

ORDINANCE NO. 2019 - 04

AN ORDINANCE AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES OF THE CITY OF SHENANDOAH

BE IT ENACTED by the City Council of the City of Shenandoah, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 70 Section 70.03 and 70.06 of the Code of Ordinances of Shenandoah, Iowa is amended as follows:

70.03 PARKING VIOLATIONS: ALTERNATE. Admitted violations of parking restrictions imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of fifteen dollars (\$15.00) for all violations except snow route parking violations and improper use of a persons with disabilities parking permit. If such fine is not paid within thirty (30) days, it shall be increased to twenty dollars (\$20.00). The simple notice of a fine for snow route parking violations is fifty dollars (\$50.00), and the simple notice of a fine for improper use of a persons with disabilities parking permit is one hundred dollars (\$100.00). Failure to pay the simple notice of a fine shall be grounds for:

1. Impound of a vehicle. If the registered owner has an uncontested parking fine in unpaid status older than thirty (30) days, it may be impounded in accordance with 70.06 paragraph 6.
2. Vehicle Booting. If the registered owner has an uncontested parking fine in unpaid status older than thirty (30) days, a boot may be placed on the tire of the vehicle to prevent the vehicle from being driven. For the boot to be removed, the owner has seventy-two (72) hours to pay for the outstanding fine in full and also to pay a \$60.00 release fee. If the fine is not paid within the 72 hours, the vehicle shall be treated as a vehicle subject to impound under paragraph 70.06.
 - a. After a vehicle is booted, the owner of the vehicle can request a hearing at the next regularly scheduled city council meeting if requested within the 72 hours to pay provided for above.
 - b. It is unlawful for any person to attempt to remove, damage or destroy a "boot" that has been placed on the vehicle for unpaid parking fines. The registered owner of the vehicle shall be financially responsible for any damage to a "boot".
3. Referral of delinquent parking fine to County Treasurer to assist the City to collect and enforce delinquent parking fines per 28E Agreement by and between the City of Shenandoah and Page County Treasurer all in accordance with Iowa Code 331.553 and 321.40.
4. Failure to pay the simple notice of a fine shall be grounds for the filing of a complaint in District Court.

70.06 IMPOUNDING VEHICLES is amended by adding paragraph 6 that reads as follows:

6. Any vehicle that has an uncontested parking fine in unpaid status older than thirty (30) days is considered a vehicle subject to impound.

Any portion of 70.03 or 70.06 not specifically modified shall remain in full force.

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 AND APPROVED by the Council this 12th day of March, 2019.

s/s Richard N. Hunt, Mayor

s/s Karla Gray, City Clerk/Treasurer