

Ordinance No. 16-05

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING A PROVISION PERTAINING TO THE GENERAL CODE OF PROVISIONS, SPECIFICALLY ORDINANCE 1.14

WHEREAS, the City Council of the City of Windsor Heights previously adopted Section 1.14 of the Code of Ordinances of the City of Windsor Heights, Iowa; and

WHEREAS, the City Council desires to enact the following in order clarify the penalties for violation(s) of certain ordinances in its Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1: Amended. Chapter 1, Section 1.14 is hereby repealed and the following adopted in lieu thereof:

§1.14 Penalties. A violation of the Windsor Heights Code of Ordinances constitutes a simple misdemeanor. If the punishment for a violation of a statute of the State of Iowa which has been incorporated by reference into Windsor Heights Code of Ordinances, or is the same as an ordinance of the Windsor Heights Code of Ordinances, and punishment for violation of such statute is different from that provided under the Windsor Heights Code of Ordinances for a simple misdemeanor, the punishment set out in the Code of Iowa shall prevail. Anyone violating any other provision of the Windsor Heights Code of Ordinances shall be guilty of a simple misdemeanor, and upon conviction, shall be subject to a fine of not more than six hundred twenty five dollars (\$625.00) and/or imprisonment not to exceed thirty (30) days.

The penalties for and what may constitute a Municipal Infraction are designated and defined in Chapter 4 of this Code of Ordinances.

Only the content of the aforementioned subsection 1.14 shall be affected by this Ordinance. All other sections and subsections shall remain unchanged.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this ____ Day of _____, 2016

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Publish Date: _____

Diana Willits, Mayor

(SEAL)

ATTEST:

Marcia Woodke, Interim City Clerk