DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
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Prepared by: Erin Rempe, City Clerk City of Manchester, Iowa, 208 E Main St, Manchester, Iowa Ph: (563) 927-3636

April 16, 2004

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that the attached copies of Ordinances are true and exact 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 No. 007-2002	Ordinance No. 008-2003
Ordinance No. 009-2002	Ordinance No. 009-2003
Ordinance No. 001-2003	Ordinance No. 011-2003
Ordinance No. 002-2003	Ordinance No. 012-2003
Ordinance No. 007-2003	Ordinance No. 001-2004

Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 16th day of April, 2004, before me, Julie A. Swanson, a Notary Public in and for the State of Iowa, personally appeared Erin Rempe, to me personally known, and who, being by me duly sworn, did say that she is the City Clerk, respectively, of the City of Manchester, 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 the authority of its City Council, and that Erin Rempe acknowledges the execution of the instrument to be her voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Julie A. Swanson, Notary

JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 5-23-05

ORDINANCE NO. 007-2002

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, BY AMENDING PROVISIONS PERTAINING TO NON-CONFORMING STRUCTURES

Be it enacted by the City Council of the City of Manchester, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 121, Section 20, of the Code of Ordinances of the City of Manchester, Iowa, is repealed and the following adopted in lieu thereof:

121.20 NONCONFORMING STURCTURES. Where a structure is nonconforming by reason of restriction on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued, reconstructed, or modified so long as it remains otherwise lawful, subject to the following provisions:

1. It is not enlarged or altered in a way which increases its nonconformity, unless the alteration is required by law.
2. It shall be allowed to be rebuilt on the existing perimeter if the building is at least five (5) feet from lot lines. Any expansion that does increase the nonconformity shall be allowed by only special exception of the Board of Adjustment.
3. In a residential district containing residential nonconforming uses, it may be altered in any way to improve liability; provided, no structural alterations shall be made which would increase the number of dwelling units.
4. Should it be destroyed by any means to an extent of sixty percent (60%) or more of its fair market value at the time of destruction, as set by the County Assessor, exclusive of its foundation, it shall not be reconstructed except in conformity with the provisions of this Zoning Ordinance. In the event the damage or destruction is less than sixty percent (60%) of its fair market value, the building may be restored to its original condition.

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 September, 2002, and approved this 16th day of September, 2002.

Mayor

ATTEST:

City Clerk

1st Consideration & Adoption: August 19th, 2002
2nd Consideration & Adoption: September 3rd, 2002
3rd Consideration & Final Adoption: September 16th, 2002

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 007-2002 was duly published on the 24th day of September, 2002 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE NO. 009-2002

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESER, IOWA, BY ADDING A NEW CHAPTER REGULATING PRIVATE WELLS AND WATER SYSTEMS

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

SECTION 1. New Chapter. The Code of Ordinances of the City of Manchester, Iowa, is amended by adding a new Chapter 94, entitled Private Wells and Water Systems, which is hereby adopted to read as follows:

CHAPTER 94

PRIVATE WELLS AND WATER SYSTEMS

94.01	Required Conditions	94.05	Revocation of Permit
94.02	Permit for New Well	94.06	Health & Safety Standards: Right of Inspection
94.03	Annual Renewal of Permit	94.07	Permit Fees
94.04	Non-renewal of Annual Permit	94.08	Termination and Abandonment

94.01 REQUIRED CONDITIONS. Except as hereinafter provided, private wells and water systems shall not be maintained by any individual or property owner, nor shall any new wells be established within the City limits. Private wells and water systems shall be allowed only if one or more of the following conditions are established by the applicant to the satisfaction of the City:

