**

This Ordinance shall be in full force and effect on and after January 1, 2005.