91-4043
DELAWARE COUNTY IOWA
FILED
1998 JN 24 PM 12: 13
BOOK 8 PAGE 42
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
146.00

Prepared by Karen K. Cole, City Clerk 208 E Main St, Manchester, Iowa [redacted]

June 24, 1998

The following documents refer to Ordinances recorded February 1, 1994, Book 4, Page 156, Delaware County Recorder, Delaware County, Iowa.

I, Karen K. Cole, City Clerk of the City of Manchester, Iowa, do hereby certify that the attached copies of Ordinances are true and exact of copies of Ordinances related to the Zoning Ordinances of the City of Manchester, Iowa that have been adopted by the City Council of the City of Manchester, Iowa:

Ordinance 408-94	Ordinance 410-94	Ordinance 411-94
Ordinance 412-94	Ordinance 413-94	Ordinance 420-95
Ordinance 423-95	Ordinance 422-95	Ordinance 424-95
Ordinance 427-95	Ordinance 429-95	Ordinance 430-95
Ordinance 431-95	Ordinance 432-95	Ordinance 441-96
Ordinance 443-96	Ordinance 458-96	Ordinance 462-96
Ordinance 463-96	Ordinance 464-96	Ordinance 007-97
Ordinance 009-97	Ordinance 016-97	Ordinance 017-97
Ordinance 018-97	Ordinance 019-97	Ordinance 025-98
Ordinance 026-98	Ordinance 027-98	Ordinance 028-98
Ordinance 030-98		

CITY OF MANCHESTER IOWA

Karen K. Cole

Karen K. Cole, City Clerk

Subscribed and sworn to before me this 24th day of June, 1998.

Bruce A. Trapp

Bruce A. Trapp, Notary
Commission expires 8-25-99

BRUCE A. TRAPP NOTARIAL SEAL IOWA

DATE 6-24-98 BOOK 8 PAGE 42

ORDINANCE NO. 408-94

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY ADDING A NEW SECTION REGULATING STRUCTURES LOCATED IN CITY RIGHT-OF-WAY.

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1991 is amended by adding a new Section in Chapter 121, numbered 11A, entitled Structures Located in City Right of Way, which is hereby adopted to read as follows:

121.11A STRUCTURES LOCATED IN CITY RIGHT OF WAY.

No structure, except a single mailbox attached to a single post or except multiple mailboxes attached as one unit to 1 or more posts, shall be placed in a City right-of-way except as set-forth in this Section. The City Council may approve a request to build a structure on a City right-of-way if it determines:

1. That the proposed structure will not significantly limit or impair the ability of the City to utilize said right-of-way; and,

2. That the proposed structure will not significantly limit or impede the ability of the City to provide essential City services including but not limited to utility service, snow removal, street repair.

3. That the property owner agrees to sign an Indemnification Agreement which would hold the City of Manchester harmless from injury or damages to persons or property.

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 21st day of March, 1994, and approved this 21st day of March, 1994.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE NO. 410-94

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY AMENDING PROVISIONS PERTAINING TO THE TIME FRAME ALLOWED FOR SUBMITTING A FINAL SUBDIVISION PLAT.

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

SECTION 1. SECTION MODIFIED. CHAPTER 127, SECTION 30 of the Code of ordinances of the City of Manchester, Iowa, 1991, is modified as follows:

The Subdivider shall have two (2) years (rather than one year) from the approval of the preliminary plat to submit a final plat.

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 20th day of June, 1994, and approved this 20th day of June, 1994.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE 411-94

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the official Zoning Map as follows:

The area affected, currently zoned B-3 Business District, Service & Wholesale is described as follows:

The North three hundred eighty (380) feet of the West four hundred sixty eight (468) feet of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) Section Twenty Eight (28), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., all in the City of Manchester, Delaware County, Iowa. (Property located north of 1000 block of E. Main St)

Also to rezone from B-3 Business District, Service and Wholesale further described as follows:

That part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Twenty-Eight (28), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian, described as commencing at a point Six Hundred Sixty (660.0) feet East and Three Hundred Eighty (380.0) feet North of the Southwest corner of said Southeast Quarter (SE¼) of said Section Twenty Eight (28), and running thence West One Hundred Twenty Two (122.0) feet, thence North Seventy Five (75.0) feet, thence East One Hundred Twenty Two (122.0) feet, thence South Seventy Five (75.0) feet to the point of beginning, all in the City of Manchester, Delaware County, Iowa. (Property located at 118 McCarren Drive)

and is hereby amended and hereafter designated as R-3 General Residence District,

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 16th day of May, 1994.

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:
Karen K. Cole
Karen K. Cole, City Clerk

ORDINANCE NO. 412-94

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY ADDING A NEW SECTION providing R-4 One Family Dwelling District.

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1991 is amended by adding a new Section in Chapter 123, numbered 123.11 entitled R-4 District Regulations, which is hereby adopted to read as follows:

R-4 DISTRICT REGULATIONS. It is primarily intended that this zone provide for the development of small lot single-family dwellings. This zone represents a relatively high density for single-family development. Utilization of the R-4 One-Family Dwelling District requires the approval of the entire Subdivision in which the R-4 District is proposed. Approval of Subdivisions shall be limited to generally undeveloped areas. The district regulations for the R-4 One-Family Dwelling District are as follows:

1. Permitted Uses. The following uses are permitted:

   A. One-family detached dwellings;

   B. Parks, forest preserves and recreational areas, when publicly owned and operated;

   C. Home occupations;

   D. Mobile home parks;

E. Permitted accessory uses, including off-street parking facilities in accordance with the provisions of Chapter 124 of this Zoning Ordinance;

F. Signs, subject to the provisions of Section 125.02 of this Zoning Ordinance;

G. Special exceptions.

1) Duplexes provided they have a minimum lot area of 8700 square feet and that the minimum lot area per unit is 4350 square feet.

2) Child care facilities subject to the requirements of the R-1 Zoning District.

3) Public utilities.

4) Religious institutions and schools subject to the requirements of the R-1 Zoning District.

2. Building Height. The maximum height of buildings permitted shall be twenty-five (25) feet or two and one-half (2 1/2) stories;

3. Lot Sizes:

A. Every dwelling hereafter erected shall be located on a lot having an area of not less than five thousand (5,000) square feet, and a width at the established building line of not less than fifty (50) feet.

B. All nonresidential principal uses permitted as special exceptions in this section shall be located on a lot having an area of not less than ten thousand (10,000) square feet, with a minimum width at the established building line of not less than seventy-five (75) feet.

4. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

A. Front Yard. A front yard of not less than twenty (20) feet.

B. Side Yard. On each lot upon which a dwelling is constructed there shall be a side yard on each side of not less than five (5) feet. On corner lots there shall be maintained a side yard of not less than fifteen (15) feet on the side adjacent to the street which intersects the street upon which the building or structure maintains frontage. On lots upon which a nonresidential use is erected or enlarged, there shall be a side yard of not less than fifteen (15) feet on each side of the main structure. All lots within an R-4 district whose side yards adjoin other residential districts must utilize the side yard setback of the adjoining district for the R-4 side yard that is adjacent to the other residential district.

C. Rear Yard. A rear yard of not less than twenty (20) feet.

5. Lot Coverage. Not more than fifty percent (50%) of the lot area may be occupied by buildings and structures, including accessory buildings.

6. Dwelling Standards. Every one-story dwelling erected in any R-4 One-Family Dwelling District shall have a total ground floor area of not less than seven hundred twenty (720) square feet. Every dwelling of more than one story shall have a total floor area of not less than eleven hundred (1100) square feet.

7. Minimum Area Requirements. No property shall be zoned as an "R-4" District unless the proposed district shall consist of not less than fifteen (15) continguous lots or the equivalent area.

