

Bond Case Briefs

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MUNICIPAL ORDINANCE - IOWA

Baker v. City of Iowa City

Supreme Court of Iowa - May 22, 2015 - N.W.2d - 2015 WL 2445108

Small employer, who refused to hire applicant as a resident manager, brought action against city and city human rights commission for a declaratory judgment that ordinances prohibiting employment and housing discrimination were unconstitutional, and seeking § 1983 damages based on the city's enforcement of the ordinances, and writ of certiorari and a stay of administrative proceedings. The district court allowed employer to amend their petition to include First Amendment claims, but entered summary judgment in favor of city and commission. Employer appealed and city cross-appealed.

The Supreme Court of Iowa held that:

- Trial court did not abuse its discretion in allowing employer to amend its petition;
- Ordinances were not unconstitutional as applied to employer with regard to freedom of association;
- Ordinances were not unconstitutional as applied to employer with regard to rights to commercial speech;
- Employer's procedural due process rights were not violated by application of ordinance;
- Application of ordinances to employer did not violate employer's substantive due process rights;
- Ordinances did not violate employer's equal protection rights; and
- Employer was not a prevailing party for the purposes of claim for attorney fees for federal constitutional violations.