DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
$ 10.00

Prepared by: Linda Gaul, City Clerk, City of Earlville, Box 188, Earlville, IA 52041 Phone: 563-923-3365

CERTIFICATION

STATE OF IOWA

COUNTY OF DELAWARE

I, Linda L. Gaul, do hereby certify that I am the duly appointed, qualified, and acting Clerk of the City of Earlville, Iowa, in the County aforesaid, and as such Clerk I have in my possession or have access to the records of the proceedings of the City Council. I do further state that the hereto attached **Chapter 122, Subdivision Regulations**, Earlville Code of Ordinances, is a correct copy of **Chapter 122,** Earlville Code of Ordinances, which was adopted by **Ordinance #119**. I do further state that the hereto attched **Ordinance #119**, is a correct copy of the original **Ordinance #119**, approved and adopted by the City Council of the City of Earlville, Iowa, at a session held the 14th day of October, 1996.

In testimony whereof, I hereunto set my hand and official seal of the City of earlville, Iowa.

Dated at Earlville, Iowa on this 10th day of April, 2002.

(SEAL)

Linda L. Gaul, City Clerk
City Clerk for City of Earlville

On this 11 day of April, 2002, before me Elaine M. Diesburg a Notary Public in and for the State of Iowa, personally appeared Linda Gaul, to me personally known, and, who, being by me duly sworn, did say that she is the City Clerk, of the City of Earlville, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authoriy of its City Council, and that Linda Gaul acknowledged the execution of the instrument to be a voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Elaine M. Diesburg
Notary Public
my commission expires: _____

ELAINE MARY DIESBURG
Commission Number 177512
My Commission Expires
7-19-04

(Seal)

ORDINANCE NO. 119

AN ORDINANCE READOPTING THE CODIFICATION OF ALL ORDINANCES OF THE CITY OF EARLVILLE, IOWA, OF A GENERAL OR PUBLIC NATURE OR IMPOSING A FINE OR PENALTY INCLUDING CODES AND MAPS ADOPTED BY REFERENCE, AS THE OFFICIAL CODE OF THE CITY OF EARLVILLE, IOWA, AS PROVIDED FOR AND PURSUANT TO CHAPTER 380 OF THE IOWA CODE; PROVIDING FOR THE TITLE AND CITATION OF THE CODE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES OF A GENERAL OR PUBLIC NATURE OR IMPOSING A FINE OR PENALTY, PASSED ON OR PRIOR TO OCTOBER 14, 1996, EXCEPT THOSE NOT CONTAINED IN SAID CODE OR RECOGNIZED AND CONTINUED IN FORCE BY REFERENCE THEREIN; PROVIDING PENALTIES FOR THE VIOLATION OF THE SEVERAL SECTIONS THEREOF; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

WHEREAS, Section 380.8 of the Iowa Code provides that at least once every five years, a city shall compile a set of ordinances to be adopted by an ordinance; and

WHEREAS, the City Council has determined that the Code of Ordinances should be adopted, as edited and compiled without change in substance, as provided in Section 380.8 of the Iowa Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EARLVILLE, IOWA:

Section 1. Code of Ordinances Readopted. That the proposed Code of Ordinances of the City of Earlville, Iowa, heretofore filed in the Office of the City Clerk of the City of Earlville, Iowa, consisting of Chapters 1 through 185, and including references to codes adopted by reference, a printed copy of which is attached hereto and incorporated herein by reference the same as if set out in herein, is adopted as the "Code of Ordinances, City of Earlville, Iowa."

Section 2. Ordinances Repealed. That all ordinances of the City of Earlville, Iowa, of a general and permanent nature, enacted on or before October 14, 1996, and not contained in said Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of said Code, except as hereinafter provided.

