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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Prepared by and returned to: Sharon McCrabb, Administrative Assistant to Auditor, 301 E. Main St., Room 210, Manchester, Iowa Phone 563 927 4701

CERTIFICATION

Attached hereto is the supporting documentation for the passage of Ordinance #28 entitled "An ordinance readopting the existing county code of Delaware County, Iowa", by the Delaware County Board of Supervisors.

1. County Ordinance #28
2. Proof of Publication of the Public Notice of the first reading of Ordinance #28 published September 19, 2006 in The Manchester Press and in the Delaware County Leader.
3. Proof of Publication of the Public Notice of the final reading of Ordinance #28 published on September 19th in The Manchester Press and on September 26th (both 2006) in the Delaware County Leader.
4. Copy of the Board of Supervisors' Official Minutes of October 16, 2006 in Book X, Page 422 through 424 showing the final approved reading of Ordinance #28.
5. Proof of Publication of the full text of Ordinance #28 published on October 24th 2006 in The Manchester Press and in the Delaware County Leader.

I, Sharon McCrabb, Administrative Assistant to the Auditor do hereby certify that the attached are originals or true copies of the above listed instruments.

Dated this 16th day of November, 2006.

Sharon McCrabb, Administrative Assistant to Auditor

STATE OF IOWA )
) SS:
DELAWARE COUNTY)

Subscribed and sworn to before me, and in my presence by Sharon McCrabb, Administrative Assistant to County Auditor this 16th day of November, 2006.

Julia L. Hackbarth, Notary Public in and for the State of Iowa.

NOTARIAL SEAL IOWA
JULIA L. HACKBARTH
Commission Number 169605
My Comm. Exp. 5/24/08

PREPARER INFORMATION: Sharon McCrabb, Administrative Assistant to County Auditor, Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057
Phone: 563 927 4701

RETURN DOCUMENT TO: Delaware County Auditor's Office, Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057 Phone: 563 927 4701

DELAWARE COUNTY ORDINANCE #28

Title: An ordinance readopting the existing county code of Delaware County, Iowa:

SECTION 1. PURPOSE. Code of Iowa Section 331.302, subsection 9, requires that once every five years a County shall compile its code of ordinances. This ordinance readopts ordinances already in effect and amends certain ordinances and/or repeals any ordinance deemed no longer necessary to the operation of Delaware County, Iowa, or to the health, safety and welfare of its citizens.

SECTION 2. READOPTION AND AMENDMENT OF CURRENT CODE. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Delaware County Board of Supervisors comprise the Delaware County Code of Ordinances:

1. No. 2 "An Ordinance Establishing the Area Service System B Road Classification in Delaware County, Iowa" readopted in its entirety.

2. No. 3 "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of This County's Secondary Roads During the Winter Months" readopted in its entirety.

3. No. 7 "Waste Disposal, Solid Waste Management and Disposal, Separation of Yard Waste from all Other Garbage and Refuse" readopted in its entirety.

4. No. 11 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.

5. No. 11a "An Ordinance Adopting Rules for the Construction and Abandonment of Private Water Wells in Delaware County" readopted in its entirety.

6. No. 12 "An Ordinance for the Establishment and Maintenance of a Uniform Rural Address System for Delaware County" readopted in its entirety.

7. No. 15 "An Ordinance Relating to Property Tax Exemptions" readopted in its entirety.

8. No. 16 "An Ordinance Relating to Gifts that may be accepted or received by County Officials, Employees, Candidates or their Immediate Family Members" readopted in its entirety.

9. No. 17 "An Ordinance Establishing the Area Service "C" Road Classification in Delaware County, Iowa" readopted in its entirety.

10. No. 18 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.

11. No. 19 "Delaware County On-Site Wastewater Treatment and Disposal Systems" by amending 3. Application of Rules to read as follows: "These rules are applicable only to on-site wastewater treatment and disposal systems. Anyone, repairing or constructing an on-site wastewater treatment and disposal system, is required to have a valid permit issued prior to start of work.

