

**RESOLUTION R1516-08**

**A RESOLUTION AMENDING GOLD BEACH MUNICIPAL COURT TRAFFIC OFFENSES PRESUMPTIVE FINE SCHEDULE & REPEALING RESOLUTION R1213-04 & ANY OTHER RESOLUTIONS THAT MAY BE IN CONFLICT**

**WHEREAS**, as provided in Chapter V of the Gold Beach City Charter, the City operates a Municipal Court to enforce the ordinances and codes of the City of Gold Beach; and

**WHEREAS**, the City Code Section 6.050 provides for the applicability of State Traffic Laws within the city limits of Gold Beach and a violation of such state traffic laws shall be considered offenses against the City of Gold Beach when committed within its boundaries; and

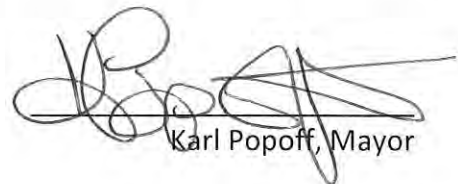
**WHEREAS**, the City is desirous to adopt a City specific presumptive fine schedule for violations of traffic offenses within the city limits of Gold Beach which was adopted as Resolution R1213-04 on October 8, 2012; and

**WHEREAS**, the City Council held a hearing on October 12, 2015 and on January 11, 2016, to review and deliberate on the current presumptive fine schedule; and

**WHEREAS**, the City Council after review and deliberation voted to raise the base presumptive fine for each traffic offense on the current schedule by \$10.

**NOW, THEREFORE, BE IT RESOLVED:** the City Council of the City of Gold Beach, Oregon, hereby adopts the presumptive fine schedule, attached to this resolution as EXHIBIT A, for traffic offenses within the City of Gold Beach

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 8<sup>th</sup> day of February, 2016.

  
Karl Popoff, Mayor

ATTEST:

  
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Jodi Fritts, City Administrator/City Recorder

**EXHIBIT A  
CITY OF GOLD BEACH MUNICIPAL COURT  
TRAFFIC OFFENSES  
PRESUMPTIVE FINE SCHEDULE-updated February 2016**

\*\*PRESUMPTIVE FINE IS BASE FINE AMOUNT ASSIGNED BY POLICE OFFICER.  
MUNICIPAL JUDGE HAS AUTHORITY TO IMPOSE FINE AMOUNT BETWEEN  
PRESUMPTIVE AND MAXIMUM

OFFENSE	PRESUMPTIVE FINE	MAXIMUM FINE	ORS	NOTES
<b>VIOLATIONS</b>				
Class A	<b>505</b>	2,000		
Class B	<b>330</b>	1,000		
Class C	<b>230</b>	500		
Class D	<b>180</b>	250		
If an accident is involved add \$50 to the presumptive fines below:				
<b>SPEEDING</b>				
Speed Racing	<b>505</b>	2,000	811.125	
<b>Violation Basic Rule (VBR) Over Limit:</b>				
1 to 10 miles	<b>180</b>	250	811.100	
11 to 20 miles	<b>230</b>	500	811.100	
21 to 30 miles	<b>330</b>	1,000	811.100	
over 30miles	<b>505</b>	2,000	811.100	
Unsafe speed when going slower than posted speed	<b>330</b>	1,000	811.100	
<b>Violating Designated Speed Limit:</b>				
1 to 10 miles	<b>180</b>	250	811.111	*
11 to 20 miles	<b>230</b>	500	811.111	*
21 to 30 miles	<b>330</b>	1,000	811.111	*
<b>If the speed limit is 65 mph or greater:</b>				
Exceeding the limit by 10 mph or less	<b>230</b>	500	811.111	*
Exceeding the limit by more than 10 but not more than 20	<b>330</b>	1,000	811.111	*
<b>* ADD \$42 SURCHARGE IF DEFENDANT IS DRIVING VEHICLE THAT REQUIRES CDL</b>				
<b>SERIOUS TRAFFIC OFFENSES</b>				
Violations of Ignition Interlock Devices	<b>505</b>	2,000	813.608	
Careless Driving	<b>330</b>	1,000	811.135	
Driving While Suspended (DWS)	<b>505</b>	2,000	811.175	Vio
<b>ACCIDENTS/REPORTS</b>				
Fir to Perf Driv Dut/Domes Animal	<b>330</b>	1,000	811.710	
Fir to Perf Witness Duties	<b>330</b>	1,000	811.715	
Fir Driver to Report Accident	<b>330</b>	1,000	811.725	
Fir Occupant to Report Accident	<b>330</b>	1,000	811.735	
Fir Owner to Report Accident	<b>330</b>	1,000	811.730	
Failure to Remove a Motor Vehicle from the Highway	<b>230</b>	500	811.717	
<b>PEDESTRIAN VIOLATIONS</b>				
Fir Obey Trf Control Dev	<b>180</b>	250	814.020	
Fir Use Tunnel/Overhd	<b>180</b>	250	814.060	
Fir/Improper Use Sidewalk/Shoulder	<b>180</b>	250	814.070	
Fir Yld Emergency Vehicle	<b>180</b>	250	814.050	
Fir Yld Vehicle	<b>180</b>	250	814.040	
Sudden Leaving Curb	<b>180</b>	250	814.040	
Unlawful Hitchhiking	<b>180</b>	250	814.080	
Fir Obey Railroad Signal	<b>180</b>	250	814.030	