Section 3. Effect of Repeal; Ordinances Saved. That the repeal provided for in Section 2 hereof shall not affect any of the following:

(a) Any offense or act committed or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of said Code;

(b) Any ordinance promising or guaranteeing the payment of money to or from the City, or authorizing the issuance of any bonds or other evidence of indebtedness;

(c) Any appropriation or budget ordinance;

(d) Any ordinance establishing the compensation of any City officer or employee;

(e) Any contract or obligation assumed by the City;

(f) Any ordinance relating to the purchase, condemnation, acquisition or dedication of property for public use;

(g) Any ordinance dedicating, establishing, opening, naming, renaming, widening, narrowing or vacating any street, boulevard, avenue, alley or other public way, including rights-of-way;

(h) Any ordinance establishing or changing the grade of any street, avenue, boulevard, trafficway or other public way;

(i) Any ordinance authorizing, directing or otherwise relating to any public improvements;

(j) Any ordinance establishing or changing the limits of the City or pertaining to consolidations, annexations or exclusions;

(k) Any ordinance levying general or special taxes or special assessments or establishing tax increment financing districts;

(l) Any ordinance granting pensions for retired officers and employees;

(m) Any ordinance granting any right, privilege, easement or franchise to any person, firm or corporation;

(n) Any ordinance prescribing traffic regulations for specific streets or areas, such as ordinances designating one-way streets, arterial highways, through streets, stop intersections or intersections where traffic is to be

controlled by signals, and ordinances prohibiting restriction, limiting or otherwise regulating the stopping, standing or parking of vehicles;

(o) Any ordinance which, by its own terms, expires after a specified time, or on the prescribed date; and

(p) Any ordinance enacted on or after October 14, 1996.

The repeal provided for by Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance repealed by this ordinance.

The above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention of this ordinance to exclude from repeal any and all ordinances not of a general nature.

Section 4. Severability of Provisions. That each chapter, and any and all subdivisions of said Code hereby readopted, is independent of every other chapter and subdivision thereof, and the invalidity of any other chapter or subdivision thereof, shall not invalidate any other chapter or subdivision thereof.

Section 5. Official Copy. That the City Clerk shall attach to the official copy of the Code of Ordinances hereby readopted and attached hereto, the City Clerk's official certificate showing readoption and the effective date thereof, and shall retain the said copy and certificate on file in this office where copies of the same shall be subject to public inspection and for sale to the public.

Section 6. Amendments. That any additions or amendments to this Code when passed as ordinances amending this Code and which indicate the intention of the Council to make the same a part hereof shall be deemed to be incorporated in this Code so that a reference to the Code of Ordinances, City of Earlville, Iowa, shall be understood to include them.

Section 7. Distribution of Copies. That all printed copies of the Code shall be deposited with the City Clerk for distribution. The City Clerk may sell printed copies of said Code at the cost established by the City Clerk.

Section 8. This ordinance shall take effect upon publication.

Passed, approved, and adopted this 14 day of October, 1996.

Annette Salow
TONYXSALOWXMAYOR
ANNETTE SALOW, MAYOR PRO-TEM

ATTEST:

Linda Gaul
LINDA GAUL, CITY CLERK

TITLE V - BUILDING AND PROPERTY REGULATIONS

CHAPTER 122
SUBDIVISION REGULATIONS

122.01 Purpose
122.02 Jurisdiction
122.03 Definitions
122.04 Procedure
122.05 Subdivision Design Standards
122.06 Preliminary Plat Requirements
122.07 Final Plat Requirements
122.08 Fees
122.09 Variations and Exceptions
122.10 Enforcement
122.11 Changes and Amendments

122.01 PURPOSE. It is deemed essential to establish minimum standards for the design and development of all new subdivisions so that existing developments will be protected and so that adequate provisions are made for public utilities and other public requirements and to improve the health, safety and general welfare in the City.

122.02 JURISDICTION. This chapter applies to the subdivision of all lands within the corporate limits of the City and subdivisions of all lands within one (1) mile of the corporate limits.

122.03 DEFINITIONS. For the purpose of this chapter, the following terms and words are defined:

1. Access Street" means a street that is parallel to and adjacent to a major thoroughfare or highway; and which provides access to abutting properties and protection from through traffic.

2. "Block" means an area of land within a subdivision that is entirely bounded by streets, highways, or ways, except alleys; or by streets, highways or ways except alleys and the exterior boundaries of the subdivision.

3. "Building Lines" shall be shown on all lots intended for residential use of any character, and on commercial and industrial lots when required by ordinance. Such building lines shall not be less than required by the Zoning Ordinance. Where the subdivided area is not under zoning control, the Commission shall require building lines in accordance with the needs of each addition.

