

Bond Case Briefs

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MUNICIPAL ORDINANCE - IOWA

Eagle Rise Developments, LLC v. Iowa District Court for Clinton County

Supreme Court of Iowa - June 19, 2026 - N.W.3d - 2026 WL 1765435

City filed application for rule to show cause why property owner was not in contempt of first order that required owner to pay penalty, register property as vacant, abate certain violations of city's building code, and repair property's roof.

The District Court entered second order finding owner and owner's first and second members, individually, were in contempt of first order, and ordering members to each pay \$100 penalty and serve 30 days in jail.

Members each filed notice of appeal from magistrate's ruling, which the District Court denied. Owner and members filed petition for writ of certiorari challenging contempt order. Action was transferred. The Court of Appeal annulled writ as to owner and first member, but it sustained writ as to second member. Owner and first member applied for further review.

The Supreme Court held that:

- District court had subject matter jurisdiction over city's application for rule to show cause;
- City was required to personally serve owner and members under contempt statute's personal service requirements;
- Members did not have notice that they were "offender" subject to potential punishment within meaning of contempt statute, thus, district court lacked authority to hold members in contempt; and
- City failed to provide owner reasonable opportunity to respond to order to show cause, thus, district court lacked authority to hold owner in contempt.