ORDINANCE NO. 6395

AN ORDINANCE TO AMEND CHAPTER 8.21-THEFT OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 8.21.030 "VALUE" AND SECTION 8.21.042 "COMPUTER THEFT".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 8.21-Theft of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 8.21.030 "Value" and Chapter 8.21.042 "Computer Theft" to read as follows:

8.21.030-Value.

The value of property is its value by any reasonable standard at the time it is stolen or the fraudulent practice is committed. Reasonable standard includes but is not limited to market value within the community, actual value, or replacement value. Such value shall not exceed ~~two hundred dollars ($200.00)~~ three hundred dollars ($300.00) for the purposes of this chapter

8.21.042 – Computer theft.

A person commits computer theft when the person knowingly and without authorization accesses or causes to be accessed a computer, computer system, or computer network, or any part thereof, for the purpose of (1) obtaining services, data, information or property or (2) knowingly and without authorization and with the intent to permanently deprive the owner of possession, takes, transfers, conceals or retains possession of a computer, computer system, or computer network or any computer software or program, or data contained in a computer, computer system, or computer network. Computer theft, under this code, is a simple misdemeanor when the theft involves or results in a loss of services or ~~properly~~ property that has a value of not more than ~~two hundred dollars ($200.00)~~ three hundred dollars ($300.00).

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND August 12, 2019.
APPROVED

_____

MATTHEW J. WALSH Mayor

Attest: _____

JODI QUAKENBUSH City Clerk

First Consideration: 7-22-19
Second Consideration: 8-12-19
Public Hearing: N/A
Third Consideration: _____