

**JACKSON COUNTY ORDINANCE #281**

**AN ORDINANCE TO AMEND THE TEXT OF THE JACKSON COUNTY NUISANCE ORDINANCE REGARDING COUNTY INFRACTIONS AND FINES**

**WHEREAS**, section 331.307 of the Code of Iowa, "County Infractions", allows counties to issue county infractions when an ordinance is violated, and

**WHEREAS**, the Jackson County Nuisance Ordinance addresses county infractions in the following locations: in Article II, Section 3, sub-item E; and the entirety of Article II, Section 8; and

**WHEREAS**, the current language within the ordinance does not refer to the present version of section 331.307, and

**WHEREAS**, the Zoning Commission has studied this matter and by majority vote has recommended the adoption of this ordinance,

**NOW, THEREFORE, BE IT ORDAINED BY THE JACKSON COUNTY BOARD OF SUPERVISORS**, that the Jackson County Nuisance Ordinance shall be amended. Article II, Section 3, subitem E will now read as follows:

- E. A statement that if the nuisance is not abated as directed and no request for hearing is made within the time prescribed, the County will abate the nuisance and assess the costs against the property owner or seek enforcement by court action as provided by 2017 Iowa Code Section 331.307.

Article II, Section 8 will now read as follows:

**SECTION 8. COUNTY INFRACTION**

A violation of this Ordinance shall constitute a county infraction pursuant to 2017 Iowa Code Section 331.307, and is punishable against the owner of the property or any other individual in lawful possession of the property. The penalties are as follows:

- A. A civil penalty of not more than seven hundred and fifty dollars (\$750.00) for each offense, and not to exceed one-thousand dollars (\$1,000.00) for each repeat offense. Each day that a violation occurs or is permitted to exist by the violator shall constitute a separate offense. A person found guilty of a county infraction is also liable for court costs and fees.
- B. In addition to any civil penalty imposed for violating this Ordinance, a court may grant appropriate relief to abate or halt the violation, including all of the options available pursuant to 2017 Iowa Code Section 331.307.

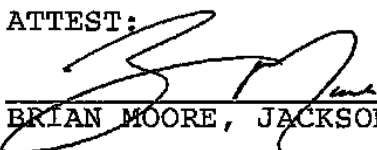
The intent of this action is to bring the Jackson County Nuisance Ordinance into agreement with 2017 Code of Iowa.

PASSED AND APPROVED THIS 22nd DAY OF August, 2017, TO BE EFFECTIVE UPON PUBLICATION.



CHAIR, BOARD OF SUPERVISORS

ATTEST:



BRIAN MOORE, JACKSON COUNTY AUDITOR