

#### 14. Due Process and Right of Entry

Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such a structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused or the person having charge or control cannot be located, the code official shall utilize the procedures set forth in Section 18 of this Division to obtain an Administrative Search Warrant, unless a lawful exception to the requirement for a warrant exists.

#### 15. Penalties.

a. Unless otherwise stated therein, the penalty for violation of any ordinance or code provision enforced by the Board under this Division shall be as follows:

(i) The maximum civil fine that may be imposed for each violation if the citation is contested is \$2,000.

a. The Code Enforcement Board or hearing officer, when hearing an appeal, shall have the discretion to decrease or increase a penalty based on a total ty of the circumstance analysis, which may include, among other fact rs, the merits of the appeal, costs association with conducting the hear ng, facts surrounding the violation and other mitigating or aggravating circumstances.

(ii) If the citation is not contested, civil fines will be imposed according to the following schedule:

a. For first Class I violation within the same calendar year, where the violation is remedied within the time period required by the ordinance or for which no remediation is required, there shall be no fine.

b. For first Class I violation within the same calendar year, where the violation is not remedied within the time period allowed by the ordinance, the penalties shall be as set forth in subsection (d) of this Section.

c. The maximum civil fine that may be imposed for each violation if the citation is not contested is \$1,000.

d. Class Violation: The initial fine shall be fifty dollars (\$50). For each seven (7) :d vs or potion thereof beyond the remediation date that the violation ren; i ns unremedied, fifty dollars (\$50) shall be added to the initial fine until