    By amending 4.A last sentence to read as follows: "The permit purchased by the property owner or contractor shall state such pertinent information as required."

    By amending 4.B to read as follows: "Sewer Permit - $75.00; Alteration - $75.00; Repair of a previously approved, permitted system - $0.00.

    By amending 4.C Permit: to read "The permit must be readily available upon request by administrative authority (Sanitarian)."

    By amending 5.C to read "between the hours of 8:00 a.m. and 4:00 p.m."

    By amending 5.D to read "Delaware County Sanitarian"

    By deleting the entire section on Financial Responsibility.

    By amending 7. PURPOSE: to read "these systems are approved and certified by trained personnel from the Delaware County Sanitation Department."

    By amending 9.B as follows: "The County Sanitarian, or any other Delaware County representative duly authorized by the Board of Supervisors, may issue a civil citation to any person who commits a violation of this ordinance.."

12. No. 20 "Delaware County Regulations for Non-Public Water Wells" by Amending the last sentence under l. APPLICATION FOR PERMIT to read "The Application must be signed by the property holder or well contractor and be accompanied by a permit fee ($50.00 to Delaware County, $25.00 to Iowa DNR)."

    By amending 4.B to read as follows: "The County Sanitarian, or any other Delaware County representative duly authorized by the Board of Supervisors, may issue a civil citation to any person who commits a violation of this ordinance."

13. No. 23 "An Ordinance Establishing a School Local Option Sales and Service Tax Applicable to Transactions within the School Districts Incorporated Areas, of the Following School Districts Located Within Delaware County" readopted in its entirety.

14. No. 24 "An Ordinance Relating to a Prohibition Against Loitering o r Prowling" adopted in its entirety.

15. No. 25 "An Ordinance Amending Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census and Changing Ordinance #21 Pursuant to the 2005 Iowa Code Section 49.4, Sub Section 6" adopted in its entirety.

16. No. 26 "An Ordinance Relating to the Regulation of Sexually Oriented Businesses" adopted in its entirety.

17. No. 27 "An Ordinance Prescribing the General Assistance Program in Delaware County, Iowa".

SECTION 3. REPEAL OF COUNTY LAW. The following ordinances deemed by the Board of Supervisors to be of no further value to the operation of Delaware County or to the health, safety and welfare of its citizens, are hereby repealed.

1. No. 14 "An Ordinance Prescribing the General Relief Program in Delaware County".
2. No. 21 "An Ordinance Establishing Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census".
3. No. 22 "An Ordinance Readopting the Existing County Code of Delaware County, Iowa."

SECTION 4. CODE OF ORDINANCES. Copies of the code as adopted herein shall now be on file and available for public inspection in the Office of the County Auditor during regular office hours.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 16 day of October, 2006.

DELAWARE COUNTY BOARD OF SUPERVISORS

_____

William J. Skinner, Chairperson
Delaware County Board of Supervisors

ATTEST:
Sharon McCrabb, County Auditor

STATE OF IOWA )
) SS:
DELAWARE COUNTY)

On this 16 day of October, 2006, before me, Julia L. Hackbarth a Notary Public in and for the State of Iowa, personally appeared William J. Skinner and Sharon McCrabb to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Delaware, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors on the 16 day of October, 2006, and William J. Skinner and Sharon McCrabb acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Julia L. Hackbarth
Notary Public, State of Iowa

NOTARIAL SEAL IOWA
JULIA L. HACKBARTH
Commission Number 169605
My Comm. Exp. 5/24/08

# Notarization

State of Iowa, Delaware County, ss

I, Mary Helle, being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive weeks beginning September 19, 2006, and ending Same, 20____.