1. Existing Well. The well or water system was in existence prior to October 1, 2002, and duly registered with the City, which registration specified the location of the well, by address and legal description, the name and address of the property owner of the well, the name and address of all individuals using the well, and the address and legal description of all properties serviced by the well.
2. Location. If no part of a tract of ground from which a private well or water system is proposed is within 200-feet of a City water main.
3. Undue Hardship. If the property owner or individual applying for a private well permit can show that denying the permit and not allowing the private well or water system will cause the individual or property owner undue hardship. Undue hardship in this case means that the particular tract of land is so topographically situated that connection to the City water main system would be unfeasible and that the particular conditions causing the unfeasibility of the connection are in no way caused or contributed to by the property owner or permit applicant. The Council shall rule on all questions of undue hardship and their decision shall be final
4. Special Circumstances. A well may be allowed where the circumstances of the proposed use of the well, location of the well, and the surrounding circumstances of the proposed use of the well are such that the City Council has determined the granting of a well permit is consistent with protection of public water supplies, maintenance of a public water system, and economic development of the community.

94.02 PERMIT FOR NEW WELL. All individuals who desire to construct or maintain a new private well or water system within the City must first make application to the Building Inspector for a private well permit. The request for permit shall show that the well will be in compliance with the separation distances referred to in Section 93.04 of the Manchester City Code. In addition, the request shall further indicate why the property should be served by a private water system rather than utilize the public water system provided by the City of Manchester.

In determining whether to grant a request for well permit, the City Council shall consider the availability of public water systems to serve the subject properties, the effect the proposed well may have upon future development within the vicinity of the proposed well, and any other reasons which are consistent with public policy.

No permit for a new well or water system shall be granted unless one or more of the required conditions under Section 94.01 are established and the well meets all applicable City, County, State and Federal rules, regulations and laws.

94.03 ANNUAL RENEWAL OF PERMIT. Every well, including existing wells and future wells, shall be tested annually, and results of the tests filed with the City. An individual well owner may cause to have a sample of the well water taken to an authorized testing agency for testing, and a copy of such test results shall be filed with the City. Every well shall be tested annually during the month of September of each year, and the test results shall be filed with the City on of before the first day of October of each year. If a well owner fails to comply with this annual test requirement, the City shall send a notice to the well owner at the last known

address, advising the well owner no annual test results have been filed with the City. The notice shall further specify that if the well owner does not properly test the well and file the test results with the City within sixty (60) days after the date of mailing of the notice, the City shall declare the well abandoned, and the owner shall forthwith terminate use of the well as required under Section 94.08 of this chapter. In the event a well owner has timely filed the annual test results with the City or timely filed test results after notice and the test results show compliance with all applicable health and safety standards as required by appropriate City, County, and State rules, regulations and laws, the City shall renew the original permit for an additional one-year period.

94.04 NONRENEWAL OF ANNUAL PERMIT. In the event a well owner receives annual test results that indicate lack of compliance with appropriate City, County, and State rules, regulations and laws, the well owner shall immediately advise the City of the test results and immediately correct the problems and bring the well up to applicable standards. The well owner shall have an additional ninety (90) days after October 1 of each year to correct any problems shown by the annual test. If applicable standards cannot be met or if the problems are not timely corrected, no renewal permit shall be issued and the well owner shall forthwith terminate use of the well as required under Section 94.08.

94.05 REVOCATION OF PERMIT. If at any time it is determined that a private well or water system does not meet applicable City, County, or State rules, regulations or laws, the permit issued pursuant to this chapter shall automatically terminate without further notice to the well owner. The well owner shall have ninety (90) days to correct the problems so that applicable standards are met. In the event applicable standards cannot be met, the well shall be abandoned and the well owner shall forthwith terminate use of the well as required by Section 94.08. In the event a private well or water system is not used for any consecutive nine-month period of time, then at the expiration of the current private well permit period, the permit shall not be renewed unless the well owner shows good cause for the none-use and all provisions of this chapter for a new well are complied with.