4. "City Engineer" means the City Engineer, consulting engineer or any other agent of the City designated to fulfill the function of the City Engineer with respect to this chapter.

5. "Commission" means the Planning and Zoning Commission.

6. "Collector Streets" means those which carry traffic from minor streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.

7. "Cul-de-sac" means a short, minor street having one end open to motor traffic, the other end being permanently terminated by a vehicular turnaround.

8. "Easement" means a grant by the property owner of the use, for a specific purpose, of a strip of land by the general public, a corporation, or a certain person or persons, and within the limits of which the owner of the fee shall not erect any permanent structures but shall have the right to make any other use of the land subject to such easement which is not inconsistent with the rights of the grantee. Public utilities shall have the right to trim or remove trees which interfere with the use of such easements.

9. "Engineer" means a registered engineer authorized to practice civil engineering as defined by the registration act of the State.

10. "Half Street" means a one-half width street right of way on the boundary of a subdivision dedication by the subdivider to the City; for future development when another subdivision is platted along the side of the half street. Half streets are not permitted.

11. "Lot" means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.

12. "Major Thoroughfare" means a street used primarily for fast, large volume traffic.

13. "Minor Street" means a street used primarily for access to the abutting properties.

14. "Performance Bond" means a surety bond or cash deposit made out to the City in an amount equal to the full cost of the improvements which are required by this chapter, said surety bond or cash deposit being legally sufficient to insure to the City that said improvements will be constructed in accordance with this chapter.

15. "Plat" means a map, drawing or chart on which the subdivider's plan of the subdivision is presented and which the subdivider submits for approval and intends to record in final form.

16. "Roadway" means that portion of the street available for vehicular traffic, and where curbs are laid, the portion from back to back of curbs.

17. "Subdivision" means the division of land into three (3) or more lots for the purpose, whether immediate or future, of transfer of ownership or building development; or any change in existing street lines or public easements. The term, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided, or the resubdivision of land heretofore divided or platted into lots or other divisions of land, or, if a new street is involved, any division of land.

18. "Surveyor" means a registered surveyor authorized to practice surveying as defined by the registration act of the State.

122.04 PROCEDURE. The procedure to be used in the preparation, filing and approval of a subdivision plat shall be as follows:

1. Preliminary Plat. Whenever the owner of any tract or parcel of land within the jurisdiction of this chapter wishes to subdivide or plat the same, said owner shall cause to be prepared a preliminary plat of said subdivision, and shall submit six (6) copies of said preliminary plat and other information to the Clerk. The preliminary plat shall contain such information and data as is outlined in Section 122.06 hereof.

2. Referral of Plat. The Clerk shall immediately refer copies of the preliminary plat to the Commission and to the City Engineer. The City Engineer shall carefully examine said plat as to its compliance with the ordinances of the City, the existing street system and good engineering practices and shall, as soon as possible, submit findings to the Commission.

3. Commission. After receiving the City Engineer's report, the Commission shall study the preliminary plat and other material for conformity thereof to these regulations. The Commission may confer with the subdivider on changes deemed advisable and the kind and extent of such improvements to be made by the subdivider. Before approving a preliminary plat, the Commission may, at its discretion, hold a public hearing on the proposed plat, notice of which shall be given by publication in a local newspaper of general distribution, or by posting notices on the tract, or by sending notices to affected property owners by mail. Such notice shall be given within seven (7) days prior to the public hearing. The Commission shall file with the Council recommendations for approval or rejection of such preliminary plat within forty-five (45) days after the date of submission of said plat to the Commission. Upon receiving recommendations of the Commission, the Council shall consider the same and if the plat is found to conform to the provisions of this chapter, the Council shall approval the preliminary plat.

4. Time Limit. The approval of the preliminary plat by the Council shall be null and void unless the final plat is presented to the Council within one hundred eighty (180) days after date of said preliminary plat approval.

5. Approval and Acceptance. Approval of the final plat and final acceptance of improvements shall be given by resolution of the Council which shall direct the Mayor and Clerk to certify the resolution which shall be affixed to the plat. Procedure for approval of the final plat shall be as outlined in Section 122.05(5) of this chapter.

