

# **Bond Case Briefs**

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## **ZONING - IOWA**

### **Garr v. City of Ottumwa**

**Supreme Court of Iowa - May 2, 2014 - N.W.2d - 2014 WL 1765115**

Landowners brought negligence action against city, alleging city's approval of a residential development and golf course caused flooding to downstream property. Following jury trial, the District Court, Wapello County entered judgment in favor of landowners. City appealed.

The Supreme Court of Iowa held that city's negligence was not a cause in fact of any damages suffered by landowners from flooding, as no reasonable efforts by city to control upstream drainage, or other flood control measures, could have prevented the flooding at issue in light of fact extremely heavy, rare rainfall event which occurred.