

ORDINANCE NO. 6391

AN ORDINANCE TO AMEND TITLE 8 “PUBLIC SAFETY AND MORALS” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING CHAPTER 8.02.020 “MISDEMEANOR-PENALTY.”

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Title 8 “Public Safety and Morals” of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 8.02.020 “Misdemeanor-Penalty” to read as follows:

8.02.020 Misdemeanor-Penalty.

Any person or persons convicted of a misdemeanor under any ordinance of the City of Council Bluffs where no punishment is specifically provided, shall be punished by a fine or imprisonment as established under Iowa Code Section 903.1.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

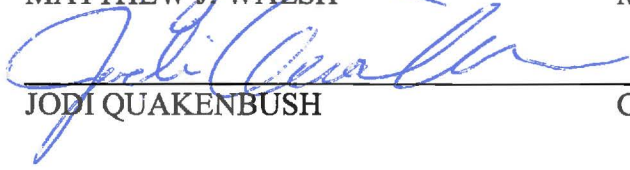
PASSED
AND
APPROVED

June 24, 2019.


MATTHEW J. WALSH

Mayor

Attest:


JODI QUAKENBUSH

City Clerk

First Consideration: 6-10-19
Second Consideration: 6-24-19
Public Hearing: n/a
Third Consideration: Waived

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Richard Wade

Ordinance 6391
ITEM 6.C.

Council Action: 6/24/2019

Description

Ordinance to amend Title 8 "Public Safety and Morals" of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Chapter 8.02.020 "Misdemeanor-Penalty."

Background/Discussion

Iowa Code Section 903.1 has changed the maximum fine amount for simple misdemeanors to \$625.00 and our Code still has \$500.00 as the maximum fine amount. In order to remain consistent with the the Iowa Code, we've removed the specific penalties from our Code and included language referencing Iowa Code Section 903.1.

Recommendation

It is my recommendation that this Ordinance be adopted.

ATTACHMENTS:

Description	Type	Upload Date
Current Ordinance & Proposed change	Other	6/5 2019
Ordinance 6391	Ordinance	6/5 2019

Current Municipal Code

8.02.020 - Misdemeanor—Penalty.

Any person or persons convicted of a misdemeanor under any ordinance of the city of Council Bluffs where no punishment is specifically provided, shall be punished by a fine not to exceed five hundred dollars (\$500.00), or imprisonment not to exceed thirty (30) days.

(Ord. 5608 § 2, 2001).

Proposed Municipal Code

8.02.020 Misdemeanor-Penalty.

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Proof Of Publication

State of Iowa

Pottawattamie County

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APPROVED
June 24, 2019.

MATTHEW J. WALSH Mayor

Attest:
JODI QUAKENBUSH City Clerk

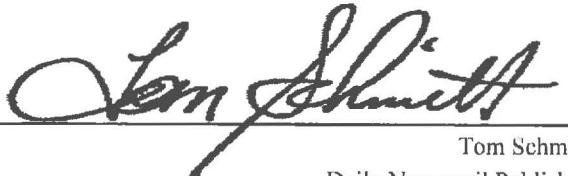
First Consideration: 6-10-19
Second Consideration: 6-24-19
Public Hearing: n/a
Third Consideration: Waived
2019(6)29-1 Saturday

I, Tom Schmitt, on my oath do solemnly that I am Publisher of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 29th day of June, 2019.

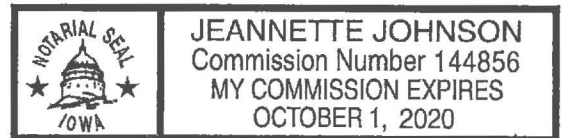
Signed in my presence by the said Tom Schmitt and by her sworn to before me this 29th day of June, A.D. 2019.


Tom Schmitt
Daily Nonpareil Publisher


Jeannette Johnson
Notary Public

Filed this 29th day of June, A.D. 2019.

Publication Cost: \$31.42



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