

MEDIAPOLIS MUNICIPAL CODE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 337, adopted November 6, 2017.

See the Code Comparative Table for further information.

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This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 332, adopted December 5, 2016.

See the Code Comparative Table for further information.

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Ordinance No. 327, adopted July 18, 2016.

See the Code Comparative Table for further information.

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SUPPLEMENT NO. 13
April 2015

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Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 313, adopted September 22, 2014.

See the Code Comparative Table for further information.

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This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 310, adopted July 1, 2013.

See the Code Comparative Table for further information.

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Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 308, adopted November 5, 2012.

See the Code Comparative Table for further information.

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This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 305, passed March 19, 2012.

See the Code Comparative Table for further information.

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This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 297, passed October 4, 2010.

See the Code Comparative Table for further information.

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SUPPLEMENT NO. 8
April 2010

MEDIAPOLIS MUNICIPAL CODE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance 292, adopted October 5, 2009.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 7
July 2009

MEDIAPOLIS MUNICIPAL CODE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance 290, adopted June 1, 2009.

See the Code Comparative Table and Disposition List for further information.

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MEDIAPOLIS, IOWA
MUNICIPAL CODE

A Codification of the General Ordinances of
the City of Mediapolis, Iowa

Beginning with Supp. No. 7,
Supplemented by Municipal Code Corporation

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PREFACE

The Mediapolis, Iowa Municipal Code, originally published by Book Publishing Company in 1976, has been kept current by regular supplementation by Matthew Bender & Company, Inc., its successor in interest.

Beginning with Supplement No. 7, Municipal Code Corporation will be keeping this code current by regular supplementation.

During original codification, the ordinances were compiled, edited and indexed by the editorial staff of Book Publishing Company under the direction of Kenneth A. Aspelmeier, city attorney.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the title, chapter, and section. Thus, Section 5.04.050 is Section .050, located in Chapter 5.04 of Title 5. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by a disposition of ordinances table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification; and beginning with Supplement No. 7, legislation can be tracked using the "Code Comparative Table and Disposition List."

This supplement brings the Code up to date through Ordinance 337, adopted November 6, 2017.

Municipal Code Corporation
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HOW TO USE YOUR CODE

This code is organized to make the laws of the city as accessible as possible to city officials, city employees and private citizens. Please take a moment to familiarize yourself with some of the important elements of this code.

Numbering System.

The numbering system is the backbone of a Code of Ordinances; Municipal Code Corporation uses a unique and versatile numbering structure that allows for easy expansion and amendment of this Code. It is based on three tiers, beginning with title, then chapter, and ending with section. Each part is represented in the code section number. For example, Section 5.04.050 is Section .050, in Chapter 5.04 of Title 5.

Title.

A title is a broad category under which ordinances on a related subject are compiled. This code contains about 15 to 20 titles. For example, the first title is Title 1, General Provisions, which may contain ordinances about the general penalty, code adoption and definitions. Some titles are Reserved for later use.

Chapter.

Chapters deal with more specific subjects, and are often derived from one ordinance. All of the chapters on a related subject are grouped in one title. The chapters are numbered so that new chapters which should logically be placed near certain existing chapters can be added at a later time without renumbering existing material.

Section.

Each section of the code contains substantive ordinance material. The sections are numbered by "tens" to allow for expansion of the code without renumbering.

Tables of Contents.

There are many tables of contents in this code to assist in locating specific information. At the beginning of the code is the main table of contents listing each title. In addition, each title and chapter has its own table of contents listing the chapters and sections, respectively.

Ordinance History Note.

At the end of each code section, you will find an "ordinance history note," which lists the underlying ordinances for that section. The ordinances are listed by number, section (if applicable) and year. (Example: (Ord. 272 § 1, 1992).)

Beginning with Supplement No. 7, a secondary ordinance history note will be appended to affected sections. Ordinance history notes will be amended with the most recent ordinance added to the end. These history notes can be cross-referenced to the code comparative table and disposition list.

Ordinance List and Disposition Table.

To find a specific ordinance in the code, turn to the back of the code for the Disposition of Ordinances Table. This very useful table tells you the status of every ordinance reviewed for inclusion in the code. The table is organized by ordinance number and provides a brief description and the disposition of the ordinance. If the ordinance is codified, the chapter (or chapters) will be indicated. (Example: (2.04, 6.12, 9.04).) If the ordinance is of a temporary nature or deals with subjects not normally codified, such as budgets, taxes, annexations or rezones, the disposition will be "(Special)." If the ordinance is for some reason omitted from the code, usually at the direction of the municipality, the disposition will be "(Not codified)." Other dispositions sometimes used are "(Tabled)," "(Pending)," "(Number Not Used)" or "(Missing)."

Beginning with Supplement No. 7, this table will be replaced with the "Code Comparative Table and Disposition List."

Code Comparative Table and Disposition List.

Beginning with Supplement No. 7, a Code Comparative Table and Disposition List has been added for use in tracking legislative history. Located in the back of this volume, this table is a chronological listing of each ordinance considered for codification. The Code Comparative Table and Disposition List specifies the ordinance number, adoption date, description of the ordinance and the disposition within the code of each ordinance. By use of the

Code Comparative Table and Disposition List, the reader can locate any section of the code as supplemented, and any subsequent ordinance included herein.

Instruction Sheet.

Each supplement to the new code will be accompanied by an Instruction Sheet. The Instruction Sheet will tell the code user the date of the most recent supplement and the last ordinance contained in that supplement. It will then list the pages that must be pulled from the code and the new pages that must be inserted. Following these instructions carefully will assure that the code is kept accurate and current. Removed pages should be kept for future reference.

Page Numbers.

When originally published, the pages of this code were consecutively numbered. As of Supplement No. 7, when new pages are inserted with amendments, the pages will follow a "Point Numbering System." (Example: 32, 32.1, 32.2, 32.2.1, 32.2.2, 33.) Backs of pages that are blank (in codes that are printed double-sided) are left unnumbered but the number is "reserved" for later use.

Electronic Submission.

In the interests of accuracy and speed, we encourage you to submit your ordinances electronically if at all possible. We can accept most any file format, including Word, WordPerfect or text files. If you have a choice, we prefer Word, any version. You can send files to us as an e-mail attachment, by FTP, on a diskette or CD-ROM. Electronic files enable us not only to get you your code more quickly but also ensure that it is error-free. Our e-mail address is: ords@municode.com.

For hard copy, send two copies of all ordinances passed to:

Municipal Code Corporation
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Tallahassee, FL 32316

Customer Service.

If you have any questions about this code or our services, please contact Municipal Code Corporation at 1-800-262-2633 or:

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code Book and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code Book and are considered "Omitted."

In addition, by adding to this table with each supplement, users of this Municipal Code will be able to gain a more complete picture of the Code's historical evolution.

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Title 1GENERAL PROVISIONSChapters:

- 1.01 Charter Provision--Form of Government
- 1.02 Code Adoption
- 1.04 General Provisions
- 1.08 General Penalty
- 1.09 Municipal Infractions

Chapter 1.01CHARTER PROVISION--FORM OF GOVERNMENT*Sections:

- 1.01.010 Purpose.
- 1.01.020 Name designated.
- 1.01.030 Form of government.
- 1.01.040 Mayor, council and city officers--Powers and duties.
- 1.01.050 Council--Membership and terms.
- 1.01.060 Mayor--Term.
- 1.01.070 Copies on file.

1.01.010 Purpose. The purpose of this chapter is to provide for a charter embodying the form of government existing on February 6, 1975. (Ord. 130 §1, 1975).

1.01.020 Name designated. This chapter may be cited as the charter of the city. (Ord. 130 §2, 1975).

1.01.030 Form of government. The form of government of the city is the mayor-council form of government. (Ord. 130 §3, 1975).

1.01.040 Mayor, council and city officers--Powers and

* For statutory provisions requiring the passage of a charter to set out the form of government in a city, see Code of Iowa, 1975, §372.1; for provisions concerning the mayor-council form of government, see Code of Iowa, 1975, §372.4.

duties. The council and mayor and other city officers have such powers and shall perform such duties as are authorized

or required by state law and by the ordinances, resolutions, rules and regulations of the city. (Ord. 130 §4, 1975).

1.01.050 Council--Membership and terms. The council consists of five councilmen elected at large, and elected to staggered four-year terms. (Ord. 130 §5, 1975).

1.01.060 Mayor--Term. The mayor is elected for a term of four years. (Ord. 130 §6, 1975).

1.01.070 Copies on file. The city clerk shall keep an official copy of this charter on file with the official records of the city clerk, shall immediately file a copy with the Secretary of State of Iowa, and shall keep copies of the charter available at the city clerk's office for public inspection. (Ord. 130 §7, 1975).

Chapter 1.02

CODE ADOPTION*

Sections:

- 1.02.010 Notice--Adoption--Copies available.
- 1.02.020 Title--Citation--Reference.
- 1.02.030 Codification authority.
- 1.02.040 Ordinances passed prior to adoption of the code.
- 1.02.050 Reference applies to all amendments.
- 1.02.060 Title, chapter and section headings.
- 1.02.070 Reference to specific ordinances.
- 1.02.080 Effect of code on past actions and obligations.
- 1.02.090 Effective date.
- 1.02.100 Constitutionality.

1.02.010 Notice--Adoption--Copies available. A. Pursuant to published notice, a public hearing has been duly held, and the council has determined that the proposed "Mediapolis Municipal Code" in its original form is adopted as the municipal code of Mediapolis, Iowa.

B. An official copy of the municipal code is on file at the office of the city clerk and will be certified as to its adoption and effective date after adoption of the ordinance codified in this chapter.

* For statutory provisions requiring the publication by a city of its municipal code every five years and outlining the procedures for same, see Code of Iowa, 1975, §380.8.

C. Loose-leaf copies of the "Mediapolis Municipal Code" are available at the city clerk's office for public inspection and for sale at cost to the public. (Ord. 156 §1, 1976).

1.02.020 Title--Citation--Reference. This code shall be known as the "Mediapolis Municipal Code" and it shall be sufficient to refer to this code as the "Mediapolis Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Mediapolis Municipal Code." Further reference may be held to the titles, chapters, sections and subsections of the "Mediapolis Municipal Code," and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code. (Ord. 156 §2, 1976).

1.02.030 Codification authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the city of Mediapolis, Iowa, codified pursuant to the provisions of Section 78 of Chapter 1088 of the Acts of the Sixty-fourth General Assembly. (Ord. 156 §3, 1976).

1.02.040 Ordinances passed prior to adoption of the code. The last ordinance included in this code was Ordinance 155. (Ord. 156 §4, 1976).

1.02.050 Reference applies to all amendments. Whenever a reference is made to this code as the "Mediapolis Municipal Code" or to any portion thereof, or to any ordinance of the city of Mediapolis, Iowa, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 156 §5, 1976).

1.02.060 Title, chapter and section headings. Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 156 §6, 1976).

1.02.070 Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 156 §7, 1976).

1.02.080 Effect of code on past actions and obligations. Neither the adoption of this code nor the repeal or amendments hereby of any ordinance or part or portion of any ordinance of the city shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. 156 §8, 1976).

1.02.090 Effective date. This code shall become effective on the date the ordinance adopting this code as the "Mediapolis Municipal Code" shall become effective. (Ord. 156 §9, 1976).