122.05 SUBDIVISION DESIGN STANDARDS. The standards and details of design herein contained are intended only as minimum requirements so that the general arrangement and layout of a subdivision may be adjusted to a wide variety of circumstances. However, in the design and development of a plat, the subdivider shall use standards consistent with the site conditions so as to assure an economical, pleasant and durable neighborhood.

1. Streets. The design standards for streets shall be as follows:

A. Comprehensive Plan. All proposed plats and subdivisions shall conform to the comprehensive plan. All proposed plats and subdivisions shall also conform to additional proposed street plans as set out by the City.

B. Continuation of Existing or Planned Streets. Proposed streets shall provide for continuation or completion of any existing streets (constructed or recorded) or any streets which are a part of an approved preliminary subdivision plan, in adjoining property, at equal or greater width, but not less than fifty (50) feet in width, and in similar alignment, unless variations are recommended by the Commission.

C. Circulation. The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets, thoroughfares or unsubdivided land as may be required by the Commission. In a case where a street will eventually be extended beyond the plat, but is temporarily dead-ended, an interim turnaround may be required.

D. Street Intersections. Street intersections shall be as nearly at right angles as possible.

E. Cul-de-sacs. Whenever a cul-de-sac is permitted, such street shall be no longer than six hundred (600) feet and shall be provided at the closed end with a turnaround having a street property line diameter of at least one hundred thirty (130) feet in the case of residential subdivisions. The right of way width of the street leading to the turnaround shall be a minimum of fifty (50) feet. The property line(s) at the intersection of the turnaround and the lead-in portion of the street shall be rounded at a radius of not less than one hundred fifty (150) feet; or equal straight approach lines. A turnaround diameter greater than one hundred thirty (130) feet may be required by the Commission in the case of commercial or industrial subdivisions if it is deemed necessary.

F. Street Names. All newly platted streets shall be named and in a manner conforming to the prevailing street naming system. A proposed street that is obviously in alignment with other existing streets or with a street that may logically be extended although the various portions be at a considerable distance from each other, shall bear the same name. Names of new streets shall be subject to the approval of the Commission in order to avoid duplication or close similarity of names.

G. Physical and Cultural Features. In general, streets shall be platted with appropriate regard for topography, creeks, wooded areas and other natural features which would lend themselves to attractive treatment.

H. Half Streets. Dedication of half streets will not be permitted. Where there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half shall be platted if deemed necessary by the Commission.

I. Alleys. Alleys may be required in business areas and industrial districts for adequate access to block interiors and for off-street loading and parking purposes. Except where justified by unusual conditions, alleys will not be approved in residential districts. Dead-end alleys shall be provided with a means of turning around at the dead-end thereof.

J. Easements. Easements for utilities shall be provided along rear or side lot lines or along alleys, if needed. Whenever any stream or important surface watercourse is located in an area that is being subdivided, the subdivider shall, at the subdivider's own expense, make adequate provision for straightening or widening the channel so it will properly carry the surface water, and shall provide and dedicate to the City an easement along each side of the stream, which easement shall be for the purpose of widening, improving or protecting the stream and for the purpose of installation of public utilities. The waterway easements shall be approved by the City Engineer. The total width of such easements shall be adequate to provide for these purposes, and said easement shall be a minimum of fifty (50) feet on each side of the centerline of the stream or watercourse.

K. Neighborhood Plan. If any overall plan has been made by the Commission for the neighborhood in which the proposed subdivision is located, the street system of the latter shall conform in general thereto.

L. Land Not Platted. Where the plat to be submitted includes only part of the tract owned by the subdivider, the Commission may require topography and a sketch of a tentative future street system of the unsubdivided portion.

M. Major Thoroughfares. When a new subdivision, except where justified by limiting conditions, involves frontage on a heavy traffic way, the street layout shall provide motor access to such frontage by one of the following means:

(1) A parallel street supplying frontage for lots backing onto the trafficway.

(2) A series of cul-de-sacs or short loops entered from and planned at right angles to such a parallel street, with their terminal lots backing onto the highways.

