
MUNICIPAL ORDINANCE - IOWA

Singer v. City of Orange City

Supreme Court of Iowa - December 20, 2024 - N.W.3d - 2024 WL 5173252

Certain owners and renters of rental units brought action against city, asserting facial challenge against city ordinance requiring periodic inspections of rental properties and allowing inspector to obtain an administrative search warrant to search rental unit if entry was refused, claiming that ordinance's mandatory inspection regime violated state constitution's search and seizure provision, and seeking injunctive relief and nominal damages.

On cross-motions for summary judgment, the District Court denied city's motion for summary judgment and granted owners and renters' motion for summary judgment, and permanently enjoined city from seeking administrative warrant to conduct inspections authorized under the current language of the ordinance. City appealed.

The Supreme Court held that city ordinance requiring periodic inspections of rental properties and allowing inspector to obtain an administrative search warrant to search rental unit if entry was refused was not facially unconstitutional under state constitution's search and seizure provision.

City ordinance requiring periodic inspections of rental properties and allowing inspector to obtain an administrative search warrant to search rental unit if entry was refused was not facially unconstitutional under state constitution's search and seizure provision, in action brought by certain owners and renters of rental units against city; although owners and renters emphasized situations where traditional probable cause would have been absent, there were circumstances where traditional probable cause would be present, warrants were not city's only option as the ordinance authorized city to pursue legal options that did not involve warrants, and ordinance required inspections of rental properties, it did not require that a city official perform those inspections.

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