



CITY OF IOWA CITY COUNCIL ACTION REPORT

August 1, 2023

Ordinance amending Title 8, Entitled "Police Regulations," Chapter 5, Entitled "Miscellaneous Offenses," to specify the criminal penalty for disorderly house violations. (First Consideration).

Prepared By: Liz Craig, Assistant City Attorney
Reviewed By: Eric Goers, City Attorney
Geoff Fruin, City Manager
Dustin Liston, Police Chief

Fiscal Impact: None
Staff Recommendation: Approval
Commission Recommendations: NA
Attachments: [Ordinance](#)

Executive Summary:

This ordinance sets fines for the simple misdemeanor ordinance violation of disorderly house.

Background / Analysis:

If this ordinance is approved, the fine associated with the criminal disorderly house violation will change from an unscheduled fine, meaning the fine is set by the Court within a statutory minimum and maximum, to a scheduled fine based upon whether the offense is a first, second, or third or subsequent offense. The fines will be scheduled as follows:

First offense: \$300.00
Second offense: \$500.00
Third or subsequent offense: \$855.00

The reason for making this change is that often disorderly house defendants do not appear for trial, and a warrant is then routinely issued by the Court for the defendant's arrest. Trial is reset, and any witness that has appeared for trial must then appear again. On several occasions, witnesses have had to appear multiple times for trial, which is both an expense and inconvenience. If the fine is scheduled, judgment may be entered on an unsecured appearance bond, and the matter may be concluded after a single trial date in most instances.

Given the significant use of public resources and negative impact on the public of repeated disorderly house violations, the fine should increase for subsequent offenses.