94.06 HEALTH AND SAFETY STANDARDS; RIGHT OF INSPECTION. All private wells and private water systems for which permits are granted pursuant to this chapter shall meet all applicable City, County, and State rules, regulations and laws. All permit holders, as a condition of receiving a permit, grant to the City the right to enter the well owner's property solely to inspect and test any private well and water system maintained upon the permit holder's property. In the event the private well or water system so inspected and tested by the City does not meet applicable standards, the City shall notify the well owner in writing of the failure to meet applicable standards. The well owner shall have ninety (90) days from the date of mailing the notice to correct the problems. If the owner fails to timely correct the problems, the permit issued pursuant to this chapter shall terminate without further notice to the well owner, and the well owner shall forthwith terminate use of the well as required under Section 94.08. In the event a private well or water system cannot be brought up to applicable standards in the time period allowed herein and the well owner is not otherwise connected to the City's water system, the well owner shall connect to the City water system within 180 days in accordance with this Code of Ordinances.

94.07 PERMIT FEES. The following fee schedule applies to permits for private wells and water systems:

1. Initial Permit. No fee is charged for the initial registration permit for an existing well.
2. Annual Renewal Permit. There is no fee for each annual renewal permit, provided the well owner does the test at the owner's own expense. In the event a well owner fails to have the well tested as required pursuant to this chapter and the City makes the test, the costs of testing shall be charged to the well owner, and the well owner shall pay an annual permit fee of ten dollars ($10.00).
3. Permit Fees for New Wells. Any person desiring to install a new well or water system shall make application to the Building Inspector for a permit, and prior to start of construction shall pay the following permit fees:
    A. For a new "sand point" or shallow well, a fee of $25.00.
    B. For a new well to be used for a supply of potable water, a fee of $50.00; and in addition, the well owner shall file with the City a certificate from the State authorized laboratory that a State bacteriological test has been made on the water and the water supply is potable.

All permit fees shall be paid to the City at the time the application is filed. In the event the permit is not granted, the application fee shall be returned to the applicant.

94.08 TERMINATION AND ABANDONMENT. In the event any private well or water system is no longer being used, due to failure to comply with applicable standards, the well owner's connection to the City water system, or other reasons, the well owner or property owner shall cut off the service mains to the well and the well abandoned in such manner s to preclude its further use. The termination of use shall be done by the owner in accordance with the standards and guidelines of the Iowa Department of Natural Resources.

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 this 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 3rd day of September, 2002, and approved this 3rd day of September, 2002.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

1st Consideration & Adoption:	August 5th, 2002
2nd Consideration & Adoption:	August 19th, 2002
3rd Consideration & Final Adoption:	September 3rd, 2002

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 009-2002 was duly published on the 10th day of September, 2002 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE NO. 001-2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, BY AMENDING PROVISIONS PERTAINING TO ACCESSORY BUILDINGS.

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

SECTION 1. SECTION MODIFIED. Chapter 121, Section 14 of the Code of Ordinances of the City of Manchester, Iowa, is repealed and the following adopted in lieu thereof:

121.14 ACCESSORY BUILDING, STRUCTURES AND GARAGES.

1. Time of Construction. No accessory building, ***accessory structure***, or garage shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

2. Percentage of Required Rear Yard Occupied. No detached, ***accessory structure***, accessory building or buildings shall occupy more than twenty-five percent (25%) of the area of a required rear yard.

3. Height of Accessory Buildings in Required Rear Yards. No detached accessory building or ***accessory structure*** located in a required rear yard shall exceed fifteen (15) feet in height.

4. On Reversed Corner Lots. On a reversed corner lot in a residential district and within fifteen (15) feet of any adjacent property to the rear in a residential district, no accessory building or ***accessory structure*** or portion thereof located in a required rear yard shall be closer to the side lot line abutting the street than a distance equal to the least depth which would be required herein for the front yard on such adjacent property to the rear. Further, in the above instance, no such accessory building ***or structure*** shall be located within five (5) feet of any part of a rear lot line which coincides with the side lot line or portion thereof of property in an R-1 or R-2 District.

5. Setback Requirements. No accessory building or ***accessory structure*** 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 building ***or structure*** shall be within ten (10) feet of another structure. No ***accessory structure*** or use shall be located within a front yard.

