

ORDINANCE NO. 061620-01

**AN ORDINANCE AMENDING CHAPTER 3 TO THE CODE OF ORDINANCES OF
THE CITY OF HARTFORD, IOWA, BY ADDING A NEW SUBSECTION**

BE IT ORDAINED by the City Council of the City of Hartford, Iowa:

SECTION 1. NEW SUB SECTION. Municipal Code Chapter 3, Municipal Infractions, is amended by adding new section 3.04A and titled NOTICE OF VIOLATION as follows:

3.04A NOTICE OF VIOLATION.

1. All code violations which are deemed to be municipal infractions pursuant to city code section 3.01 may initially be charged upon a simple notice of violation. The city may serve a notice of violation upon a party charged with an act constituting a municipal infraction either by delivering said notice personally or by certified mail to the party's last known address.

- A. If the person charged admits the violation, such person shall be subject to the penalty applicable to municipal infractions as set forth in the schedule of penalties, unless another penalty is specifically provided for elsewhere in the code for that particular violation. Upon payment of the penalty to the City Clerk, or his or her designee, and performance of any other act required by law to be performed, the person charged shall not be further prosecuted or assessed any costs or other expenses for such violation, and the city shall retain all penalties collected pursuant to this section.
- B. Where a code violation initially charged upon a simple notice of violation pursuant to this section is not admitted by the person charged, or is admitted by the person charged but other acts required to be performed were not performed, a civil citation may be served and filed with the courts in the manner prescribed by the applicable provision(s) of this code. Such municipal infraction citation may seek a penalty and/or additional relief to the extent permitted by law.
- C. This section does not impose a duty to initially charge any municipal infractions upon simple notice, and the officer charged with enforcement may initially issue a civil municipal infraction citation seeking a civil penalty with or without additional relief.

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 by the Council on the 16th day of June, 2020 and approved this 16th day of June, 2020.

Kandi S. Petry, Mayor

ATTEST:

Cynthia Crippen, City Clerk

1st Reading –

Motion by Council Member Goldsberry, seconded by Council Member Jors, to approve the first reading of Ordinance No. 061620-01.

AYES: Jors, Barton, Goldsberry, Eckert

NAYS: –

ABSENT: –

2nd Reading – Waived

Motion by Council Member Goldsberry, seconded Council Member Jors, to approve the second reading of Ordinance No. 061620-01.

AYES: Jors, Barton, Goldsberry, Eckert

NAYS: –

ABSENT: –

3rd Reading Waived

Motion by Council Member Goldsberry, seconded Council Member Jors, to approve the second reading of Ordinance No. 061620-01.

AYES: Jors, Barton, Goldsberry, Eckert

NAYS: –

ABSENT: –

The Mayor declared Ordinance No. 061620-01 was passed on June 16th, 2020.

I certify that the foregoing was published as Ordinance No. 061620-01 on the __ day of _____
2020.

City Clerk