

CHAPTER 29

MUNICIPAL INFRACTIONS

SECTIONS:

- 29-1. DEFINITIONS
- 29-2. VIOLATION, PENALTIES, AND ALTERNATIVES RELIEF
- 29-3. CIVIL CITATIONS
- 29-4. SEVERABILITY OF PROVISIONS

SEC. 29-1. DEFINITIONS

- A. Code. The term "code" means the Code of Ordinances of Scott County Iowa as they now exist or may hereafter be amended.
- B. Repeat Offense. The term "repeat offense" shall be defined as a recurring violation of the same section of the county code by the same individual.

SEC. 29-2. VIOLATION, PENALTIES, AND ALTERNATIVES RELIEF

- A. Each violation of the code as defined above is hereby declared to be a municipal infraction.
- B. Each day a municipal infraction occurs constitutes a separate offense.
- C. A municipal infraction is a civil offense punishable as follows:
 - 1. First offense, two hundred fifty dollars (\$250.00);
 - 2. Any subsequent offense, three hundred seventy-five dollars (\$375.00).
- D. In addition to the civil penalty provided herein the county may seek alternative relief from the court in the same action. Such alternative relief may include, but is not limited to, an order for abatement or cessation of the violation.
- E. Nothing contained herein shall be deemed to preclude any other proceedings that may be instituted under the code or otherwise available on principles of law and equity.

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SEC. 29-3. CIVIL CITATIONS

Any employee or officer of the county employed to enforce the code as defined above may issue a civil citation to a person who is alleged to have committed a municipal infraction.

- A. The citation shall serve as notification of the violation of the code, shall be served by personal service or by certified mail, return receipt requested. One copy of the citation shall be filed with the clerk of the district court, and one shall be retained by the county, the defendant shall receive one copy, and one copy shall be provided to the county attorney.
- B. The citation shall contain the following information:
 1. The name, address, date of birth, and social security number of the alleged violator;
 2. The name or description of the alleged infraction, attested to by the officer issuing the citation;
 3. The location and time of the alleged infraction;
 4. The amount of civil penalty for the violation charged and the court costs or the alternative 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. A statement of the penalty for failure to appear in court.

SEC. 29-4. SEVERABILITY OF PROVISIONS

If any section, subsection, sentence, clause, phrase or portion of this chapter be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall affect the validity of the remaining portion thereof.