1.02.100 Constitutionality. If any section, subsection, sentence, clause or phrase of this code shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the code as a whole or any section, subsection, sentence, clause or phrase thereof not adjudged invalid or unconstitutional. (Ord. 156 §10, 1976).

Chapter 1.04

GENERAL PROVISIONS

Sections:

- 1.04.010 Definitions.
- 1.04.020 Grammatical interpretation.
- 1.04.030 Prohibited acts include causing, permitting.
- 1.04.040 Construction of ordinances.
- 1.04.050 Repeal not to revive any ordinances.

1.04.010 Definitions. A. The following words and phrases whenever used in the ordinances of the city, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. "City" means the city of Mediapolis, Iowa.
2. "Computation of time" means the time within which an act is to be done. It shall be computed by excluding the first day and including the last day; and if the last day is Sunday or a legal holiday, that day shall be excluded.
3. "Council" means the city council of the city of Mediapolis, Iowa. "All its members" or "all councilmen" means the total number of councilmen provided by the general laws of the state of Iowa.
4. "County" means the county of Des Moines, Iowa.
5. "Law" denotes applicable federal law, the constitution and statutes of the state of Iowa, the ordinances of the city of Mediapolis, and when appropriate, any and all rules and regulations which may be promulgated thereunder.
6. "May" is permissive.
7. "Month" means a calendar month.
8. "Must" and "shall." Each is mandatory.
9. "Oath" shall be construed to include an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."
10. "Ordinance" means a law of the city; provided that a temporary or special law, administrative action, order or directive may be in the form of a resolution.
11. "Owner" applied to a building or land includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole or a part of such building or land.
12. "Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

13. "Personal property" includes money, goods, chattels, things in action and evidences of debt.

14. "Preceding" and "following" mean next before and next after, respectively.

15. "Property" includes real and personal property.

16. "Real property" includes lands, tenements and hereditaments.

17. "Sidewalk" means that portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.

18. "State" means the state of Iowa.

19. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this city which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

20. "Tenant" and "occupant," applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

21. Title of Office. Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the city.

22. "Written" includes printed, typewritten, mimeographed or multigraphed.

23. "Year" means a calendar year.

B. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

C. When an act is required by an ordinance the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed as to include all such acts performed by an authorized agent. (Ord. 146 §1, added during 1976 codification).

1.04.020 Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the city:

A. Gender. Designation in the form of any gender includes the masculine, feminine and neuter genders.

B. Singular and plural. The singular number includes the plural and the plural includes the singular.

C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

D. Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Ord. 146 §2, added during 1976 codification).

1.04.030 Prohibited acts include causing, permitting.
Whenever in the ordinances of the city, any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission. (Ord. 146 §3, added during 1976 codification).

1.04.040 Construction of ordinances. The provisions of the ordinances of the city and all proceedings under them are to be construed with a view to effect their objects and to promote justice. (Ord. 146 §4, added during 1976 codification).

1.04.050 Repeal not to revive any ordinances. The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby. (Ord. 146 §5, added during 1976 codification).

Chapter 1.08

GENERAL PENALTY*

Sections:

1.08.010 Designated.

1.08.010 Designated. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the city is guilty of a misdemeanor. Except in cases where a different penalty is prescribed by any ordinance of the city, any person convicted of a misdemeanor under the ordinances of Mediapolis shall be punished by a fine of at least sixty-five dollars, but not to exceed six hundred twenty-five dollars. The court may order imprisonment not to exceed thirty days in lieu of a fine or in addition to a fine. (Ord. 147 §1, added during 1976 codification).
(Ord. 300, § 1, 3-21-11)

* For statutory provisions limiting a city to the power to impose a penalty not in excess of one hundred dollars or thirty days, see Code of Iowa, 1975, §364.3.

Chapter 1.09MUNICIPAL INFRACTIONSSections:

- 1.09.010 Definitions.
- 1.09.020 Penalties.
- 1.09.025 Administrative penalty--Notice of violation.
- 1.09.030 Civil citations.
- 1.09.040 Alternative relief.
- 1.09.050 Criminal penalties.
- 1.09.060 Administrative penalties for municipal infractions.

1.09.010 Municipal infractions. A violation of, or the omission or failure to perform any act or duty required by, this Code of Ordinances or any ordinance or code herein adopted by reference with the exception of those provisions specifically provided under State law as a felony, an aggravated misdemeanor, or a serious misdemeanor, or a simple misdemeanor under Chapters 687 through 747 of the Code of Iowa, is a municipal infraction punishable by civil penalty as provided herein.

(Ord. 309, § 2, 4-15-13)

1.09.020 Penalties. A municipal infraction is punishable by the following civil penalties:

1. Standard civil penalties.
 - A. First offense--Not to exceed seven hundred and fifty dollars.
 - B. Each repeat offense--Not to exceed one thousand dollars.

Each day that a violation occurs or is permitted to exist constitutes a repeat offense.

2. Special civil penalties.
 - A. A municipal infraction arising from noncompliance with a pretreatment standard or requirement by an industrial user is punishable by a penalty of not more than one thousand dollars for each day a violation exists or continues.
 - B. A municipal infraction classified as an environmental violation is punishable by a penalty of not more

than one thousand dollars for each occurrence. However, an environmental violation is not subject to such penalty if all of the following conditions are satisfied;

(1) The violation results solely from conducting an initial startup, cleaning, repairing, performing scheduled maintenance, testing, or conducting a shutdown of either equipment causing the violation or the equipment designed to reduce or eliminate the violation.

(2) The city is notified of the violation within twenty-four hours from the time the violation begins.

(3) The violation does not continue for more than eight hours.

(Ord. 309, § 3, 4-15-13)

1.09.025 Administrative penalty-notice of violation.

(Ord. 309, § 4, 4-15-13)

1.09.030 Civil citations. Any officer authorized by the city to enforce this code of ordinances may issue a civil citation to a person who commits a municipal infraction. The citation may be served by personal service as provided in Rule of Civil Procedure 56.1, by certified mail addressed to the defendant's last known mailing address, return receipt requested, or by publication in the manner as provided in Rule of Civil Procedure 60.1. A copy of the citation shall be retained by the issuing officer, and the original shall be sent to the clerk of the district court. The citation shall serve as notification that a civil offense has been committed and shall contain the following information:

1. The name and address of the defendant.
2. The name or description of the infraction attested to by the officer issuing the citation.
3. The location and time of the infraction.
4. The amount of civil penalty to be assessed or the alternative relief sought, or both.
5. The manner, location and time in which the penalty must be paid.
6. The time and place of the court appearance.
7. The penalty for failure to appear in court.

(Ord. 309, § 5, 4-15-13)

1.09.040 Alternative relief. Seeking a civil penalty as authorized in this chapter does not preclude the city from

seeking alternative relief from the court in the same action. Such alternative relief may include, but is not limited to, an order for abatement or injunctive relief.

(Ord. 309, § 6, 4-15-13)

1.09.050 Criminal penalties. This chapter does not preclude a peace officer from issuing a criminal citation for a violation of this Code of Ordinances or regulation if criminal penalties are provided for the violation. Nor does it preclude or limit the authority of the city to enforce the provisions of this code of ordinances by criminal sanctions or other lawful means.

(Ord. 309, § 7, 4-15-13)

1.09.60 Administrative penalties for municipal infractions. Municipal Infractions may be initially brought upon simple notice of violation and if the person charged admits the violation, upon payment of the penalty to the city and the performance of any other act required by law to be performed, such person shall not be further prosecuted or assessed any other costs or other expenses for such violation, and the city shall retain all penalties thus collected. Where a municipal infraction is not admitted upon simple notice by the person charged or where the person charged fails to perform any other act to be performed, or both, a civil citation seeking a penalty for a municipal infraction, with or without additional relief, may be initially filed in court. This section does not impose a duty to initially charge all municipal infractions upon simple notice of violation.

(Ord. 309, § 8, 4-15-13)

Title 2

ADMINISTRATION AND PERSONNEL*

Chapters:

- 2.03 Officers--Salaries and Payment Schedules
- 2.04 Officers--Runoff Elections
- 2.08 Officers--Appointment, Terms, Bonds
- 2.12 Officers--Duties Generally
- 2.16 Mayor
- 2.20 City Clerk
- 2.24 City Treasurer
- 2.28 City Health Officer and Physician
- 2.32 Fire Department
- 2.36 Library Board

Chapter 2.03

OFFICERS--SALARIES AND PAYMENT SCHEDULES

Sections:

- 2.03.010 Purpose.
- 2.03.020 Council members.
- 2.03.030 Mayor.
- 2.03.040 Time of payment.

* For statutory provisions concerning the forms of government in cities, see Code of Iowa, 1975, §372.1 et seq. For provisions concerning city officers, see Code of Iowa, 1975, §372.13. For provisions concerning a mayor-council form of government, see Code of Iowa, 1975, §372.4. For provisions authorizing a city council to appoint and remove city officers and employees and provide compensation for all city officers and employees, see Code of Iowa, 1975, §372.13. For statutory provisions concerning a city council, see Code of Iowa, 1975, §372.13. For charter provisions on city government, see Ch. 1.01 of this code.

Sections:

- 2.03.050 Delay of effective date.
 2.03.060 Non-elected officers, employees and compensated officials, individuals and businesses.

2.03.010 Purpose. The purpose of this chapter is to establish salaries and payment schedules of municipal officers. (Ord. 242 §1(part), 2003)

2.03.020 Council members. The salary of each council member shall be thirty dollars for each regular and special meeting called to order by the mayor or mayor pro-tem and attended by the council member. (Ord. No. 335, § 1, 6-19-17; Ord. 242 §1(part), 2003)

2.03.030 Mayor. The mayor shall receive as compensation the salary of one thousand two hundred dollars per annum. (Ord. No. 335, § 1, 6-19-17; Ord. 242 §1(part), 2003)

2.03.040 Time of payment. Payment for elected officials shall be made after the last meeting in December of each year. (Ord. 242 §1(part), 2003)

2.03.050 Delay of effective date. No council member, nor the mayor, shall receive an increase in the amount provided in Sections 2.03.020 and 2.03.040 of this chapter from the now present payment until such time as there has been one municipal election for the offices of mayor and city council and the mayor and the council then elected have taken office. Until such time, the present rate of pay shall remain in force. (Ord. 242 §1(part), 2003)

2.03.060 Non-elected officers, employees and compensated officials, individuals and businesses. A. All other municipal officers and employees shall receive such compensation as the city council shall determine by resolution passed and amended from time to time.

B. The city council, by order or resolution, shall determine and approve the compensation paid to all other individuals and businesses for professional services per-

formed for the benefit of the city. (Ord. 242 §1(part), 2003)

Chapter 2.04

OFFICERS--RUNOFF ELECTIONS**

Sections:

- 2.04.010 Purpose.
- 2.04.020 State statutes adopted.
- 2.04.030 Petitions of candidates--Canvass--Conduct of election.
- 2.04.040 Canvass of votes--Runoff ballot--Conditions.
- 2.04.050 Notice of election--Candidates--Date of publication.
- 2.04.060 Election--Date--Procedure--Voter registration.

** For statutory provisions concerning the election of city officers, see Code of Iowa, 1975, Ch. 376. For provisions concerning the bonds of officers, see Code of Iowa, 1975, Ch. 64.

