

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

98-458

SYNOPSIS —

AGENDA:

OCTOBER 5, 1998

SUBJECT:

**ORDINANCE CHANGE-
CIVIL INFRACTION
PENALTIES**

TYPE:

**RESOLUTION
ORDINANCE
RECEIVE/FILE**

SUBMITTED BY:

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CORPORATION
COUNSEL**

The Iowa State General Assembly enacted House File 2472 as of the 1st of July, 1998, which increased the civil penalties for violations of city ordinances. The penalty of a first offense increased from \$100 to \$500. The penalty for a repeat offense increased from \$200 to \$750. The proposed amendments to Sections 8-8, 8-79, 8-130, 8-173, 8-393, 14-5.01, 16-134, 17-5, 17-6, 17-84, 17-87, 23-2.04, 25-31, 2A-36, and 2A-36.01 will increase the allowed civil penalties to match those granted by the Iowa State Code. The ordinances which are to be changed are those which specifically deal with violations of the mechanical, plumbing, and electrical codes; the housing code enforcement ordinance; the zoning and health enforcement ordinances, and traffic and transportation ordinances regarding cite clearance.

FISCAL IMPACT -

Potential for collection of increased civil penalties.

RECOMMENDATION -

Council approval of amendments to Sections 8-8, 8-79, 8-130, 8-173, 8-393, 14-5.01, 16-134, 17-5, 17-6, 17-84, 17-87, 23-2.04, 25-31, 2A-36, and 2A36.01.

BACKGROUND -

All the ordinances affected by this change have been used by staff to enforce the provisions of the ordinances. They are cited to file Municipal Infractions, and judgments have been entered for the civil penalties.

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