City of Carroll

Brad Burke, Chief of Police **Police Department**

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MEMO TO: Mike Pogge-Weaver, City Manager MPW

FROM: Brad Burke, Chief of Police BB

DATE: October 5, 2020

SUBJECT: Carroll City Ordinance Chapter 1 Section 14 amendment

Chapter 1 Section 14 of the Carroll City Codes deals with Standard Penalty for violation of the City Code of Ordinance. The 2019/20 legislative session amended Iowa State Code 903.1(1a) which sets this fine amount. This amendment adjusts the fine amount for these violations to meet the state standards.

RECOMMENDATION: Council consideration and reading of the ordinance amendment to Chapter 1, section 14 of the City of Carroll Code of Ordinances.

ORDINANCE NO._____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLL, IOWA, 2011, BY AMENDING PROVISIONS PERTAINING TO NO PARKING ZONES

BE IT ENACTED by the City Council of the City of Carroll, Iowa:

SECTION 1. Chapter 1, Section 14, of the Code of Ordinances of the City of Carroll, Iowa, 2011, is amended by adding the following provisions:

1.14

"STANDARD PENALTY"

Unless another penalty is expressly provided by this Code of Ordinances for violation of any particular provision, section or chapter, any person failing to perform a duty required by this Code of Ordinances or otherwise violating any provision of this Code of Ordinances or any rule or regulation adopted herein by reference shall, upon conviction, be subject to a fine of at least ninety dollars ($90) but not to exceed eight hundred fifty five dollars ($855). The court may order imprisonment not to exceed thirty (30) days in lieu of a fine or in addition to a fine.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 this _____ day of _____, 2020.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

_____
Eric P Jensen., Mayor

ATTEST:

_____
Laura A. Schaefer, City Clerk

I certify that the foregoing was published as Ordinance No._____ on the _____day of _____, 2020.

_____
Laura A. Schaefer, City Clerk

1.14 STANDARD PENALTY.

Unless another penalty is expressly provided by this Code of Ordinances for violation of any particular provision, section or chapter, any person failing to perform a duty required by this Code of Ordinances or otherwise violating any provision of this Code of Ordinances or any rule or regulation adopted herein by reference shall, upon conviction, be subject to a fine of at least ~~sixty-five dollars ($65.00)~~ ninety dollars ($90) but not to exceed ~~six hundred twenty-five dollars ($625.00)~~ eight hundred fifty five dollars ($855). The court may order imprisonment not to exceed thirty (30) days in lieu of a fine or in addition to a fine.

(Code of Iowa, Sec. 364.3[2] and 903.1[1a])