2.04.010 Purpose. The purpose of this chapter is to adopt the alternative of using a runoff election in lieu of a primary election for the choosing of persons for elective municipal offices, and prescribing the procedures to be followed therein. (Ord. 148 §1, added during 1976 codification).

2.04.020 State statutes adopted. The provisions of Section 69 of the Home Rule Act, providing for a runoff election, are adopted in lieu of the requirements for a primary in Sections 66 and 67 thereof. (Ord. 148 §2, added during 1976 codification).

2.04.030 Petitions of candidates--Canvass--Conduct of election. Four weeks prior to the municipal election, the clerk and mayor shall canvass the petitions of all candidates that have been filed with the clerk, and shall find all candidates that have filed proper petitions to be the nominees for the offices sought. The clerk shall then do all things necessary for conducting the municipal election. (Ord. 148 §3, added during 1976 codification).

2.04.040 Canvass of votes--Runoff ballot--Conditions. On the day following the municipal election, the clerk shall publicly canvass the election returns. He shall report the canvass results to the council, listing the names of those candidates who have been elected for office and also listing the names of those candidates for office whose names must be placed on the runoff ballot indicating the offices which are to be filled as a result of the following conditions:

A. If no candidate for a single office receives a majority of the votes cast for that office, the two candidates receiving the largest number of votes shall be placed upon the runoff ballot.

B. If any of the top candidates, in an at-large contest, to the number of positions to be filled receive less than a majority of the votes cast at the election, those candidates receiving a majority of the votes shall be declared elected and those candidates receiving the next highest number of votes but not having a majority, to the number of twice the number of unfilled positions, shall be placed on the runoff ballot. (Ord. 148 §4, added during 1976 codification).

2.04.050 Notice of election--Candidates--Date of publication. If there must be a runoff election the clerk shall forthwith cause to be published once in a newspaper or newspapers published within the municipal corporation and of general circulation therein, in proper form, the names of persons as they are to appear on the municipal runoff ballot, the publication to be not less than five days before the runoff election. (Ord. 148 §5, added during 1976 codification).

2.04.060 Election--Date--Procedure--Voter registration. Any such runoff election shall be held two weeks after the regular municipal election. The runoff election shall be conducted in the same manner as provided by law for conducting municipal elections except that there shall be no added voter registrations accepted for the election but transfers may be accepted until ten days before the election, as now provided under law. (Ord. 148 §6, added during 1976 codification).

Chapter 2.08

OFFICERS--APPOINTMENTS, TERMS, BONDS*

Sections:

- 2.08.010 Purpose.
- 2.08.020 Offices created.
- 2.08.030 Appointment of officers.
- 2.08.040 Terms.
- 2.08.050 Vacancies.
- 2.08.060 Bonds--Required.
- 2.08.070 Bonds--Acceptable surety.
- 2.08.080 Bonds--Amount--Premium payment.
- 2.08.090 Bonds--Filing.

2.08.010 Purpose. The purpose of this chapter is to provide for the appointment and qualification, including the post of proper bond, and the filling of vacancies of the appointed municipal officers of the city. (Ord. 149 §1, added during 1976 codification).

2.08.020 Offices created. There are created the following appointive officers: clerk, attorney, treasurer, health officer and fire chief. (Ord. 149 §2, added during 1976 codification).

2.08.030 Appointment of officers. A. The mayor shall appoint the treasurer.

* For statutory provisions authorizing a city council to appoint a city clerk, see Code of Iowa, 1975, §372.13(3). For provisions concerning the duties of a city clerk, see Code of Iowa, 1975, §§380.7 and 372.13. For statutory provisions authorizing a mayor to appoint a marshal or chief of police, see Code of Iowa, 1975, §372.4.

B. The council shall appoint the first fire chief of the volunteer fire department for a term of two years. Future fire chiefs shall be elected for terms of two years by members of the volunteer fire department, with the approval of the council.

C. All other officers shall be appointed or selected by the council unless otherwise provided by law or ordinance. (Ord. 149 §3, added during 1976 codification).

2.08.040 Terms. The terms of all appointive officers that are not otherwise fixed by law or ordinance shall be two years. (Ord. 149 §4, added during 1976 codification).

2.08.050 Vacancies. A vacancy in an appointive office shall be filled in the same manner as the original appointment. A vacancy in an elective office shall be filled by a majority vote of all members of the council. (Ord. 149 §5, added during 1976 codification).

2.08.060 Bonds--Required. Each municipal officer required by law or ordinance to be bonded shall, before entering upon the duties of his office, execute to the city a good and sufficient bond, to be approved by the mayor, conditioned on the faithful performance of his duties and the proper handling and accounting for the money and property of the city in his charge. (Ord. 149 §6, added during 1976 codification).

2.08.070 Bonds--Acceptable surety. Any association or corporation which makes a business of insuring the fidelity of others and which has authority to do such business within Iowa shall be accepted as surety on any of the bonds. (Ord. 149 §7, added during 1976 codification).

2.08.080 Bonds--Amount--Premium payment. A. The mayor, clerk and treasurer shall be bonded in the amount of five hundred dollars each.

B. The council shall provide by resolution for a surety bond for any other officer or employee that the council deems necessary. The city shall pay the premium on all official bonds. (Ord. 149 §8, added during 1976 codification).

2.08.090 Bonds--Filing. All bonds when duly executed shall be filed with the mayor, except that the mayor's bond shall be filed with the clerk. (Ord. 149 §9, added during 1976 codification).

Chapter 2.12

OFFICERS--DUTIES GENERALLY

Sections:

- 2.12.010 Generally.
- 2.12.020 Books--Records.
- 2.12.030 Deposit of funds.
- 2.12.040 Transfer of records and property to successor.

2.12.010 Generally. Each municipal officer shall exercise the powers and perform the duties prescribed by law and ordinance, or as otherwise directed by the council unless contrary to state law or city charter. (Ord. 150 §1, added during 1976 codification).

2.12.020 Books--Records. All books and records required to be kept by law or ordinance shall be open to inspection by the public upon request. (Ord. 150 §2, added during 1976 codification).

2.12.030 Deposit of funds. The city clerk shall deposit all funds directly to the city's bank account as they are received. Upon deposit of the funds, the city clerk will give a duplicate copy of the deposit slip to the city treasurer to indicate the source of the funds. (Ord. 150 §3, added during 1976 codification).

2.12.040 Transfer of records and property to successor. Each officer shall transfer to his successor in office all books, papers, records, documents and property, together with an invoice of the same, in his custody and appertaining to his office. (Ord. 150 §4, added during 1976 codification).

Chapter 2.16

MAYOR*

Sections:

- 2.16.010 Powers and duties--Generally.
- 2.16.020 Supervision and examination authority.

* For statutory provisions concerning a mayor, see Code of Iowa, 1975, §372.14. For provisions concerning a mayor's action on city legislation, see Code of Iowa, 1975, §380.5. For charter provisions concerning the mayor, see Ch.1.01 of this code.

Sections: (Continued)

- 2.16.030 Presiding officer at council meetings--Mayor pro tempore.
- 2.16.040 Action on measures passed by council--Repass over mayor's veto.
- 2.16.050 Provision for duties of absentee officers.
- 2.16.060 Representative of city when.
- 2.16.070 Signing contracts.
- 2.16.080 Special meetings of city council.
- 2.16.090 Monthly reports.
- 2.16.100 Mayor pro tempore--Designation--Powers and duties.
- 2.16.110 Procurement of special or professional services not available to the city.
- 2.16.120 Appointment of administrative assistant.
- 2.16.130 Permits and licenses--Signing.
- 2.16.140 Permits and licenses--Revocation.
- 2.16.150 Removal of nuisances--Order.

2.16.010 Powers and duties--Generally. The duties of the mayor shall be as set out in this chapter. (Ord. 150 §5 (part), added during 1976 codification).

2.16.020 Supervision and examination authority. The mayor shall supervise all departments of the city and give direction to department heads concerning the functions of the departments. He shall have the power to examine all functions of the municipal departments, their records, and to call for special reports from department heads at any time. (Ord. 150 §5(1), added during 1976 codification).

2.16.030 Presiding officer at council meetings--Mayor pro tempore. The mayor shall act as presiding officer at all regular and special council meetings. The mayor pro tempore shall serve in this capacity in the mayor's absence. (Ord. 150 §5(2), added during 1976 codification).

2.16.040 Action on measures passed by council--Repass over mayor's veto. The mayor may sign, veto, or take no action on an ordinance, amendment or resolution passed by the council. If he vetoes a measure, he must explain the reason for such veto to the council. The council may repass a measure over the mayor's veto by a two-thirds majority of the council members. (Ord. 150 §5(3), added during 1976 codification).

2.16.050 Provision for duties of absentee officers. The mayor shall make appropriate provision that duties of any absentee officer are carried on during his absence. (Ord. 150 §5(4), added during 1976 codification).

2.16.060 Representative of city when. The mayor shall represent the city in all negotiations properly entered into in accordance with law or ordinance. He shall not represent the city where this duty is specifically delegated to another officer by law or ordinance. (Ord. 150 §5(5), added during 1976 codification).

2.16.070 Signing contracts. The mayor shall, whenever authorized by the council, sign all contracts on behalf of the city. (Ord. 150 §5(6), added during 1976 codification).

2.16.080 Special meetings of city council. The mayor shall call special meetings of the city council when he deems such meetings necessary to the interests of the city. (Ord. 150 §5(7), added during 1976 codification).

2.16.090 Monthly reports. The mayor shall make such oral or written reports to the city council at the first meeting of every month as referred. These reports shall concern municipal affairs generally, the municipal departments, and recommendations suitable for council action. (Ord. 150 §5(8), added during 1976 codification).

2.16.100 Mayor pro tempore--Designation--Powers and duties. Immediately after taking office the mayor shall designate one member of the city council as mayor pro tempore. The mayor pro tempore shall be vice-president of the council. Except for the limitations otherwise provided in this chapter, the mayor pro tempore shall perform the duties of the mayor in cases of absence or inability of the mayor to perform his duties. In the exercise of the duties of his office the mayor pro tempore shall not have power to employ or discharge from employment officers or employees that the mayor has the power to appoint, employ or discharge. The mayor pro tempore shall have the right to vote as a member of the council. (Ord. 150 §5(9), added during 1976 codification).

2.16.110 Procurement of special or professional services not available to the city. The mayor shall, upon order of the city council, secure for the city such specialized and professional services not already available to the city. In executing the order of the city council he shall conduct himself in accordance with the city ordinances and the laws of the state. (Ord. 150 §5(10), added during 1976 codification).

2.16.120 Appointment of administrative assistant. The mayor may appoint an administrative assistant to assist him in matters of administration and supervision. (Ord. 150 §5 (11), added during 1976 codification).

2.16.130 Permits and licenses--Signing. The mayor shall sign all licenses and permits which have been granted by the council except those designated by law or ordinance to be issued by another municipal officer. (Ord. 150 §5(12), added during 1976 codification).

2.16.140 Permits and licenses--Revocation. Upon authorization of the council, the mayor shall revoke permits or licenses granted by the council when their terms, the ordinances of the city, or the laws of the state are violated by holders of the permits or licenses. (Ord. 150 §5(13), added during 1976 codification).

2.16.150 Removal of nuisances--Order. The mayor shall order to be removed, at public expense, any nuisance for which no person can be found responsible and liable. This order shall be in writing. (Ord. 150 §5(14), added during 1976 codification).