(3) An access drive separated by a planting strip from the highway to which a motor access from the drive is provided at points suitably spaced.

(4) A service drive or alley at the rear of the lots.

Where any one of the above mentioned arrangements is used, deed covenants or other means should prevent any private residential driveways from having direct access to the trafficway.

N. Dedication. A deed to the City shall be given for all streets before the same will be accepted for City maintenance.

O. Railroads. If a railroad is involved, the subdivision plat should:

(1) Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.

(2) Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to go back onto the railroad; or form a buffer strip for park, commercial or industrial use.

(3) Provide cul-de-sac at right angles to the railroad so as to permit lots to back thereonto.

P. Street Widths. Streets shall have a width and cross-section as shown in the street plan for the type of street involved. Street plan can be found in the appendix to this Code of Ordinances.

Q. Street Grades. Streets and alleys shall be completed to the grades which have been officially determined or approved by the City Engineer. All streets shall be graded to the full width of the right-of-way and adjacent side slopes graded to blend with the natural ground level. The maximum grade shall not exceed six percent (6%) for main and secondary thoroughfares, or ten percent (10%) for minor or local service streets. All changes in grades on major roads or highways shall be connected by vertical curves of a minimum length equivalent to twenty (20) times the algebraic difference between the rates of grades, or greater, if deemed necessary by the City Engineer; for minor streets, fifteen (15) times. The grade alignment and resultant visibility, especially at intersections, shall be worked out in detail to meet the approval of the City Engineer.

R. Power Lines and Telephone Lines. All power lines and telephone lines shall be underground construction. All leads to light poles shall be underground. The subdivider shall submit a proposed plan directly to the utility company so proper planning can be made for this construction. See "Standard Specifications for Public Works" on file in the office of the Clerk for utility locations.

2. Blocks. The design of blocks shall conform to the following:

A. Length. No block shall be longer than 1,320 feet. The distance of 1,320 feet may be reduced by the City if it is considered to be excessive in its particular application.

B. Block Corner Radius. At street intersections, block corners shall be rounded with a radius of not less than fifteen (15) feet; unless at any one intersection a curve radius has been previously established, then such radius shall be used as standard.

3. Lots. The design of lots shall conform to the following:

A. Corner Lots - Widths. Corner lots shall have a minimum width of eighty (80) feet in order to permit adequate building set-backs on both front and side streets.

B. Double Frontage Lots Prohibited. Double frontage lots other than corner lots shall be prohibited except where such lots back onto a major street or highway or except in the case of large commercial or industrial lots.

C. Side Lot Lines. Side lot lines shall be approximately at right angles to the street or radial to curved streets.

D. Lot Size - Public Sewer Not Available. For the purpose of complying with minimum health standards, lots which cannot be reasonably served by an existing public sanitary sewer system shall have a minimum width of one hundred (100) feet, measured at the building line, and an area of not less than twenty thousand (20,000) square feet.

4. Improvements. Improvements shall be provided as follows:

A. General. The subdivider shall install and construct all improvements required by this chapter. All required improvements shall be installed and constructed in accordance with "Standard Public Works Specifications" on file in the office of the Clerk, under the supervision of the Council, and to its satisfaction. Inspection shall be provided by the City, at the subdivider's expense, as deemed necessary to assure quality workmanship on all portions of the construction to be dedicated to the City. Said inspection costs shall be paid by the subdivider before final approval will be given. The subdivider shall provide a minimum of 24 hours notice to the City prior to commencement of construction work so the City can make arrangements for inspectors.

B. Grades. All streets, alleys, and sidewalks within the platted area which are dedicated for public use shall be brought to the grade approved by the Council after receiving the report and recommendations of the City Engineer.

C. Paving. Concrete paving with curbs shall be installed on all roadways in the plat being dedicated for public use and shall be constructed of Portland cement concrete or asphaltic concrete with Portland cement concrete curbs and gutters, all in accordance with designs and specifications approved by the Council and at grades approved by the City Engineer.

D. Sidewalks. Sidewalks shall be constructed on both sides of all streets being dedicated for public use. Sidewalks shall be a minimum of four (4) feet in width and shall be constructed of Portland cement concrete in accordance with designs and specifications approved by the Council and at grades approved by the City Engineer.

