

ORDINANCE NO. 400

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF PRAIRIE CITY, IOWA, BY AMENDING CHAPTERS 4 (MUNICIPAL INFRACTIONS), 55 (ANIMAL PROTECTION AND CONTROL), 65 (STOP OR YIELD), 69 (PARKING REGULATIONS), 71 (GOLF CARTS), AND 75 (ALL-TERRAIN VEHICLES AND SNOW MOBILES) RELATING TO THE ENACTMENT OF SPECIFIC CIVIL PENALTIES

WHEREAS, Prairie City Code §4.04 allows for any officer authorized by the City to enforce the Code of Ordinances by issuing a civil citation to any person who commits a violation of the City Code; and

WHEREAS, pursuant to Prairie City Code §1.14, the standard civil penalty, unless otherwise expressed in the City Code, is a fine of at least ~~sixty-five dollars (\$65.00)~~ **twenty-five dollars (\$25.00)** but not to exceed ~~six hundred twenty-five dollars (\$625.00)~~ **one thousand dollars (\$1000.00)**; and

WHEREAS, it is necessary to identify certain scheduled civil penalty amounts based on the offense.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE CITY, JASPER, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapters 4 (Municipal Infractions), 55 (Animal Protection and Control), 65 (Stop or Yield), 69 (Parking Regulations), 71 (Golf Carts), and 75 (All-Terrain Vehicles and Snowmobiles) of the Prairie City Code of Ordinances relating to the enactment of civil penalties by deleting ~~strikethrough~~ language and adding underlined language as follows:

A. Chapter 4 (Municipal Infractions)

**4.03(1) PENALTIES**

A municipal infraction is punishable by the following civil penalties:

1. Standard Civil Penalties.

A. First offense – ~~\$250.00~~ **\$750.00**

B. Second offense – ~~\$750.00~~ **\$1,000.00**

Each day that a violation occurs or is permitted to exist constitutes a repeat offense.

B. Chapter 55 (Animal Protection and Control)

**55.22 VIOLATIONS.**

All violations of any provision of this chapter are hereby declared ~~simple misdemeanors~~ **scheduled violations** and/or municipal infractions. Violations may be prosecuted as either a misdemeanor criminal offense or a municipal infraction at the

sole discretion of the Animal Control Officer. The following scheduled fines are established for municipal infractions:

- (a) The penalty for violation of any section shall be \$75.00 for the first violation,
- (b) \$150.00 for the second infraction committed within one calendar year, and
- (c) \$300.00 for the third and subsequent infractions committed within one calendar year.

Upon receipt of a civil citation, the recipient must either pay the civil fine within the date appearing at the top of a civil citation or appeal the citation within ten (10) days from the date appearing at the top of a civil citation. If the recipient of a citation does not either timely pay the fine or successfully appeal the citation as provided herein, the City may file a municipal infraction against the recipient, seeking judgment for the applicable civil fine provided in this section plus state mandated filing fees and court costs. If judgment is entered for the City in the municipal infraction proceeding, the City may, subject to applicable law, pursue enforcement of the judgment together with interest as permitted by law.

C. Chapter 65 (Stop or Yield Required)

**65.01 STOP REQUIRED**

71. Vehicles traveling south on Carly Lane shall stop at S Haley Lane.

D. **65.09 VIOLATIONS**

Failure to meet requirements will result in a fine of \$25.00.

E. Chapter 69 (Parking Regulations)

**69.08 NO PARKING ZONES**

31. S Haley Lane, on east side 140' south of E Kayla Lane, and on south side of remaining balance of S Haley Lane.

F. **69.14 SNOW ROUTES**

The Council may designate certain streets in the City as snow routes. When conditions of snow or ice exist on the traffic surface of a designated snow route, it is unlawful for the driver of a vehicle to impede or block traffic. Failure to remove vehicles from the designated snow route will result in a no parking fine of \$25.00 with additional cost resulting from a towing fee.