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<b>BICYCLE VIOLATIONS</b>				
Applicability of MV Code to Bicycle	Same as Veh		814.400	
Unsafe Riding Sdwk	180	250	814.410	
Fir Sig Stop/Turn	180	250	814.440	
Clinging to Veh	180	250	814.480	
Fir To Wear Bicycle Helmet	35	35	814.485	
Fir Use Bicycle Seat	180	250	814.470	
Fir Use Bicycle Lane/Path	180	250	814.420	
Improp Use of Lane by Bicycle	180	250	814.430	
Unlawful Load on Bicycle	180	250	814.450	
Unlawful Passenger on Bicycle	180	250	814.460	
Viol Bicycle Equip Requirements	180	250	815.280	
<b>MOPEDS, MOTORCYCLES, MOTOR ASSISTED SCOOTERS (MAS) AND ASSISTED MOBILITY DEVICE</b>				
Illegal Alteration of Moped	230	500	814.310	
Moped Clinging to Vehicle	180	250	814.230	
MTC/Moped More than 2 Abreast	330	1,000	814.250	
Unlawful Moped or MTC Operation	330	1,000	814.200	
Unlawful Moped or MTC Passing	330	1,000	814.240	
Operating Moped on Bike Lane	180	250	814.210	
Oper Moped on Sidewalk/Bike Trail	180	250	814.210	
Oper Moped w/o Lights	330	1,000	814.320	
Carrying Passenger on Moped	180	250	814.330	
Unlawful Moped Passenger	180	250	814.340	
Fir MTC Operator to Wear Helmet	180	250	814.269	
Fir MTC Passenger to Wear Helmet	180	250	814.275	
Clinging to MV by MTC-Unless Disabled	330	1,000	814.220	
No Helmet/Moped Rider	180	250	814.260	
Operate MTC w/o Lights	330	1,000	814.320	
Unlawfully Carrying Passenger on MTC	330	1,000	814.325	
Endangering MTC Passenger	180	250	814.280	
Unlawful Operation of MAS	180	250	814.512	
Failure to use Bike Lane-MAS	180	250	814.514	
Improper Operation on Highway-MAS	180	250	814.518	
Improper Operation in Lane-MAS	180	250	814.520	
Failure to Signal-MAS	180	250	814.522	
Unsafe Operation on Sidewalk-MAS	180	250	814.524	
Unsafe Oper on bike path or lane-MAS	180	250	814.526	
Operation of MAS in crosswalk	180	250	814.528	
Carrying a Passenger on a MAS	180	250	814.530	
Operating MAS with an unlawful load	180	250	814.532	
Fir of MAS Operator to Wear Helmet	35	35	814.534	
Endangering a MAS operator	35	35	814.536	
Vio of MAS equipment requirements	180	250	815.283	
Vio of Electric personal assistive mobility device equipment requirements	180	250	815.284	
Unsafe oper of electric assist mobility device	180	250	814.552	
Dangerous movement of stopped, standing, parked vehicle	330	1,000	811.565	