Chapter 2.20

CITY CLERK*

Sections:

- 2.20.010 Powers and duties--Generally.
- 2.20.020 Statement of council proceedings--Contents.
- 2.20.030 Record of council measures.
- 2.20.040 Publication of ordinances and amendments--Copies--Authentication of measures.
- 2.20.050 Notice publication of hearings, elections and other official actions.
- 2.20.060 Certification of measures and plats.
- 2.20.070 Chief accounting officer--Keeping of separate accounts.
- 2.20.080 Certification of tax levy.
- 2.20.090 Monthly report on status of municipal accounts.
- 2.20.100 Balance of funds.
- 2.20.110 Annual public report--Preparation, publication and copies.
- 2.20.120 Recordkeeping--Documents and receipts vouchers.
- 2.20.130 Furnishing copies of records, papers or public documents--Fee--City seal.
- 2.20.140 Committee, board and commission meetings--Attendance--Records.
- 2.20.150 Communications and petitions--Filing--Endorsement of city council action.

* For further provisions regarding the deposition of funds into the city's bank account by the city clerk, see §2.12.030 of this code.

Sections: (Continued)

- 2.20.160 Licenses and permits--Issuance and record.
- 2.20.170 Announcement of appointment to city offices.
- 2.20.180 Elections--Records--Duties.
- 2.20.190 Warrants--Drawing--Contents.
- 2.20.200 Collection of charges, rents or fees.

2.20.010 Powers and duties--Generally. The duties of the clerk shall be as set out in this chapter. (Ord. 150 §6 (part), added during 1976 codification).

2.20.020 Statement of council proceedings--Contents. The city clerk shall attend all regular and special council meetings and prepare and publish a condensed statement of the proceedings thereof, to include the total expenditure from the city fund. The statement shall further include a list of all claims allowed, a summary of all receipts and the gross amount of the claims. (Ord. 150 §6(1), added during 1976 codification).

2.20.030 Record of council measures. The city clerk shall record each measure taken by the council, stating where applicable whether the mayor signed, vetoed, or took no action on the measure and what action the council made upon the mayor's veto. (Ord. 150 §6(2), added during 1976 codification).

2.20.040 Publication of ordinances and amendments--Copies--Authentication of measures. A. The city clerk shall cause to be published all ordinances and amendments enacted by the city. He shall authenticate all such measures except motions with his signature, certifying the time and place of publication when required.

B. He shall maintain copies of all effective city ordinances and codes for public use. (Ord. 150 §6(3,4), added during 1976 codification).

2.20.050 Notice publication of hearings, elections and other official actions. The city clerk shall publish notice of public hearings, elections and other official actions as required by state and city law. (Ord. 150 §6(5), added during 1976 codification).

2.20.060 Certification of measures and plats. The city clerk shall certify all measures establishing any zoning district, building lines or fire limits, and a plat showing each district, lines or limits to the recorder of the county containing the affected parts of the city. (Ord. 150 §6(6), added during 1976 codification).

2.20.070 Chief accounting officer--Keeping of separate accounts. A. The city clerk shall be the chief accounting officer of the city.

B. He shall keep separate accounts for every appropriation, department, public improvement or undertaking, and for every public utility owned or operated by the city. Each account shall be kept in the manner required by law. (Ord. 150 §6(7, 8), added during 1976 codification).

2.20.080 Certification of tax levy. Following council adoption of the budget, the city clerk shall certify the necessary tax levy for the following year to the county auditor and the county board of supervisors. (Ord. 150 §6(9), added during 1976 codification).

2.20.090 Monthly report on status of municipal accounts. The city clerk shall report to the council at the first meeting of each month the status of each municipal account as of the end of the previous month. (Ord. 150 §6(10), added during 1976 codification).

2.20.100 Balance of funds. The city clerk shall balance all funds with the treasurer at the end of each month. (Ord. 150 §6(11), added during 1976 codification).

2.20.110 Annual public report--Preparation, publication and copies. The city clerk shall prepare the annual public report, publish it, and send a certified copy to the State Auditor and other state officers as required by law. (Ord. 150 §6(12), added during 1976 codification).

2.20.120 Recordkeeping--Documents and receipts vouchers. A. The city clerk shall maintain all city records as required by law.

B. He shall have custody and be responsible for the safekeeping of all writings or documents in which the municipality is a party in interest unless otherwise specifically directed by law or ordinance.

C. He shall file and preserve all receipts vouchers, and other documents kept, or that may be required to be kept, necessary to prove the validity of every transaction and the identity of every person having any beneficial relation thereto. (Ord. 150 §6(13, 14 15), added during 1976 codification).

2.20.130 Furnishing copies of records, papers or public documents--Fee--City seal. The city clerk shall furnish upon request to any municipal officer a copy of any record, paper or public document under his control when it may be necessary to such officer in the discharge of his duty. He shall furnish a copy to any citizen when requested upon payment of

the fee set by council resolution. He shall, under the direction of the mayor or other authorized officer, affix the seal of the corporation to those public documents or instruments which by ordinance are required to be attested by the affixing of the seal. (Ord. 150 §6(16), added during 1976 codification).

2.20.140 Committee, board and commission meetings--Attendance--Records. The city clerk shall attend all meetings of committees, boards and commissions of the city. He shall record and preserve a correct record of the proceedings of such meetings. (Ord. 150 §6(17), added during 1976 codification).

2.20.150 Communications and petitions--Filing--Endorsement of city council action. The city clerk shall keep and file all communications and petitions directed to the city council or to the city generally. He shall endorse thereon the action of the city council taken upon matters considered in such communications and petitions. (Ord. 150 §6(18), added during 1976 codification).

2.20.160 Licenses and permits--Issuance and record. The city clerk shall issue all licenses and permits approved by the council, and keep a record of licenses and permits issued which shall show the date of issuance, the license or permit number, the official receipt number, the name of person to whom issued, the term of license or permit, and the purpose for which issued. (Ord. 150 §6(19), added during 1976 codification).

2.20.170 Announcement of appointment to city offices. The city clerk shall inform all persons appointed by the mayor or city council to offices in the municipal government of their position and the time at which they shall assume the duties of their office. (Ord. 150 §6(20), added during 1976 codification).

2.20.180 Elections--Records--Duties. He shall compile and preserve a complete record of every city election, regular or special, and perform duties required by law or ordinance of the city clerk in regard to elections. (Ord. 150 §6(22), added during 1976 codification).

2.20.190 Warrants--Drawing--Contents. A. The city clerk shall draw all warrants for the city upon the vote of the council.

B. He shall show on every warrant the fund on which it is drawn and the claim to be paid.

C. He shall keep a warrant record in a form approved by the council, showing the number, date, amount, payee's name,

upon what fund drawn, and for what claim each warrant is issued. (Ord. 150 §6(21, 23, 24), added during 1976 codification).

2.20.200 Collection of charges, rents or fees. The city clerk shall bill and collect all charges, rents, or fees due the city for utility and other services and give a receipt therefor. (Ord. 150 §6(25), added during 1976 codification).

Chapter 2.24

CITY TREASURER

Sections:

- 2.24.010 Powers and duties--Generally.
- 2.24.020 Records of funds--Contents.
- 2.24.030 Receipts for funds received.
- 2.24.040 Account of disbursements.
- 2.24.050 Funds from special assessments--Separate account.
- 2.24.060 Deposit of funds.

2.24.010 Powers and duties--Generally. The duties of the treasurer shall be as set out in this chapter. (Ord. 150 §7(part), added during 1976 codification).

2.24.020 Records of funds--Contents. A. The treasurer shall keep the record of each fund separate.

B. He shall keep an accurate record of all money or securities received by him on behalf of the municipality and specify date, from whom, and for what purpose received. (Ord. 150 §7(1, 2), added during 1976 codification).

2.24.030 Receipts for funds received. The treasurer shall prepare a receipt in triplicate for all funds received. He shall give the original to the party delivering the funds, send the duplicate to the clerk and retain the triplicate. (Ord. 150 §7(3), added during 1976 codification).

2.24.040 Account of disbursements. The treasurer shall keep an accurate account of all disbursements, money or property, specifying date to whom, and from what fund paid. (Ord. 150 §7(4), added during 1976 codification).

2.24.050 Funds from special assessments--Separate account. The treasurer shall keep a separate account of all money received by him from special assessments. (Ord. 150 §7(5), added during 1976 codification).

2.24.060 Deposit of funds. The treasurer shall, immediately upon receipt of moneys to be held in his custody and belonging to the city, deposit the same in banks selected by the city council in amounts not exceeding monetary limits authorized by the city council. (Ord. 150 §7(6), added during 1976 codification).

Chapter 2.28

CITY HEALTH OFFICER AND PHYSICIAN

Sections:

- 2.28.010 Powers and duties--Generally.
- 2.28.020 Medical and sanitary advisor to council.
- 2.28.030 Physical examinations.
- 2.28.040 Inspection of premises--Action to correct violations.

2.28.010 Powers and duties--Generally. The duties of the city health officer and physician shall be as set out in this chapter. (Ord. 150 §8(part), added during 1976 codification).

2.28.020 Medical and sanitary advisor to council. The city health officer and physician shall be the medical and sanitary advisor to the council. (Ord. 150 §8(1), added during 1976 codification).

2.28.030 Physical examinations. The city health officer and physician shall make, upon order of the city attorney, physical examinations of any person claiming to have received injuries for which the city may be liable. Upon order of the appointing authority, he shall make physical examinations of employees or prospective employees of the city. (Ord. 150 §8(2), added during 1976 codification).

2.28.040 Inspection of premises--Action to correct violations. The city health officer and physician shall inspect premises upon complaints received, upon request of proper officers, the mayor, or council, or upon his own initiative and at times required by ordinance or law for compliance with health regulations. He shall, upon finding violations of law or ordinance, take action to correct such violations in accordance with provisions for correction of violations established by law or ordinance. (Ord. 150 §8(3), added during 1976 codification).

Chapter 2.32FIRE DEPARTMENT*Sections:

- 2.32.010 Establishment and purpose.
- 2.32.020 Fire chief--Appointment--Removal.
- 2.32.030 Fire chief--Powers and duties--Right of entry.
- 2.32.040 Firemen--Appointment--Physical examinations.
- 2.32.050 Firemen--Duties.
- 2.32.060 Workmen's compensation and hospitalization insurance.
- 2.32.070 Fires outside city limits.

2.32.010 Establishment and purpose. A volunteer fire department is established to prevent and extinguish fires and to protect lives and property against fires, to promote fire prevention and fire safety, and to answer all emergency calls for which there is no other established agency. (Ord. 151 §1, added during 1976 codification).

2.32.020 Fire chief--Appointment--Removal. The council shall appoint the fire chief for a term of two years or to fill a vacancy. The council shall be furnished the department's attendance records for drills, meetings and fires, and shall give due consideration to such records in approving the appointment of fire chiefs. The council may remove the fire chief by written order setting out the reasons for removal which shall be filed with the city clerk. (Ord. 151 §2, added during 1976 codification).

2.32.030 Fire chief--Powers and duties--Right of entry. The duties of the fire chief shall be as follows:

A. He shall be charged with the duty of maintaining the efficiency, discipline and control of the fire department. The members of the fire department shall, at all times, be subject to the direction of the fire chief.

B. He shall enforce all rules and regulations established by the council for the conduct of the affairs of the fire department.

