

ORDINANCE NO. 4538

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 5B.8 AND ENACTING A NEW SECTION 22A.17 THEREOF, FOR THE PURPOSE OF UPDATING CODE ENFORCEMENT PROVISIONS, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Section 5B.8 and enacting a new Section 22A.17 as follows:

“Sec 5B.8. ENFORCEMENT BY LEGAL OR ADMINISTRATIVE ACTION

(1) Violation of any provision of this ordinance may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys’ fees and costs from a person who is determined by a court of competent jurisdiction to have violated this ordinance.

(2) ~~Violation of any provision of this ordinance may also be enforced as a municipal infraction within the meaning of Iowa Code Section §364.22, pursuant to the City’s municipal infraction ordinance. A violation of any provision of Chapter 5B shall be a municipal infraction punishable by a penalty of \$500 for a person’s first violation thereof, and a penalty of \$750 for each repeat violation.~~

(3) Restoration of lands: Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, City may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

(4) Holds on Occupation Permits: Occupancy permits shall not be granted until all storm water management BMPs have been inspected and approved by City.10.2

Sec. 22A.17 ENFORCEMENT

A violation of any provision of Chapter 22A shall be a municipal infraction punishable by a penalty of \$500 for a person’s first violation thereof, and a penalty of \$750 for each repeat violation.”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this 27 day of August, 2024.

Renee Hall
Renee Hall, City Clerk

John A. Haila
John A. Haila, Mayor