

## CHAPTER 4

### PENALTY

#### SECTION:

- 1-4-1: Penalty
- 1-4-2: License
- 1-4-3: Application
- 1-4-4: Liability of Officers

1-4-1: PENALTY: Any person convicted of a violation of any Section of the Village Code shall be fined in a sum not to exceed five hundred dollars (\$500.00) for any one offense or imprisoned in the Village jail for not to exceed six (6) months, or both so fined and imprisoned, excepting any specific Section of this Code wherein the maximum fine is limited to a lesser amount.

1-4-2: LICENSE: When a person is convicted of a violation of any Section of this Village Code any license previously issued him by the Village may be revoked by the court or by the Board of Trustees.

1-4-3: APPLICATION: The penalty provided in this Chapter shall be applicable to every section of this Village Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this Village Code where any duty is prescribed or obligation imposed, or where any act which is of a continuing nature is forbidden or declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Village Code.

In all cases where the same offense is made punishable or is created by different clauses or sections of this Village Code the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

Whenever the doing of any act or the omission to do any act constitutes a breach of any Section or provision of this Village Code and there shall be no fine or penalty specifically declared of such breach, the provisions of this Chapter shall apply and a separate offense shall be deemed committed upon each day during or on which a breach or violation occurs or continues.

1-4-4: LIABILITY OF OFFICERS. No provision of this Village Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the Board of Trustees to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the Section creating the duty. (1974 Code)