

APPENDIX TO CODE OF ORDINANCES

USE AND MAINTENANCE OF THE CODE OF ORDINANCES

The following information is provided to assist in the use and proper maintenance of this Code of Ordinances.

DISTRIBUTION OF COPIES

1. **OFFICIAL COPY.** The "OFFICIAL COPY" of the Code of Ordinances must be kept by the City Clerk and should be identified as the "OFFICIAL COPY."

2. **DISTRIBUTION.** Other copies of the Code of Ordinances should be made available to all persons having a relatively frequent and continuing need to have access to ordinances which are in effect in the City as well as reference centers such as the City Library, County Law Library and perhaps the schools and news media.

3. **SALE.** The sale or distribution of copies in a general fashion is not recommended as experience indicates that indiscriminate distribution tends to result in outdated codes being used or misused.

4. **RECORD OF DISTRIBUTION.** The City Clerk should be responsible for maintaining an accurate and current record of persons having a copy of the Code of Ordinances. Each official, elected or appointed, should return to the City, upon leaving office, all documents, records and other materials pertaining to the office, including this Code of Ordinances.

(Code of Iowa, Sec. 372.13[4])

NUMBERING OF ORDINANCES AMENDING THE CODE OF ORDINANCES

It is recommended that a simple numerical sequence be used in assigning ordinance numbers to ordinances as they are passed. For example, if the ordinance adopting the Code of Ordinances was No. 163, we would suggest that the first ordinance passed changing, adding to or deleting from the Code be assigned the number 164; the next ordinance be assigned the number 165, and

so on. We advise against using the Code of Ordinances numbering system for the numbering of ordinances.

RETENTION OF AMENDING ORDINANCES

Please note that two books should be maintained: (1) the Code of Ordinances, and (2) an ordinance book. We will assist in the maintenance of the Code of Ordinances book, per the Supplement Agreement, by revising and returning appropriate pages for the Code of Ordinances book as required to accommodate ordinances amending the Code. The City Clerk is responsible for maintaining the ordinance book and must be sure that an original copy of each ordinance adopted, bearing the signatures of the Mayor and Clerk, is inserted in the ordinance book and preserved in a safe place.

SUPPLEMENT RECORD

A record of all supplements prepared for the Code of Ordinances is provided in the APPENDIX of the Code. This record will indicate the number and date of the ordinances adopting the original Code and of each subsequently adopted ordinance which has been incorporated in the Code. For each supplemented ordinance, the Supplement Record will list the ordinance number, date, topic, and chapter number of the Code affected by the amending ordinance. A periodic review of the Supplement Record and ordinances passed will assure that all ordinances amending the Code have been incorporated therein.

DISTRIBUTION OF SUPPLEMENTS

Supplements containing revised pages for insertion in each Code will be sent to the Clerk. It is the responsibility of the Clerk to see that each person having a Code of Ordinances receives each supplement so that each Code may be properly updated to reflect action of the Council in amending the Code.

AMENDING THE CODE OF ORDINANCES

The Code of Ordinances contains most of the laws of the City as of the date of its adoption and is continually subject to amendment to reflect changing policies of the Council, mandates of the State, or decisions of the Courts. Amendments to the Code of Ordinances can only be accomplished by the adoption of an ordinance.

(Code of Iowa, Sec. 380.2)

The following forms of ordinances are recommended for making amendments to the Code of Ordinances:

ADDITION OF NEW PROVISIONS

New material may require the addition of a new PARAGRAPH, SECTION or CHAPTER, as follows:

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF _____, IOWA, 19__, BY ADDING A NEW SECTION LIMITING PARKING TO THIRTY MINUTES ON A PORTION OF SOUTH BOONE STREET

BE IT ENACTED by the City Council of the City of _____, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of _____, Iowa, 19__ is amended by adding a new Section in Chapter 69, numbered 69.16, entitled PARKING LIMITED TO THIRTY MINUTES, which is hereby adopted to read as follows:

69.16 PARKING LIMITED TO THIRTY MINUTES. It is unlawful to park any vehicle for a continuous period of more than thirty (30) minutes between the hours of eight o'clock (8:00) a.m. and eight o'clock (8:00) p.m. on each day upon the following designated streets:

1. South Boone Street, on the west side, from Forest Avenue to Mason Drive.

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 section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

Passed by the Council the ____ day of _____, 19__, and approved
this ____ day of _____, 19__.

Mayor

ATTEST:

City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____
day of _____, 19__.

