

ORDINANCE NO. 401

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF PRAIRIE CITY, IOWA, BY AMENDING CHAPTERS 92 WATER RATES, 136 SIDEWALK REGULATIONS, 150 BUILDING NUMBERING, 155 BUILDING CODES, 165 ZONING REGULATIONS & 170 SUBDIVISION REGULATIONS RELATING TO REVISIONS AND NEW CHAPTERS AND SECTIONS

WHEREAS, Prairie City Code of Ordinances §1.08 addresses the background for amending the Code of Ordinances; and

WHEREAS, Prairie City Code of Ordinances §18.05, addresses the time and manner requirements for publishing ordinance amendments; and

WHEREAS, proposed ordinances amend existing and propose new chapters and sections.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapters 92 (Water Rates), 136 (Sidewalk Regulations), 150 (Building Numbering) 155 (Building Codes), 165 (Zoning), and 170 (Subdivision) of the Prairie City Code of Ordinances relating to revisions and regulations by deleting ~~striketrough~~ language and adding underlined language as follows:

A. Chapter 90 (Water Service System)

90.11 INSTALLATION OF WATER SERVICE PIPE

Water service pipes from the main to the meter setting for new construction shall ~~may~~ be Type K copper or cross-linked polyethylene (PEX). The use of any other pipe material for the service line shall first be approved by the Superintendent. Pipe must be laid sufficiently waving, and to such depth, as to prevent rupture from settlement or freezing.

B. Chapter 91 (Water Meters)

91.10 SEPARATE METER FOR OUTSIDE WATERING

A customer may add a second water meter for the purpose of measuring water to be used from outside faucets and for outside watering. The cost of the meter and its installation shall be at the expense of the customer.

1. Installation Requirements.

B. A testable backflow preventer shall be installed immediately following the meter setting outside on any piping to a lawn sprinkler irrigation system. The backflow preventer shall be tested at the time of installation and annually thereafter by a certified inspector at the property owner's/customer's expense. The inspector shall provide a copy of the inspection report to the City. Failure to have the inspections of the backflow prevention device shall be cause to disconnect the outside watering meter.

4. Rates. Water service through outside water meters shall be billed for water used only at rates as established in Chapter 92 of this Code of Ordinances; however, no sewer charge will be assessed to water usage through the outside watering meter.

C. Chapter 92 (Water Rates)

92.04.4 ADMINISTRATIVE FEES

Customers will be granted one extension on their utility bill per year without charge. All other extension requests will be subject to a \$25.00 administrative fee. If the customer fails to pay on the agreed upon date, water service will be discontinued and the account will be subject to a reconnect fee. A fee of thirty dollars (\$30.00) during normal working hours (7:00 a.m. to 3:00 p.m.) one hundred dollars (\$100) after normal working hours shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property. The extension request will transfer if the customer moves to another location within the City.

D. **92.05.2 SERVICE DISCONTINUED**

Notice to Landlords. If the customer is a tenant, ~~and if the owner or landlord of the property or premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.~~ the City shall send the Notice of Delinquency to the tenant, owner, and landlord. If the customer is a tenant and requests a change of name for service under the account, ~~such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.~~ the owner and landlord shall be informed prior to the change by the City.

E. **92.05 4. FEES**

A fee of ~~twenty five dollars (\$25.00)~~ **thirty dollars (\$30.00)** during normal working hours (7:00 a.m. to 3:00 p.m.) and ~~fifty dollars (\$50.00)~~ **one hundred dollars (\$100.00)** after normal working hours shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

F. Chapter 136 (Sidewalk Regulations)

136.03 REMOVAL OF SNOW, ICE, AND ACCUMULATIONS

It is the responsibility of the abutting property owners to remove snow, ice, and accumulations promptly from sidewalks. If a property owner does not remove snow, ice, or accumulations within twenty-four (24) hours, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax. During extreme weather incidents, the City Administrator or Mayor may extend property owner's removal time period of snow, ice, or accumulations up to 48 hours by posting a message on the City's website and/or social media.