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 21st day of November, 1994, and approved this 21st day of November, 1994.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE 413-94

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the official Zoning Map as follows:

The area affected, currently zoned B-3 Business District, Service & Wholesale and R-1 One Family Dwelling District to R-3 General Residence District is described as follows:

The East 280 Feet of West 330 feet of SE 1/4; The South 66 Feet of the East 280 Feet of West 330 feet of NE 1/4; The North 205 feet of East 192 feet of SW 1/4; The NW 1/4; The North 4.5 Acres, W 1/2 - NE 1/4; The West 150 Feet E 1/4 Except the South 330 Feet; All of the SW 1/4 of the SE 1/4, Section 28, T89N, R5W of the 5th P.M. CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

AND

That part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) described as commencing at a point Six Hundred Sixty (660) feet East and Two Hundred thirty (230) feet North of the Southwest corner of said Southeast Quarter (SE¼) and running thence West One hundred twenty-two (122) feet, thence North Fifty (50) feet to the Northeast corner of the Family Bowl Lot, thence West Seventy (70) feet, thence North One Hundred (100) feet, thence East One Hundred Ninety Two (192) feet, thence South One Hundred Fifty (150) feet to point of beginning, and also the west seventy (70) feet of the East one hundred ninety two (192) feet of the South seventy five (75) feet of the North two hundred eighty (280) feet of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Twenty Eight (28), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., all in the City of Manchester, Delaware County, Iowa. _

The above described property is commonly known as 110-114 McCarren Drive AND 105 McCarren Drive and approximately 19 acres north and west (known as the Good Neighbor Society Property)

and is hereby amended and hereafter designated as R-3 General Residence District,

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 18th day of July, 1994.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE NO. 420-95

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY AMENDING PROVISIONS PERTAINING TO MANUFACTURED, MOBILE AND MODULAR HOMES

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

SECTION 1. CHAPTER MODIFIED. Chapter 128 of the Code of Ordinances of the City of Manchester, Iowa, 1991, is repealed and the following adopted in lieu thereof:

CHAPTER 128
MANUFACTURED, MOBILE AND MODULAR HOMES

128.01 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Manufactured home" means a factory-built structure, built under the authority of 42 U.S.C. Sec. 5403, which was constructed on or after June 15, 1976, and is required by Federal law to display a seal from the United States Department of Housing and Urban Development.
(Code of Iowa, Sec. 435.1)

2. "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but also includes any such vehicle with motive power not registered as a motor vehicle in Iowa. A mobile home means any such vehicle built before June 15, 1976, which was not built to a mandatory building code and which contains no State or Federal seals.
(Code of Iowa, Sec. 435.1)

3. "Mobile home park" means any site, lot, field or tract of land under common ownership upon which two (2) or more occupied mobile homes, manufactured homes, modular homes (or a combination of such homes) are harbored, either free of charge or for revenue purposes, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park. The term "mobile home park" is not to be construed to include mobile homes, buildings, tents or other structures temporarily maintained by any individual, educational institution or company on their own premises and used exclusively to house their own labor or students. The mobile home park shall meet the requirements of any zoning regulations that are in effect.
(Code of Iowa, Sec. 435.1)

4. "Modular home" means a factory-built structure built on a permanent chassis which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built structures, and must display the seal issued by the State Building Code Commissioner.
(Code of Iowa, Sec. 435.1)

128.02 CONVERSION TO REAL PROPERTY. A mobile home, modular home or manufactured home which is located outside a mobile home park shall be converted to real estate by being placed on a permanent foundation and shall be assessed for real estate taxes except in the following cases:

1. Dealer's Stock. Mobile, modular or manufactured homes on private property as part of a dealer's or a manufacturer's stock not used as a place for human habitation.

2. Existing Homes. A taxable mobile home, manufactured home or modular home which is located outside of a mobile home park as of July 1, 1994, shall be assessed and taxed as real estate, but is exempt from the permanent foundation requirement of this chapter until the home is relocated.

128.03 REGULATIONS FOR MOBILE HOME PARK OWNERS GENERALLY. No person shall make alterations, construct, expand or remodel a mobile home park within the City without first submitting a plan or plat of the proposed development as required in Chapter 127 of this Code of Ordinances (the

Subdivision Ordinance). Said park, its facilities and the mobile homes therein shall comply with the City's subdivision regulations and with all other applicable ordinances of the City, including zoning, unless otherwise stated.

128.04 MOBILE HOME PARK AREA AND YARD REQUIREMENTS. Mobile home or trailer parks shall be designed and maintained in accordance with the following requirements:

1. Mobile Home Park - Minimum Requirements.

   A. Mobile home park area - eight (8) acres:

   B. Front yard - fifty (50) feet (to be measured from all streets on which park abuts);

   C. Side yard - thirty-five (35) feet;

   D. Rear yard - thirty-five (35) feet;

   E. Sanitary facilities - as specified in the Subdivision Ordinance;

   F. Streets - Each mobile home shall have direct access to a park street. The minimum roadway width and surfacing materials of interior park streets shall comply with the City's subdivision specifications for residential streets;

   G. Fire hydrants shall be so installed so that all mobile home spaces will be within three hundred (300) feet of a fire hydrant.

2. Mobile Home Spaces - Minimum Requirements.

   A. Area - fifty (50) by eighty (80) feet;

   B. Size - four thousand (4,000) square feet;

   C. Off-drive parking - one (1) parking space for each home space; one (1) on- or off-street space for each two (2) such lots to accommodate guests;

   D. Front yard - fifteen (15) feet;

   E. Rear yard - ten (10) feet;

   F. Side yard - five (5) feet each side, with a minimum of twenty (20) feet between any two (2) homes.

3. Sidewalks. Sidewalks shall be provided from the entrance of each trailer to the service facilities. These walks shall be constructed of concrete as specified in the City's Subdivision Ordinance.

4. Landscaping - Unused Areas. All areas not used for access, parking, circulation, buildings and service shall be completely and permanently landscaped and the entire site maintained in good condition. A landscaped strip of land not less than ten (10) feet in width shall be established and maintained within the trailer park along its exterior boundaries.

5. Concrete Slab. Each mobile home unit lot shall be equipped with a concrete slab of sufficient size to support the wheels and the front parking jack. Said slab shall have a minimum horizontal dimension of eight (8) by ten (10) feet and a minimum thickness of four (4) inches.

6. Length of Occupancy. No mobile home or trailer shall remain in a mobile home or trailer park for a period exceeding fifteen (15) days without connection to the permanent sanitary sewer system of the park.

128.05 COMPLIANCE WITH STATE BUILDING CODE. Before being located, whether permanently or for a temporary period of time allowed by a temporary permit, all mobile homes located in the City limits shall have a certificate that shows that the mobile home is in compliance with the current State Building Code as to mobile home construction. A copy of this certificate shall be filed with the Clerk.

128.06 MOBILE HOME COURT OCCUPATIONS. The intent of this section is to protect and maintain the residential character of a mobile home park neighborhood while permitting certain limited commercial activities which are specifically authorized to be carried out on the premises. This section is designed to accommodate the special nature of mobile home parks and allow for orderly development compatible with the residential character of mobile home parks.

1. Definitions. For use in this section the following additional terms are defined:

   A. "Mobile Home Park Occupation" means any business, profession, occupation or activity conducted for gain within the office building of a mobile home park, which is located in a mobile home park and which does not change the essential residential character of the neighborhood.

   B. "Office Building" means an office building of a mobile home park as referred to herein shall include building(s) designed for management of the affairs of the mobile home park, and/or providing shelter to occupants of the mobile home park in terms of storms or other natural disaster.