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<b>SIGNAL AND TRAFFIC CONTROL</b>				
Pass Stopped Veh at X-Walk	330	1,000	811.020	
Flr Obey Police Officer	330	1,000	811.535	
Flr Obey Stop Sign	330	1,000	811.265	
Flr Obey Traf Cont Device	330	1,000	811.265	
Flr Obey Traf Signal	330	1,000	811.265	
Flr to Signal (Electric)	180	250	811.405	
Flr to Signal (Ln Chng)	180	250	811.375	
Flr to Signal (Stop) With Lts	180	250	811.405	
Flr to Signal (Turn) With Lts	180	250	811.405	
Imp Left Turn	330	1,000	811.340	
Imp Right Turn	330	1,000	811.355	
Flr Use Appropriate Signal	330	1,000	811.400	
Unlawful MC Passing	330	1,000	814.240	
Unsafe Pass (On Left)	330	1,000	811.410	
Unsafe Pass (On Right)	330	1,000	811.415	
Unsafe Pass (No Passing Zone)	330	1,000	811.420	
Unsafe Passing of Person on Bicycle	330	1,000	811.065	
Fir Use Special Left Turn Lane	330	1,000	811.345	
Inter w/Trf Cont Dev	505	2,000	810.240	
Impr Turn at Stop Lt (When Red)	330	1,000	811.360	
Unlawful or Unsignaled Turn	180	250	811.335	
Imp U-Turn	330	1,000	811.365	
Flr Obey One-Way Designation	330	1,000	811.270	
Crossing Cntr Line of 2-Way/4 Lane	330	1,000	811.310	
Depriving MC/Moped of Full Lane	330	1,000	811.385	
Drvg Wrong Way Around Rotary Island	330	1,000	811.330	
Flr of Slow Drvr to Dry in Rt Lane	330	1,000	811.315	
Flr to Drive in Single Lane	330	1,000	811.370	
Flr to Drive on Right	330	1,000	811.295	
Flr to Drive on Rt of Approach Veh	330	1,000	811.300	
Flr to Drive on Rt Side of Div Hwy	330	1,000	811.320	
Flr to Keep Camper, Trailer, Truck in Rt Lane	330	1,000	811.325	
Unlawful Change of Lane (Unsafe)	180	250	811.375	
Unsignaled Change of Lane	180	250	811.375	
Fir to maintain safe distance from emerg veh	330	1,000	811.147	
<b>FAILURE TO YIELD RIGHT-OF-WAY</b>				
Flr to Yld Bicycle on Sidewalk	330	1,000	811.055	
Flr to Stop for Pedestrian who is Blind	330	1,000	811.035	
Flr to Stop for Pedestrian on Sidewalk	330	1,000	811.025	
Flr to Yld Bicycle in Bike Lane	330	1,000	811.050	
Flr to Yld at Contld Intrs	330	1,000	811.265	
Flr to Yld at Drvwy/Alley/Priv Rd	330	1,000	811.280	
Flr to Yld Emergency Vehicle	330	1,000	811.145	
Flr to Yld Left Tum	330	1,000	811.350	
Flr to Yld at Merging Lane	330	1,000	811.285	
Flr to Yld Ped (Crswlk w/o Cntrl Dv)	330	1,000	811.028	
Flr to Yld Ped (Crswlk, Tum on Red)	330	1,000	811.360	
Flr to Yld Ped (Crswlk w/ Tr Sig)	330	1,000	811.028	
Flr to Yld Uncontrld Hwy Intrs	330	1,000	811.275	
Flr to Yld to Traffic Control Member	505	2,000	811.017	
<b>OPERATORS LICENSE VIOLATIONS</b>				
No MTC Endorsement	330	1,000	807.010	
Veh Oper w/o Driving Priv (Exp DL)	330	1,000	807.010	
Veh Oper w/o Driving Priv (No DL)	330	1,000	807.010	
License Restrictions	330	1,000	807.010	
Flr Carry/Dsp/Presnt/Deliver DL	230	1,250	807.570	
Flr Chg Name/Add DL w/in 30 Days	180	250	807.560	
Flr Chg Name/Add ID w/in 30 Days	180	250	807.420	
Fir to Suaender Out-of-State DL	180	250	807.540	
Holding Multiple DL's	330	1,000	807.550	
Veh Oper with Cancelled Lic	330	1,000	807.010	



