


IN THE IOWA DISTRICT COURT IN AND FOR SCOTT COUNTY  
Magistrate Division

MUNICIPAL INFRACTION CITATION  
VIOLATION OF DAVENPORT MUNICIPAL CODE

|   |   |                  |
|---|---|------------------|
| CITY OF DAVENPORT,  | ) |                  |
| Plaintiff,  | ) | NO. DACICI _____ |
|   | ) |                  |
| v.  | ) |                  |
|   | ) |                  |
| ANDREW WOLD,  | ) |                  |
|  | ) |                  |
| d/b/a   | ) |                  |
| DAVENPORT HOTEL, L.L.C.,  | ) |                  |
| Defendant.  | ) |                  |

THE UNDERSIGNED STATES THAT DEFENDANT ANDREW WOLD DID VIOLATE §8.12.120(B) AND (C) OF THE DAVENPORT MUNICIPAL CODE WITHIN THE CORPORATE LIMITS OF THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA, ON OR ABOUT THE FOLLOWING DATES, AS FOLLOWS:

The Defendant owns certain property addressed as 324 Main Street, Davenport, Iowa, legally described as:

Lots 6, 7, and 8, and the East half of Lot 9, and the South 63 1/3 feet of Lot 10, and the South 63 1/3 feet of the west half of Lot 9, all in Block 44, LeClaire's Addition to the City of Davenport, Scott County, Iowa.

Davenport Municipal Code §8.12.015(C) provides that three or more health code, environment or solid waste violations within twelve months constitute a problem area nuisance. On May 24, 2022 the City of Davenport declared the above-described property a nuisance due to numerous solid waste violations. Those violations occurred on January 31, 2022, February 10, 2022, and May 12, 2022.

The property was ordered to be kept free of debris, including but not limited to, garbage, rubbish, tires, furniture, appliances, automobile parts, and yard waste from commercial and residential activities. All refuse was to be placed and kept in approved refuse containers and emptied so as to not be a continuous source of litter and debris for the surrounding area.

The defendant did not contest the nuisance declaration, nor did he submit an alternative plan to abate the nuisance.

Violation 1: on June 30, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 2: on July 28, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 3: on August 3, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 4: on August 12, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 5: on September 16, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 6: on October 18, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 7: on October 24, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 8: on November 14, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 9: on December 6, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 10: on December 13, 2022 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 11: on January 4, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 12: on January 12, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 13: on January 18, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 14: on January 26, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 15: on February 2, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 16: on February 3, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 17: on February 24, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 18: on February 28, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

Violation 19: on March 3, 2023 solid waste, garbage, rubbish, debris, etc., was overflowing from the defendant's dumpster.

**THE CITY OF DAVENPORT SEEKS THE FOLLOWING RELIEF:**

A conviction for a first violation of §8.12.120(B) or (C) calls for the imposition of a fine of \$250.00, plus court costs in the amount of \$95. .

**EQUITABLE RELIEF REQUESTED:**

The city also requests that the court enjoin the defendant from any further violations of §8.12.120 at this property for a period of one year, and upon any failure by the defendant to abide by §8.12.120, that he be ordered to appear before this Court and answer as to why he should not be held in contempt of this Court's Order or to serve time in jail for said contempt of Court.

**TO ANSWER THESE CHARGES ON THIS MUNICIPAL INFRACTION CITATION YOU MUST APPEAR IN COURT ON**

March 24, 2023 at 8:30 a.m.

**IN THE SCOTT COUNTY COURTHOUSE, 416 WEST 4<sup>TH</sup> STREET, DAVENPORT, IOWA.**

**FAILURE TO APPEAR IN COURT WITHOUT GOOD CAUSE WILL RESULT IN JUDGMENT FOR THE CIVIL PENALTY AND COURT COSTS AND AN ORDER TO CORRECT/ABATE THE VIOLATIONS BEING ENTERED AGAINST YOU.**

**A SCHEDULED CIVIL PENALTY AND COURT COSTS MAY BE PAID AT THE TIME AND PLACE SHOWN FOR THE DEFENDANT'S INITIAL APPEARANCE. PAYMENT MUST BE MADE BY CASH, CREDIT CARD OR CHECK TO THE CLERK OF COURT, COURTHOUSE, SCOTT COUNTY, IOWA.**

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at 1-563-328-4145. If you are hearing impaired call Relay Iowa TTY at 1-800-735-2942.



The undersigned attests that the matters stated herein are true and correct.



Asia Armstrong, Code Enforcement I

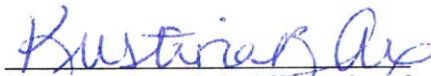
Dated this 8 day of March, 2023.

PROOF OF SERVICE

STATE OF IOWA            )  
  ) SS:  
SCOTT COUNTY            )

I certify that I mailed a copy of this municipal infraction citation to Andrew Wold d/b/a Davenport Hotel, L.L.C., 3320 West Harbor Drive, Bettendorf, IA 52722, by regular and certified mail return receipt requested on the 8 day of March, 2023, as provided in Iowa Code §364.22(4).

By:



Kristina Arp, Administrative Assistant  
Davenport Legal Department  
226 W 4<sup>th</sup> Street  
Davenport, IA 52801