PRINTERS FEES: $ 9.58

Mary Helle

**Subscribed in my presence and sworn to** before me by Mary Helle on this 26th day of September, 2006.

Cathy S Harris

Notary Public

NOTARIAL SEAL IOWA
CATHY S HARRIS
COMMISSION NUMBER 731078
MY COMMISSION EXPIRES
OCTOBER 19, 2007

**Legal Notice – Delaware County**
**Board of Supervisors**
**PUBLIC NOTICE**

Public Notice is hereby given that the Delaware County Board of Supervisors will to meet to consider Ordinance #28 entitled AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA – 2006 at their regular meeting on October 9, 2006 at 1:15 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code of ordinances already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb, Delaware County Auditor

FILED
SEP 28 2006
SHARON McCRABB
DELAWARE COUNTY AUDITOR

Paid
10-9-06

STATE OF IOWA, Delaware County-ss.

I, Brian W. Cook being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the DELAWARE CO. SUPERVISORS

in case of PUBLIC NOTICE OCT. 9, 2006

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 19th day of SEPT. A.D. 20 06, and the last on the 19th day of SEPT. A.D. 20 06

Publication fee, $ 8.32

Subscribed by Brian W. Cook and by him sworn to before me, a notary public in and of Delaware County, Iowa this 19th day of SEPT. A.D. 20 06

Witness my hand and seal the date last above written.

Denise Deppe Notary Public

DENISE A. DEPPE
Commission Number 734551
My Comm. Exp. 5-19-08

PUBLIC NOTICE

Public notice is hereby given that the Delaware County Board of Supervisors will meet to consider Ordinance #28 entitled AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA-2006 at their regular meeting on October 9, 2006 at 1:15 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code of ordinance already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor

p38

FILED

SEP 26 2006

SHARON McCRABB
DELAWARE COUNTY AUDITOR

STATE OF IOWA, Delaware County-ss.

I, Brian W. Cook being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the DELAWARE CO. SUPERVISORS

in case of PUBLIC NOTICE OCT. 16, 06

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 19th day of SEPT. A.D. 2006, and the last on the 19th day of SEPT. A.D. 2006

Publication fee, $ 8.78

Brian W. Cook

Subscribed by Brian W. Cook and by him sworn to before me, a notary public in and of Delaware County, Iowa this 19th day of SEPT. A.D. 2006

Witness my hand and seal the date last above written.

Denise A. Deppe Notary Public

DENISE A. DEPPE
Commission Number 734551
My Comm. Exp. 5-19-08

PUBLIC NOTICE

Public notice is hereby given that the Delaware County Board of Supervisors will meet for the second and final time to consider Ordinance #28, entitled AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA-2006 at their regular meeting on October 16, 2006 at 1:15 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code of ordinance already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor

p38

FILED

SEP 26 2006

SHARON McCRABB
DELAWARE COUNTY AUDITOR

# Notarization

State of Iowa, Delaware County, ss

I, Mary Helle, being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive weeks beginning September 26, 2006, and ending same, 20___.

PRINTERS FEES: $ 8.89

Mary Helle

**Subscribed in my presence and sworn to** before me by Mary Helle on this 26th day of September, 2006

Cathy S Harris
Notary Public

NOTARIAL SEAL IOWA

CATHY S HARRIS
COMMISSION NUMBER 731078
MY COMMISSION EXPIRES
OCTOBER 19, 2007

**Delaware County Board of Supervisors**

**PUBLIC NOTICE**

Public Notice is hereby given that the Delaware County Board of Supervisors will meet for the second and final time to consider Ordinance #28 entitled AN ORDINANCE RE-ADOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA-2006 at their regular meeting on October 16, 2006 at 1:15 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code of ordinances already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor

FILED
SEP 28 2006
SHARON McCRABB
DELAWARE COUNTY AUDITOR

Paid
10-9-06

Motion made by Koeneke, seconded by Helmrichs and carried that the Quarterly Report for the quarter ending September 30, 2006, submitted by the County Recorder and showing $1,179.00 received and deposited into the Transfer Fee Fund and also, $36,089.16 received and deposited into the General Basic Fund; $1,179.00 received and deposited into the Recorder's Management Fund be approved. All ayes.

Mark Nahra, County Engineer, gave the Board an update on secondary road projects.