2. Regulations.

   A. The business, profession, occupation or activity shall employ no more than two (2) full-time employees or its equivalent.

   B. All activities of said business, profession or occupation shall be conducted entirely within the confines of the office building.

   C. All services conducted and commodities sold shall be related and incidental to the mobile home park occupation.

   D. No commodity, merchandise or materials, processed or unprocessed, shall be displayed on the exterior and no exterior storage of such commodities, merchandise or materials or other exterior indication of the occupation shall be allowed, except as set forth in Subsection 3 below.

3. Signs and Displays. No sign, other than a nameplate, more than two (2) square feet in area shall be allowed; the sign shall be non-lighted, shall be non-reflecting in nature, and may be attached to the building or may be freestanding. A freestanding sign shall be at least five (5) feet from all property lines.

4. Physical Requirements:

   A. The building and all property involved must conform to accepted zoning and regulatory specifications at all times.

   B. No equipment or process shall be used in such mobile home park occupation that creates noise, vibration, glare, fumes, odors, electrical disturbances, or excessive traffic generation, which would be objectionable or detrimental to the residential character of the mobile home park neighborhood.

5. Conformity to regulations. Any business, profession, occupation or activity, the occupation of which does not meet these definitions, regulations and requirements, shall not be deemed to be a mobile home park occupation.

6. Permit Requirement. A mobile home occupation cannot be granted or exercised without obtaining a mobile home court occupation permit.

7. Application for Permit. Persons seeking a mobile home court occupation permit shall file with the Building Inspector, a request for the permit setting forth the proposed activity, the number of employees anticipated for the activity, the hours during which the activity will be conducted on the premises, and such other information as may be requested by the Board to perform the review of the application.

   The Building Inspector shall forward copies of the application to the Board of Adjustment. The Board of Adjustment shall consider the application and either grant the permit, grant it subject to

conditions or modifications, or deny the permit. In their review the Board of Adjustment shall consider each of the standards of review as set forth in this section.

8. Conditions Imposed. The Board of Adjustment may impose such conditions, including restrictions and safeguards, upon the property benefited by the permit as considered necessary to prevent or minimize adverse effects upon other property in the vicinity or upon public facilities and services. Such conditions shall be expressly set forth in the permit. Violations of such conditions shall be deemed a violation of this section.

9. Standard for Review of Mobile Home Court Occupation Permits. In considering requests for permits, the Board of Adjustment shall first determine:

   A. That granting the permit will not materially diminish or impair an adequate supply of light and air to adjacent property.

   B. That granting the permit will not materially increase the congestion in public streets.

   C. Will not materially increase the danger of fire or to the public safety.

   D. Will not unreasonably diminish or impair established property values within the surrounding area.

   E. Will not in any other respect materially diminish or impair the public health, comfort, morals or welfare of inhabitants of the area or of the City in general.

   G. That the Board of Adjustment may require conditions for issuing the permit which it deems necessary to protect the residential character of the mobile home park.

10. Failure to Act. In case an applicant does not exercise his or her rights, act, begin construction or operation or occupancy, as the case may be in accordance with the permit granted by the Board of Adjustment within six (6) months after the matter has been acted upon by the Board, such permit shall become null and void.

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 16th day of January, 1995, and approved this 16th day of January, 1995.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE NO. 423-95

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY ADDING A NEW PARAGRAPH PROVIDING FOR THE DIVISION OF EXISTING LOTS.

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1991 is amended by adding a new paragraph to Chapter 121, Section 121.10, entitled Lot Dimension and Area which is hereby adopted to read as follows:

3. Any new lot to be established in an area which was previously platted or otherwise officially recorded prior to February 17, 1981, which does not meet the requirements set forth in this Code for minimum lot width, may be established provided that the width of the lot shall not be less than the average width of lots fronting on both sides of the street for the lineal block which includes the proposed new lot.

   A new lot established pursuant to this Section may be utilized for a permitted use, provided that yards, courts, or visible open spaces are not less than 75 percent of the minimum required dimensions or areas.

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 20th day of March, 1995, and approved this 20th day of March, 1995.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 422-95

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY AMENDING PROVISIONS PERTAINING TO SUBDIVISION INSPECTIONS

Be It Enacted By The City Council of the City of Manchester, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 127 Section 127.08, of the Code of Ordinances of the City of Manchester, Iowa, 1991, is repealed and the following adopted in lieu thereof:

127.08 INSPECTION. All improvements shall be inspected to ensure compliance with the requirements of this chapter. The cost of such inspection shall be borne by the City.

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 20th day of February, 1995, and approved this 20th day of February, 1995.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 424-95

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1995, BY PROVIDING ZONING CLASSIFICATIONS FOR AREAS ANNEXED INTO THE CITY LIMITS

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1991 is amended by modifying Chapter 121, numbered 121.04 entitled ZONING MAP, by establishing zoning classifications for the following described property:

That part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M. described as commencing at the Northwest corner of said Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), thence East seven hundred seventy two and eight-tenths (772.8) feet along the North line of said Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), thence South 1° 30' West eight hundred eighty one and nine-tenths (881.9) feet along the center line of Iowa Primary Road No. 13 to the point of beginning, thence South 88° 15' West five hundred thirteen and eight-tenths (513.8) feet, thence Southeasterly two hundred seventy nine and two-tenths (279.2) feet along a one thousand eight hundred sixty (1860) foot radius curve concave Northeasterly, which is the Easterly right of way line of the old Manchester and Oneida Railway Company, thence North 88° 15' East four hundred thirty nine and two-tenths (439.2) feet, thence North 1° 30' East two hundred seventy three (273) feet along the center line of Iowa Primary Road No. 13 to the point of beginning. The North line of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section Twenty (20) is assumed to bear due East and West.

The Easterly 210 feet of this parcel shall be zoned (B-2) a Business District. The remainder of the property shall be zoned (R-3) a General Residential District.

SECTION 2. REPEALER. All ordinances or part 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.

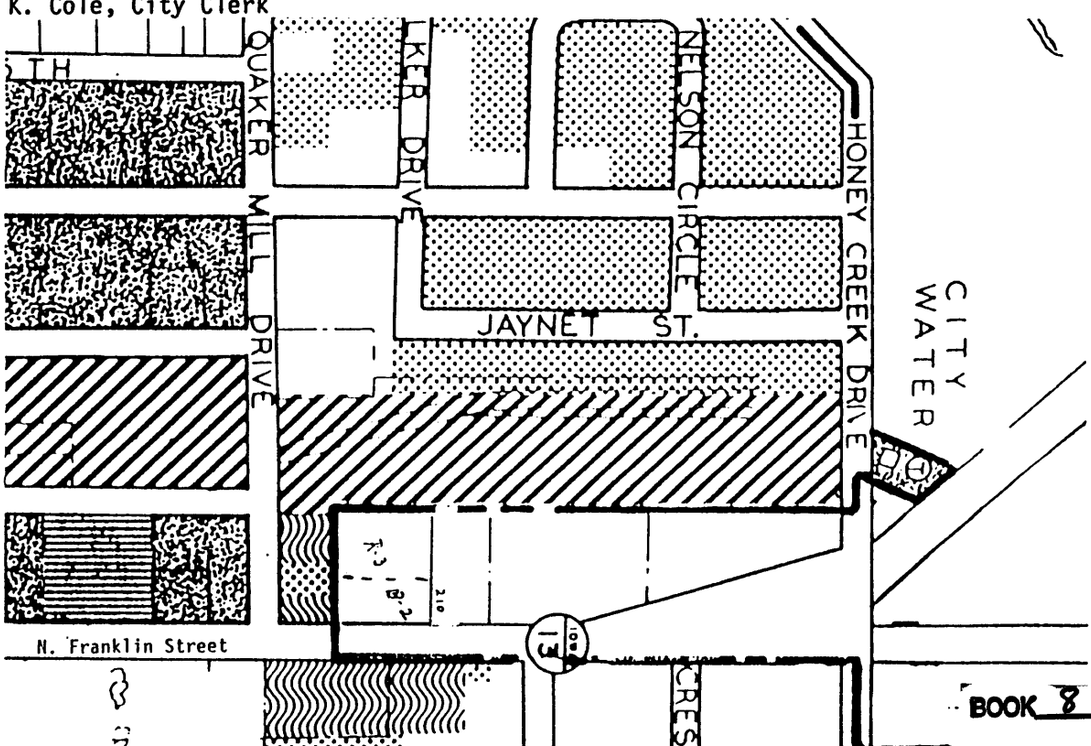
SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED BY THE COUNCIL the 20th day of March, 1995, and approved this 20th day of March, 1995.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk



