

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - IOWA**

### **Behm v. City of Cedar Rapids**

**Supreme Court of Iowa - August 31, 2018 - N.W.2d - 2018 WL 4178517**

Vehicle owners brought putative class action against city and independent contractor that operated city's automated traffic enforcement system, seeking a declaration that the system ordinance was unlawful, injunctive relief, and damages.

The District Court granted summary judgment to city and contractor. Owners appealed, and the case was transferred to the Court of Appeals, which affirmed. Owners sought further review.

The Supreme Court of Iowa held that:

- System did not infringe on fundamental right to interstate travel or intrastate travel;
- System was a reasonable fit to achieve legitimate governmental purpose of public safety;
- System did not shock the conscience;
- System's different treatment of different vehicles did not violate equal protection clause;
- Provisions city ordinance were preempted by municipal infraction statute;
- City's ordinances satisfied procedural due process; and
- City did not unlawfully delegate its authority to independent contractor.