City of Winterset, Iowa
By City Clerk
To
The Public

#2144

Fee $4.50 VET

Filed for record the 26 day of June A. D. 1963 at 3:34 o'clock P. M.

Mary E. Welty, Recorder

CERTIFICATE AS TO ORDINANCE NO. 159 of the City of Winterset, Iowa

STATE OF IOWA, Madison County, City of Winterset) ss:

I, O. D. Simmons, City Clerk of the City of Winterset, Iowa, hereby certify that I am now the duly appointed, qualified and acting City Clerk of the City of Winterset, Iowa, and have been such City Clerk at all times referred to herein, and that on the 9th day of April, 1963, at a duly organized meeting of the City Council of the City of Winterset, Iowa, an ordinance of the City of Winterset, Iowa, being Ordinance No. 159 of the City of Winterset, Iowa, was passed and adopted by the City Council of the City of Winterset, Iowa, and on the 9th day of April, 1963, was approved by Wayne Newton, Mayor of the City of Winterset, Iowa, and that said ordinance was duly published in The Winterset Madisonian, a weekly newspaper published in and having general circulation in the City of Winterset, Iowa, in its issue of April 10, 1963, as shown by the affidavit of publication on file in the office of the City Clerk of the City of Winterset, Iowa, and has been duly recorded in the official ordinance book of the City of Winterset, Iowa, and has been authenticated by the signatures of the Mayor and City Clerk of the City of Winterset, Iowa; which ordinance is entitled: "An ordinance providing for regulations concerning the issuance of building permits in any portion of a subdivision for which the subdivider elects to complete, in portions of the platted area, the improvements required, and providing for penalty by fine and for remedy by civil action in the event of violation."; and that attached hereto, as part of this certification is a true, correct and complete copy of said Ordinance No. 159 of the City of Winterset, Iowa, which was passed and adopted and approved and published and authenticated as hereinbefore stated; all of which is hereby certified to the County Recorder of Madison County, Iowa.

WITNESS my hand and the official seal of the City of Winterset, Iowa, this 25th day of June, 1963.

(CITY OF WINTERSET, IOWA SEAL)

O. D. Simmons City Clerk
of the City of Winterset, Iowa.

ORDINANCE NO. 159

An ordinance providing for regulations concerning the issuance of building permits in any portion of a subdivision for which the subdivider elects to complete, in portions of the platted area, the improvements required, and providing for penalty by fine and for remedy by civil action in the event of violation.

Be it ordained by the City Council of the City of Winterset, Iowa:

Section One. In any subdivision for which the plat receives final approval after this ordinance takes effect, and for which the subdivider elects to complete, in portions of the

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platted area, the improvements required under Section VIII of Ordinance No. 139 of the City of Winterset, Iowa, or any amendment thereof, no building permit shall be issued for any building in any such portion until sanitary sewer mains and water mains and their appurtenances are constructed and available for use for a distance of at least 330 feet along the street abutting the property on which such building is to be constructed and capable of serving the building to be constructed, nor until street paving, with curb and gutter, is constructed on all the streets in such portion of the platted area, at established grade, each street being a continuation of an existing street in an adjoining addition, or of a proper projection where the adjoining applicable property is not subdivided, or unless a valid and enforceable surety bond shall be furnished to insure the satisfactory construction of such paving within one year from and after the issuance of the first building permit in such portion of the platted area, all paving to be either of Portland cement concrete or asphaltic concrete with stabilized base, constructed in accordance with specifications approved by the City Council.

Section Two. Any violation of this ordinance shall be punishable by a fine of not more than One Hundred Dollars. Each day that a violation is permitted to exist constitutes a separate offense. In case any building or structure is erected, constructed or maintained, or any building, structure or land is used in violation of this ordinance, the City of Winterset, Iowa, in addition to other remedies, may proceed by civil action to prevent such unlawful construction, maintenance or use, to restrain, correct or abate such violation and to prevent the occupancy of any building, structure or land in violation of this ordinance.

Section Three. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Four. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and adopted and approved the 9th day of April, 1963.

(CITY OF WINTERSET, IOWA SEAL)

Wayne Newton Mayor of the
City of Winterset, Iowa

Attest:
O. D. Simmons City Clerk
of the City of Winterset, Iowa

COMPARED