E. Water and Sewer. Water mains, sanitary sewer lines, and storm sewers and their appurtenances shall be constructed and installed in accordance with the plans and specifications adopted by the Council. Water and sewer lines shall be made accessible to each lot.

Final Approval and Acceptance. The approval of the nal plat and final acceptance of improvements shall be in cordance with the following:

A. Construction of Improvements. Before the Council approves the final plat, all of the foregoing improvements shall be constructed and accepted by formal resolution of the Council. Before passage of said resolution of acceptance, the City Engineer shall report that said improvements meet all City specifications and ordinances or other requirements and all agreements between the subdivider and the City; and the City Attorney shall report that the subdivision owner has filed in proper form a maintenance bond (or bonds) to cover all construction being dedicated to the City. Maintenance bonds shall be in the name of the contractors who have done the work. Maintenance bonds shall be in effect from passage of resolution of acceptance by the Council, then for the following number of years:

Concrete paving	4 years
Storm sewers and appurtenances	2 years
Sanitary sewers and appurtenances	2 years
Watermains and appurtenances	2 years
Sidewalks	2 years

B. Bond Posted. The requirement for the construction of all improvements may be waived, if the subdivider will post a performance bond or certified check with the Council guaranteeing that said improvements will be constructed within a period of one (1) year from final acceptance of the plat. However, if a performance bond is posted, final acceptance of the plat will not

constitute final acceptance by the City of any improvements to be constructed. Improvements will be accepted only after all construction has been completed all in accordance with the rules above outlined. No maintenance work will be done by the City and no public funds will be expended in the subdivision until such improvements have been completed and accepted by the City.

C. Resubdivisions. The Council may waive the requirements for the construction and installation of some or all of the foregoing improvements in cases of resubdivisions where only the size, shape and arrangement of the lots is being changed and no new streets are required and in case of dedications of land or rights of way to public use where such dedication is in excess of the needs of the subdivision and is desired by a public agency in lieu of a purchase of condemnation proceeding.

122.06 PRELIMINARY PLAT REQUIREMENTS. The preliminary plat of a subdivision is not intended to serve as a record plan. Its purpose is to show on a map all facts needed to enable the Commission to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The subdivider or a representative may call at the City offices in advance of the preliminary plat in order to discuss the proposed subdivision and in order to obtain information as to the requirements necessary for approval of the plat.

1. Number of Copies and Scale. Six (6) copies of the preliminary plat shall be submitted as prescribed for review. The scale of the map shall be 1" = 50' on small subdivisions and 1" = 100' on large subdivisions unless otherwise approved by the Commission.

2. Contents of Preliminary Plat. The preliminary plat shall contain the following:

A. Name of subdivision, date, point of compass, scale and official description of the property being platted.

B. Name and address of recorded owner and of developer.

C. Name and address of engineer and/or land surveyor.

D. Existing buildings, railroads, underground utilities, and other right-of-ways.

E. Location, names and widths of all existing and proposed roads, alleys, streets and highways in or adjoining the area being subdivided.

F. Location and names of adjoining subdivisions, and the names of the owners of adjoining subdivisions, and the names of the owners of adjoining acreage parcels.

G. Proposed lot lines with approximate dimensions and the square foot area of non-rectangular lots.

H. Areas dedicated for public use, such as schools, parks and playgrounds.

I. Contour lines at intervals of not more than five (5) feet.

J. Building setback lines.

K. Boundaries of the proposed subdivision shall be indicated by a heavy line.

L. Zoning classification of the area.

M. Proposed utility services.

(1) Source of water supply.

(2) Provision for sewage disposal.

(3) Provision for storm water drainage.

N. A vicinity sketch at a legible scale showing the relationship of the plat to its general surroundings.

O. Lot numbers.

P. Proposed street widths.

4. Accompanying Material. The following shall accompany each plat:

A. Title Opinion. An attorney's opinion in duplicate showing that the fee title to the subdivision land is in the owner as shown on the plat and showing any encumbrances that may exist against said land.

