

321.236 Powers of local authorities.

Local authorities shall have no power to enact, enforce, or maintain any ordinance, rule, or regulation in any way in conflict with, contrary to, or inconsistent with the provisions of this chapter, and no such ordinance, rule, or regulation of said local authorities heretofore or hereafter enacted shall have any force or effect. However, the provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from doing any of the following:

1. Regulating the standing or parking of vehicles.

a. Parking meter, snow route, and overtime parking violations which are contested shall be charged and proceed before a court the same as other traffic violations. Filing fees and court costs shall be assessed as provided in section 602.8106, subsection 1, and section 805.6, subsection 1, paragraph "a" for parking violation cases.

b. Parking violations which are uncontested shall be charged and collected upon a simple notice of a fine payable to the city clerk. The fine for each violation charged under a simple notice of a fine shall be established by ordinance. The fine may be increased by five dollars if the parking violation is not paid within thirty days of the date upon which the violation occurred. Violations of section 321L.4, subsection 2, shall be charged and collected upon a simple notice of a one hundred dollar fine payable to the city clerk. Costs or other charges shall not be assessed. All fines collected by a city pursuant to this paragraph shall be retained by the city and all fines collected by a county pursuant to this paragraph shall be retained by the county, except as provided by an agreement between a city and a county treasurer for the collection of fines pursuant to section 331.553, subsection 8.

c. (1) If the local authority regulating the standing or parking of vehicles under this subsection is located in a county where the renewal of registration of a vehicle shall be refused for unpaid restitution under section 321.40, the simple notice of fine under paragraph "b" shall contain the following statement:

FAILURE TO PAY RESTITUTION OWED BY YOU CAN BE GROUNDS FOR REFUSING TO RENEW YOUR MOTOR VEHICLE'S REGISTRATION.

(2) This paragraph "c" does not invalidate forms for notice of parking violations in existence prior to July 1, 1980. Existing forms may be used until supplies are exhausted.

d. (1) If the local authority regulating the standing or parking of vehicles under this subsection is a county or is a city which has an agreement with a county treasurer by which the renewal of registration of a vehicle shall be refused for uncontested and unpaid parking fines under section 321.40, the simple notice of a fine under paragraph "b" shall contain the following statement:

FAILURE TO PAY PARKING FINES OWED BY YOU CAN BE GROUNDS FOR REFUSING TO RENEW YOUR MOTOR VEHICLE'S REGISTRATION.

(2) This paragraph "d" does not invalidate forms for notice of parking violations in existence prior to July 1, 2007. Existing forms may be used until supplies are exhausted.

e. Cities that enter into chapter 28E agreements for the collection of delinquent parking fines in conjunction with renewal of motor vehicle registrations pursuant to section 321.40 shall be responsible for computer programming costs incurred by the department to accommodate the collection and dissemination of delinquent parking ticket information to county treasurers, with each such city paying a per capita share of the costs as provided in this paragraph. The department's programming costs shall be paid by the first city to enter into such an agreement. Thereafter, cities that enter into such agreements on or before June 30, 2010, shall pay a pro rata share of the department's programming costs on or before September 30, 2010, to the city which first paid the costs, based on the respective populations of each city as of the last decennial census.

2. Regulating traffic by means of police officers or traffic-control signals.

3. Regulating or prohibiting processions or assemblages on the highways.
4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction.
5. Regulating the speed of vehicles in public parks.
6. Designating any highway as a through highway and requiring that all vehicles stop or yield the right-of-way before entering or crossing the same or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to such intersections.
7. Licensing and regulating the operation of vehicles offered to the public for hire and used principally in intracity operation.
8. Restricting the use of highways as authorized in sections 321.471 to 321.473.
9. Regulating or prohibiting the turning of vehicles at and between intersections.
10. Regulating the operation of bicycles and requiring the registration and licensing of the same, including the requirement of a registration fee. However, the regulations shall not conflict with the provisions of section 321.234.
11. Establishing speed limits in public alleys and providing the penalty for violation thereof.
12. Designating highways or portions of highways as snow routes.
 - a. When conditions of snow or ice exist on the traffic surface of a designated snow route, it is unlawful for the driver of a vehicle to impede or block traffic if the driving wheels of the vehicle are not equipped with snow tires, tire chains, or a nonslip differential.
 - b. A person charged with impeding or blocking traffic for lack of snow tires, chains, or nonslip differential shall have the charge dismissed upon a showing to the court that the person's motor vehicle was equipped with snow tires, chains, or a nonslip differential.
13. Establishing a rural residence district.
 - a. The board of supervisors of a county with respect to highways under its jurisdiction may establish, by ordinance or resolution, rural residence districts and may, by ordinance or resolution, regulate the speed and parking of vehicles within the rural residence district consistent with sections 321.239, 321.285, and 321.293.
 - b. Before establishing a rural residence district, the board of supervisors shall hold a public hearing on the proposal, notice of which shall be published in a newspaper having a general circulation in the area where the proposed district is located at least twenty days before the date of hearing. The notice shall state the time and place of the hearing, the proposed location of the district, and other data considered pertinent by the board of supervisors.
14. Regulating or prohibiting the operation of electric personal assistive mobility devices authorized pursuant to section 321.235A.
15. A violation of a local ordinance, rule, or regulation promulgated under the authority of this section shall be prosecuted under the local ordinance, without reference to this section.

[S13, §1571-m18, -m20; C24, 27, 31, 35, §4992, 4995, 4997; C39, §5018.01; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.236; 82 Acts, ch 1111, §1]

85 Acts, ch 40, §3; 86 Acts, ch 1056, §2; 86 Acts, ch 1238, §14; 90 Acts, ch 1102, §1; 90 Acts, ch 1151, §2; 90 Acts, ch 1170, §2, 3; 92 Acts, ch 1122, §1; 95 Acts, ch 169, §2; 97 Acts, ch 108, §13; 97 Acts, ch 147, §1; 2002 Acts, ch 1063, §31; 2003 Acts, ch 178, §14; 2005 Acts, ch 54, §3, 4, 12; 2009 Acts, ch 21, §1, 2; 2009 Acts, ch 41, §115, 252; 2010 Acts, ch 1140, §7

Referred to in §321.40, 321.237, 321.285, 321.449, 331.362, 364.3, 602.8103, 602.8106, 805.6, 805.8A(1a, 5a, 6a, 8a, 9b)

[P] For fines applicable to offenses charged as scheduled violations, see §805.8A