

REC \$ 10⁰⁰
AUD \$ 1⁰⁰
R.M.F. \$ 1⁰⁰
COMPUTER
RECORDED
COMPARED

FILED NO. 000973
BOOK 2001 PAGE 973
2001 MAR 13 PM 4:05

HICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

ORDINANCE NO. 1400

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 1999, BY AMENDING PROVISIONS PERTAINING TO THE SUBDIVISION REGULATIONS IN TITLE 10, SUBDIVISION REGULATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. AMENDMENT. Title 10, Subdivision Regulations, Chapter 2, Plats and Procedures, is hereby amended by adding a new Section 10-2-4, to read as follows:

- 10-2-4: **PLATS OF SURVEY:** The following regulations shall apply to any plats of survey which create new parcels within the jurisdiction of the City:
- A. **Recording:** No plats-of-survey for any land within the jurisdiction of the City shall be recorded in the County Recorder's office or have any validity until the City Council has adopted a resolution approving and releasing the plat of survey for recordation.
 - B. **Application and Processing:** Any person, firm or entity, proposing the division or subdivision by means of a plat of survey of any land into two (2) or more parts or the creation of a new lot or parcel within the jurisdiction of the City, including any area outside of the city's boundaries pursuant to §354.9 of the Code of Iowa, shall submit an application to the Community Development Department, on the prescribed forms, for review for compliance with City Code requirements. The City staff shall review the proposal and formulate a recommendation to the City Council, which shall be presented to the City Council in a written report.
 - C. The City Council may at their full discretion, approve, deny or modify, wholly or partly, any application for approval of a plat-of-survey. The City Council may impose such conditions and limitations as it deems necessary to assure that the general purpose and intent of this Title and all other ordinances or policies enacted or followed by the City Council will be observed, and that the public interest, health, safety, convenience and welfare will be served.

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 All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provisions, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the

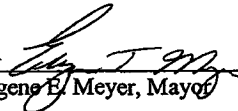
validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 4. VIOLATION. Any person who violates the provisions of this Ordinance, upon conviction, shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 5. OTHER REMEDIES. In addition to the provisions set out in the Violation section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

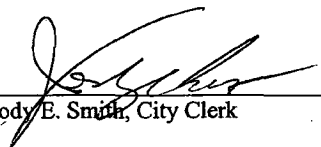
SECTION 6. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this 20th day of March, 2000.



Eugene E. Meyer, Mayor

ATTEST:



Jody E. Smith, City Clerk

Published in the Western Express on March 24, 2000.