Ann Spersflage asked the Board if they had any negotiations with the city regarding the ethanol plant.

The Board said they had been asked what they could contribute and they felt they were able to contribute only a very limited amount. They may be able to look into a short term tax abatement. Bill Skinner will be going to the public hearing on October 18th on this matter.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

**********

October 16, 2006
Manchester, Iowa

STATE OF IOWA )
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:15 p.m. with all members present. Also present were Mark Nahra, Nate Johnson, Mitch Scherbring, Alex Tibbott and three members of the media. Bill Skinner, Chairperson, called the meeting to order.

Motion made by Helmrichs, seconded by Koeneke and carried that the following county employees be allowed to attend their respective meetings: Sharon McCrabb to attend an ICN meeting in Peosta on November 14th on TIF's; Peggy Petlon and Carolyn Rutherford to attend a VA schooling in Des Moines on October 17th through 19th; Carolyn Wilson to attend a Banking & Investment meeting in Spencer on October 18th; Pam KLein to attend a Banking & Investment meeting in Fayette County on October 19th; Steve Koeneke at attend a Workforce Development meeting in Dubuque on October 17th and a Juvenile Detention meeting in Waterloo on October 20th. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the October 13, 2006 payroll in the amount of $125,042.46 through warrants #24875 - #25004 along with the following claims be approved for payment:

| | | |
|---|---|---|
| | General Basic Fund | |
| Alliant Energy | utility service | $1,309.31 |
| Aquila | utility service | 250.00 |
| C&D Construction Co. | machine time | 815.00 |
| Dircks LP Gas Service | utility service | 185.18 |
| Houlihan Sanitation Service | waste disposal | 102.00 |
| Iowa Telecom | phone service | 272.18 |
| Neuhaus Properties | rent | 200.00 |
| Treasurer, State of Iowa | postage | 99.00 |
| U. S. Cellular | phone service | 42.99 |
| Wedgewood Apartments | rent assistance | 225.00 |
| | Mental Health Fund | |
| U. S. Cellular | phone service | 82.33 |
| | Secondary Road fund | |
| Alliant Energy | utility service | 83.45 |
| Maquoketa Valley REC | utility service | 68.55 |

All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that application for underground construction requested by Iowa Telecom in Milo Township, Delhi Township and two in Honey Creek Township be approved. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the Treasurer's Investment Report calculated through October 3, 2006 showing $11,164,103.92 deposited in banks for Delaware County, be approved. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the Jones-Delaware County line project (grading) plans be approved for the Jones County November 14th letting. All ayes.

This being the date set by publication in the counties official newspapers for the 2nd reading for Ordinance #28, the public hearing was declared open.

The Board read the ordinance and received no comments.

The public hearing on Ordinance #28 was declared closed at 1:27 p.m.

Motion made by Koeneke, seconded by Helmrichs and carried that the following ordinance be approved and and further readings be waived:

DELAWARE COUNTY ORDINANCE #28

Title: An ordinance readopting the existing county code of Delaware County, Iowa:

SECTION 1. PURPOSE. Code of Iowa Section 331.302, subsection 9, requires that once every five years a County shall compile its code of ordinances. This ordinance readopts ordinances already in effect and amends certain ordinances and/or repeals any ordinance deemed no longer necessary to the operation of Delaware County, Iowa, or to the health, safety and welfare of its citizens.

SECTION 2. READOPTION AND AMENDMENT OF CURRENT CODE. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Delaware County Board of Supervisors comprise the Delaware County Code of Ordinances:

1. No. 2 "An Ordinance Establishing the Area Service System B Road Classification in Delaware County, Iowa" readopted in its entirety.
2. No. 3 "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of This County's Secondary Roads During the Winter Months" readopted in its entirety.

KOCH BROTHERS, DES MOINES C:089-X H-0192-1

4. No. 11 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.

5. No. 11a "An Ordinance Adopting Rules for the Construction and Abandonment of Private Water Wells in Delaware County" readopted in its entirety.

