

CHAPTER 5 - VIOLATIONS AND PENALTIES

5.1.1 County Infractions

Any person violating, any of the provisions contained in this Code and so designated, shall be deemed guilty of a county infraction.

a. A county infraction is a civil offense punishable in the following schedule of Civil penalties:

(1) First offense \$500.00

(2) Second offense \$750.00

(3) Third and subsequent offense(s) \$1,000.00

The above civil penalties shall be doubled for any county infraction in violation of the Mills County Ordinances governing resource extraction and relocation if the violation occurs within the Loess Hills Conservation Zoning District.

b. Each and every day that the violation is permitted to exist after notification shall constitute a separate offense.

c. Each separate provision of this Ordinance violated shall constitute a separate offense.

d. Enforcement of a county infraction shall be pursuant to Iowa Code Section 331.307, as amended.

e. Seeking a civil penalty does not preclude seeking alternative relief from the court in the same action, including, but not limited to an order for abatement or cessation of the violation.

f. Nothing herein contained shall prevent the County from taking such other lawful action as necessary to prevent or remedy any violation.

5.1.2 Criminal Penalty

Any person violating any provision, section, or paragraph of this Code shall be guilty of a simple misdemeanor, and upon conviction thereof be subject to a fine of not less than sixty-five dollars (\$65) nor more than six hundred twenty-five dollars (\$625) or be imprisoned for not more than thirty (30) days. Each day a violation occurs shall constitute a separate offense.