City Clerk

DELETION OF EXISTING PROVISIONS

Provisions may be removed from the Code of Ordinances by deleting PARAGRAPHS, SECTIONS or CHAPTERS as follows:

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF _____, IOWA, 19__, BY REPEALING CHAPTER 65, SECTION 02, PARAGRAPH 5, PERTAINING TO THE SPECIAL STOP REQUIRED ON LAKE BOULEVARD

BE IT ENACTED by the City Council of the City of _____, Iowa:

SECTION 1. CHAPTER REPEALED. The Code of Ordinances of the City of _____, Iowa, 19__, is hereby amended by repealing Chapter 65, Section 02, Paragraph 5, which required vehicles traveling south on Lake Boulevard to stop at 2nd Place North.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ____ day of _____, 19__, and approved this ____ day of _____, 19__.

Mayor

ATTEST:

City Clerk

I certify that the foregoing was published as Ordinance No. ____ on the ____ day of _____, 19__.

City Clerk

MODIFICATION OR CHANGE OF EXISTING PROVISION

Existing provisions may be added to, partially deleted or changed as follows:

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE CODE OF
ORDINANCES OF THE CITY OF _____,
IOWA, 19__, BY AMENDING PROVISIONS PERTAINING
TO SEWER RENTAL RATES**

BE IT ENACTED by the City Council of the City of _____, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 99, Section 02, of the Code of Ordinances of the City of _____, Iowa, 19__, is repealed and the following adopted in lieu thereof:

99.02 RENTAL RATE. Each customer shall pay a sewer rental in the amount of 100 percent (100%) of the bill for water and water service attributable to the customer for the property served, but in no event less than ten dollars (\$10.00) per month.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ____ day of _____, 19__, and approved this ____ day of _____, 19__.

Mayor

ATTEST:

City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____, 19__.

City Clerk

CODE OF ORDINANCES, HAMBURG, IOWA

**ORDINANCES NOT CONTAINED IN THE CODE OF
ORDINANCES**

There are certain types of ordinances which the City will be adopting which may be, but do not have to be, incorporated in the Code of Ordinances. These ordinances include ordinances (1) establishing grades of streets or sidewalks, (2) vacating streets or alleys, (3) authorizing the issuance of bonds and (4) zoning ordinances.

(Code of Iowa, Sec. 380.8)

If such ordinances are to be included in the Code of Ordinances, the foregoing suggested form of ordinance amending the Code of Ordinances is appropriate; however, if such ordinances are not to be included in the Code of Ordinances, we suggest the following form of ordinance be used.

ORDINANCE NO. ____**AN ORDINANCE VACATING THE ALLEY LYING IN
BLOCK TWO (2) RAILROAD ADDITION TO
_____, IOWA**

Be It Enacted by the City Council of the City of _____, Iowa:

SECTION 1. The alley lying in Block Two (2), Railroad Addition to _____, Iowa, is hereby vacated and closed from public use.

SECTION 2. The Council may by resolution convey the alley described above to abutting property owners in a manner directed by the City Council.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ____ day of _____, 19__, and
approved this ____ day of _____, 19__.

Mayor

ATTEST:

City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____
day of _____, 19__.

City Clerk

These ordinances should be numbered in the same numerical sequence as any
other amending ordinance and placed in their proper sequence in the ordinance
book.

SUGGESTED FORM**NOTICE TO ABATE NUISANCE**

TO: (Name and address of owner, agent, or occupant of the property on which the nuisance is located or the person causing or maintaining the nuisance).

You are hereby notified to abate the nuisance existing at (name location of nuisance) or file written request for a hearing with the undersigned officer within (hours or days) from service of this notice.

The nuisance consists of: (describe the nuisance) and shall be abated by: (state action necessary to abate the particular nuisance).

In the event you fail to abate or cause to be abated the above nuisance as directed, the City will take such steps as are necessary to abate or cause to be abated the nuisance and the costs will be assessed against you as provided by law.

Date of Notice: _____

City of _____, Iowa

By: _____
(designate officer initiating notice)

NOTICE**REQUIRED SEWER CONNECTION**

TO: _____
(Name)

(Street Address)
_____, Iowa

You are hereby notified that connection to the public sanitary sewer system is required at the following described property within _____ (____) days from service of this notice or that you must file written request for a hearing before the Council with the undersigned office within said time limit.

DESCRIPTION OF PROPERTY

The nearest public sewer line within _____ (____) feet of the above described property is located

In the event you fail to make connection as directed, or file written request for hearing within the time prescribed herein, the connection shall be made by the City and the costs thereof assessed against you as by law provided.

