City of Dyersville
340 First Ave E.
Dyersville, IA 52040-1298

251-992

DELAWARE COUNTY IOWA
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RECORDER
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Preparer Information: Marc W. Casey (Individual's Name) P.O. Box 274 (Street Address) Dyersville (City) (319)875-7178 (Phone)

ORDINANCE NO. 642

AN ORDINANCE ESTABLISHING THE COST TO PROPERTY OWNERS MAKING CONNECTION TO THE BEAR CREEK INTERCEPTOR SEWER

WHEREAS, the City of Dyersville, Iowa, will construct an Interceptor Sewer to be known as the Bear Creek Interceptor Sewer; and

WHEREAS, the City Council of the City of Dyersville, Iowa, has found it necessary to establish connection charges to partially defray the cost of construction; and

WHEREAS, said Bear Creek Interceptor Sewer was designed to provide sanitary sewer service to the Southwest area of Dyersville, Iowa; and

WHEREAS, said Bear Creek Interceptor Sewer will be constructed in the East Half of Section 36, Township 89 North, Range 3 West of the 5th P.M., and in the West one-half of Section 31, Township 89 North, Range 2 West; and

WHEREAS, the City Council of the City of Dyersville, Iowa, wishes to impose a charge for connection to the Bear Creek Interceptor Sewer or to any extension thereto or for any connection made that will utilize the Bear Creek Interceptor Sewer;

Be It Ordained by the City Council of the City of Dyersville, Iowa, as follows:

SECTION 1: APPLICABILITY

All property within the following described parcels is covered by this ordinance and is subject to the connection charges hereinafter provided:

A. The East one-half of Section 36, Township 89 North, Range 3 West of the 5th P.M., lying South of 1st Avenue West (Old Highway 20), East of County Road X-49, North of Highway 20, and West of the Delaware/Dubuque County line.

B. The South 156 feet of Lot 2-2-1-1-1 of Oakcrest Subdivision in the City of Dyersville, Iowa.

C. Lot 1 of Melvin Nickol Place No. 2 in the City of Dyersville, Iowa.

D. Lot 1 of Melvin Nickol Place in the City of Dyersville, Iowa.

E. Lot B of Westridge Estates in the City of Dyersville, Iowa.

F. Lot 1-3 of the North ½ of Section 31, Township 89 North, Range 2 West of the 5th P.M., Dubuque County, Iowa.

G. Lot 1 of Lot 904 in the City of Dyersville, Iowa.

H. Lot 1 of Lot 903 in the City of Dyersville, Iowa.

I. Lot 902 in the City of Dyersville, Iowa.

J. Lot 2 of Lot 4 of Westridge Subdivision in the City of Dyersville, Iowa.

K. All other areas that the City Council, by subsequent ordinances, may deem that can or do connect to the Bear Creek Interceptor Sewer or to extensions or connections made thereto, unless an assessment has been made against a benefitting property.

SECTION II: CONNECTION CHANGES

All property within the area above described, shown on the attached exhibit, and/or deemed or determined covered by the City Council of the City of Dyersville, Iowa, that make connection to the Bear Creek Interceptor Sewer or connection to an extension or connection to said Bear Creek Interceptor Sewer or utilize or make use of said Bear Creek Interceptor Sewer, shall be assessed connection charges as follows:

A. 4" lateral for single family residential to three family residential: $1,200.00.

B. 4" lateral for commercial or residential of four or more units: $4,000.00.

C. 6" lateral for commercial or other use: $6,000.00

SECTION III: TIME OF PAYMENT

The payment shall be due at the time of connection is made, with the exception of residential subdivision plats, which payment shall be due for each residential lot platted at the time said plat is presented to the City Council for resolution of approval.

SECTION IV: TERMINATION

The requirement for payment of connection charges pursuant to this ordinance shall automatically cease twenty (20) years from the effective date of this ordinance.

SECTION V: EFFECTIVE DATE

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

SECTION VI: SEVERABILITY

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

Passed by the City Council of the City of Dyersville, Iowa, this 19th day of August, 1996.

CITY OF DYERSVILLE Iowa CITY SEAL

Robert Kramer, Mayor

ATTEST: Susan L. Steffen-Ertl
Susan L. Steffen-Ertl,
City Clerk

Published in the Dyersville Commercial this 21st day of August, 1996.