

**ATTACHMENT 1**  
**CITY OF SAN MARCOS**  
**2024 MISDEMEANOR AND INFRACTION BAIL SCHEDULE**

I/M	SMMC SECTION	DESCRIPTION	BAIL	PA	CT	PC
M	2.16.050	Campaign contribution violations and penalties	10,000		✓	
M	2.28.090	<u>Emergency Management System – obstruction of emergency personnel, assistance to enemy</u>	1,000		✓	
M	2.28.120	<u>Emergency Management System services - simulation of emergency signals without authority</u>	250		✓	
M	5.44	<u>Massage establishments – violation of licensing, operational, or advertising requirements without permit</u>	1,000		✓	
M	5.46	<u>Bathhouses – violation of operating without permitting or operational requirements</u>	1,000		✓	
I	5.56	Swap meets <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> offense</li> </ul>	50 100 200	✓ ✓	✓	
M	6.24.080(d,e)	<u>Conditions of animal ownership – failure to comply</u>	1,000		✓	
M	6.24.090	<u>Restraint of dogs – failure to appropriately restrain</u>	1,000		✓	
M	8.04	<u>Food and food handlers – failure to obtain permit-required</u>	500		✓	
M	8.20	<u>Camps and picnic grounds – failure to obtain permit to operate, or report communicable diseases</u>	500		✓	
I	8.24	<u>Refrigeration plants – violation of permitting or operational requirements necessary to operate</u> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> offense if convicted within 2 years from date of first conviction is a misdemeanor</li> <li>•</li> </ul>	250 500 1,000	✓ ✓	✓	
I	8.28	<u>Reduction plants – violation of permitting or operational requirements necessary to operate</u> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> offense if convicted within 2 years from date of first conviction is a misdemeanor</li> </ul>	250 500 1,000	✓ ✓	✓	
I	8.36	<u>Permits for apartments and hotels – violation of permitting requirements necessary to operate</u> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> offense if convicted within 2 years from date of first conviction is a misdemeanor</li> </ul>	250 500 1,000	✓ ✓	✓	
I	8.40	<u>Swimming pools</u> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> </ul>	250 500	✓ ✓		
M		<u>3<sup>rd</sup> offense and subsequent offenses within 2 years are misdemeanors</u>	1,000		✓	

I/M	SMMC SECTION	DESCRIPTION	BAIL	PA	CT	PC
M	8.56	Septic tanks and seepage pits — <u>violation of permitting requirements necessary for installation</u>	500		✓	
I	8.64	Accumulation of weeds and/or waste material <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> Offense</li> </ul>	250 500 1,000	✓	✓ ✓	
IM	8.68.190, 490440	Garbage and refuse - violation of prohibition against placing drugs, needles, or infectious or hazardous waste in refuse containers <u>Unlawful collection</u> <ul style="list-style-type: none"> <li>• <del>2<sup>nd</sup> offense</del></li> <li>• <del>3<sup>rd</sup> offense</del></li> </ul>	250 500 1,000		✓ ✓ ✓	
I	8.68.480445	Garbage and refuse - violation of disposal and collection requirements <del>Abatement of unauthorized refuse containers</del> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> offense</li> </ul>	250 500 1,000		✓ ✓ ✓	
M	<del>8.70</del>	Medical waste — permit required for storage and disposal	1,000		✓	
I	8.80	Smoking in public places <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> Offense</li> </ul>	100 250 500	✓ ✓ ✓		
M	10.10	Youth access to <u>smoking materials</u> <del>tobacco</del> - failure to comply with code regulations	1,000		✓	
M	10.11.030	Consumption of alcohol or controlled substances by minors on public or private property	1,000	✓		
IM	10.11.040	Serving alcohol and/or controlled substances to minors on public or private property <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> Offense</li> <li>• 3<sup>rd</sup> Offense</li> </ul>	250 500 1,000	✓ ✓	✓	
I	10.22	Daytime loitering of juveniles in public places on school days <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> Offense</li> <li>• 3<sup>rd</sup> offense</li> </ul>	250 500 1,000	✓ ✓ ✓		
<del>I</del> <del>I</del> M	10.23.010 - 10.23.040	Intimidation <u>or harassment in intimidation free zones</u> <ul style="list-style-type: none"> <li>• <del>2<sup>nd</sup> offense</del></li> <li>• <del>3<sup>rd</sup> offense is a misdemeanor</del></li> </ul>	250 500 1,000		✓ ✓ ✓	
I	10.24.050	Noise violation <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> offense</li> <li>• 3<sup>rd</sup> Offense</li> </ul>	250 500 1,000		✓ ✓ ✓	
M	10.28	Security alarm systems – <u>violation of licensing, installation, or maintenance requirements</u>	500		✓	
<del>I</del> M M	10.32.040(a)	Consuming or possessing alcoholic beverages in public <ul style="list-style-type: none"> <li>• <del>2<sup>nd</sup> offense</del></li> <li>• 3<sup>rd</sup> Offense</li> <li>•</li> </ul>	250 500 1,000	✓ ✓	✓	
M	10.32.50	<u>Unauthorized presence in drainage channels, storm-water channels, culverts and/or canals</u> <ul style="list-style-type: none"> <li>• <del>2<sup>nd</sup> offense</del></li> <li>• 3<sup>rd</sup> Offense</li> <li>•</li> </ul>	250 500 1,000	✓ ✓	✓	
M	10.33	Encampments on City property – <u>unauthorized</u> <ul style="list-style-type: none"> <li>• <u>2<sup>nd</sup> offense</u></li> <li>• <u>3<sup>rd</sup> Offense</u></li> </ul>	25 35 50	✓ ✓	✓	