ORDINANCE NO. 427-95

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 363-90 TO CORRECT AN ERROR IN THE DESCRIPTION OF PROPERTY TO CONFORM WITH THE PREVIOUSLY ADOPTED ZONING MAP.

WHEREAS, the City Council for the City of Manchester, Iowa has previously adopted an ordinance which was intended to provide the description of real estate in the City of Manchester, Iowa as set forth in the Zoning Map approved by the Council; and

WHEREAS, it has come to the attention of the City Council for the City of Manchester, Iowa that the descriptions in Ordinance number 363-90 incorrectly described certain property as depicted on the Zoning map; and

WHEREAS, the City Council has determined that it is now appropriate to correct the description of real estate to conform with the Zoning map as previously intended by the prior ordinance;

Be It Enacted by the City Council for the City of Manchester, Iowa:

SECTION 1. Zoning Ordinance No. 363-90, Section 1, Paragraph B describing 1501-1575 North Franklin Street, Manchester, Iowa, is hereby repealed and the following is adopted in lieu thereof:

> That part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty (20), Township Eighty-Nine (89) North, Range Five (5), West of the Fifth P.M., described as commencing at a point 415.3 feet North of the intersection of the South line of said Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) with the center line of the Public Highway, and running thence North along the center line of said Highway 100 feet, thence East 210.2 feet, thence South 100 feet, thence West 210.2 feet to the point of beginning in Delaware County, Iowa.

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. Replacement in Supplement. Changes as provided in this ordinance shall be made as replacement pages of Zoning Ordinance No. 363-90 and made a part of said ordinance as provided by law.

SECTION 4. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 3rd day of April, 1995.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 429-95

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY AMENDING PROVISIONS PERTAINING TO OUTSIDE STORAGE IN BUSINESS ZONED DISTRICTS

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

SECTION 1. AMENDMENT. Section 123.05 (1) (page 366) of Chapter 123 of the City of Manchester Code of Ordinances - 1991 (as amended) is hereby amended by deleting in its entirety the single paragraph defining "permitted uses" contained therein and adding and inserting in lieu thereof the following:

1. Permitted Uses. The following retail business and service uses are permitted, provided they are operated entirely within a building, except for off-street parking and loading facilities. The outside storage of merchandise and materials is prohibited except as specifically permitted in Paragraph 1A.

SECTION 2. AMENDMENT. Section 123.05 (page 370) of Chapter 123 of the City of Manchester Code of Ordinances - 1991 (as amended) is hereby amended by adding a new paragraph 1A "Outside Storage Restrictions for Permitted Uses" as follows:

1A. OUTSIDE STORAGE RESTRICTIONS FOR PERMITTED USES. The outside storage of merchandise and all other materials shall be subject to the following:

(a) Outside Storage of Merchandise for Resale. The outside storage of retail merchandise is permitted provided that its sale must be incidental to the permitted use of the premises. "Merchandise" for the purpose of this section shall be defined as including items which are ordinarily the objects of trade and commerce. "Merchandise" shall not include the following:

Building materials such as lumber, pipes, plumbing, heating and cooling equipment or similar materials;
Equipment or items held for salvage, recycling, or otherwise held for purposes other than resale to the general public for its intended use as a unit;
Raw materials of any kind;
Automobile parts, or other used items of a similar nature.

Used motor vehicles or boats held for retail sale to the general public shall however be included within the definition of merchandise for which outside storage is permitted.

(b) Outside Storage of Motor Vehicles, Boats, and Farm Implements Waiting for Repair. The outside storage of motor vehicles, boats, and farm implements waiting for repair or service within a 72-hour period shall be permitted. Upon a violation, the City shall submit a notice to the property owner indicating that the owner shall have seven (7) days to come into compliance with this Section. Failure to comply with this Section as stated in the notice shall be enforceable as a municipal infraction. Outside storage of such items in excess of 72 hours is prohibited, unless it is located within a side or rear yard and is screened from view by a solid wood fence, a solid metal fence with factory-applied paint or finish, or a densely planted landscape screen or nor less than six feet in height. "Screened from view" shall be defined to require the fence or structure to be at least the height of the material being stored.

(c) Outside storage of materials, used appliances or equipment which is incidental to a permitted use shall be permitted if located in the rear or side yard and shall be screened from outside view by a solid wood fence, a solid metal fence with factory-applied paint or finish, or a densely-planted landscape screen of no less than six feet in height. "Screened from view" shall be defined to require the fence or structure to be at least the height of the material being stored.

This ordinance shall not be deemed to regulate the location or size of dumpsters or other commercial refuse containers.

SECTION 3. AMENDMENT. Section 123.06 (1) (page 371) of Chapter 123 of the City of Manchester Code of Ordinances - 1991 (as amended) is hereby amended by deleting in its entirety the single paragraph contained therein and adding and inserting in lieu thereof the following:

1. PERMITTED USES. The following retail business and service uses are permitted, provided that they are operated entirely within a building, except for off-street parking and loading facilities, and except for establishments of the "drive-in" type offering goods and services directly to customers waiting in parked motor vehicles. The outside storage of merchandise and materials is prohibited except as specifically permitted in Paragraph 1A.

SECTION 4. AMENDMENT. Section 123.06 (page 374) of Chapter 123 of the City of Manchester Code of Ordinances - 1991 (as amended) is hereby amended by adding a new paragraph 1A "Outside Storage Restrictions for Permitted Uses" as follows:

1A. OUTSIDE STORAGE RESTRICTIONS FOR PERMITTED USES. The outside storage of merchandise and all other materials shall be subject to the following:

(a) Outside Storage of Merchandise for Resale. The outside storage of retail merchandise is permitted provided that its sale must be incidental to the permitted use of the premises. "Merchandise" for the purpose of this section shall be defined as including items which are ordinarily the objects of trade and commerce. "Merchandise" shall not include the following:

Building materials such as lumber, pipes, plumbing, heating and cooling equipment or similar materials;
Equipment or items held for salvage, recycling, or otherwise held for purposes other than resale to the general public for its intended use as a unit;
Raw materials of any kind;
Automobile parts, or other used items of a similar nature.

Used motor vehicles or boats held for retail sale to the general public shall however be included within the definition of merchandise for which outside storage is permitted.

(b) Outside Storage of Motor Vehicles, Boats, and Farm Implements Waiting for Repair. The outside storage of motor vehicles, boats, and farm implements waiting for repair or service within a 72-hour period shall be permitted. Upon a violation, the City shall submit a notice to the property owner indicating that the owner shall have seven (7) days to come into compliance with this Section. Failure to comply with this Section as stated in the notice shall be enforceable as a municipal infraction. Outside storage of such items in excess of 72 hours is prohibited, unless it is located within a side or rear yard and is screened from view by a solid wood fence, a solid metal fence with factory-applied paint or finish, or a densely planted landscape screen or nor less than six feet in height. "Screened from view" shall be defined to require the fence or structure to be at least the height of the material being stored.

