

ORDINANCE NO. 04-2005
ADDITION OF NEW PROVISIONS

New material may require the addition of a new PARAGRAPH, SUBSECTION, SECTION, ARTICLE, OR CHAPTER, as follows:

TITLE III
CHAPTER 10

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MARBLE ROCK, IOWA, 2002, BY ADDING A NEW TITLE III, CHAPTER 10, PROVIDING FOR MUNICIPAL INFRACTIONS TO BE UTILIZED WHEN DEALING WITH VIOLATIONS OF THE CITY CODE.

Be It Enacted by the City Council of the City of Marble Rock, Iowa.

SECTION 1. The Code of Ordinances of the City of Marble Rock, Iowa, 2002, is amended by adding a new CHAPTER 10, entitled MUNICIPAL INFRACTIONS which is hereby adopted to read as follows:

10-1-1.1 MUNICIPAL INFRACTIONS. The City of Marble Rock, Iowa, enacts and adopts the municipal infraction authority under Section 364.22, Iowa Code, and herewith provides that any violation of a city ordinance, city code, or any section, subsection, paragraph, subparagraph, or any other part thereof, constitutes a municipal infraction subject to all the penalties, and other relief provisions set forth in Section 364.22, Iowa Code.

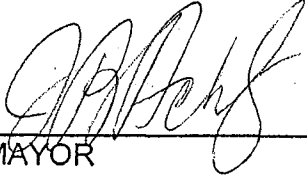
- (a) A violation of an ordinance is not a municipal infraction if the violation is a felony, an aggravated misdemeanor, or a serious misdemeanor under State law or if the violation is a simple misdemeanor under Chapter 687 through 747, of the Iowa Code.
- (b) Each officer authorized to enforce a city code or regulation shall follow the procedures set forth under Section 364.22, Iowa Code, as the same now exists or as hereafter may be amended.
- (c) Seeking civil penalties under municipal infraction procedure does not preclude the City of Marble Rock from seeking alternate relief from the court in the same action.
- (d) The use of municipal infraction procedure does not preclude a peace officer employed by Floyd Co. Sheriff Department from issuing a criminal citation for a violation of a city code or regulation if criminal penalties are also provided for the violation. Each day a violation occurs or is permitted to exist by the violator constitutes a separate offense.
- (e) All other provisions of Section 364.22 of the Iowa Code as the same now exists or may hereafter amended are adopted and applicable to the use of municipal infractions by the City of Marble Rock, Iowa.

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 the law.

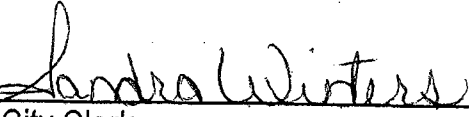
Passed by the Council the 10 day of November, 20 05.



MAYOR

ATTEST: 
CITY CLERK

I certify that the foregoing was ^{posted} ~~published~~ as Ordinance No. 04-2005 on the 15th day of November, 20 05.

Signed 
City Clerk