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<b>VEHICLE LICENSE VIOLATIONS</b>			
Exp Veh Lic/Reg (Fee Must be Paid)	180	250	803.315
Fir Chg Name/Addr w/in 30 Days	180	250	803.220
Fir Sign/Carry/Dsply Reg	180	250	803.505
Fir Trnsfr Title w/in 30 Days	180	250	803.105
Impr Disp Lic Pit Sticker	180	250	803.560
Impr Disp Veh Plates	180	250	803.540
Improper Display Dealer Plates	180	250	822.045 (h)
Improper Use of Dealer Plates	330	1,000	822.045 (g)
Switched Lic Plates	180	250	803.540
Switched Lic Plate Sticker	330	1,000	803.550
Fir to Reg Veh	180	250	803.300
Fir to Renew Veh Reg	180	250	803.455
Illegal Alteration/Dsply Plates	330	1,000	803.550
Exp Out-of-State Plates	230	500	803.545
Fir to Dsply Plates	180	250	803.540
Fir to Dsply Out-of-State Plates	230	500	803.545
Fir to Surr Out-of-State Reg/Plates	180	250	803.380
Improper Display of a Permit	180	250	803.655
<b>LIGHT VIOLATIONS</b>			
Fir Mark End of Load (Over 4') w/Light or Flag	230	500	815.275
Opr w/Nonstandard Ltg Equip (Type, Visibility, Color, Placement)	230	500	816.300
Opr w/o Required Ltg Equip	230	500	816.330
Def Headlights	230	500	816.330
Def Taillights	230	500	816.330
Def Reg. Plate Light (Visible 50')	230	500	816.330
Def Brake Lights	230	500	816.330
Def Turn Signals	230	500	816.330
Def Hi-Beam Indicator	230	500	816.330
Def Reflectors	230	500	816.330
Aux Lights Over 54" on	230	500	816.330
Back-Up Lights on When Going Forward	330	1,000	811.520
Driving w/o Lights	330	1,000	811.520
Fir to Dim HL (500' Oncom: 350' Rear)	330	1,000	811.520
Fir to Use Park Lights	180	250	811.520
More than 4 Lights When Hdlt Req.	330	1,000	811.520
Using Park Lights When Hdlt Required	330	1,000	811.520
Use of Prohibited Lighting Equip	230	500	816.360
<b>REQUIRED EQUIPMENT</b>			
Brakes (Incldg Ernrgncy Brks)	230	500	815.130
Fenders/ Mudflaps	230	500	815.185
Horn (Audible 200 Ft)	230	500	815.230
Op/Allow Op Illgl Equip/Unsafe Veh	230	500	815.100
Rear View Mirror (Unobstructed 200 Ft)	230	500	815.235
Forward Crossover Mirror/Failure to Inspect	230	500	815.237
Turn Signals (Exc Pre '73 MC & Mopds)	230	500	816.320
Windshield Wiper	230	500	815.215
Exhaust System	230	500	815.250
Illegal Window Tinting	330	1,000	815.222

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<b>EXCESSIVE NOISE VIOLATIONS</b>			
Engine Braking	505	2,000	811.492
Excess Noise (Tires, Engine, Exhaust)	180	250	815.025
Improper Use of Horn	230	500	815.225
Unreasonable Sound Amplification from a vehicle	180	250	815.232
<b>MISCELLANEOUS VIOLATIONS</b>			
Operating a Motor Vehicle while using a Mobile Communications Device	180	250	811.507
Certificate	1,201	6,250	822.100
Blocking Cross Traffic	180	250	811.290
Carry Dog External Veh	180	250	811.200
Carry Child External Veh	330	1,000	811.205
Damage/Remove Sign	505	2,000	810.240
Drag Object on Road	180	250	818.320
Drv on Bicycle Ln/Path	330	1,000	811.435
Oper w/obstructing Passenger	180	250	811.190
Driving Uninsured	330	1,000	806.010
Fir to Carry Proof of Compliance w/Financial Responsibility Reg	330	1,000	806.012
Fir to Stop for School Bus	505	2,000	811.155
Unsafe School Vehicle Operation	330	1,000	820.180
Follow Fire Truck (500 Ft)	330	1,000	811.150
Follow too Close	330	1,000	811.485
Operating Unsafe Veh	330	1,000	815.020
Impeding Traffic	180	250	811.130
Op Low Speed Veh on Highway	330	1,000	811.512
Littering (Op/Pass)	230	1,250	164.805
Obstruction on Windows	180	250	815.220
Open Vehicle Door	180	250	811.490
Overtaking Stopped Vehicle	330	1,000	811.020
Prmt Unlwful Oper Veh	330	1,000	811.255
Sifting, Leaking Load	330	1,000	818.300
Studded Tires (Illgl-May 1 to Oct 31)	230	500	815.160
Drvg on Hwy Divider	330	1,000	811.430
Endangering Child Passenger	180	250	811.210(1)(b) (c)
Fir to Wear Seat Belt	180	250	811.210(1)(a) (d)
Fir to Maintain Safety Belts	230	500	811.225
Fir to Stop Emerging from Alley, Driveway, Bldg	330	1,000	811.505
Illegal Backing	180	250	811.480
Interference with Emergency Veh	330	1,000	811.150
Passenger Obstruction of Driver	230	500	814.130
Unlawful Use of Television	330	1,000	815.240
Viol Max Size Limits	180	250	818.090
Viol Towing Safety Reg	330	1,000	818.160
Viol Min Road Clearance	330	1,000	815.245
Viol Truck Route (Authority 810.040)	330	1,000	811.450
Viol Maximum Weight Limits when Vehicle	505	2,000	
Visible Emissions	180	250	815.200