(c) Outside storage of materials, used appliances or equipment which is incidental to a permitted use shall be permitted if located in the rear or side yard and shall be screened from outside view by a solid wood fence, a solid metal fence with factory-applied paint or finish, or a densely-planted landscape screen of no less than six feet in height. "Screened from view" shall be defined to require the fence or structure to be at least the height of the material being stored.

This ordinance shall not be deemed to regulate the location or size of dumpsters or other commercial refuse containers.

SECTION 5. AMENDMENT. Section 123.07 (1) (page 374) of Chapter 123 of the City of Manchester Code of Ordinances - 1991 (as amended) is hereby amended by deleting in its entirety the single paragraph defining "permitted uses" contained therein and adding and inserting in lieu thereof the following:

1. PERMITTED USES. The following retail business and service uses are permitted, provided that they are operated entirely within a building, except for off-street parking and loading facilities, and except for establishments of the "drive-in" type offering goods and services directly to customers waiting in parked motor vehicles. The outside storage of merchandise and materials is prohibited except as specifically permitted in Paragraph 1A.

SECTION 6. AMENDMENT. Section 123.07 (page 376) of Chapter 123 of the City of Manchester Code of Ordinances - 1991 (as amended) is hereby amended by adding a new paragraph 1A "Outside Storage Restrictions for Permitted Uses" as follows:

1A. OUTSIDE STORAGE RESTRICTIONS FOR PERMITTED USES. The outside storage of merchandise and all other materials shall be subject to the following:

(a) Outside Storage of Merchandise for Resale. The outside storage of retail merchandise is permitted provided that its sale must be incidental to the permitted use of the premises. "Merchandise" for the purpose of this section shall be defined as including items which are ordinarily the objects of trade and commerce. "Merchandise" shall not include the following:

Building materials such as lumber, pipes, plumbing, heating and cooling equipment or similar materials;
Equipment or items held for salvage, recycling, or otherwise held for purposes other than resale to the general public for its intended use as a unit;
Raw materials of any kind;
Automobile parts, or other used items of a similar nature.

Used motor vehicles or boats held for retail sale to the general public shall however be included within the definition of merchandise for which outside storage is permitted.

(b) Outside Storage of Motor Vehicles, Boats, and Farm Implements Waiting for Repair. The outside storage of motor vehicles, boats, and farm implements waiting for repair or service within a 72-hour period shall be permitted. Upon a violation, the City shall submit a notice to the property owner indicating that the owner shall have seven (7) days to come into compliance with this Section. Failure to comply with this Section as stated in the notice shall be enforceable as a municipal infraction. Outside storage of such items in excess of 72 hours is prohibited, unless it is located within a side or rear yard and is screened from view by a solid wood fence, a solid metal fence with factory-applied paint or finish, or a densely planted landscape screen or nor less than six feet in height. "Screened from view" shall be defined to require the fence or structure to be at least the height of the material being stored.

(c) Outside storage of materials, used appliances or equipment which is incidental to a permitted use shall be permitted if located in the rear or side yard and shall be screened from outside view by a solid wood fence, a solid metal fence with factory-applied paint or finish, or a densely-planted landscape screen of no less than six feet in height. "Screened from view" shall be defined to require the fence or structure to be at least the height of the material being stored.

This ordinance shall not be deemed to regulate the location or size of dumpsters or other commercial refuse containers.

SECTION 7. 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 8. 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 16th day of October, 1995, and approved this 16th day of October, 1995.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE 430-95

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the official Zoning Map as follows:

The area affected, currently zoned B-1 Business District, Limited Retail is described as follows:

Lot 154, Original Plat, City of Manchester, Delaware County, Iowa

and is hereby amended and hereafter designated as B-3 Business District District, Service & Wholesale.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 21st day of August, 1995.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE 431-95

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY PROVIDING ZONING CLASSIFICATIONS FOR AREAS ANNEXED INTO THE CITY LIMITS AND REZONING ADJACENT PROPERTY

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. NEW SECTION: The Code of Ordinances of the City of Manchester, Iowa, 1991 is amended by modifying Chapter 121, numbered 121.04 entitled ZONING MAP, by establishing zoning classifications for the following:

Part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) and Part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), all of Section Twenty-Eight (28), Township Eighty-Nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; more specifically described by metes and bounds as follows:

Commencing at the East Quarter (E 1/4) Corner of Section Twenty-eight Township (28) Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence Along the Easterly Line of the Northeast Quarter of said Section, North 01 19′ 05" East to the Northeasterly Corner of the Southeast Quarter (SE 1/4) of said Northeast Quarter (NE 1/4) 1,328.60 feet;

Thence along the Northerly Line of the Southwest Quarter (SW¼) of said Northeast Quarter (NE¼) North 88 -19′-55" West 2,556.43 feet to the Point of Beginning;

Thence South 01 -42′-25" West 523.35 feet;

Thence North 88 -17′-35" East to the Westerly Line of the Southwest Quarter (SW¼) of said Northeast Quarter (NE¼), 114.82 feet;

Thence North 00 -44′-55" East 612.08 feet,

Thence South 89 -37′45" East 125.06 feet;

Thence South 01 -42′-25" West 89.38 feet to the Point of Beginning

Containing a total of 1.686 acres.

The Easterly Line of the Southeast Quarter (SE¼) of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth P.M. is assumed to bear North 00 -06′-05" East

The above described property shall be zoned R-1 Residential.

SECTION 2. The Code of Ordinances of the City of Manchester, Iowa, 1991 is amended by modifying Chapter 121, numbered 121.04 entitled ZONING MAP, by establishing zoning classifications for the following:

Part of the Northeast Quarter (NE¼)of the Northwest Quarter (NW¼) and Part of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), all of section twenty-eight (28), Township Eighty-Nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, more specifically described by metes and bounds as follows:

Commencing at the East Quarter (E 1/4) Corner of Section Twenty-eight Township (28) Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence Along the Easterly Line of the Northeast Quarter of said Section, North 01 19′ 05" East to the Northeasterly Corner of the Southeast Quarter (SE 1/4) of Northeast Quarter (NE 1/4) of said section 1,328.60 feet;

Thence along the Northerly Line of the Southwest Quarter (SE 1/4) of said Northeast Quarter (NE 1/4) North 88 - 19'-55" West to the Northeast Corner of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of said Section 2,680.00 feet, the Point of Beginning.

Thence South 00 -44'-55" West 523.34 feet;

Thence North 88 -17'-35" West to the Easterly right of way of Stiles Street, 695.19 feet;

Thence along the Easterly Line of Stiles Street, North 00 -18'-35" East 612.18 feet;

Thence along the Northerly Line of the South 1.14 chains of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section, South 88 -17'-35" East to the Easterly Line of the Northeast Quarter (NE 1/4) of said Northwest Quarter (NW 1/4), 699.88 feet;

Thence South 00 -44'-55" West 88.74 feet to the Point of Beginning;

Containing a total of 9.800 acres.

The Easterly line of the Stiles Street right of way is assumed to bear North 00 -18-35' East.

The aboved described property shall be rezoned from A-1 Agricultural to R-1 Residential.

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

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

SECTION 5. 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 18th day of September, 1995, and approved this 18th day of September, 1995.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE 432-95

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA.

