

ORDINANCE NO. 2019-400

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF
POLK CITY, IOWA, CHAPTER 3 MUNICIPAL INFRACTIONS**

WHEREAS, the Polk City Code of Ordinances sets out the procedure for municipal infractions; and

WHEREAS, Chapter 3.06 deals with Criminal Penalties; and

WHEREAS, the City Council of the City of Polk City, Iowa, now deems it necessary and proper to amend Chapter 3.06 of the Code of Ordinances to exclude imprisonment as a penalty.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That Chapter 3.06 be and is hereby amended to exclude imprisonment as a penalty by adding the underlined language:

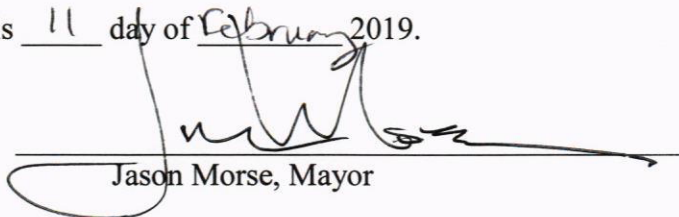
3.06 CRIMINAL PENALTIES.

This chapter does not preclude a peace officer from issuing a criminal citation for a violation of this Code of Ordinances or regulation if criminal penalties are also provided for the violation. Nor does it preclude or limit the authority of the City to enforce the provisions of the Code of Ordinances by criminal sanctions or other lawful means. In addition to any other provision of the Code of Ordinances specifying criminal penalties, the City hereby specifically provides for criminal penalties allowed by Iowa law for simple misdemeanors but specifically excluding imprisonment, for violations of the following:

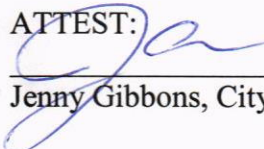
Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 11 day of February 2019.


Jason Morse, Mayor

ATTEST:


Jenny Gibbons, City Clerk

First reading:	<u>1/14/19</u>
Second reading:	<u>1/28/19</u>
Third reading:	<u>2/11/19</u>
Publication Date by posting:	<u>2/12/19</u>