

## Chapter 1-20

### MUNICIPAL INFRACTIONS

#### Sections:

- 1-20-1**            **Definitions**
- 1-20-2**            **Violations, Penalties And Alternative Relief**
- 1-20-3**            **Civil Citations**

#### **Section 1-20-1 Definitions**

(A) "MUNICIPAL INFRACTION": Any violation of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa as amended with the exception of any violation which is a felony, an aggravated misdemeanor or a serious misdemeanor under the law of the State of Iowa, or any violation which is a simple misdemeanor under Chapters 687 through 747 of the Code of the State of Iowa. A Municipal Infraction shall include the doing of any act prohibited or declared to be unlawful, an offense or a misdemeanor by the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, or any omission or failure to perform any act or duty required by said Code. A Municipal Infraction shall also include any violation of any uniform code adopted by reference. A Municipal Infraction is punishable by civil penalty as provided herein.

(B) "OFFICER": Any employee or official authorized to enforce the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, as amended.

(C) "REPEAT OFFENSE": A recurring violation of the same section of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa.

#### **Section 1-20-2 Violations, Penalties And Alternative Relief**

(A) A Municipal Infraction is punishable by a civil penalty as provided in the following schedule, unless a specific schedule of civil penalties is provided for specific offenses elsewhere in the Code.

##### Schedule Of Civil Penalties

First Offense	\$75.00
Second Repeat Offense	125.00
All Other Repeated Offenses	200.00

(B) Each day that a violation occurs or is permitted to exist by the violator constitutes a separate and distinct offense.

(C) Seeking a civil penalty as authorized in this Chapter does not preclude the City from seeking alternative relief from the court in the same action.

#### **Section 1-20-3 Civil Citations**

(A) Any officer authorized by the City to enforce the Municipal Code may issue a civil citation to a

person who commits a Municipal Infraction.

(B) The citation may be served by personal service or by certified mail, return receipt requested.

(C) A copy of the citation shall be sent to the Clerk of the Buena Vista County District Court.

(D) The citation shall serve as notification that a civil offense has been committed and shall contain the following information:

1. The name and address of the defendant.
2. The name or description of the infraction attested to by the officer issuing the citation.
3. The location and time of the infraction.
4. The amount of the civil penalty to be assessed or the alternative relief bought, or both.
5. The manner, location and time in which the penalty may be paid.
6. The time and place of court appearance.
7. The penalty for failure to appear in Court.