6. No. 12 "An Ordinance for the Establishment and Maintenance of a Uniform Rural Address System for Delaware County" readopted in its entirety.

7. No. 15 "An Ordinance Relating to Property Tax Exemptions" readopted in its entirety.

8. No. 16 "An Ordinance Relating to Gifts that may be accepted or received by County Officials, Employees, Candidates or their Immediate Family Members" readopted in its entirety.

9. No. 17 "An Ordinance Establishing the Area Service "C" Road Classification in Delaware County, Iowa" readopted in its entirety.

10. No. 18 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" reaopted in its entirety.

11. No. 19 "Delaware County On-Site Wastewater Treatment and Disposal Systems" by amending 3. Application of Rules to read as follows: "These rules are applicable only to on-site wastewater treatment and disposal systems. Anyone, repairing or constructing an on-site wastewater treatment and disposal system, is required to have a valid permit issued prior to start of work.

    By amending 4.A last sentence to read as follows: "The permit purchased by the property owner or contractor shall state such pertinent information as required."

    By amending 4.B to read as follows: "Sewer Permit - $75.00; Alteration - $75.00; Repair of a previously approved, permitted system - $0.00.

    By amending 4.C Permit: to read "The permit must be readily available upon request by administrative authority (Sanitarian)."

    By amending 5.C to read "between the hours of 8:00 a.m. and 4:00 p.m."

    By amending 5.D to read "Delaware County Sanitarian"

    By deleting the entire section on Financial Responsibility.

    By amending 7. PURPOSE: to read "these systems are approved and certified by trained personnel from the Delaware County Sanitation Department."

    By amending 9.B as follows: "The County Sanitarian, or any other Delaware County representative duly authorized by the Board of Supervisors, may issue a civil citation to any person who commits a violation of this ordinance.."

12. No. 20 "Delaware County Regulations for Non-Public Water Wells" by Amending the last sentence under 1. APPLICATION FOR PERMIT to read "The Application must be signed by the property holder or well contractor and be accompanied by a permit fee ($50.00 to Delaware County, $25.00 to Iowa DNR)".

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13. No. 23 "An Ordinance Establishing a School Local Option Sales and Service Tax Applicable to Transactions within the School Districts Incorporated Areas, of the Following School Districts Located Within Delaware County" readopted in its entirety.

14. No. 24 "An Ordinance Amending Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census and Changing Ordinance #21 Pursuant to the 2005 Iowa Code Section 49.4, Sub Section 6" adopted in its entirety.

15. No 25 "An Ordinance Amending Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census and Changing Ordinance #21 Pursuant to the 2005 Iowa Code Section 49.4, Sub Section 6" adopted in its entirety.

16. No. 26 "An Ordinance Relating to the Regulation of Sexually Oriented Businesses" adopted in its entirety.

17. No. 27 "An Ordinance Prescribing the General Assistance Program in Delaware County, Iowa".

SECTION 3. REPEAL OF COUNTY LAW. The following ordinances deemed by the Board of Supervisors to be of no further value to the operation of Delaware County or to the health, safety and welfare of its citizens, are hereby repealed.

1. No. 14 "An Ordinance Prescribing the General Relief Program in Delaware County".

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SECTION 4. CODE OF ORDINANCES. Copies of the code as adopted herein shall now be on file and available for public inspection in the Office of the County Auditor during regular office hours.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 16th day of October, 2006.

DELAWARE COUNTY BOARD OF SUPERVISORS

/S/William J. Skinner, Chairperson
Delaware County Board of Supervisors

ATTEST:
/S/ Sharon McCrabb, County Auditor

All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the Manure Management Plan for H&K Farms LLC in Honey Creek Township be acknowledged as filed with Delaware County. All ayes.

Mark Nahra, County Engineer, gave the Board an update on secondary road projects.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

STATE OF IOWA, Delaware County-ss.