C. He shall exercise and have full control over the disposition of all fire apparatus, tools, equipment and other property used by or belonging to the fire department.

* For statutory provisions concerning the use of funds by a city to fund a fire department, see Code of Iowa, 1975, §384.24. For provisions relating to fire apparatus, see Ch. 9.20 of this code. For provisions relating to fire alarms, see Ch. 9.16 of this code.

D. He shall cause to be kept records of the fire department personnel, operating cost and efficiency of each element of fire-fighting equipment, depreciation of all equipment and apparatus, the number of responses to alarms, their cause and location, and an analysis of losses by value, type and location of buildings.

E. He shall compile an annual report based upon the records maintained by the fire department for the year. The annual report shall also contain recommendations for the improvement of the department.

F. He shall enforce all ordinances and, where enabled, state laws regulating the following:

1. Fire prevention;
2. Maintenance and use of fire escapes;
3. The investigation of the cause, origin and circumstances of fires;
4. The means and adequacy of exit in case of fire from halls, theaters, churches, hospitals, asylums, lodging-houses, schools, factories and all other buildings in which the public congregates for any purpose;
5. The installation and maintenance of private fire alarm systems and fire-extinguishing equipment.

G. He shall have the right, during reasonable hours and upon consent of the occupant, to enter any building or premises within his jurisdiction for the purpose of making such investigation or inspection which under law or ordinance he may consider necessary to be made and is reasonably necessary to protect the public health, safety and welfare.

H. He shall make such recommendations to owners, occupants, caretakers or managers of buildings necessary to eliminate fire hazards.

I. He shall, at the request of the State Fire Marshal, and as provided by law, aid the Marshal in the performance of his duties by investigating, preventing and reporting data pertaining to fires. (Ord. 151 §3, added during 1976 codification).

2.32.040 Firemen--Appointment--Physical examinations. Thirty residents of the city between the ages of eighteen and sixty-five shall be appointed to serve as volunteer firemen. Prior to appointment as a volunteer fireman, and every four years thereafter, a volunteer fireman must pass a medical physical examination. (Ord. 151 §4, added during 1976 codification).

2.32.050 Firemen--Duties. When called by the chief, all firemen shall report for duty immediately in the manner directed by the chief. They shall be subject to call at any time. They shall obey strictly the commands of any other fireman who has been appointed by the chief to be in command temporarily. Firemen shall report to the chief

in advance if they expect to be absent from the city for twelve hours or more. Firemen shall report for training as ordered by the chief. (Ord. 151 §5, added during 1976 codification).

2.32.060 Workmen's compensation and hospitalization insurance. The council shall contract to insure the city against liability for workmen's compensation and against statutory liability for the costs of hospitalization, nursing, and medical attention for volunteer firemen injured in the performance of their duties as firemen. All volunteer firemen shall be covered by the contract. (Ord. 151 §6, added during 1976 codification).

2.32.070 Fires outside city limits. The department shall answer calls to fires and other emergencies outside the city limits if the fire chief determines that such emergency exists and that such action will not endanger persons and property within the city limits. (Ord. 151 §7, added during 1976 codification).

Chapter 2.36

LIBRARY BOARD*

Sections:

- 2.36.010 Purpose.
- 2.36.020 Membership--Number--Appointment.
- 2.36.030 Membership--Qualification.
- 2.36.040 Terms of office.
- 2.36.050 Vacancies.
- 2.36.060 Compensation.
- 2.36.070 Powers and duties.
- 2.36.080 Power to contract with others for the use of the library.
- 2.36.090 Use of library by nonresidents.
- 2.36.100 Account--Expenditures--Warrant-writing officer designated.
- 2.36.110 Annual report.

2.36.010 Purpose. The purpose of this chapter is to provide for the creation and appointment of a city library board of trustees and to specify that board's powers and duties. (Ord. 136 §1, 1975).

* For statutory provisions authorizing a city library board in existence on July 1, 1975, to continue to function, see Code of Iowa, 1975, §392.5; for provisions relating to the injury of library books and property, see Ch. 9.64 of this code.

2.36.020 Membership--Number--Appointment. The board of trustees of the Mediapolis Public Library, hereinafter referred to as the "board," consists of five members. All board members are to be appointed by the mayor with the approval of the council. (Ord. 136 §3, 1975).

2.36.030 Membership--Qualification. All of the members of the board shall be bona fide citizens and residents of the city, and all shall be over the age of eighteen. (Ord. 136 §4, 1975).

2.36.040 Terms of office. All appointments to the board shall be for six years, except to fill vacancies. Each term shall commence on July 1st. Appointments shall be made every two years of one-third the total number, as nearly as possible, to stagger the terms. The incumbents in office on the passage date of the ordinance codified in this chapter are confirmed in their appointments and terms. (Ord. 136 §5(1), 1975).

2.36.050 Vacancies. The position of any trustee shall be vacant if he moves permanently from the city, or if he is absent from six consecutive regular meetings of the board, except in the case of sickness or temporary absence from the city. Vacancies in the board shall be filled by appointment of the mayor, with approval of the council, and the new trustee shall fill out the unexpired term for which the appointment is made. (Ord. 136 §5(2), 1975).

2.36.060 Compensation. Trustees shall receive no compensation for their services. (Ord. 136 §5(3), 1975).

2.36.070 Powers and duties. The board shall have and exercise the following powers and duties:

A. To meet and elect from its members a president, a secretary, and such other officers as it deems necessary. The city treasurer shall serve as board treasurer, but shall not be a member of the board;

B. To have charge, control and supervision of the public library, its appurtenances, fixtures and rooms containing the same;

C. To direct and control all the affairs of the library;

D. To employ a librarian, and authorize the librarian to employ such assistants and employees as may be necessary for the proper management of the library, and fix their compensation; provided, however, that prior to such employment, the compensation of the librarian, assistants and employees shall have been fixed and approved by a majority of the members of the board voting in favor thereof;

E. To remove by a two-thirds vote of the board the librarian and provide procedures for the removal of assistants

or employees for misdemeanor, incompetency or inattention to duty, subject, however, to the provisions of Chapter 70, Code of Iowa;

F. To select, or authorize the librarian to select, and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, other library materials, furniture, fixtures, stationery and supplies for the library within budgetary limits set by the board;

G. To authorize the use of the library by nonresidents of the city and to fix charges therefor;

H. To make and adopt, amend, modify or repeal rules and regulations, not inconsistent with ordinances and the law, for the care, use, government and management of the library and the business of the board, fixing and enforcing penalties for violations;

I. To have exclusive control of the expenditure of all funds allocated for library purposes by the council, and of all moneys available by gift or otherwise for the erection of library buildings, and of all other moneys belonging to the library including fines and rentals collected, under the rules of the board;

J. To accept gifts of real property, personal property, or mixed property, and devises and bequests, including trust funds; to take the title to the property in the name of the library; to execute deeds and bills of sale for the conveyance of the property; and to expend the funds received by them from such gifts, for the improvement of the library;

K. To keep a record of its proceedings;

L. To enforce the performance of conditions on gifts, donations, devises and bequests accepted by the city by action against the city council;

M. To have authority to make agreements with the local county historical associations, where such exist, and to set apart the necessary room and to care for such articles as may come into the possession of the association. The trustees are further authorized to purchase necessary receptacles and materials for the preservation and protection of such articles as are in their judgment of an historical and educational nature and pay for the same out of funds allocated for library purposes. (Ord. 136 §6, 1975).

2.36.080 Power to contract with others for the use of the library. A. Contracting. The board may contract with any other boards of trustees of free public libraries, any other city, school corporation, private or semiprivate organization, institution of higher learning, township, or county, or with the trustees of any county library district for the use of the library by their respective residents.

B. Termination. Such a contract may be terminated at any time by mutual consent of the contracting parties. It also may be terminated by a majority vote of the electors represented by either of the contracting parties. Such a termination proposition shall be submitted to the electors by the governing body of a contracting party on a written petition of not less than five percent in number of the electors who voted for Governor in the territory of the party at the last general election. The petition must be presented to the governing body not less than forty days before the election. The proposition may be submitted at any election provided by law that is held in the territory of the party who is seeking to terminate the contract. (Ord. 136 §7, 1975).

2.36.090 Use of library by nonresidents. The board may authorize the use of the library by nonresidents in any one or more of the following ways:

A. By lending the books or other materials of the library to nonresidents on the same terms and conditions as to residents of the city, or upon payment of a special, nonresident library fee;

B. By establishing depositories of library books or other materials to be loaned to nonresidents;

C. By establishing bookmobiles or a traveling library so that books or other library materials may be loaned to nonresidents;

D. By establishing branch libraries for lending books or other library materials to nonresidents. (Ord. 136 §8, 1975).

2.36.100 Account--Expenditures--Warrant-writing officer designated. All money appropriated by the council from the general fund for the operation and maintenance of the library shall be set aside in an account for the library. Expenditures shall be paid for only on orders of the board, signed by its president and secretary. The warrant-writing officer is the board secretary. (Ord. 136 §9, 1975).

2.36.110 Annual report. The board shall make a report to the city council immediately after the close of the municipal fiscal year. This report shall contain statements of the condition of the library, the number of books added thereto, the number circulated, the amount of fines collected, and the amount of money expended in the maintenance of the library during the year, together with such further information required by the council. (Ord. 136 §10, 1975).

Title 3

REVENUE AND FINANCE*

(RESERVED)

* For statutory provisions concerning city finance, see Code of Iowa, 1975, Ch. 384.

Title 4
(RESERVED)

Title 5

BUSINESS REGULATIONS AND LICENSING*

Chapters:

5.04 Peddlers, Solicitors and Transient Merchants

Chapter 5.04

PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS†

Sections:

- 5.04.010 Definitions.
- 5.04.020 License required.
- 5.04.030 Religious and charitable organizations exempt.
- 5.04.035 Farmer's market exemption.
- 5.04.040 License--Application.
- 5.04.050 License--Issuance.
- 5.04.060 License--Display.
- 5.04.070 License--Nontransferable.
- 5.04.080 License--Revocation.
- 5.04.090 License--Expiration.
- 5.04.100 License exemptions.

5.04.010 Definitions. For use in this chapter, the following terms are defined:

A. "Peddler" means any person carrying goods or merchandise who sells or offers for sale for immediate delivery such goods or merchandise from house to house or upon the public street.

* For statutory provisions authorizing a city to exercise any power and perform any function to preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents, see Code of Iowa, 1975, §364.1.

Editor's Note: For the name of the electric and natural gas franchise and the franchise expiration date, see the Ordinance Disposition Table, Ords. 113 and 114A. Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

† For provisions regulating soliciting on private property, without an invitation, see Ch. 9.72.

B. "Solicitor" means any person who solicits or attempts to solicit from house to house or upon the public street an order for goods, subscriptions or merchandise to be delivered at a future date.

C. "Transient merchant" means any person, firm or corporation who engages in a temporary or itinerant merchandising business and in the course of such business hires, leases or occupies any building or structure whatsoever. Temporary association with a local merchant, dealer, trader or auctioneer, or conduct of such transient business in connection with, as a part of, or in the name of any local merchant, dealer, trader or auctioneer shall not exempt any person, firm or corporation from being considered a transient merchant. (Ord. 154 §1, added during 1976 codification).

5.04.020 License required. Any person engaging in peddling, soliciting or the business of a transient merchant in this city without first obtaining a license as provided in this chapter is in violation of this chapter. (Ord. 154 §2, added during 1976 codification).

