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ORDINANCE NO. 369

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GARRISON, IOWA, 2011, BY AMENDING PROVISIONS PERTAINING TO BUILDING PERMITS

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

SECTION 1. SECTION MODIFIED. Section 150.04 of the Code of Ordinances of the City of Garrison, Iowa, 2011, is repealed and the following adopted in lieu thereof:

150.04 FEE. A fee of fifty dollars (\$50.00) shall accompany the application.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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

Introduced by the Council on the 7th day of October, 2019, and approved this 4th day of November, 2019.

Garrett Flickinger
Garrett Flickinger, Mayor

ATTEST:

Nancy Flickinger
Nancy Flickinger, City Clerk

First Reading: 10-7-19

Second Reading: 11-4-19

Third Reading: Waived

I certify that the foregoing was posted as Ordinance No. 369 on the 22nd day of November, 2019.

Nancy Flickinger
Nancy Flickinger, City Clerk

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ORDINANCE NO. 370

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GARRISON, IOWA, BY AMENDING CHAPTER 151

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

SECTION 1. SECTION MODIFIED. Chapter 151 of the Code of Ordinances of the City of Garrison, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 151

FENCE REQUIREMENTS

157.01 Purpose
151.02 Permit Required
151.03 Installation
151.04 Fence Material
151.05 Corner Lots
151.06 Property Lines

151.07 Height
151.08 Locates
151.09 Easements and Utility Meters
151.10 Vision Clearance
151.11 Notice to Abate

151.01 PURPOSE. The purpose of this chapter is to provide restrictions for the construction of fences to insure adequate vision clearance.

151.02 PERMIT REQUIRED. No fence, shall be installed or altered without an approved a Building Permit in accordance with Chapter 150. Prior to the issuance of a building permit the property owner shall be required to locate the official survey pins or have the lot surveyed by a licensed surveyor with the corner pins located. The property owner shall apply for a building permit on the form provided by the City which shall include the following:

1. A map of the lot drawn to scale and showing the following items:
 - A. The location of the proposed fence.
 - B. The actual dimensions of the lot.
 - C. The size, shape, and location of all existing buildings.
2. The height and type of material of the proposed fence.
3. Any other information which the City determines appropriate for making a decision on the building permit or necessary for enforcement of this chapter.
4. Payment for the building permit as identified by Chapter 150 of the Code of Ordinances.

151.03 INSTALLATION. A fence shall be erected such that the finished side of the fence is facing the street or adjacent yard.

151.04 FENCE MATERIAL. Acceptable materials for fences in all yards shall include wrought iron and similar decorative steel, treated or decay-resistant wood, vinyl, polymer, or decorative masonry components, as approved by the Council. Additional acceptable materials for fences in rear yards and interior side yards only shall include chain link and vinyl-clad chain link. Unacceptable material shall include woven wire, barbed wire or electrical fencing.

151.05 CORNER LOTS. Fences on corner lots may be built on the street side lot lines as long as they do not interfere with the vision clearance triangle as designated in 151.10.

151.06 PROPERTY LINES.

1. **Front Yard.** Front yard fencing shall be set back 20 feet from the front lot line. In the event that the front of the main building on the lot is closer than 20' to the front lot line the fence may be equal to the building setback.

2. **Rear Lot Line.** Fences may be placed on rear property lines with the following exceptions:

A. If the property abuts an alley it shall be no closer than 5 feet from the rear yard property line.

B. If the rear property line abuts a street the fence shall be no closer than 20 feet from the rear yard property line.

3. **Side Yard.** Fences may be placed on the lot line except corner lots (see 151.05).

151.07 HEIGHT. Fences shall not exceed 42 inches in height within the front yard area, six feet in height within the side yard area, and six feet in height within the rear yard area.

151.08 LOCATES. It is the responsibility of the property owner and not the City to locate the fence within the property lot lines. The owner or contractor is responsible for contacting Iowa One Call for locates of all services 48 hours prior to construction.

151.09 EASEMENTS AND UTILITY METERS. All fences constructed within an easement area are subject to removal when repairs are needed within the easement area and will not be replaced. Fences shall not block access to utility meters.

151.10 VISION CLEARANCE. No person shall construct a fence, wall, hedge or any other barrier that obstructs the view of any approach, alley, driveway or intersection. The vision clearance triangle shall remain unobstructed. The vision clearance triangle is defined as a point 30 feet each direction on the property line from the intersection of two streets on a corner lot and a point 20 feet on the street side line to a point 15 feet on the rear line from the intersection of an alley and a street.

151.11 NOTICE TO ABATE. Upon discovery of any fence that is upon private property within the City in violation of this chapter, the City shall within 30 days initiate abatement procedures as outlined in Chapter 50.

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 6th day of January, 2020, and approved this
6th day of January, 2020.

Garrett Flickinger
Garrett Flickinger, Mayor

ATTEST:

Nancy Flickinger
Nancy Flickinger, City Clerk

First Reading: 1-6-2020

Second Reading: Suspended

Third Reading: Suspended

I certify that the foregoing was published as Ordinance No. 370 on the 20th day of
January, 2020

Nancy Flickinger
Nancy Flickinger, City Clerk

ORDINANCE NO. 371 SUMMARY

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GARRISON, IOWA, 2011, BY AMENDING PROVISIONS PERTAINING TO FLOODPLAIN MANAGEMENT

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

SECTION 1. CHAPTER MODIFIED. Chapter 160 of the Code of Ordinances of the City of Garrison, Iowa, 2011, is repealed and the following adopted in lieu thereof:

CHAPTER 160 – FLOODPLAIN MANAGEMENT ORDINANCE SUMMARY.

This floodplain management ordinance is being amended to comply with NFIP regulations and to adopt the new Benton County Flood Insurance Rate Maps that go into effect on December 20, 2019, as requested by FEMA. This ordinance is to prevent improper construction within the mapped floodplain. Penalties for violations of the provisions of the Ordinance or failure to comply with any of the requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 (FIVE HUNDRED). Nothing herein contained prevents the City of Garrison from taking such other lawful action as is necessary to prevent or remedy the violation. Citizens may request an electronic copy of the fully executed **Ordinance No. 371** by either calling the City Clerk at 477-8353 or by sending an e-mail to the Clerk at nanflick@netins.net. The ordinance can also be viewed at the Garrison Public Library, 201 East Pine Street, Garrison, IA, during their regular business hours.

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 7th day of October, 2019, and approved this 4th day of November, 2019.

Garrett Flickinger
Garrett Flickinger, Mayor

ATTEST:

Nancy Flickinger
Nancy Flickinger, City Clerk

First Reading: 10-7-2019

Second Reading: 11-4-2019

Third Reading: Waived

I certify that the foregoing was posted as Ordinance No. 371 on the 22nd day of November, 2019.

Nancy Flickinger
Nancy Flickinger, City Clerk