G. **69.16 VIOLATIONS**

Failure to meet requirements will result in a no parking fine of \$25.00 with additional cost resulting from a towing fee.

H. Chapter 71 (Golf Carts)

**71.04 VIOLATIONS**

All violations of any provision of this chapter are hereby declared simple misdemeanors scheduled violations and/or municipal infractions. The following scheduled fines are established for municipal infractions:

- (a) The penalty for violation of any section shall be \$75.00 for the first violation, and revocation of the City of Prairie City permit for a period of two (2) months,
- (b) \$150.00 for the second infraction committed within one calendar year, and revocation of the City of Prairie City permit for a period of one (1) year, and
- (c) \$300.00 for the third and subsequent infractions committee within one calendar year, and revocation of the City of Prairie City permit for a period of two (2) years.

Upon receipt of a civil citation, the recipient must either pay the civil fine within the date appearing at the top of a civil citation or appeal the citation within ten (10) days from the date appearing at the top of a civil citation. If the recipient of a citation does not either timely pay the fine or successfully appeal the citation as provided herein, the City may file a municipal infraction against the recipient, seeking judgment for the applicable civil fine provided in this section plus state mandated filing fees and court costs. If judgment is entered for the City in the municipal infraction proceeding, the City may, subject to applicable law, pursue enforcement of the judgment together with interest as permitted by law.

I. Chapter 75 (All-Terrain Vehicles and Snowmobiles)

75.11 VIOLATIONS

All violations of any provision of this chapter are hereby declared simple misdemeanors scheduled violations and/or municipal infractions. The following scheduled fines are established for municipal infractions:

- (a) The penalty for violation of any section shall be \$75.00 for the first violation,
- (b) \$150.00 for the second infraction committed within one calendar year, and
- (c) \$300.00 for the third and subsequent infractions committee within one calendar year.

Upon receipt of a civil citation, the recipient must either pay the civil fine within the date appearing at the top of a civil citation or appeal the citation within ten (10) days from the date appearing at the top of a civil citation. If the recipient of a citation does not either timely pay the fine or successfully appeal the citation as provided herein, the City may file a municipal infraction against the recipient, seeking judgment for the applicable civil fine provided in this section plus state mandated filing fees and court costs. If judgment is entered for the City in the municipal infraction proceeding, the City may, subject to applicable law, pursue enforcement of the judgment together with interest as permitted by law.

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 10<sup>th</sup> day of July 2024.

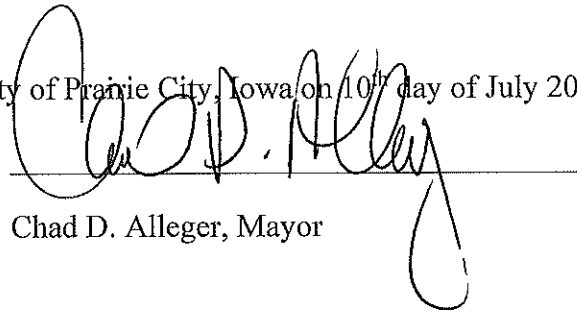
1st Reading: June 12, 2024

2nd Reading: July 10, 2024

3rd Reading: August 14, 2024 (waived on 7-10-24)

Publish Date: July 19, 2024

Passed by the City Council of the City of Prairie City, Iowa on 10<sup>th</sup> day of July 2024.



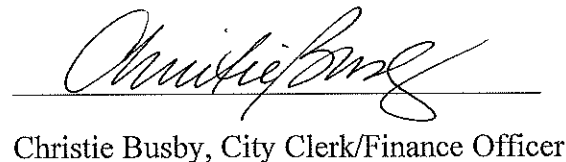
Chad D. Alleger, Mayor

ATTEST:



Christie Busby, City Clerk/Finance Officer

I certify that the foregoing was published as Ordinance No. 400 on the 19<sup>th</sup> day of July 2024.



Christie Busby, City Clerk/Finance Officer