I/M	SMMC SECTION	DESCRIPTION	BAIL	PA	CT	PC
<del>MI</del>	10.42.040	Nudity, urination and defecation in public rights of way and places open to the public <del>2<sup>nd</sup> Offense</del> <del>3<sup>rd</sup> offense</del>	250 500 1,000	✓ ✓ ✓	✓	
I	12.12	Traffic control devices • 2 <sup>nd</sup> offense • 3 <sup>rd</sup> Offense	100 200 250	✓ ✓ ✓		
I	12.16	Motor vehicle operation • 2 <sup>nd</sup> offense • 3 <sup>rd</sup> offense	100 200 250	✓ ✓ ✓		
<del>M</del>	<del>12.20.120</del>	<del>Camping or remaining on public property</del> <del>• 2<sup>nd</sup> offense</del> <del>• 3<sup>rd</sup> offense</del>	<del>250</del> <del>500</del> <del>1,000</del>	<del>✓</del> <del>✓</del> <del>✓</del>		
<del>M</del>	<del>12.20.130</del>	<del>Camping or remaining on private property without permission</del> <del>• 2<sup>nd</sup> offense</del> <del>• 3<sup>rd</sup> offense</del>	<del>250</del> <del>500</del> <del>1000</del>	<del>✓</del> <del>✓</del> <del>✓</del>		
I	12.24	Pedestrian regulations	50	✓		
<del>MI</del>	12.24.040	Crossing roadways between uncontrolled intersections designated by Traffic Safety Commission prohibited • 2 <sup>nd</sup> offense • 3 <sup>rd</sup> offense	250  500 1000	✓  ✓ ✓	✓ ✓	
M	12.29	Prohibition of spectator at illegal speed contests or exhibitions of speed	1,000		✓	
<del>I</del>	<del>12.36</del>	<del>Peak hour traffic management – failure to comply with code</del> <del>• 2<sup>nd</sup> Offense</del> <del>• 3<sup>rd</sup> offense</del>	<del>50</del> <del>100</del> <del>250</del>	<del>✓</del> <del>✓</del>  	 ✓	
I	14.04	Highways and traffic applications, permits/fees and general provisions - failure to obtain permit • 2 <sup>nd</sup> offense • 3 <sup>rd</sup> Offense	250  500 1,000	✓  ✓	✓ ✓	
M	14.15	Storm water management and discharge control – <u>illegal discharges, connections,</u>	1,000		✓	
M	14.15.140	<del>Failure to pay storm water management fee</del>	<del>1,000</del>	<del>✓</del>		
<del>I</del>	<del>14.15.160</del>	<del>Storm water – other acts and omissions constituting violations of this chapter</del>	<del>1,000</del>	<del>✓</del>		
M	14.15.170	<del>Storm water management fee – failure to pay violation</del>	<del>1,000</del>	<del>✓</del>		
M	16.08	Use and storage of trailers • <del>2<sup>nd</sup> offense</del> • 3 <sup>rd</sup> offense and subsequent	1,000 <del>1,000</del> 1,000	 ✓ ✓		
M	17.32	Grading Code – <u>failure to comply</u>	1,000		✓	
M	17.64	California Fire Code - failure to comply	1,000		✓	
M		Any violation of Title 19: subdivisions - failure to comply with code re: real property (subdivisions)	500		✓	
M		Any violation of Title 20: zoning - failure to comply with code re: real property (zoning) • 2 <sup>nd</sup> and subsequent offenses	500 500	✓  ✓		
		<del>Pursuant to SMCC1.12.010, a</del> <b>All other San Marcos City Code <i>infraction</i> violations not listed herein</b> • 2 <sup>nd</sup> offense • 3 <sup>rd</sup> offense	 250 500 1,000	 ✓ ✓  	✓	
		<b>All other San Marcos City Code <i>misdemeanor</i> violations not listed herein shall be</b>	1,000		✓	

*	<p>The fourth violation of the same Code infraction provision within a 12-month period constitutes a misdemeanor.</p> <p>The city attorney may upgrade to a misdemeanor prior to the fourth violation</p>	1,000		✓		
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