6. Type of Construction. All accessory buildings ***or structures*** 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, ***accessory structures***, or private garages located within a residential district shall:

A. Have a permanent floor located within the structure consisting of a concrete or asphalt base. Rock or dirt floors shall be prohibited. ***Wooden pallet floors are acceptable for moveable buildings.***

B. 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.

C. Be constructed with a roofing material as set forth below:

(1) Lots in Excess of Two Acres in Area. Roofing materials used for accessory buildings or structures located on a lot in excess of two acres, where the accessory building has an area in excess of 700 square feet, shall be permitted to use any commercially acceptable roofing material which may include asphalt, fiberglass shingles, vulcanized rubber, steel or aluminum roofing materials.

(2) All Other Roofing Materials. Except as permitted in Paragraph (1) above, all accessory buildings must be constructed with 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 buildings 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 17th day of February, 2003, and approved this 17th day of February, 2003.

Milt L. Kramer
Milt Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

1st Consideration & Adoption:	January 20th, 2003
2nd Consideration & Adoption:	February 3rd, 2003
3rd Consideration & Final Adoption:	February 17th, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 001-2003 was duly published on the 18th day of March, 2003 in the Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE 002-2003

AN ORDINANCE AMDENDING THE OFFICIAL ZONING MAP

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

SECTION1. 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-2 General Retail District described as follows:

lots 228 and 229 of the original City of Manchester, Delaware County, Iowa

and is hereby amended and hereafter designated as R-3 General Residential District.

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on this 17th day of February, 2003.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

1st Consideration & Adoption:	January 20th, 2003
2nd Consideration & Adoption:	February 3rd, 2003
3rd Consideration & Final Adoption:	February 17th, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 002-2003 was duly published on the 18th day of March, 2003 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE NO. 007-2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, BY AMENDING PROVISIONS PERTAINING TO PRIVTE SEWER LIFTS OR GRINDER PUMPS

Be it enacted by the City Council of the City of Manchester, Iowa:

SECTION 1. SECTION MODIFIED. The introductory paragraph of Chapter 96, Section 4, of the Code of Ordinances of the City of Manchester, Iowa, is repealed and the following adopted in lieu thereof:

> 96.04 CONNECTION REQUIREMENTS. Any connection with a public sanitary sewer must be made under the direct supervision of the Building Inspector or the Inspector's designee, and in accordance with the following:

SECTION 2. SECTION MODIFIED. Chapter 96, Section 4, Paragraph 8, of the Code of Ordinances of the City of Manchester, Iowa, is repealed and the following adopted in lieu thereof:

> 96.04 (8) Sewage Lifts/Grinder Pumps. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the public sewer. The installation, maintenance, and the costs associated with a private lift or a private grinder pump is the responsibility of the property owner.

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 19th day of May, 2003, and approved this 19th day of May, 2003.

Mayor

ATTEST:

City Clerk

1st Consideration & Adoption:	April 21st, 2003
2nd Consideration & Adoption:	May 5th, 2003
3rd Consideration & Adoption:	May 19th, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance #007-2003 was duly published on the 29th of July, 2003 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE 008-2003

AN ORDINANCE AMDENDING 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-1 Limited Manufacturing District described as follows:

Lot 1 of Swiss Valley Subdivision, Manchester, Delaware County, Iowa

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on this 21st day of July, 2003.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

1st Consideration & Adoption: June 16th, 2003
2nd Consideration & Adoption: July 7th, 2003
3rd Consideration & Adoption: July 21st, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance #008-2003 was duly published July 29th, 2003 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE 009-2003
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, BY AMENDING PROVISIONS PERTAINING TO SUBDIVISION REGULATIONS

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

SECTION 1. SECTION MODIFIED. Chapter 127, Section 09, Paragraph 5, Code of Ordinances of the City of Manchester, Iowa is hereby repealed and the following adopted in lieu thereof:

(5) Other improvements

a) The owner and subdivider of the land being platted shall be responsible for the installation of sidewalks within the street area, grading, seeding or sodding of all lots. Deferments for sidewalk construction may be approved by the City Council based on the City's current procedures and guidelines for sidewalk construction.

b) The Owner and subdivider shall also be responsible for the installation of street lighting.

