

ORDINANCE NO. 216

AN ORDINANCE AMENDING ORDINANCE NO. 120 (TRAFFIC REGULATIONS)  
TO AMEND THE PROCEDURE FOR APPEALING PARKING TICKETS ISSUED IN  
THE CITY OF UNIVERSITY HEIGHTS, IOWA

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,  
JOHNSON COUNTY, IOWA:

Part I: AMENDMENTS:

University Heights Ordinance No. 120 is amended as follows (with additions indicated by underline; deletions indicated by ~~strike-through~~; omissions by "\*\*\*\*"):

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Section 6 - PARKING REGULATIONS.

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1. Penalties; Parking Tickets.

- B. A Any driver or owner charged with a parking violation may appeal the ticket to the City Council by filing a written notice of appeal with the City Clerk within twenty (20) days of issuance of the ticket. Any driver or owner who is not an elected City official or a City employee or contracted service provider charged with a parking violation may appeal the ticket to the Chief of Police by filing a written notice of appeal with the Chief of Police within twenty (20) days of issuance of the ticket. The written notice should refer to the ticket by number, describe the alleged violation, and briefly explain the basis for the appeal. An appeal thus filed with the City Clerk will be considered at the next regularly scheduled meeting of the City Council. An appeal filed with the Chief of Police will be considered within 14 days of filing. The Council or Chief of Police, respectively, shall consider the defenses or mitigating circumstances set forth on the notice of appeal and shall base its findings and a determination thereon. The Council or Chief of Police, respectively, may dismiss the notice of fine (ticket) for good cause, and upon dismissal, the City shall refund the fine money paid by the appealing party, less any unpaid parking fines then

owing by the driver or owner charged. Payment of a fine does not constitute waiver of the right to appeal. Filing a notice of appeal does not prevent operation of the provision of this Ordinance increasing fines based upon delay in payment.

- C. A driver or owner charged with a parking violation on a notice of fine (ticket) whose violation was reviewed but not dismissed by the Council or Chief of Police may request that the violation be charged on a standard traffic citation and tried in magistrate court as a simple misdemeanor. If the driver or owner is found not guilty or the charge is dismissed by the magistrate, the City shall refund any fine money paid for the violation. If found guilty, the driver or owner shall be credited with all fine money previously paid for the violation. Requesting that the violation be charged and tried as a simple misdemeanor does not prevent operation of the provision of this Ordinance increasing fines based upon delay in payment.

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**PART II: EFFECTIVE DATE:**

This Ordinance shall become effective upon its passage and publication as provided by law.

**PART III: REPEALER:**

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this 6<sup>th</sup> day of March, 2018, and approved this 6<sup>th</sup> day of March, 2018.

  
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Louise From, Mayor

(SEAL)

ATTEST:

Christine M. Anderson  
Christine M. Anderson, City Clerk

STATE OF IOWA            )  
                                  )    SS:  
COUNTY OF JOHNSON    )

On this 6<sup>th</sup> day of March, 2018, before me, a notary public in and for the state of Iowa, personally appeared Louise From and Christine M. Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Louise From and Christine M. Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

[Signature]  
Notary Public in and for the  
State of Iowa



STATE OF IOWA            )  
                                  )     SS:  
COUNTY OF JOHNSON    )

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 27<sup>th</sup> day of April, 2018.

Christine M. Anderson  
Christine M. Anderson, City Clerk

Signed and sworn to before me on the 8<sup>th</sup> day of May, 2018, by Christine M. Anderson, Clerk of the City of University Heights.

[Signature]  
Notary Public in and for the  
State of Iowa