G. Chapter 150 Building Number

150.04 KNOX BOXES

All newly constructed nonresidential buildings shall have a knox box installed on the front of the building, near the main door entrance within three feet of the building's address numbers and at a minimum height of five (5) feet above grade. The purpose of the knox box is for housing a key for City of Prairie City emergency response representatives to gain access inside the building during emergency situations when needed.

H. Chapter 155 (Building Codes)

155.02 ADMINISTRATIVE PROVISIONS

1. Administration of this chapter shall be as provided in this section and in the following sections of the several codes named, which are hereby adopted by reference, to provide procedures for local enforcement of the codes constituting the Prairie City, Iowa, Building Codes. **A building permit is required for all new construction, additions to existing buildings, and renovations involving installation of new walls, electrical, plumbing, mechanical (HVAC) except for exceptions identified in this ordinance.**

I. **155.04 ADOPTION OF BUILDING CODE**

Pursuant to published notice and public hearing, as required by law, the Jasper County Building Code (Ordinance No. 40C **40D**) is hereby adopted in full, including any and all deletions, modifications or amendments as may be made from time to time by Jasper County, Iowa.

J. Chapter 165 (Zoning)

165.13 R-1A DISTRICT REGULATIONS

2. Permitted Accessory Uses.

B. The home office of a physician, dentist, artist, attorney, architect, engineer, teacher, or other member of a recognized profession in their bona fide place of residence provided that: not more than one assistant shall be regularly employed therein and no colleagues or associates shall use such office; not more than one-half the area of one floor shall be used for such office; no advertising sign or display shall be permitted except an indirectly lighted name plate not to exceed two square feet in area, attached flat against the building. It is the intent of this paragraph to include home occupations such as **home cooking, baking, and catering**, dance studios, music studios, beauty salons, and barber shops as long as all provisions are complied with and the occupations do not create noise, traffic congestion, or other nuisances.

K. **165.14 R-1 DISTRICT REGULATIONS**

2. Permitted Accessory Uses.

C. The home office of a physician, dentist, artist, attorney, architect, engineer, teacher, or other member of a recognized profession, in said person's bona fide place of residence, provided that: (i) not more than one assistant shall be regularly employed

therein, and no colleagues or associates shall use such office; (ii) not more than one-half the area of one floor shall be used for such office; (iii) no advertising sign or display shall be permitted except an indirectly lighted name plate not to exceed two square feet in area, attached flat against the building. It is the intent of this paragraph to include home occupations such as **home cooking, baking, and catering**, dance studios, music studios, beauty salons, and barber shops as long as all provisions are complied with and the occupations do not create noise, traffic congestion, or other nuisances.

L. 165.20 PLANNED DEVELOPMENTS

~~5.~~ 6. Review Process. Upon receipt of an application for a planned development permit, the Zoning Administrator shall, without delay, make copies of said application available to all members of the Planning and Zoning Commission and to the following City officials: City Engineer, Building Official, Water Department Manager, Fire Chief, Police Chief, City Attorney, and City Administrator/Clerk. The Planning and Zoning Commission shall review the proposal at the next regular meeting, provided there is a minimum of ten (10) days between the date of application and the date of the meeting. Prior to the time of such meeting said City officials shall review the development proposal and prepare reports to be rendered to the Commission at said meeting, either in writing or in person, as follows:

5. Pre-Application Conference. Whenever any person, partnership, corporation, or any other group, public or private, propose to develop any tract or parcel of land or modify any existing development which requires a site plan submittal, a request shall be made to the Zoning Administrator for a pre-application conference. The conference to be organized by the City Administrator who shall determine the meeting participants. The purpose of the conference shall be to acquaint everyone with proposed development and to acquaint the applicant or representative with the procedures and with any special problems that might relate to the development. The applicant shall furnish a site plan sketch and legal description of the property to be developed at the time of requesting the pre-application conference, and the conference shall be held within 15 days of such request.

M. 165.26 6. BOARD OF ADJUSTMENT

Prior to submittal of a variance request or special exception, applicants shall request a pre-application conference. The conference to be organized by the City Administrator who shall determine the meeting participants. The purpose of the conference shall be to acquaint everyone with the proposed variance or special exception and to acquaint the applicant or representative with the procedures, tests, and measures and with any special issues that might relate to the request. The applicant shall furnish a site plan sketch and legal description of the property at the time of requesting the pre-application conference, and the conference shall be held within 15 days of such request.