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned R-1 Residential is described as follows:

That portion of Lot Twelve (12) of the Subdivision of the East 3/4ths of the South Half (S1/2) of Section Thirty-two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., described as commencing at a point which is 639.28 feet South of the intersection of the South line of Lot Eight (8) of said Subdivision with the East line of the right of way of the Illinois Central Railway, thence South along the East line of said railroad right of way a distance of 91 feet, thence East a distance of approximately 175 feet to the West line of the Delhi and Independence State Road, thence Northerly along the West line of said road a distance of approximately 91 feet to a point directly East of the point of beginning, thence West to the point of beginning, all in the City of Manchester, Delaware County, Iowa and is further described as being located at 1033 South Third Street, Manchester, Iowa.

and is hereby amended and hereafter designated as M-2 General Manufacturing District,

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 2nd day of October, 1995.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 441-96

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY AMENDING PROVISIONS PERTAINING TO HOME OCCUPATIONS

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

SECTION 1. SECTION MODIFIED. Chapter 121, Section 15, of the Code of Ordinances of the City of Manchester, Iowa, 1991, is repealed and the following adopted in lieu thereof:

121.15 HOME OCCUPATIONS

1. Intent. The intent of this section is to protect and maintain the residential character of a neighborhood while permitting certain limited commercial activities that are specifically authorized to be carried out in a home.

2. Definition. A "home occupation" is any business, profession, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the use of such building for dwelling purposes and which does not change the essential residential character of such building.

3. Regulations.

A. The business, profession, occupation or activity shall not utilize an area, in excess of thirty percent (30%) of the combined floor area of the residence, and any accessory building(s) excluding open or screened-in porches or patios,

B. The business, profession, occupation or activity shall employ only members of the immediate family living within the dwelling.

C. All activities of said business, profession or occupation shall be conducted entirely within the confines of an enclosed dwelling or accessory building.

D. All services conducted and commodities sold shall be related and incidental to the home occupation.

E. No commodity, merchandise or materials, processed or unprocessed, shall be displayed on the exterior, and no exterior storage of such commodities, merchandise or materials or other exterior indication of the home occupation or variation from the residential character of the principal and/or accessory building shall be allowed, except as in subsection 121.15(4) following.

F. No traffic shall be generated by such home occupation in materially greater volumes than would normally be expected in that residential neighborhood.

4. Signs and Displays. No sign, other than a nameplate, more than two (2) square feet in area shall be allowed; the sign shall be non-lighted, shall be non-reflecting in nature and may be attached to the dwelling or accessory building or may be freestanding. A freestanding sign shall be at least five (5) feet from all property lines.

5. Physical Requirements.

A. The dwelling or accessory building and all property involved must conform to accepted zoning and regulatory specifications at all times.

B. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors, electrical disturbances or excessive traffic generation, which would be objectionable or detrimental to the residential character of the neighborhood.

6. Conformity to Regulations. Any business, profession, occupation or activity, the operation of which does not meet these definitions, regulations and requirements, shall not be deemed to be a home occupation.

7. Special Exceptions. The Board of Adjustment shall have the authority to grant special exceptions to the "Regulations" specified in 121.15(3).

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 2nd day of January, 1996, and approved this 2nd day of January, 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE 443-96

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned M-2 General Manufacturing District to A-1 Agricultural District if further described as:

All that part of Lots 1, 2 and 14 conveyed to the State of Iowa by Warranty Deed recorded in Bk 91, P371,. Office of the Recorder, Delaware County, IA lying northerly of a line beginning at a point N41°30'W 641.9 feet & N43°55'E 80.2 feet from the SW corner of said Lot 14, thence S41°30'E 194.2 feet, thence S47° 05 3/4'E 769.0 feet, thence N77°57 1/2 'E 27.9 feet, thence N 72° 32'E 550.4 feet, thence North 79°11 1/2' E 250.8 feet, thence N 73°54'E 800.1 feet, thence N15° 23'W 60.0 feet, thence N82°03 1/4'E 309.1 feet to a point on the E line of tract; all being in Sec. 5, Twp 88 N, Sec. 32 & 33, Twp. 89 N, all in R5, W of 5th P.M. as shown on Right of Way Plat, containing 34.97 acres more or less.

ALSO: Part of SE 1/4, Sec. 32, Twp. 89N, R5, W of 5th P.M. described as: That part of Lot 3 of Lot 5 and Lots 3 and 4 of Lot 14 of Subdivision of E 3/4 of S 1/2 of Sec. 32 lying W of Maquoketa River, and described as beginning at the SWly corner of Lot 3 of Lot 5, thence N31°24'W 458.42 feet, thence N18° 12'W 586.41', thence S 84°12'E 194.70 feet, thence N56°48'E 155.76 feet, thence N00°00'E 49.50 feet, thence N90°00'E 300.00 feet to the centerline of the Maquoketa River channel, thence along said channel centerline S30°10'E 77.02 feet, thence S 22° 33'W 145.31 feet, thence S20°42'W 126.04 feet, thence S40°48'W 227.67 feet, thence S19°45'W 139.97 feet, thence S12°29'E 107.83 feet, thence S52°10'E 210.97 feet, thence S69°32'E 106.69 feet, thence S73°56'W 513.89 feet to the Northerly line of property owned by the City of Manchester, thence S37°22'W 340.00 feet, thence S52°38'E 28.40 feet to the centerline of a 20 foot easement, thence S 65° 42'W 179.80 feet, thence S 80°12'W 270.71 feet, thence N34°31'W 378.32 feet, thence N55°29'E 122.1 feet to the point of beginning, containing 14.11 acres more or less. Subject to all easements of record.

That part of the S 1/2 SE 1/4 Sec. 32, Twp. 89N, R5, W of the 5th P.M. described as commencing at the SE corner of said Sec. 32, thence N00°08'E 765.65 feet, thence S 88°30'W 389.1 feet, thence N49°19'W 370.94 feet to the point of beginning, thence N 49°19'W 111.0 feet, thence S40°41'W 198.8 feet, thence N 49° 19'W 120.2 feet, thence S 69°01'W 185.19 feet, thence S83°31'W 443.6 feet, thence S65°25'E 663.4 feet, thence N 42°32'E 444.7 feet to point of beginning, exclusive of presently traveled access road said parcel containing 4.15 acres more or less.

and is hereby amended and hereafter designated as A-1 Agricultural District.

The property described above is located north of Highway #20 in the 1000 Block of South Third Street.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 19th day of February, 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE 458-96

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned B-1 Business District, Service and Wholesale to R-1 One Family Dwelling District is further described as:

The South 1/2 of Lots 173, 174, and 175, and all of the lots 218, 219, 220 and 221 in the City of Manchester, Delaware County, Iowa according to plat recorded in Book I, L.D., Page 284

and is hereby amended and hereafter designated as R-1 One Family Dwelling District.

The property described above is located behind 613 East Main Street, Manchester, Iowa.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 21st day of October, 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE 462-96

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned R-1 One Family District to M-1 Limited Manufacturing District is further described as:

the South one half (S 1/2) of Lot 1 (1) of Paxson Addition to Manchester. Also, Lot 2 and the North 53 1/2 feet of Lot 1 of Paxson's Addition to Manchester, also described as the North One-Half of Lot 1 and the East 33.8 feet of Lot 2 of Paxson's Addition to Manchester, Iowa according to plat recorded in Book 1 Plats, pg. 116; and that part of Lot 2 of said Paxson's Addition described as commencing at the Northeast corner of Lot 3 of said Paxson's Addition and running thence East 65.2 feet, thence South 105 feet, thence West 64.9 feet, thence North 105 feet to the place of beginning, all in the City of Manchester, Iowa,

and is hereby amended and hereafter designated as M-1 Limited Manufacturing District.

The property described above is located at 511-515 South 5th Street, Manchester, Iowa.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 21st day of October, 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 463-96

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY AMENDING PROVISIONS PERTAINING TO NON-CONFORMING USES OF LAND.

