

**CHAPTER 3**  
**STANDARD PENALTY OR COUNTY INFRACTIONS**

3.01 Standard Penalty

3.02 County Infractions

**3.01 STANDARD PENALTY.** Unless another penalty is expressly provided by this Code for violation of any particular provision, section or chapter, any person failing to perform a duty required by this Code or otherwise violating any provision of this Code or any rule or regulation adopted herein by reference shall, upon conviction, be subject to a fine of at least \$105.00 but not to exceed \$855.00.

*(Code of Iowa, Sec. 331.302(2))*

**3.02 COUNTY INFRACTIONS.** A violation of this Code or any ordinance or code herein adopted by reference or the omission or failure to perform any act or duty required by the same, with the exception of those provisions specifically provided under State law as a felony, an aggravated misdemeanor, or a serious misdemeanor, or a simple misdemeanor under Chapters 687 through 747 of the Code of Iowa, is a county infraction punishable by civil penalty as provided herein.

*(Code of Iowa, Sec. 331.307)*

1. Penalties. A county infraction is punishable by the following civil penalties:
  - A. First Offense - Not to exceed \$750.00.
  - B. Each Repeat Offense - Not to exceed \$1,000.00. Each day that a violation occurs or is permitted to exist constitutes a repeat offense.
2. Civil Citations. Any officer authorized by the County to enforce this Code may issue a civil citation to a person who commits a municipal infraction. The citation may be served by personal service as provided in Rule of Civil Procedure 1.305, by certified mail addressed to the defendant at defendant's last known mailing address, return receipt requested, or by publication in the manner as provided in Rule of Civil Procedure 1.310 and subject to the conditions of Rule of Civil Procedure 1.311. A copy of the citation shall be retained by the issuing officer, and one copy shall be sent to the Clerk of the District Court. The citation shall serve as notification that a civil offense has been committed.
3. Alternative Relief. Seeking a civil penalty as authorized in this chapter does not preclude the County from seeking alternative relief from the court in the same action. Such alternative relief may include, but is not limited to, an order for abatement or injunctive relief.
4. Criminal Penalties. This section does not preclude a peace officer from issuing a criminal citation for a violation of this Code or regulation if criminal penalties are also provided for the violation. Nor does it preclude or limit the authority of the County to enforce the provisions of this Code by criminal sanctions or other lawful means.