

CHAPTER 145
CITY AND COUNTY ORDINANCES
S.F. 221

AN ACT relating to amending or repealing city or county ordinances, and adopting by reference portions of the Code of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 331.302, subsection 4, Code 1991, is amended to read as follows:

4. An amendment to an ordinance or to a code of ordinances shall specifically repeal the ordinance or code, or the section, ~~or~~ subsection, paragraph, or subpart to be amended, and shall set forth ~~in full~~ the ordinance, code, section, ~~or~~ subsection, paragraph, or subpart as amended.

Sec. 2. Section 331.302, Code 1991, is amended by adding the following new subsection: NEW SUBSECTION. 4A. a. A county may by ordinance adopt by reference any portion of the Code of Iowa in effect at the time of the adoption in the manner provided in section 380.8 for adoption of a proposed code of ordinances containing a proposed new ordinance or amendment, subject to the following limitations:

(1) The ordinance shall describe the subject matter and identify the portion of the Code of Iowa adopted by chapter, section, and subsection or other subpart, as applicable.

(2) A portion of the Code of Iowa may be adopted by reference only if the criminal penalty provided by the law adopted does not exceed thirty days' imprisonment or a one hundred dollar fine.

(3) Amendments or other changes to those portions of the Code of Iowa which have been adopted by reference shall serve as an automatic modification of the applicable ordinance.

b. An ordinance which adopts by reference any portion of the Code of Iowa may provide that violations of the ordinance are county infractions and subject to the limitations of section 331.307.

Sec. 3. Section 380.2, Code 1991, is amended to read as follows:

380.2 AMENDMENT.

An amendment to an ordinance or to a code of ordinances must specifically repeal the ordinance or code, or the section, ~~or~~ subsection, paragraph, or subpart to be amended, and must set forth ~~in full~~ the ordinance, code, section, ~~or~~ subsection, paragraph, or subpart as amended.

Sec. 4. Section 380.10, Code 1991, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. A city may by ordinance adopt by reference any portion of the Code of Iowa in effect at the time of the adoption in the manner provided in section 380.8 for adoption of a proposed code of ordinances containing a proposed new ordinance or amendment, subject to the following limitations:

1. The ordinance shall describe the subject matter and identify the portion of the Code of Iowa adopted by chapter, section, and subsection or other subpart, as applicable.

2. A portion of the Code of Iowa may be adopted by reference only if the criminal penalty provided by the law adopted does not exceed thirty days' imprisonment or a one hundred dollar fine.

3. Amendments or other changes to those portions of the Code of Iowa which have been adopted by reference shall serve as an automatic modification of the applicable ordinance.

NEW UNNUMBERED PARAGRAPH. An ordinance which adopts by reference any portion of the Code of Iowa may provide that violations of the ordinance are municipal infractions and subject to the limitations of section 364.22.

Approved May 9, 1991