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 this 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 18th day of August 2003, and approved this 18th day of August, 2003.

Milt L. Kramer

ATTEST: Milt L. Kramer, Mayor

Erin Rempe, City Clerk

1st Consideration & Adoption: July 21, 2003
2nd Consideration & Adoption: August 4, 2003
3rd Consideration & Adoption: August 18, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance #009-2003 was duly published August 26th, 2003 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE 011-2003

AN ORDINANCE AMDENDING 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 described as follows:

South One-Half of the Crock Subdivision, Manchester, Delaware County, Iowa

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA on this 15th day of September, 2003.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

1st Consideration & Adoption: August 18th, 2003
2nd Consideration & Adoption: September 2nd, 2003
3rd Consideration & Adoption: September 15th, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance #011-2003 was duly published September 23rd, 2003 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE NO. 12-2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, BY AMENDING PROVISIONS PERTAINING TO DRIVEWAY CULVERTS

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

SECTION 1. SECTION MODIFIED. Chapter 175, Section 13 of the Code of Ordinances of the City of Manchester, Iowa, is repealed and the following adopted in lieu thereof:

175.13 Driveway Culverts. The property owner shall, at the owner's expense, install any culvert deemed necessary, by the Street Superintendent or his designee, under any driveway or any other access to the owner's property. Before work can begin a permit must be applied for at City Hall. Failure to obtain a permit will be considered a misdemeanor. If replacement or repair is required of any culvert, all costs for culvert materials and surfacing of driveway shall be the owner's expense. If such costs are not paid for when required by the City the costs shall be certified to the County Treasurer and specifically assessed against the property as provided by law. The City's culvert policy shall define culvert needs and usage.

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 3rd day of November, 2003, and approved this 3rd day of November, 2003.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

1st Consideration & Adoption: October 6th, 2003
2nd Consideration & Adoption: October 20th, 2003
3rd Consideration & Adoption: November 3rd, 2003

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance #012-2003 was duly published November 11th, 2003 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk

ORDINANCE 001-2004

AN ORDINANCE VACATING A PORTION OF NORTH 7TH STREET AND WEST FAYETTE STREET IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

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

SECTION 1. That the following described portion of North 7th Street and West Fayette Street located in the City of Manchester, Iowa, is hereby vacated and closed from public use:

> Beginning at the Southeast Corner of Lot 466, Original town of Manchester, Delaware County, Iowa; Thence **North 89°-26'-24" (Assumed Bearing) East 66.00 feet**, along the North Right-of-Way line of West Fayette Street and the Easterly extension thereof to the Southwest Corner of Lot 467; Thence **South 00°-54'-13" East 278.00 feet**, along the East Right-of-Way line of North Seventh Street and the Northerly extension thereof; Thence **South 89°-26'-24" West 21.00 feet**; Thence **North 00°-54'-13" West 221.34 feet**; Thence **North 45°-33'-26" West 80.12 feet**, to the North Right-of-Way Line of West Fayette Street; Thence **North 89°-26'-24" East 11.31 feet** along said North Right-of-Way line to the Point of Beginning. Containing **7433.33 Square Feet (0.171 Acres)**, Subject to any easements of record; and,

SECTION 2. The City Council may, by separate resolution and following hearing, convey the vacated portion of the street in a manner provided by law.

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

SECTION 4. 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 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 12th day of January, 2004, and approved this 12th day of January, 2004.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

Public Hearing:
1st Consideration & Adoption: Waived
2nd Consideration & Adoption: Waived
3rd Consideration & Final Adoption: January 12th, 2004

I, Erin Rempe, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 001-2004 was duly published on the 3rd day of February, 2004 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Erin Rempe, City Clerk