5.04.030 Religious and charitable organizations exempt.
A. Authorized representative of religious and charitable organizations desiring to solicit money or to distribute literature shall be exempt from the operation of Section 5.04.040 through Section 5.04.090 of this chapter. All such organizations shall be required to submit in writing to the city clerk the name and purpose of the cause for which such activities are sought, the names and addresses of the officers and directors of the organization, the period during which such activities are to be carried on, and whether any commissions, fees or wages are to be charged by the solicitor for his efforts and the amount thereof.

B. If the city clerk finds that the organization is a bona fide charity or religious organization he shall issue, free of charge, a license containing the information set out in subsection A of this section to the applicant. (Ord. 154 §4, added during 1976 codification).

5.04.035 Farmer's market exemption. A licensed farmer's market and all vendors selling their personal produce from their personal farm or garden or brokered produce constituting less than fifty percent of the product the vendor lets for

sale thereunder are exempt from the provisions of this chapter. To receive a farmer's market license a market manager must submit an application to the city and receive a license from the city to conduct a farmer's market under the terms and conditions set forth herein. The application for a farmer's market license shall be accompanied by an application fee of one hundred dollars. Each license shall be good for a period of one year. The city council shall consider and approve all such applications, and the application and permit shall specify the realty upon which the farmer's market will be held, and the dates thereof. The market manager shall be responsible to enter into a road right-of-way agreement with the city should said market manager elect to conduct a farmer's market on public property. The market manager shall then be responsible for approving the vendors who may participate in the farmer's market. Each vendor participating in the farmer's market must provide proof of insurance in the amount of one hundred thousand dollars liability naming the city as an additional insured.

(Ord. 305, § 1, 3-19-12)

5.04.040 License--Application. An application in writing shall be filed in the office of the city clerk for a license under the ordinance codified in this section. Such application shall set forth the applicant's name, permanent and local address, employer's name and address, if any, the location of the last three places of such business and the nature of the applicant's business. The applicant shall provide a copy of a valid driver's license. The application fee is five dollars. The fee for a solicitor's license is twenty dollars/year. The fee for a peddler's or a transient merchant license is ten dollars/day, fifty dollars/week, two hundred dollars/semi-annually, three hundred fifty dollars/annually. In addition, a transient merchant shall post a bond as required with the Secretary of State in accordance with Chapter 9C of the Code of Iowa. The license is non-transferable, must be displayed or available at all times and is in effect only between the hours of eight a.m. and six p.m. (Ord. 154 §5, added during 1976 codification).

(Ord. 286, § 1, 5-4-09)

5.04.050 License--Issuance. If the city clerk finds the application is made out in conformance with Section 5.04.040 of this chapter and the facts stated therein are correct, he

shall issue a license. (Ord. 154 §6, added during 1976 codification).

5.04.060 License--Display. Each solicitor or peddler shall at all times while doing business in this city keep in his possession the license provided for in Section 5.04.050 of this chapter, and shall, upon the request of prospective customers, exhibit the license as evidence that he has complied with all requirements of this chapter. Each transient merchant shall display his license publicly in his place of business. (Ord. 154 §7, added during 1976 codification).

5.04.070 License--Nontransferable. Licenses issued under the provisions of the ordinance codified in this chapter are not transferable in any situation and are to be applicable only to the person filing application. (Ord. 154 §8, added during 1976 codification).

5.04.080 License--Revocation. The city council, after notice and hearing, may revoke any license issued under the ordinance codified in this chapter where the licensee in the application for the license or in the course of conducting his business has made fraudulent or incorrect statements or has violated the ordinance codified in this chapter or has otherwise conducted his business in an unlawful manner. (Ord. 154 §9, added during 1976 codification).

5.04.090 License--Expiration. All licenses granted under the ordinance codified in this chapter shall expire at six p.m. of the last day for which the license is issued. (Ord. 154 §10, added during 1976 codification).

5.04.100 License exemptions. The provisions of this chapter do not apply to the following persons:

- (1) Newspaper delivery person;
- (2) Members of local Cub Scouts, Boy Scouts, Brownies, Girl Scouts, Campfire Girls, Bluebirds, 4-H Clubs; Future Farmers of America, and similar organizations;
- (3) Students representing the Mediapolis Community School District and any other student who lives in Mediapolis, Iowa, and is soliciting on behalf of his or her school;

(4) Persons customarily calling on businesses or institutions for the purpose of selling products for resale or institutional use;

(5) Vendors selling items under the umbrella of a farmer's market as authorized under Section 5.04.035.
(Ord. 305, § 2, 3-19-12)

Title 6ANIMALS*Chapters:

- 6.04 Dogs and Cats
6.05 Dangerous and Vicious Animals

Chapter 6.04DOTS AND CATSSections:

- 6.04.010 Definitions.
6.04.020 License--Duplicate--Tag--Fee--When due--Dog deemed at large when.
6.04.030 Immunization against rabies--Vaccination tag.
6.04.040 Kennel dogs and cats under constant restraint exempted from provisions.
6.04.050 Running at large prohibited.
6.04.060 Trespassing, causing damage, and removal of solid waste.
6.04.065 Multiple violations--Disposal of dog or cat.
6.04.070 Impoundment--Recovery or disposal of dog or cat.

6.04.010 Definitions. For use in this chapter, the following terms are defined:

A. "At large" means any licensed or unlicensed dog or cat found off the premises of its owner and not under the control of a competent person, restrained within a motor vehicle, housed in a veterinary hospital or kennel or on a leash.

B. "Cat" means any male or female animal of the family felis catus, whether neutered or not.

C. "Dog" means any male or female animal of the family canis familiaris, whether neutered or not.

D. "Owner" means any person or persons, firm, association or corporation owning, keeping, sheltering or harboring a dog or cat. (Unnumbered Ord. dated 5-20-93).

* Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

6.04.020 License--Duplicate--Tag--Fee--When due--Dog deemed at large when. A. Every owner of a dog over the age of six months shall procure a dog license from the Des Moines County auditor as required by state statute.

B. Any dog found running at large without the required license tag issued by the Des Moines County auditor, or the auditor's designated agent, attached to its collar or harness shall be deemed unlicensed. (Unnumbered Ord. dated 5-20-93)

6.04.030 Immunization against rabies--Vaccination tag. All dogs six months or older shall be vaccinated against rabies. Before issuance of the license the owner shall furnish a veterinarian's certificate showing that the dog for which the license is sought has been vaccinated, and that the vaccination does not expire within six months from the effective date of the dog license. It is a violation of this chapter for any dog not to be vaccinated against rabies. A tag showing evidence of proper vaccination shall be worn by every dog when not confined. (Unnumbered Ord. dated 5-20-93)

6.04.040 Kennel dogs and cats under constant restraint exempted from provisions. Kennel dogs and cats which are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint are not subject to the provisions of this chapter. (Unnumbered Ord. dated 5-20-93)

6.04.050 Running at large prohibited. A. No owner of any dog or cat shall permit such dog or cat to run at large, whether the dog or cat is licensed or unlicensed.

B. A dog or cat shall be deemed not to be running at large if:

1. It is on the premises of the owner or a person given charge of the dog or cat by the owner and is confined to those premises by an adequate protective fence or by a leash, cord or chain that does not allow the dog or cat to go beyond the real property line;

2. The dog or cat is off the premises of the owner and is on a leash, cord or chain not more than six feet in length, and under the control of a person competent to restrain and control the dog or cat; or the dog or cat is confined within a motor vehicle. (Unnumbered Ord. dated 5-20-93)

6.04.060 Trespassing, causing damage, and removal of solid waste. A. It is unlawful for an owner of a dog or cat to allow or permit such dog or cat to pass upon the premises of another without the permission of the person owning such property, or the person in charge of such property.

B. It is unlawful for an owner of a dog or cat to allow or permit such dog or cat to cause damage to the property of another by digging, tearing, biting or chewing or any other act which causes damage to the property of others.

C. Any person who shall walk a dog or cat on private or public property shall provide for the disposal of the solid waste material by immediate removal of the waste created by the dog or cat.

D. It is unlawful for an owner, or a person in charge of a dog, to allow or permit such dog to cause serious annoyance or disturbance to any person or persons by frequent and habitual howling, yelping, barking or otherwise. (Unnumbered Ord. dated 5-20-93).

6.04.065 Multiple violations--Disposal of dog or cat. Three or more tickets and convictions within a one year period of an owner or owners under this chapter shall result in the dog(s) or cat(s) the subject of such tickets and convictions to be destroyed by the humane officer or Des Moines County sheriff or deputy in a manner directed by the city council or pursuant to a policy established by the city council. Any cost associated with the destruction of such animal shall be assessed as part of the fine of the ticket resulting in destruction of the animal. (Ord. 237 §1, 2001).

6.04.070 Impoundment--Recovery or disposal of dog or cat. A. Any dog or cat found at large in violation of this chapter shall be seized and impounded. In the alternative, or in conjunction therewith, and at the discretion of the humane officer or law enforcement officer, the owner may be cited with a misdemeanor summons to appear before a proper court to answer charges made for a violation of this chapter.

B. Owners of dogs or cats which have been impounded shall pay an impoundment fee of thirty-five dollars at city hall before the dog or cat can be claimed from the veterinary office. All food, care and boarding fees in a reasonable amount shall then be paid to the veterinary office before the dog or cat is released. Owners of dogs or cats

which have been impounded for a second or subsequent event within three years of the first impoundment shall pay an impoundment fee of one hundred dollars at city hall before the dog or cat can be claimed from the veterinary office.

C. If the owner of a dog or cat so impounded has not claimed the dog or cat and paid the required impoundment fees and costs of food, care and boarding within ten days after having been given notice of the impoundment, the humane officer or Des Moines County sheriff or deputy may dispose of the dog or cat in a manner directed by the city council or pursuant to a policy established by the city council. Any costs associated with impoundment of an animal destructed herein shall be assessed as part of the fine against the owner, including the cost of food, care and boarding, as well as the cost of destruction itself.

D. Owners of dogs which have been impounded shall show proof of current rabies vaccination before the dog can be claimed from the veterinary office. (Ord. 237 §2, 2001; Un-numbered Ord. dated 5-20-93). (Ord. 303, § 1, 11-21-11; Ord. 308, § 1, 11-5-12; Ord. No. 332, § 1, 12-5-16)

Chapter 6.05

DANGEROUS AND VICIOUS ANIMALS

Sections:

- | | |
|----------|--|
| 6.05.010 | Definitions. |
| 6.05.020 | Running at large. |
| 6.05.030 | Keeping of dangerous animals--Prohibited. |
| 6.05.040 | Dangerous animal--Exceptions. |
| 6.05.050 | Seizure, impoundment and disposition of dangerous animals. |
| 6.05.060 | Keeping of vicious animals prohibited. |
| 6.05.070 | Seizure, impoundment and disposition of vicious animal. |

6.05.010 Definitions. A. "Animal" means every wild, tame or domestic member of the animal kingdom other than the genus and species Homo sapiens.

B. "Dangerous animal" means (a) any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings

or domestic animals and having known tendencies as a species to do so; (b) any animals declared to be dangerous by the city council or its designee; (c) the following animals which shall be deemed to be dangerous animals per se:

1. Dogs of the following breeds or description, to-wit:

(i) Staffordshire terrier breed of dog; or
 (ii) The American pit bull breed of dog; or
 (iii) The American Staffordshire terrier breed of dog; or

(iv) Any dog that has the appearance and characteristics of being predominately of the breeds of Staffordshire terrier, American pit bull terrier, American Staffordshire terrier, or a combination of these breeds.