B. Percolation Tests. Any plat that cannot reasonably be served by public sewer shall show results of soil

percolation tests made by the engineer preparing the plat. Such tests shall be made in accordance with specifications approved by the City Engineer.

122.07 FINAL PLAT REQUIREMENTS. When and if the preliminary plat is approved, the subdivider shall submit six (6) copies of the final plat for review by the Commission. The scale of the map shall be 1" = 50' on small subdivisions and 1" = 100' on large subdivisions, unless otherwise approved by the Commission.

1. Contents of Final Plat. The final plat shall contain the following:

A. Name of subdivision.

B. Scale.

C. Compass point.

D. Curve data including delta angle, length of arc, degree of curve, tangent.

E. Boundary lines of subdivided area with accurate distances, bearings and boundary angles; and a table showing mathematical closure of the subdivision boundaries, and also coordinate points of all interior lot corners with reference to one corner of the subdivision if the subdivision contains curve linear lot lines.

F. Exact name, location, width, lot designation, and center line of all streets within the subdivision.

G. Easements for public utilities showing width and use intended.

H. Building setback lines with dimensions.

I. Official legal description of the property being subdivided.

J. Lot numbers.

K. Certification of registered engineer and/or land surveyor.

L. Description and location of all permanent monuments set in the subdivision, including ties to original government corners.

M. The final plat shall be an exact duplicate of that plat proposed to be filed for record in the County Recorder's office.

2. Accompanying Material. The final plat shall be accompanied by the following:

A. Plans and profiles of all streets and alleys at a fifty (50) foot horizontal scale and five (5) foot vertical scale. Profiles shall show location, size, and grade of all conduits, sewers, pipelines, etc. to be placed under the streets and alleys. Profiles of east and west streets shall be drawn so that the west end of the profile shall be at the left side of the drawing. Profiles of north and south streets shall be drawn so that the south end of the profile shall be at the left side of the drawing. Submit two (2) copies for review by the City Engineer. After review and approval, submit four (4) copies in approved form.

B. Any protective covenants or restrictions to be imposed upon the plat shall be submitted for approval.

C. A deed to the City, properly executed, for all streets intended as public streets, and for any other property intended for public use.

D. The following certificates:

(1) By the owner and spouse, if any, that the subdivision is with the free consent and is in accordance with the desire of the owners. This certificate must be signed and acknowledged by the owner and spouse before some officer authorized to take the acknowledgments of deeds.

(2) From the County Treasurer that the subdivision land is free from taxes.

(3) From the Clerk of the District Court that the subdivision land is free from all judgments, attachments, mechanics liens, or other liens of record in that office.

(4) Performance bond, if any.

122.08 FEES. Before a preliminary plat may be considered by the Commission, the subdivider or agent shall deposit with the City a fee of fifty dollars ($50.00)to be credited to the general fund of the City.

