

ORDINANCE NO. 22-02

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF AUBURN, IOWA, BY AMENDING PROVISIONS PERTAINING TO INTERFERENCE WITH OFFICIAL ACTS

Be It Enacted by the City Council of the City of Auburn, Iowa:

SECTION 1. SECTION MODIFIED. Section 41.06 of the Code of Ordinances of the City of Auburn, Iowa, is repealed and the following adopted in lieu thereof:

41.06 INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a peace officer, jailer, emergency medical care provider under Chapter 147A of the *Code of Iowa*, medical examiner, or firefighter, whether paid or volunteer, or a person performing bailiff duties pursuant to Section 602.1303[4] of the *Code of Iowa*, in the performance of any act that is within the scope of the lawful duty or authority of that officer, jailer, emergency medical care provider, medical examiner, or firefighter, or person performing bailiff duties, or shall knowingly resist or obstruct the service or execution by any authorized person of any civil or criminal process or order of any court. The terms "resist" and "obstruct" as used in this section do not include verbal harassment unless the verbal harassment is accompanied by a present ability and apparent intention to execute a verbal threat physically.

(Code of Iowa, Sec. 719.1)

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 10th day of January, 2022, and approved this 10th day of January, 2022.


Richard Heim, Mayor

ATTEST:

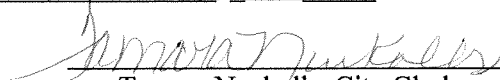

Tamara Nuckolls, City Clerk

First Reading: 1/10/2022

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 22-02 on the 10th day of January, 2022.


Tamara Nuckolls, City Clerk