

**ORDINANCE NO. 343**

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

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

**SECTION 1. SECTION MODIFIED.** Section 41.06 of the Code of Ordinances of the City of Hartley, Iowa, is repealed and the following adopted in lieu thereof: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 or firefighter, whether paid or volunteer, 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, or firefighter, 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 14<sup>th</sup> day of November, 2016, and approved this 14th day of November, 2016.

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John Lyman, Mayor

ATTEST:

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Patty Anderson, City Clerk/Administrator

First Reading: November 14, 2016  
Waive Second Reading: November 14, 2016  
Waive Third Reading: November 14, 2016  
Final Approval: November 14, 2016

I certify that the foregoing was published as Ordinance No. 343 on the 24th day of November, 2016.

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Patty Anderson, City Clerk/Administrator