

ORDINANCE NO. 23-08

AN ORDINANCE AMENDING SECTION 1.12 (WARRANTS)
REGARDING ADMINISTRATIVE SEARCH WARRANTS

BE IT ENACTED by the City Council of the City of Windsor Heights, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Section 1.12 (Warrants) is amended by inserting the following new underlined language:

1.12 WARRANTS

If consent to enter upon or inspect any building, structure or property pursuant to a municipal ordinance is withheld by any person having the lawful right to exclude, the City officer or employee having the duty to enter upon or conduct the inspection may apply to the Iowa District Court in and for the County, pursuant to Section 808.14 of the *Code of Iowa*, for an administrative search warrant which is reasonable with respect to time and scope. The presence or absence of law enforcement should be disclosed in the application. The City shall notify the owner and occupant of the dwelling unit, rooming unit, structure, building, or premises of the application for the administrative search warrant by (i) posting such notice on the property to be inspected, and (ii) sending the notice via regular mail to the owner of record. The occupant of the dwelling unit, rooming unit, structure, building, or premises shall have the opportunity to be heard at any hearing for an administrative search warrant. No owner, operator or occupant or any other person having charge, care, or control of any dwelling unit, rooming unit, structure, building, or premises shall fail or neglect, after presentation of a search warrant, to permit entry therein by the municipal officer or employee.

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 All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. 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.

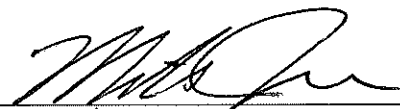
SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1st Reading on this __16__th day of __October_____, 2023.


Passed and approved 2nd Reading on this __6__th day of __November_____, 2023.

Passed and approved 3rd and final Reading on this __20__th day of __Novmber_____, 2023.





Mike Jones, Mayor



ATTEST: Adam Strait, City Clerk