

ORDINANCE NO. 682

## AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAWARDEN, IOWA, 2011, BY ADDING PROVISIONS PERTAINING TO REMOVAL OF AN OFFICER'S COMMUNICATION OR CONTROL DEVICE

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

**SECTION 1. SECTION ADDED.** The Code of Ordinances of the City of Hawarden, Iowa, 2011, is amended by adding a new Section 41.15, entitled REMOVAL OF AN OFFICER'S COMMUNICATION OR CONTROL DEVICE, which is hereby adopted to read as follows:

**41.15 REMOVAL OF AN OFFICER'S COMMUNICATION OR CONTROL DEVICE.** No person shall knowingly or intentionally remove or attempt to remove a communication device or any device used for control from the possession of a peace officer or correctional officer, when the officer is in the performance of any act which is within the scope of the lawful duty or authority of that officer and the person knew or should have known the individual to be an officer.

*(Code of Iowa, Sec. 708.12)*

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. 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.

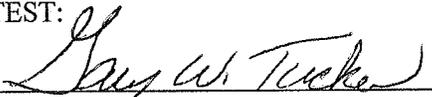
**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 9th day of October, 2013, and approved this 9th day of October, 2013.



Richard Porter, Mayor

ATTEST:



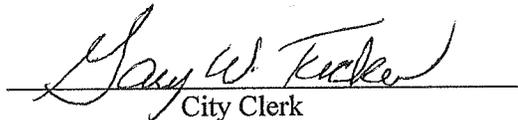
City Clerk / City Administrator, Gary W. Tucker

First Reading: September 11, 2013

Second Reading: September 25, 2013

Third Reading: October 9, 2013

I certify that the foregoing was published as Ordinance No. 682 on the 17th day of October, 2013.

  
City Clerk