I, Latisha L. Sand, being duly sworn depose and say that I am editor of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the

DELAWARE CO. AUDITOR

in case of ORDINANCE NO. 28

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 24th day of OCT. A.D. 2006 and the last on the 24th day of OCT. A.D. 2006.

Publication fee, $ 65.55

Latisha L. Sand

Subscribed by Latisha L. Sand and by her sworn to before me, a notary public in and of Delaware County, Iowa this 24th day of OCT. A.D. 2006

Witness my hand and seal the date last above written.

Denise Deppe Notary Public

NOTARIAL SEAL IOWA
DENISE A. DEPPE
Commission Number 734551
My Comm. Exp. 5-19-08

DELAWARE COUNTY ORDINANCE #28

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17. No. 27 "An Ordinance Prescribing the General Assistance Program in Delaware County, Iowa".

SECTION 3. REPEAL OF COUNTY LAW. The following ordinances deemed by the Board of Supervisors to be of no further value to the operation of Delaware County or to the health, safety and welfare of its citizens, are hereby repealed.

1. No.14 "An Ordinance Prescribing the General Relief Program in Delaware County".
2. No. 21 "An Ordinance Establishing Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census".
3. No. 22 "An Ordinance Readopting the Existing County Code of Delaware County, Iowa."

SECTION 4. CODE OF ORDINANCES. Copies of the code as adopted herein shall now be on file and available for public inspection in the Office of the County Auditor during regular office hours.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this16 day of October 2006.

DELAWARE COUNTY BOARD OF SUPERVISORS

/S/ William J. Skinner, Chairperson, Delaware County Board of Supervisors

ATTEST: /S/ Sharon McCrabb, County Auditor

STATE OF IOWA )
) SS:
DELAWARE COUNTY )

On this16 day of October 2006, before me, Julia A. Hackbarth, a Notary Public in and for the State of Iowa, personally appeared William J. Skinner and Sharon McCrabb to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Delaware, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors on the 16 day of October 2006, and William J. Skinner and Sharon McCrabb acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

/S/ Julia L. Hackbarth, Notary Public, State of Iowa

# Notarization

State of Iowa, Delaware County, ss

I, Mary Helle, being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive weeks beginning October 24, 2006, and ending Same, 20___.

PRINTERS FEES: $ 61.06

Mary Helle

**Subscribed in my presence and sworn to** before me by Mary Helle on this 31st day of October, 2006

Cathy S Harris
Notary Public

NOTARIAL SEAL IOWA
CATHY S HARRIS
COMMISSION NUMBER 731078
MY COMMISSION EXPIRES
OCTOBER 19, 2007

**Legal Notice—Delaware County**
**Board of Supervisors**
**COUNTY ORDINANCE #27R**

Title: An ordinance readopting the existing county code of Delaware County, Iowa:

SECTION 1. PURPOSE. Code of Iowa Section 331.302, subsection 9, requires that once every five years a County shall compile its code of ordinances. This ordinance readopts ordinances already in effect and amends certain ordinances and/or repeals any ordinance deemed no longer necessary to the operation of Delaware County, Iowa, or to the health, safety and welfare of its citizens.

SECTION 2. READOPTION AND AMENDMENT OF CURRENT CODE. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Delaware County Board of Supervisors comprise the Delaware County Code of Ordinances:

1. No. 2 "An Ordinance Establishing the Area Service System B Road Classification in Delaware County, Iowa" readopted in its entirety.
2. No. 3 "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of This County's Secondary Roads During the Winter Months" readopted in its entirety.
3. No. 7 "Waste Disposal, Solid Waste Management and Disposal, Separation of Yard Waste from all Other Garbage and Refuse" readopted in its entirety.
4. No. 11 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.
5. No. 11a "An Ordinance Adopting Rules for the Construction and Abandonment of Private
6. No. 20 "Delaware County Regulations for Non-Public Water Wells" by Amending the last sentence under 1. APPLICATION FOR PERMIT to read "The Application must be signed by the property holder or well contractor and be accompanied by a permit fee ($50.00 to Delaware County; $25.00 to Iowa DNR)." By amending 4.B to read as follows: "The County Sanitarian, or any other Delaware County representative duly authorized by the Board of Supervisors, may issue a civil citation to any person who commits a violation of this ordinance."
7. No. 23 "An Ordinance Establishing a School Local Option Sales and Service Tax Applicable to Transactions within the School Districts Incorporated Area, of the Following School Districts Located Within Delaware County" readopted in its entirety.
8. No. 24 "An Ordinance Relating to a Prohibition Against "Loitering or Prowling" adopted in its entirety.
9. No. 25 "An Ordinance Amending Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census and Changing Ordinance #21 Pursuant to the 2005 Iowa Code Section 49.4, Sub-Section 6" adopted in its entirety.
10. No. 26 "An Ordinance Relating to the Regulation of Sexually Oriented Businesses" adopted in its entirety.
11. No. 27 "An Ordinance Prescribing the General

Yard Waste from all Other Garbage and Refuse" readopted in its entirety.

4. No. 11 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.
5. No. 11a "An Ordinance Adopting Rules for the Construction and Abandonment of Private Water Wells in Delaware County" readopted in its entirety.
6. No. 12 "An Ordinance for the Establishment and Maintenance of a Uniform Rural Address System for Delaware County" readopted in its entirety.
7. No. 15 "An Ordinance Relating to Property Tax Exemptions" readopted in its entirety.
8. No. 16 "An Ordinance Relating to Gifts that may be accepted or received by County Officials, Employees, Candidates for their Immediate Family Members" readopted in its entirety.
9. No. 17 "An Ordinance Establishing the Area Service "C" Road Classification in Delaware County, Iowa" readopted in its entirety.
10. No. 18 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.
11. No. 19 "Delaware County On-Site Wastewater Treatment and Disposal Systems" by amending 3. Application of Rules to read as follows: "These rules are applicable only to on-site wastewater treatment and disposal system, is required to have a valid permit issued prior to start of work."

By amending 4.A last sentence to read as follows: "The permit purchased by the property owner or contractor shall state such pertinent information as required."

By amending 4.B to read as follows: "Sewer Permit - $75.00; Alteration - $75.00; Repair of a previously approved, permitted system - $0.00.

By amending 4.C Permit: to read: "The permit must be readily available upon request by administrative authority (Sanitarian)."

By amending 5.C to read "between the hours of 8:00 a.m. and 4:00 p.m."

By amending 5.D to read "Delaware County Sanitarian"

By deleting the entire section on Financial Responsibility.

By amending 7. PURPOSE: to read "these systems are approved and certified by trained personnel from the Delaware County Sanitation Department".

By amending 9.B as follows: "The County Sanitarian, or any other Delaware County representative duly authorized by the Board of Supervisors, may

changing Ordinance #21 Pursuant to the 2005 Iowa Code Section 49.4, Sub Section 6" adopted in its entirety.

16. No. 26 "An Ordinance Relating to the Regulation of Sexually Oriented Businesses" adopted in its entirety.
17. No. 27 "An Ordinance Prescribing the General Assistance Program in Delaware County, Iowa".

SECTION 3. REPEAL OF COUNTY LAW. The following ordinances deemed by the Board of Supervisors to be of no further value to the operation of Delaware County or to the health, safety and welfare of its citizens, are hereby repealed.

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SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 16th day of October, 2006.

DELAWARE COUNTY BOARD OF SUPERVISORS
William J. Skinner, Chairperson
Delaware County Board of Supervisors
ATTEST:
Sharon McCrabb, County Auditor

STATE OF IOWA
DELAWARE COUNTY—ss:

On this 16th day of October, 2006 before me, Julia L. Hackbarth, a Notary Public in and for the State of Iowa personally appeared William J. Skinner and Sharon McCrabb to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Delaware, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors on the 16th day of October, 2006, and William J. Skinner and Sharon McCrabb acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Julia L. Hackbarth
Notary Public, State of Iowa