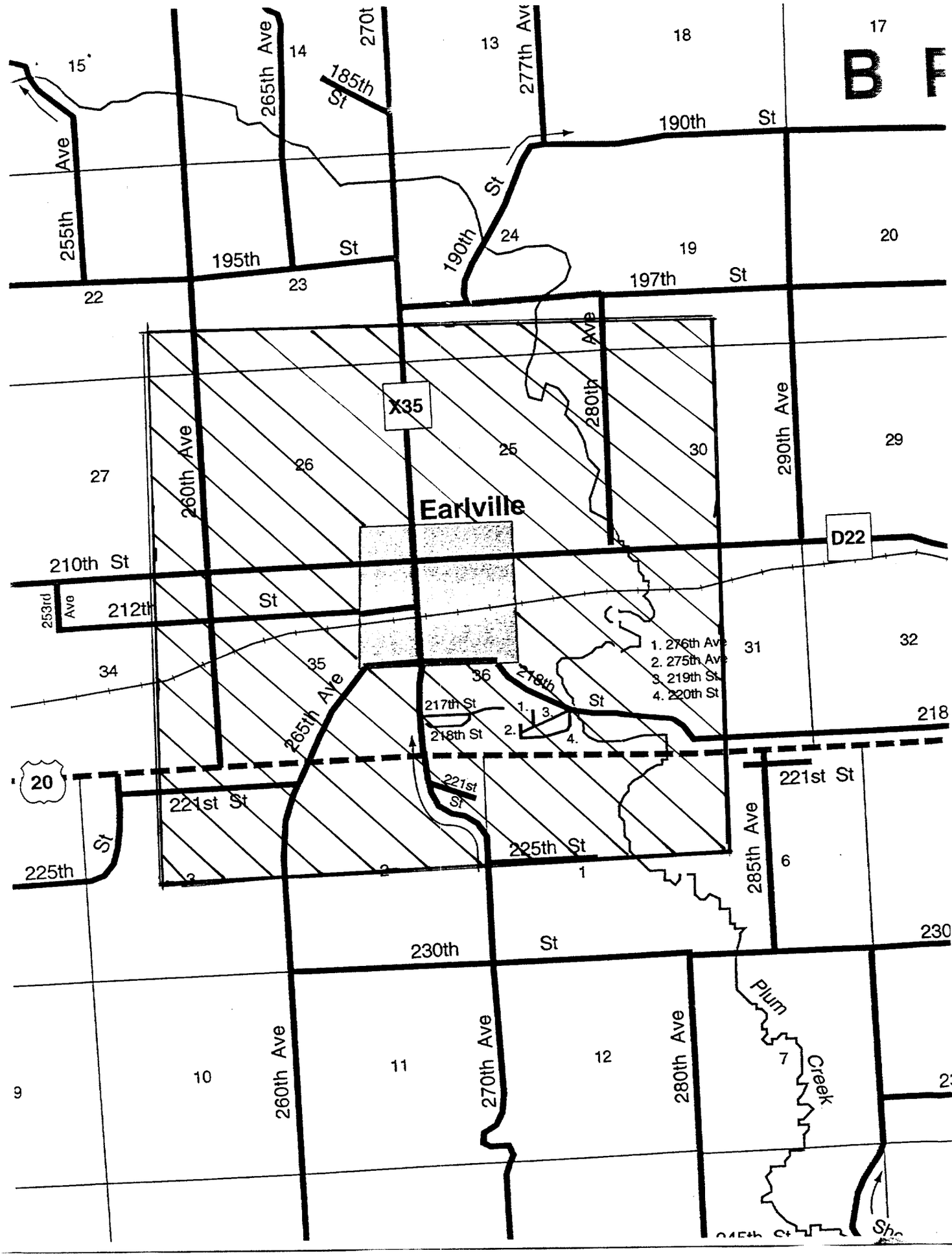
122.09 VARIATIONS AND EXCEPTIONS. Whenever the tract proposed to be subdivided is of such unusual topography, size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the regulations would result in substantial hardships or injustices, the Council, upon recommendation of the Commission, may vary or modify the requirements so that the subdivider is allowed to develop the property in a reasonable manner; but so, at the same time, the public welfare and interest of the City and surrounding area is protected and the general intent and spirit of these regulations is preserved.

122.10 ENFORCEMENT. The following methods may be used to enforce the requirements of this chapter:

1. Recording. No plat of any subdivision shall be recorded in the County Recorder's office or have any validity until it has been approved in the manner prescribed herein.

2. City Funds. The Council shall not permit any public improvements over which it has control to be made from City funds or any City money expended for improvements or maintenance on any street in any area that has been subdivided after the date of adoption of these regulations unless such subdivision and streets have been approved in accordance with the provisions contained herein and accepted by the Council as a public street.

122.11 CHANGES AND AMENDMENTS. Any provision of these regulations may be changed and amended from time to time by the Council; provided, however, that such changes and amendments shall not become effective until after study and report by the Commission and until after a public hearing has been held, public notice of which shall be given in a newspaper of general circulation in the City at least fifteen (15) days prior to such hearing.


Earlville
X35
D22
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1. 276th Ave
2. 275th Ave
3. 219th St
4. 220th St
255th Ave
265th Ave
270t
277th Ave
260th Ave
270th Ave
280th Ave
290th Ave
285th Ave
253rd Ave
185th St
190th St
195th St
197th St
210th St
212th St
217th St
218th St
218th St
221st St
225th St
230th St
Plum Creek
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