

ORDINANCE NO. 1210

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF IOWA FALLS, IOWA, BY AMENDING
PROVISIONS PERTAINING TO PROPERTY MAINTENANCE CODE VIOLATIONS**

SECTION 1. SECTION MODIFIED. Section 164.12 of the Code of Ordinances of the City of Iowa Falls, Iowa, is repealed and the following adopted in lieu thereof:

164.12 Violations.

1. Enforcement. The creation or maintenance of a violation of this ordinance is prohibited and shall constitute a misdemeanor. Each day that a violation is permitted to continue constitutes a separate offense.

A. All inspections, enforcement actions, and hearings on violations, unless expressly stated to the contrary, shall be under the direction and supervision of an Enforcement Officer, who may appoint or designate other public officers or employees to perform duties as may be necessary to enforce this Code, including inspections and holding of hearings. The Enforcement Officers are hereby authorized to abate such violations in accordance with the procedures of this Code and to serve notice to abate same, whether upon the owner or other responsible party for a premises upon which a violation is being maintained, or upon the person or persons causing or maintaining a violation.

B. The objective of this Code being the abatement and/or removal of violations of this code. Violations may be addressed by maintenance of and administrative abatement process; the municipal infraction process; by court proceedings; or by City abatement and assessment of cost therefore against the responsible party or assessment of cost against the property, at the option and in the discretion of the City. In determining whether to use the administrative abatement process or court proceedings, consideration will be given to evidence of whether an eminent health or safety hazard exists or whether the person has previously been notified of or charged with violations of the same or other provisions of the Code in the past. The determination to proceed through the use of an administrative abatement process or the municipal infraction process, court proceedings or City abatement and assessment of cost shall be the prerogative of the City.

C. Is if further provided by this Code that if the City determines that an emergency exists which creates a dangerous and imminent health or safety hazard to persons, property of the general public which requires immediate action, the City may order such action as may be necessary to meet the emergency. Any orders issued pursuant to this paragraph shall be effective immediately or in the time and manner prescribed in the order itself.

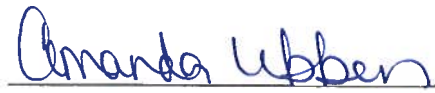
SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 16th day of September, 2024, and approved this 16th day of September, 2024.



Michael Emerson, Mayor



Amanda Ubben, City Clerk