Date Of Notice: _____

City Of _____, Iowa

By: _____, _____
(Name) (Title)

NOTICE OF HEARING**REQUIRED SEWER CONNECTION**TO: _____
(Name)_____
(Street Address)
_____, Iowa

You are hereby notified that the City Council of _____, Iowa, will meet on the ____ day of _____, 19__, at ____ o'clock __m. in the Council Chambers of the City Hall for the purpose of considering whether or not connection to the public sanitary sewer system shall be required at the following described property:

DESCRIPTION OF PROPERTY_____

You are further notified that at such time and place you may appear and show cause why said connection should not be required.

You are further notified to govern yourselves accordingly.

Date Of Notice: _____

City Of _____, Iowa

By: _____, _____
(Name) (Title)

RESOLUTION AND ORDER**REQUIRED SEWER CONNECTION**

BE IT RESOLVED, by the City Council of the City of _____, Iowa:

WHEREAS, notice has heretofore been served on the ____ day of _____, 19__, on _____,
(Name of Property Owner)

through _____, Agent,
(Agent's Name or "None")

to make connection of the property described as

to the public sanitary sewer located

within _____ (_____) days from service of notice upon said owner or agent;
and,

(EITHER)

WHEREAS, a hearing was requested by the said owner or agent and the same was held at this meeting and evidence produced and considered by the City Council;

(OR AS ALTERNATE TO THE PRECEDING PARAGRAPH)

WHEREAS, the said owner or agent named above has failed to make such required connection within the time set, and after evidence was duly produced and considered at this meeting, and said owner or agent has failed to file a written request for hearing after being properly served by a notice to make such connection or request a hearing thereon;

NOW, THEREFORE, BE IT RESOLVED that the owner of said property, or his agent, _____

(Name of Owner or Agent)

is hereby directed and ordered to make such required connection within _____ days after the service of this ORDER upon him; and

BE IT FURTHER RESOLVED that the City Clerk be and the same is hereby directed to serve a copy of this ORDER upon said property owner or agent named above; and

BE IT FURTHER RESOLVED, that in the event the owner, or agent, _____, fails to make such

(Name of Owner or Agent)

connection within the time prescribed above, then and in that event the City will make such connection and the cost thereof will be assessed against the property and/or owner

(Owner's Name)

_____, as provided by law.

(Address)

Moved by _____ to adopt.

Seconded by _____.

AYES: _____, _____, _____,

_____, _____, _____.

NAYS: _____, _____, _____,

_____, _____, _____.

Resolution approved this ____ day of _____, 19__.

Mayor

ATTEST:

City Clerk

NOTICE TO ABATE NUISANCE

To: William Cobb
601 P Street
Hamburg, IA 51640

You are hereby notified to abate the nuisance existing at ~~601 P Street~~ ^{address} or file written request for a hearing with the undersigned officer within ~~7~~ ⁷ days from service of this notice.

The nuisance consists of: ~~Junk vehicles and misc. junk~~ and trash on the City Streets and property at ~~601 P Street~~, and shall be abated by: Removal of such within 10 days of this notice. *Harlin*

In the event you fail to abate said nuisance the City will issue a ticket in court under Chapter 657 of the Code of Iowa.

Date of Notice: _____

City of Hamburg, Iowa

By Order of the Hamburg City Council

Terry Holliman, Mayor

Served by: _____

Date: _____

167.04 Street frontage required.

For containing any building used in whole or part for residential purposes shall abut for at least 40 feet on at least one street, or have an exclusive unobstructed

NOTICE TO ABATE NUISANCE

TO: Laura Esser
1709 Park
Hamburg, IA 51640

FROM: City of Hamburg
1201 Main Street
PO Box 106

According to Chapter 51.02 of the Hamburg Municipal Code it is unlawful for any person to store, accumulate or park junk vehicles on any property within the city limits of Hamburg.

We find that you are in violation of this code and that the junk vehicles on your property must be removed. You will have 14 days from the date of this notice, to remove the nuisance or you will be cited under the Hamburg Municipal Code and the city will take whatever measures necessary to remove said nuisance.

Date of Notice: May 29, 2002

By Order of the Hamburg City Council

Paul Bennett, Councilman

Mike Zerny
1202 Monroe
Such frontage or easement

167.07

mobile homes, tents, & portables or potentially portable structures shall

trailer
may be used for dwelling purposes located
in any district except city-located
within a mobile home park