2. Wolves and coyotes;

3. Badgers, wolverines, weasels, mink and other Mustelids (except ferrets);

4. Snakes which are naturally venomous or poisonous;

5. All cats, except domestic cats (carnivores of the family Felidae including but not limited to: lions, cougars, tigers, jaguars, leopards, lynx, bobcats, etc.);

6. Raccoons, opossums and skunks.

C. "Dog" means and includes members of the canine species, male or female, whether neutered or not.

D. "Horse" means a large solid-hoofed herbivorous mammal (*Equus caballus*).

E. "Kennel" means any premises on which four or more dogs, or four or more cats, six months old or older, are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint.

F. "Owner" or "Owner of an animal" is intended to mean any person or persons, firm, association or corporation, owning, keeping, sheltering or harboring an animal.

G. "Person" means any individual, association, partnership or corporation, and includes any officer, employee or agency thereof.

H. "Pet shop" means any person, partnership or corporation engaged in the business of breeding, buying, selling or boarding animals of any species, except the operation of a kennel, agriculture or wild life pursuits.

I. "Riding school" or "horse stable" means any person, partnership or corporation engaged in the business of teaching persons to ride horses or providing horses to ride for a fee.

J. "Vicious animal" means any animal, except for the dangerous animal per se, as listed above, while running at large that has attacked or bitten any person without provocation, or any animal that has exhibited vicious propensities in present or past conduct, (a) by biting a person or persons on two separate occasions within a twelve-month period; or (b) did bite once causing injuries above the shoulders of the person; or (c) could not be controlled or restrained by the owner at the time of the bite to prevent the occurrence; or (d) has attacked or bitten any domestic animal or fowl on two separate occasions within a twelve month period; or (e) which has been found to possess such a propensity by the city council, after hearing.

K. Meaning of Certain Words. Words used in the singular include the plural, and the plural the singular, the masculine gender includes the feminine and the feminine the masculine. (Ord. 177A §1, 1988).
(Ord. No. 332, § 2, 12-5-16)

6.05.020 Running at large. A. It shall be unlawful for the owner of an animal, excluding domestic cats, including but not limited to dogs, cattle, horses, swine, sheep, fowl or any animal defined as dangerous or vicious by this chapter, to allow the animal to run at large within the corporate limits of the city.

B. The owner shall be held responsible and subject to penalty not to exceed the sum of one hundred dollars per day per violation. (Ord. 177A §2, 1988).

6.05.030 Keeping of dangerous animals--Prohibited. No person shall keep, shelter or harbor any dangerous animal as a pet, or act as a custodian, temporary or otherwise for such animal, or keep such animal for any other purpose or in any other capacity within the city of Mediapolis except as provided in Section 6.05.040. (Ord. 177A §3, 1988).

6.05.040 Dangerous animal--Exceptions. The prohibition contained in Section 6.05.030 shall not apply to the keeping of dangerous animals in the following circumstances:

A. The keeping of dangerous animals in a public zoo, bona fide educational or medical institution, humane soci-

ety, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study;

B. The keeping of dangerous animals for exhibitions to the public by a circus, carnival, exhibit or show where such circus, carnival, exhibit or show is of a traveling nature, is displayed before large assemblages of people, and maintains any and all required federal or state licenses;

C. The keeping of dangerous animals in a bona fide licensed veterinary hospital for treatment;

D. The keeping of dangerous animals by a wildlife rescue organization with appropriate permit from the Iowa Conservation Commission;

E. Any dangerous animals under the jurisdiction of and in possession of the Iowa Conservation Commission, pursuant to Chapters 109 and 109A of the Iowa Code. (Ord. 177A §4, 1988).

6.05.050 Seizure, impoundment and disposition of dangerous animals. A. In the event that a dangerous animal is found at large and unattended upon public property, park property, public right-of-way or the property of someone other than its

owner, thereby creating a hazard to person or property, such animal may, in the discretion of the animal control officer or the Des Moines County sheriff, be destroyed if it cannot be confined or captured. The city of Mediapolis shall be under no duty to attempt the confinement or capture of a dangerous animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.

B. Upon the written complaint of any individual that a person is keeping, sheltering or harboring a dangerous animal on premises located in the city of Mediapolis, the animal control officer shall cause the matter to be investigated, and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous animal in the city, the animal control officer shall order the person named in the complaint to safely remove such animal from the city of Mediapolis, and permanently place the animal with an organization or group allowed under Section 6.05.040 to possess dangerous animals, or destroy the animal, within three days of the receipt of such order. Such order shall be contained in a notice to remove the dangerous animal, which notice shall be given in writing to the person keeping, sheltering, or harboring the dangerous animal, and shall be served personally or by certified mail. Such order and notice to remove the dangerous animal shall not be required where such dangerous animal has previously caused serious physical harm or death to any person, in which case the animal control officer shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

C. The order to remove a dangerous animal issued by the animal control officer may be appealed to the city council. In order to appeal such order, written notice of the appeal must be filed with the city clerk within three days after receipt of the order contained in the notice to remove dangerous animal. Failure to file such written notice of appeal shall constitute a waiver of right to appeal the order of the animal control officer.

D. The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the city clerk. The hearing of such appeal shall be scheduled within seven days of the receipt of notice of appeal. After such hearing, the city council may affirm or reverse the order of the animal control officer. Such determination shall be contained in a written decision and shall be filed with the city clerk within three days after the hearing or any continued session thereof.

E. If the city council affirms the action of the animal control officer, the council shall order in its written decision that the individual or entity owning, sheltering,

harboring or keeping such dangerous animal, remove such animal from the city, permanently place such animal with an organization or group allowed under Section 6.05.040 to possess dangerous animals, or destroy it. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the notices of removal. If the original order of the animal control officer is not appealed and is not complied with within three days or the order of the city council after appeal is not complied with within three days of its issuance, the animal control officer is authorized to seize and impound such dangerous animal. An animal so seized shall be impounded for a period of seven days. If at the end of the impoundment period, the individual or entity against whom the decision and order of the city council was issued has not petitioned the Des Moines County district court for a review of said order, the city shall cause the animal to be disposed of by sale, permanently place such animal with an organization or group allowed under Section 6.05.040 to possess dangerous animals, or destroy such animal in a humane manner. Failure to comply with an order of the city issued pursuant hereto shall constitute a simple misdemeanor, punishable by a fine not to exceed one hundred dollars or a jail sentence not to exceed thirty days. (Ord. 177A §5, 1988).

6.05.060 Keeping of vicious animals prohibited. No person shall keep, shelter or harbor for any reason within the city a vicious animal so defined herein. (Ord. 177A §6, 1988).

6.05.070 Seizure, impoundment and disposition of vicious animal. A. The animal control officer or his designee, in his discretion or upon receipt of a complaint alleging that a particular animal is a vicious animal as defined herein, may initiate proceedings to declare such animal a vicious animal. A hearing on the matter shall be conducted by the city council. The person, firm or corporation owning, keeping, sheltering or harboring the animal in question shall be given not less than seventy-two hours written notice of the time and place of said hearing. Said notice shall set forth the description of the animal in question and the basis for the allegation of viciousness. The notice shall also set forth that if the animal is determined to be vicious, the owner will be required to remove it from the city or allow it to be destroyed. The notice shall be served upon any adult residing at the premises where the animal is located, or may be posted on those premises if no adult is present to accept service.

B. If, after hearing, the city council determines that an animal is vicious, the council shall order the person, firm or corporation owning, sheltering, harboring or keeping the animal to remove it from the city, or to cause it to be destroyed in a humane manner. The order shall immediately be served upon the individual or entity against whom issued in the same manner as the notice of hearing. If the order is not complied with within three days of its issuance, the animal control officer is authorized to seize and impound the animal. An animal so seized shall be impounded for a period of seven days. If at the end of the impoundment period, the individual or entity against whom the order of the city council was issued has not petitioned the Des Moines County district court for a review of said order, the animal control officer shall cause the animal to be destroyed.

C. Failure to comply with an order of the council issued pursuant hereto shall constitute a misdemeanor offense.

D. Any animal found at large which displays vicious tendencies may be processed as a vicious animal pursuant to the foregoing, unless the animal is so vicious that it cannot safely be apprehended, in which case the animal control officer may destroy it or unless its ownership is not ascertainable, in which case the animal control officer may destroy it after three days impoundment.

E. Any animal which is alleged to be vicious and which is under impoundment or quarantine at the animal shelter shall not be released to the owner, but shall continue to be held at the expense of the owner pending the outcome of the hearing. All costs of such impoundment or quarantine shall be paid by the owner if the animal is determined to be vicious. If the animal is not determined to be vicious, all costs of such impoundment or quarantine shall be paid by the city. (Ord. 177A §7, 1988).

Title 7

(RESERVED)

Title 8

HEALTH AND SAFETY*

Chapters:

- 8.04 Garbage and Refuse
- 8.08 Junked Motor Vehicles
- 8.12 Nuisances
- 8.16 Weeds and Other Noxious Growths
- 8.20 Abandoned Refrigerators
- 8.30 Fireworks

* For statutory provisions authorizing a city to exercise any power or perform any function it deems appropriate to preserve and improve the safety and health of its residents, see Code of Iowa, § 364.1.

Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

Chapter 8.04

GARBAGE AND REFUSE*

Sections:

- 8.04.010 Purpose.
- 8.04.020 Definitions.
- 8.04.030 Authorized trucks and equipment for solid waste collection.
- 8.04.040 Cans--Provision--Condition--Placement for collection.
- 8.04.050 Burning of garbage and refuse.
- 8.04.060 Accumulation and deposit of refuse.
- 8.04.070 Collection--Preparation of refuse, garbage and rubbish.
- 8.04.071 Separation of yard waste required.
- 8.04.080 Collection--Frequency.
- 8.04.090 Disposal of solid waste at designated sites only.
- 8.04.100 Minimum fees--Designated--Dumpsters.
- 8.04.101 Determination of fee.

Sections: (Continued)

- 8.04.102 Owner responsibility.
- 8.04.110 Fees--When due.
- 8.04.120 Delinquent fees--Discontinuance of service.
- 8.04.130 Public use of city dumpsters.

* For statutory provisions concerning solid waste disposal, see Code of Iowa, 455B.301 et seq.

8.04.010 Purpose. The purpose of this chapter is to eliminate unhealthy, unsanitary and unsightly conditions in the city caused by the deposit and accumulation of refuse. (Ord. 138 § 1, 1970).

8.04.020 Definitions. When used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Can" means a container for the storage of garbage or rubbish which is (1) provided with a handle and tight-fitting cover; (2) watertight; (3) substantially made of galvanized iron or other nonrusting material; and (4) of a size that may be conveniently handled by the collector, but of a capacity not less than twenty gallons nor more than fifty pounds.

B. "Garbage" means animal, fruit, vegetable and other waste resulting from the preparation of food or drink.

C. "Person" means any individual, firm, corporation, trust, estate, voluntary organization or group, or any agency of government.

D. "Refuse" means all garbage, rubbish, ashes, animal pen cleanings, or other substances offensive to sight or smell or dangerous to the public health, except dead animals not killed for food.

