TO: Porterville Charter Review Committee  
Cc: John Lollis, City Manager  
FROM: Julia M. Lew, City Attorney  
DATE: October 4, 2013  
SUBJ: New City Charter Section 74 – General Penalty

Per the direction of the Committee, the following can serve as a starting point for Committee discussion concerning adding a General Penalty Section to the Charter. As the current charter does not contain a penalty section, I would propose to add it as Section 74. I will also provide additional samples of general penalty language at the October 9th meeting as requested.

Sec. 74 Violations.

This section shall apply only if a penalty/violation is not otherwise explicitly provided for in the Charter. A violation of any provision of this Charter shall be a misdemeanor, except that such violation may be prosecuted as an infraction, at the discretion of the City Council.

Any violation of this Charter may be prosecuted in the name of the People of the State of California or may be redressed by the City through any legal or equitable remedies; including but not limited to civil action and/or injunction, or administrative citation in accordance with adopted City ordinances. To extent allowed by law, civil remedies may be utilized in addition to or as an alternative to criminal enforcement.