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

SECTION 1. SECTION MODIFIED. Chapter 121, Section 18, Paragraph 4 of the Code of Ordinances of the City of Manchester, Iowa, 1991, is repealed and the following adopted in lieu thereof:

121.18(4) If any such nonconforming use of land ceases for any reason for a period of more than twelve (12) months, any subsequent use of such land shall conform to the district regulations for the district in which such land is located.

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 2nd day of December, 1996, and approved this 2nd day of December, 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE 464-96

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1991, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned A-1 Agricultural District to M-2 General Manufacturing District is further described as:

All that part of Lots 1, 2 and 14 conveyed to the State of Iowa by Warranty Deed recorded in Bk 91, P371, Office of the Recorder, Delaware County, IA lying northerly of a line beginning at a point N 41°30' W 641.9 feet & N 43°55' E 80.2 feet from the SW corner of said Lot 14, thence S 41°30' E 194.2 feet, thence S 47°05 3/4' E 769.0 feet, thence N 77°57 1/2' E 27.9 feet, thence N 72°32' E 550.4 feet, thence North 79°11 1/2' E 250.8 feet, thence N 73°54' E 800.1 feet, thence N 15°23' W 60.0 feet, thence N 82°03 1/4' E 309.1 feet to a point on the E line of tract; all being in Sec. 5, Twp 88 N, Sec. 32 & 33, Twp. 89 N, all in R5, W of 5th P.M. as shown on Right of Way Plat, containing 34.97 acres more or less.

and is hereby amended and hereafter designated as M-2 General Manufacturing.

The property described above is located north of Highway #20 in the 1000 Block of South Third Street.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 4th day of November, 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE 007-97

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY PROVIDING ZONING CLASSIFICATIONS FOR AREAS ANNEXED INTO THE CITY LIMITS

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. NEW SECTION: The Code of Ordinances of the City of Manchester, Iowa, 1997 is amended by modifying Chapter 121, numbered 121.04 entitled ZONING MAP, by establishing zoning classifications for the following:

That part of Lots Six (6) and Seven (7) of the Subdivision of the North One-half (N 1/2) of the Southwest Quarter (SW 1/4) of Section Twenty (20), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M. according to plat recorded in Book A Plats, Page 19, described as commencing at a point 67.0 feet North of the Southeast corner of said Lot Seven (7) and running thence North 66.0 feet, thence West 133.0 feet, thence South 66.0 feet, thence East 133.0 feet to the point of beginning, all in Delaware County, Iowa;

The above described property, also known as 608 Quaker Mill Drive, shall be zoned R-3 General Residential.

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

SECTION 3. SEVERABILITY CLAUSE. If any section, provisions or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinanance 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 18th day of August, 1997, and approved this 18th day of August, 1997.

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:
Karen K. Cole
Karen K. Cole, City Clerk

ORDINANCE NO. 009-97

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY ADDING A NEW SECTION TO ALLOW FOR DEVELOPMENT SIGNS

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1997 is amended by adding a new section in Chapter 125, numbered 125.02(5) entitled Development Signs, which is hereby adopted to read as follows:

125.02(5) DEVELOPMENT SIGNS. Permanent development or subdivision name signs are allowed. The following design standards are required:

a. The sign shall be a free standing sign or a monument sign.

b. The sign shall not, unless permitted pursuant to 121.11A of the Code, project onto the public way or onto any public utility easements.

c. The sign area shall be no larger than sixty-four square feet or thirty-two square feet per sign face if double sided.

d. The sign and other appurtenances shall be no higher than eight feet.

e. The sign only includes the name of the subdivision or development as platted and filed in the office of the Delaware County Recorder and includes no advertising or the name of any commercial enterprise of any type. The sign may not be erected until after the final plat has been approved, provided the sign complies with other applicable provisions of this section.

f. The sign may be illuminated so long as the illumination does not impair traffic visibility. Flashing lights are not allowed.

g. The sign shall not be allowed to obstruct traffic or pedestrian vision. It must meet the setbacks specified in Section 125.08 of this Chapter.

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 20th day of October, 1997, and approved this 20th day of October, 1997.

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:
Karen K. Cole
Karen K. Cole, City Clerk

ORDINANCE 016-97

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned B-3 Business District, Service and Wholesale is further described as:

> That part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth P.M., described as commencing at the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/40, and running thence North 00 -39'40" West one Hundred Twenty-Three (123.0) feet along the west line of said Southeast Quarter (SE 1/4) to the Point of Beginning, thence North 00 -39'-40" West along said West line One Hundred Fifty-Seven (157.0) feet, thence North 90 -00'-00" East One Hundred Sixty-Four (164.0) feet thence South 00 -39'-40" West One Hundred Fifty-Seven (157.0) feet thence South 90 -00'-00" West One Hundred Sixty-Four (164.0) feet to the point of beginning, said parcel containing approximately 0.59 acre.

and is hereby amended and hereafter designated as R-3 General Residence Dwelling District which shall become effective upon construction of a four foot high fence on the west property line pursuant to agreement presented to City within 60 days of the passage of this Ordinance. (Fence constructed on 10-6-97)

The property described above is located at 1004 East Main Street, Manchester, Iowa.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on the 6th day of October, 1997.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE NO. 017-97

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY AMENDING PROVISIONS PERTAININGTO MANUFACTURED, MOBILE AND MODULAR HOMES

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

SECTION 1. SUBSECTIONS MODIFIED. Section 128.01, Subsections 3 and 4 of the Code of Ordinances of the City of Manchester, Iowa, 1997, are repealed and the following adopted in lieu thereof:

3. "Mobile home park" means any site, lot, field or tract of land upon which three (3) or more mobile homes, manufactured homes, or modular homes, or a combination of any such homes, are placed on developed spaces and operated as a for-profit enterprise with water, sewer or septic, and electrical services available. The term "mobile home park" is not to be construed to include mobile homes, buildings, tents or other structures temporarily maintained by any individual, educational institution or company on their own premises and used exclusively to house their own labor or students. The mobile home park shall meet the requirements of any zoning regulations that are in effect.
(Code of Iowa, Sec. 435.1)

4. "Modular home" means a factory-build structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built structures, and must display the seal issued by the State Building Code Commissioner.
(Code of Iowa, Sec. 435.1)

SECTION 2. SUBSECTION MODIFIED. Section 128.02, Subsection 2 of the Code of Ordinances of the City of Manchester, Iowa, 1997, is repealed and the following adopted in lieu thereof:

2. Existing Homes. A taxable mobile home, manufactured home or modular home which is located outside of a mobile home park as of January 1, 1995, shall be assessed and taxed as real estate, but is exempt from the permanent foundation requirement of this chapter until the home is relocated.

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 15th day of December, 1997, and approved this 15th day of December, 1997.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCER NO. 018-97

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF MANCHESTER, 1997, BY AMENDING SECTION 121.11a ENTITLED "STRUCTURES LOCATED IN CITY RIGHT-OF-WAY" TO CLARIFY THE EXTENT OF REGULATION.

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

SECTION 1 – SECTION MODIFIED. Chapter 121.11A of the Code of Ordinances of the City of Manchester, Iowa, is repealed and the following adopted in lieu thereof:

121.11A. STRUCTURES LOCATED IN CITY RIGHT-OF-WAY OR EASEMENT. No structure except a single mailbox attached to a single post, or except multiple mailboxes attached as one unit to one or more posts, shall be placed in a city right-of-way or easement except as set forth herein. The Council may approve a request to build a structure on a City right-of-way or easement benefiting the City of Manchester, Iowa, if it determines:

1. That the proposed structure will not significantly limit or impair the ability of the city to utilize said right-of-way or easement; and

2. That the proposed structure will not significantly limit or impede the ability of the city to provide essential city services, including but not limited to utility service, snow removal, and street repair;

3. That the property owner executes an indemnification agreement holding the city harmless and indemnifying it for any losses resulting from injury or damages to personal property caused by the structure placed upon the city right-of-way or easement.