N. **165.29 2. K REQUIRED PRE-APPLICATION CONFERENCE**

Whenever any person, partnership, corporation, or any other group, public or private, propose to develop any tract or parcel of land or modify any existing development which requires a site plan submittal, a request may be made to the Zoning Administrator for a pre-application conference. The conference shall include the applicant or representative, ~~the Zoning Administrator, the City Engineer, and the City Building Inspector.~~ **to be organized by the City Administrator who shall determine the meeting participants.** The purpose of the conference shall be to acquaint the City Staff with proposed development and to acquaint the applicant or representative with the procedures and with any special problems that might relate to the development. The applicant shall furnish a legal description of the property to be developed at the time of requesting the pre-application conference, and the conference shall be held within 15 days of such request.

O. **165.29 11. I. SIGNAGE**

Only one ground or pole sign (single or double faced) ~~and one building-mounted sign~~ shall be permitted per lot, except special purpose signs, described in paragraph K below.

P. **165.29 11. J. SIGNAGE**

~~No sign face shall exceed one square foot in area for each 600 square feet of area of the lot on which the sign is located.~~ **Proposed wall signs shall not exceed 10 percent of the wall area where the sign(s) will be located.** In no case shall any sign face exceed 400 square feet. Provided however, an additional sign (single or double faced) of up to 50 square feet (per face) shall be allowed for each additional business (in excess of one) conducted on each lot. **Where a ground or pole sign is permitted, one (1) sq. ft. per lineal feet of lot frontage up to a maximum 100 sq. ft. is allowed.**

Q. Chapter 170 (Subdivision Regulations)

170.04 PRE-APPLICATION CONFERENCE

Any developer wishing to subdivide a parcel of land shall contact the City and arrange for a planning conference with the City Administrator, ~~Public Works Director, and City Engineer.~~ This conference shall be for the purpose of determining the general requirements to be met in developing the subdivision. **The conference will be organized by the City Administrator who shall determine the meeting participants.** If the subdivision does not involve new streets or utilities, the pre-application conference may be waived. A sketch plan shall be submitted to the City a minimum of seven (7) days prior to the planning conference.

R. **170.43 DRIVEWAYS**

Driveways shall be paved with Portland cement concrete (PCC) from the traveled portion of the street to the property line and shall be installed when the lot is developed. **In established areas of the City, property owners constructing a new driveway or reconstructing an existing paved driveway shall also pave from the**

traveled portion of the street to the property line including the sidewalk with Portland cement concrete (PCC). Property owners may request an exemption from the City Administrator from paving the traveled portion of the street to the property line to match the adjacent street surface. An existing culvert shall be reinstalled or a new culvert shall be installed when warranted by the City's Engineer and the size of the culvert shall be determined by a licensed Engineer.

Maximum and minimum driveway widths shall be as per the Development Standards unless otherwise approved by City Council. Driveways shall be a minimum of six (6) inches thick PCC. Driveway flares shall be as per the Development Standards.

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

SECTION 3. Severability. 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. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this 14th day of August, 2024.

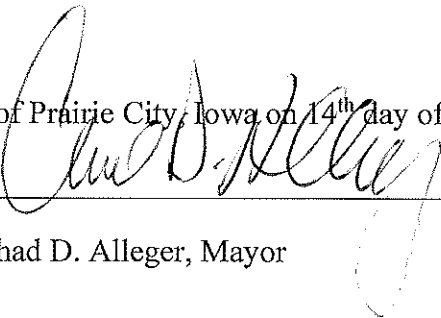
1st Reading: July 10, 2024

2nd Reading: August 14, 2024

3rd Reading: September 11, 2024 (Waived)


Publish Date: _____

Passed by the City Council of the City of Prairie City, Iowa on 14th day of August 2024.




Chad D. Alleger, Mayor

ATTEST:



Christie Busby, City Clerk/Finance Officer

I certify that the foregoing was published as Ordinance No. 401 on the 23rd day of August 2024.



Christie Busby, City Clerk/Finance Officer