

CHAPTER 7**VIOLATIONS OF CITY ORDINANCES**

7.01 VIOLATION AS INFRACTION. Failure to conform to the standards, criteria, or provisions of the following portions of this Code of Ordinances constitutes an infraction of that ordinance, subject to civil penalty as set forth hereinafter:

1. Chapter 29, dealing with building and property regulations.
2. Chapter 31, dealing with nuisances, including Subchapter 2 dealing with damaged vehicles, Subchapter 3, dealing with abandoned vehicles, Subchapter 4, dealing with litter control and Subchapter 5, dealing with noise pollution.
3. Chapter 32, dealing with animal protection and control.
4. Chapter 34 Subchapter 3, dealing with use of public sewers.
5. Chapter 35, dealing with accumulation of solid waste or yard waste.
6. Chapter 41, dealing with zoning.
7. Chapter 42, dealing with temporary structures.
8. Chapter 43, dealing with temporary signs.
9. Chapter 45, dealing with peddlers, solicitors, and transient merchants.
10. Chapter 53, dealing with pawnbrokers.
11. Chapter 54, dealing with secondhand goods dealers.
12. Chapter 57, dealing with sidewalk regulations.
13. Chapter 59, dealing with adult entertainment facilities.

(Code of Iowa, 1995, Sec. 364.22[2])

7.02 PENALTY. The violation of any of the provisions, standards, or terms of any of the ordinances identified in Section 7.01 herein shall subject the user, owner, occupant, or person committing the violation to a civil penalty of not more than \$100.00 per day or \$200.00 per day for repeat offenses. Each day a violation occurs

is a separate violation. A repeat violation is a violation of a city ordinance by a person who has previously admitted the infraction or been found guilty of violating the same provision at the same location or a different location.

(Code of Iowa, 1995, Sec. 364.22[1])

7.03 PROHIBITION AGAINST FURTHER VIOLATIONS. A person who commits an infraction of a city ordinance subject to the provisions of this Chapter may be ordered by the Court to cease further violations of the same provisions. Failure of the person to adhere to this order will result in contempt proceedings being initiated against the violator.

7.04 APPEARANCE REQUIRED. Persons who are not repeat offenders may enter a plea admitting the infraction by mailing or delivering the citation and fine to the clerk of the district court without appearing before the Court. Persons who are repeat offenders must appear before the Court to admit or deny the infraction.

7.05 AUTHORITY TO ISSUE CITATIONS. Citations for an infraction of an ordinance listed in Section 7.01 may be issued by a peace officer, the City Attorney or the City Administrator, on a form approved by the City Council.

(Code of Iowa, 1995, Sec. 364.22[4])

7.06 SERVICE OF CITATION. A citation issued pursuant to this Chapter may be served by personal service or by certified mail return receipt requested. A copy of the citation shall be retained by the issuing officer and the copy shall be sent to the clerk of the district court.

(Code of Iowa, 1995, Sec. 364.22[4])

7.07 CONTENTS OF CITATION. The citation shall serve as notification that a civil offense has been committed and shall contain the following information:

1. The name and address of the violator.
2. The name or description of the infraction attested to by the officer issuing the citation.
3. The location and time of the infraction.
4. The amount of civil penalty to be assessed or the alternate relief sought, or both.

5. The manner, location and time in which the penalty may be paid.
6. The time and place of court appearance.
7. The penalty for failure to appear in court.

(Code of Iowa, 1995, Sec. 364.22[4])

7.08 COMPLIANCE WITH STATE LAW. All citations issued under this Chapter shall be prosecuted in accordance with the provisions of Section 364.22, Code of Iowa.