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 15th day of December, 1997, and approved this 15th day of December, 1997.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 019-97

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY ADDING A NEW PARAGRAPH RESTRICTING DEVELOPMENT SIGNS

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1997 is amended by adding a new Paragraph in Chapter 125, numbered 125.02(5)(h) entitled Development Signs, which is hereby adopted to read as follows:

h. No more than one sign shall be allowed at the street entrance to a subdivision, unless however the sign is divided into two signs located on both sides of a street and provided that the sum of the two signs does not exceed sixty-four square feet.

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

SECTION 3. SEVERABILITY CLAUSE. 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 15th day of December, 1997, and approved this 15th day of December, 1997.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 025-98

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY ADDING A NEW PROVISION ALLOWING NURSING HOMES AND RETIREMENT COMMUNITIES IN RESIDENTIAL DISTRICTS

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

SECTION 1. NEW PROVISION. The Code of Ordinances of the City of Manchester, Iowa, 1997, is amended by adding a new provision in Chapter 123, numbered 123.02(1) entitled *Permitted Uses*, which is hereby adopted to read as follows:

N) Nursing Homes and Retirement Communities.

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 20th day of April, 1998, and approved this 20th day of April, 1998.

ATTEST:

Karen K. Cole, City Clerk

Milt L. Kramer, Mayor

ORDINANCE NO. 026-98

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY AMENDING PROVISIONS PERTAINING TO DEVELOPMENT SIGNS

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

SECTION 1. SECTION MODIFIED: Chapter 125, Section 2(5) of the Code of Ordinances of the City of Manchester, 1997 is repealed and the following adopted in lieu thereof:

125.02(5) DEVELOPMENT SIGNS. Temporary or permanent development or subdivision name signs are allowed. The following design standards are required:

a. The sign shall be a free standing sign or a monument sign.

b. The sign shall not project onto the public way or onto any public utility easements.

c. The sign area shall be no larger than sixty-four square feet or thirty-two square feet per sign face if double sided.

d. The sign and other appurtenances shall be no higher than eight feet.

e. Temporary signs shall only be allowed for the purpose of identification of property for sale or rent within the subdivision. Permanent signs shall only include the name of the subdivision or development as platted and filed in the office of the Delaware County Recorder and include no advertising or the name of any commercial enterprise of any type. The sign may not be erected until after the final plat has been approved, provided the sign complies with other applicable provisions of this section.

f. The sign may be illuminated so long as the illumination does not impair traffic visibility. Flashing lights are not allowed.

g. The sign shall not be allowed to obstruct traffic or pedestrian vision. It must meet the setbacks specified in Section 125.08 of this Chapter.

h. No more than one sign shall be allowed at the street entrance to a subdivision, unless however the sign is divided into two signs located on both sides of a street and provided that the sum of the two signs does not exceed sixty-four square feet.

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 20th day of April, 1998, and approved this 20th day of April, 1998.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ORDINANCE NO. 027-98

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY AMENDING REGULATIONS FOR ACCESSORY BUILDINGS

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

SECTION 1. SECTION MODIFIED. Chapter 121.14, Section 5, of the Code of Ordinances of the City of Manchester, Iowa, 1997, is repealed and the following adopted in lieu thereof:

5. Setback Requirements. No accessory building shall be placed within five (5) feet of a side or rear lot line except for those accessory buildings consisting of 960 or more square feet and they shall be placed a minimum of ten (10) feet from a side or rear lot line and no accessory buildings shall be within ten (10) feet of another structure. No accessory structure or use shall be located within a front yard.

SECTION 2. NEW SECTION. The Code of Ordinances of the City of Manchester, Iowa, 1997 is amended by adding a new Section in Chapter 121, numbered 121.14 Sub paragraph 6 entitled *Type of Construction*, which is hereby adopted to read as follows:

6. Type of Construction. All accessory buildings larger than 100 square feet or private garages located within a residential district shall be constructed in a manner consistent with the residential character of the district. All accessory buildings or private garages located within a residential district shall:

   (1) have a permanent floor located within the structure consisting of a concrete or asphalt base. Rock or dirt floors shall be prohibited;

   (2) be constructed with siding commonly used for residential structures. The use of galvanized steel, painted steel or aluminum sheets as commonly used in agricultural buildings is prohibited;

   (3) be constructed with a roofing material commonly used for residential structures, which shall include asphalt or fiberglass shingles, shakes, or vulcanized rubber. The use of steel or aluminum roofing materials as commonly found in commercial or agricultural structures is prohibited.

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 20th day of April, 1998, and approved this 20th day of April, 1998.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ORDINANCE AMENDING THE OFFICIAL ZONING MAP

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA 1997, BY REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

SECTION 1. The Zoning Ordinance of the City of Manchester, Iowa is hereby amended by amending the Official Zoning Map as follows:

The area affected, currently zoned R-2 One Family Dwelling District is further described as:

> Lot Five Hundred Twenty Two (522) and the East Half (El/2) of Lot Five Hundred Twenty Three (523) Original Plat of Manchester, Delaware County, Iowa, and
> Lot Five Hundred Twenty Six (526) except the South sixty five (65.0) feet Thereof; and Lot Five Hundred Twenty Seven (527) except the South sixty Five (65.0) feet, and further excepting the West Twenty Nine (29.0) feet Thereof, in Manchester, Iowa, according to plat recorded in Book 1, L.D., Page 284, and
> The West Twenty Nine feet (29) of Lot Five Hundred Twenty Seven (527), Lot Five Hundred Twenty Eight (528) and Lot Five Hundred Twenty Nine (529), Original Town of Manchester, Book 1, containing 18470 square feet more or less, all being in and forming a part of the City of Manchester, Delaware County, Iowa.

And is hereby amended and hereafter designated as B-2 Business District, General Retail.

The property described above is located at 800, 900, 908 and 910 West Main Street, Manchester, Iowa.

SECTION 2. The City Clerk, after adoption and publication of this Ordinance, shall attach a certified copy to the Official Zoning Map.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA ON THE 15TH DAY OF JUNE, 1998.

Milt L. Kramer, Mayor

ATTEST:
Karen K. Cole, City Clerk

ORDINANCE NO. 030-98

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, 1997, BY REPEALING SECTION 125.08 OF CHAPTER 125, PERTAINING TO VISION CLEARANCE, AND ADOPTING THE FOLLOWING IN LIEU THEREOF

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

SECTION 1. SECTION MODIFIED, Chapter 125, Section 08, of the Code of Ordinances of the City of Manchester, Iowa, 1997 is repealed and following adopted in lieu thereof:

> 125.08 VISION CLEARANCE. On any corner lot in any district, no fence, wall, or other structure shall be erected, or no foliage plant shall be permitted to grow to a height of more than three (3) feet above the elevation of the established curb grade at the intersection of the streets, on any part which is bounded by street lines of the intersecting streets and within a line connecting two points on said street lines twenty (20) feet from their point of intersection. THE STREET LINES, FOR THE PURPOSE OF THIS PARAGRAPH, ARE DEEMED TO BEGIN AT THE EDGE OF THE STREET RIGHT-OF-WAY AND NOT THE STREET SURFACE OR CURB LINE.

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 1st day of June, 1998, and approved this 1st day of June, 1998.

Milt L. Kramer, Mayor

ATTEST:
Karen K. Cole, City Clerk