E. "Rubbish" means tin cans, bottles, jars, glasses or other containers made of wood, clay, metal, plastics, paper and other materials, and all other refuse not falling within the term "garbage," except those objects too large to be placed in cans.

F. "Yard waste" means organic debris (e.g., grass clippings, leaves, tree limbs, bark, branches, flowers, plants, vegetables, weeds, shrubbery, yard trimmings, etc.) which is produced as part of yard and garden

development and maintenance. (Ord. 185 §§ 1, 2, 1991; Ord. 138 § 2, 1970).

8.04.030 Authorized trucks and equipment for solid waste collection. A. The council is authorized to provide trucks and equipment to pick up refuse, garbage and rubbish from the residences, places of business and other places within the corporate limits of the city.

B. No person shall engage in collection, transporting, or disposing of solid waste other than his own, within the city without first obtaining from the Des Moines County regional solid waste an annual permit. The city of Mediapolis is not required to obtain such a permit. No permit will be required for the collection of recyclables or appliances. (Ord. 274 § 1, 2007; Ord. 138 § 3, 1970).

8.04.040 Cans-Provision-Condition-Placement for collection. Each person shall provide cans for the storage of garbage and rubbish accumulating on premises owned or occupied by him. Such cans shall be kept covered and reasonably clean at all times. On days designated for collection of refuse, all containers shall be placed in a position readily accessible to the collector adjacent to the street or alley. (Ord. 138 § 4, 1970).

8.04.050 Burning of garbage and refuse. A. It is unlawful to burn any garbage in trash containers or any other manner within the city. The burning of any material or object containing a toxic substance is prohibited at all times.

B. Except as otherwise specified in this section, it is unlawful within the city of Mediapolis, Iowa to burn any materials, including but not limited to, leaves, twigs, branches, vegetation and garden waste. Specified exceptions to this restriction are:

1. Open burning use solely for cooking or barbequing of food. These fires must be no larger than three feet in diameter.

2. Training fires as may be conducted by volunteer fire departments in the course of training members in fire-fighting techniques.

3. Open burning authorized for the duration of an officially declared community disaster period. The mayor shall make such declaration.

4. Camp fires, burning clean wood material, when in association with camping out or similar related recreational activities, provided that these fires comply with all other sections of the ordinance and are no larger than three feet in diameter.

C. Restrictions on Open Burning. Open burning under the exceptions as set forth in subsection B of this section shall comply with the following regulations:

1. Open burning of the following materials is expressly prohibited at all times: construction materials, garbage, furniture, tires, plastic or any other recyclable materials or other refuse.

2. Prairie maintenance (reestablishment and creation) and agricultural field maintenance shall be allowed. Fires of this type must be constantly attended by an adult person who shall have fire-extinguishing equipment readily available for use.

3. Open burning of leaves, yard waste and twigs under the conditions in this section shall be allowed only on Wednesdays, Fridays and Saturdays. This open burning may be performed between the hours of seven a.m. and seven p.m.

D. The fines for such offenses shall be as follows: Twenty-five dollars for the first occurrence within a twelve-month period, fifty dollars for the second occurrence within a twelve-month period, and seventy-five dollars for the third and any subsequent occurrences within a twelve-month period. (Ord. 261 §1, 2005; Ord. 185 §3, 1991; Ord. 138 §5, 1970).

(Ord. 283, § 1, 1-5-09)

8.04.060 Accumulation and deposit of refuse. No person shall permit garbage or rubbish to accumulate upon premises owned or occupied by him unless in cans. Each person shall dispose of all refuse, other than garbage and rubbish, accumulating on any premises he owns or occupies before it becomes a nuisance, and no person shall, except for temporary storage in a sanitary manner, deposit such refuse on any other premises except at a landfill area established by the city. If such refuse does become a nuisance, it shall be abated as provided by the Code of Iowa. (Ord. 138 §6, 1970).

8.04.070 Collection-Preparation of refuse, garbage and rubbish. All garbage, before being placed in cans for collection, shall be drained of all free liquids, and shall be

wrapped in paper or other suitable material. All rubbish shall be drained of liquids before being deposited for collection. Refuse, other than garbage and rubbish, shall be placed in boxes, bags, or other containers, not larger than fifty-pound capacity. Tree trimmings, hedge clippings and similar material shall be cut to a length not to exceed four feet and securely tied in bundles not more than two feet thick before being deposited for collection. (Ord. 138 §7, 1970).

8.04.071 Separation of yard waste required. All yard waste shall be separated by the owner or occupant from all other garbage and refuse accumulated on the premises and shall be composted on the premises or delivered by the owner or occupant to designated city compost collection sites, including city-designated dumpsters.

A. Public Use of Yard Waste Site. The yard waste site is for the use of the citizens of Mediapolis only. Yard waste is defined as grass clippings, leaves and garden waste. These materials must be removed from any sacks or bags and placed in the westernmost bunker at the yard waste site. Small branches and sticks (no trees) must be removed from any sacks or bags and placed in the easternmost bunker at the yard waste site. Empty bags and sacks must be placed in the dumpster provided at the site. Only yard waste, small branches and limbs no larger than six inches in width and four feet in length may be deposited at the yard waste site. Depositing any other materials is a violation.

B. Fines for Violation. A first offense violation of this section shall result in a fine of one hundred dollars. A second offense of this section within two years of the offense shall result in a fine of two hundred fifty dollars. A third offense violation of this section within three years of the first offense shall result in a fine of five hundred dollars. (Ord. 185 §4, 1991).
(Ord. 289, §§ 1, 2, 6-1-09)

8.04.080 Collection-Frequency. Collection of refuse from private residences shall be made not less than once each week. Collection of refuse from other establishments shall be made as frequently as the council may determine. (Ord. 138 §8, 1970).

8.04.090 Disposal of solid waste at designated sites only. All of the city's solid waste disposed of within the state of Iowa shall be transported to the Des Moines County Regional Sanitary Landfill, unless the contractor obtains a written waiver from the city to deposit waste at an alternate site identified and included in the comprehensive plan of the Des Moines County Regional Solid Waste Commission. (Ord. 259 § 1, 2005: Ord. 138 § 9, 1970).

8.04.100 Minimum fees--Designated--Dumpsters. The following shall be the minimum fee charged by the city for its refuse pickup services:

A. Non-Residential User, Dumpster or no Dumpster, the following rate per commercial designation.

R1C.....	\$ 12.40
RAC.....	\$ 18.60
R8C.....	\$ 24.80
RBC.....	\$ 49.61
R5C.....	\$ 74.71
R6C.....	\$ 99.22
R7C.....	\$148.83
RCC.....	\$223.25
RHC.....	\$446.51

B. Residential User, No Dumpster, minimum eleven dollars and nineteen cents per month for refuse collection and three dollars and fifty-five cents for recycling and this rate shall be effective with the July 2016 billing. This rate increase is necessary as Des Moines County Solid Waste Commission will raise their tonnage rates and recycling rates to city as of July 1, 2016 due to improvements mandated by the Iowa DNR.

C. Residential User, with Dumpster, minimum ten dollars per month.

D. The foregoing rates shall be increased by five percent each July 1, unless such increase is waived or modified by resolution of the council prior to the effective date of such increase.

E. Dumpster Defined. A dumpster is a receptacle or container approved in advance by the city to be used solely for the purpose of placing garbage and refuse to be picked

up by the city as part of its refuse pickup service. The city shall not be obligated to pick up garbage or refuse from any dumpster, container or receptacle not previously approved by the city for such use.

F. Fee for Use of City Truck or Dumpster. Trucks and dumpsters will be available for customers of the Mediapolis utility service only. Trucks will be available to customers at a cost of thirty dollars each time the truck is emptied for general refuse or twenty dollars each time the truck is emptied for only brush and yard waste. Dumpsters will be available at a cost of ten dollars each time the dumpster is emptied for a small size and twenty dollars each time the dumpster is emptied for the large size. City trucks shall not be loaded by customers beyond the gross vehicle weight restriction (GVWR) for the relevant vehicle. City trucks shall further not be loaded by customers in such a manner as to leave debris, garbage, or other contents above the side wall or extending beyond the back of the vehicle. Dumpsters shall not be loaded above the top line of the dumpster, nor shall debris be deposited around the dumpster. Citizens are encouraged to contact the city should they have any questions regarding these provisions prior to loading a city truck or dumpster. Violation of these loading provisions shall result in a doubling of the fees assessed herein, plus an assessment of damages resulting from such overloading. The subsequent charge will appear on the utility bill of the customer and shall be treated in the same manner as stated in Sections 8.04.110 and 8.04.120 of this chapter.

G. Fee for collection of appliances and electronics with screens. The fee for collection of appliances; microwaves, heat pumps, furnaces, dehumidifiers, stoves/ovens/range tops, dryers, washing machines, dish washers, trash compactors, tanning beds, refrigerators, freezers, water softeners and air conditioners shall be ten dollars per appliance. The fee for collection of any television, computer monitor or electronic device with a ten-inch screen or larger shall be twenty dollars per television, monitor or electronic device. The subsequent charge will appear on the utility bill of the customer and shall be treated in the same manner as stated in Chapter 8.04, Sections .110 and .120.

H. Each unit of a multi-family dwelling or other multi-residential building such as an apartment building or other like complex shall be charged nine dollars and seventy cents per unit for refuse collection.

I. The recycling fee charged to commercial and residential customers shall be increased on July 1 of each year to equal the amount charged to the city by the county solid waste commission for this service. (Ord. 272 § 1, 2007; Ord. 250 § 1, 2004; Ord. 248 § 1, 2004; Ord. 243 § 1, 2003; Ord. 199 § 1(part), 1996).

(Ord. 281, § 1, 12-1-08; Ord. 295, § 1, 7-19-10; Ord. 307, § 1, 6-18-12; Ord. 310, § 1, 7-1-13; Ord. No. 311, § 1, 7-21-14; Ord. No. 313, § 1, 9-22-14; Ord. No. 316, § 1, 7-6-15; Ord. No. 320, § 1, 9-14-15; Ord. No. 327, § 1, 7-18-16; Ord. No. 328, §§ 1--3, 9-6-16)

8.04.101 Determination of fee. The city clerk, or any other person designated by the city council, shall be authorized to determine the actual fee to be charged each user based upon approximate average cubic yard pickup, size of dumpster or other refuse container, and the number of times refuse is picked up for a user. Such fee shall be binding upon the user unless such fee is adjusted by action of the city council. Any fee adjustment by the city council shall be prospective only and not retroactive, unless the city council specifically provides for a retroactive adjustment to the fee. (Ord. 199 § 1(part), 1996).

8.04.102 Owner responsibility. The owner of a multi-family dwelling unit or other multi-residential building, apartment complex, nursing home, care center, mobilehome park or other like property shall be responsible for the payment of the refuse collection fees unless the city clerk or other designated authorized agent of the city has agreed to bill

someone other than the owner for such fees. (Ord. 199 § 1(part), 1996).

8.04.110 Fees--When due. All charges for refuse collection shall be paid to the city at the end of each three-month period, and the city clerk is authorized and directed to render statements and collect the fees therefor as established by ordinance. (Ord. 138 § 11, 1970).

8.04.120 Delinquent fees--Discontinuance of service. If any account is not paid within thirty days from the end of any given period, the service to such person so supplied with the refuse collection service shall be discontinued until the delinquent account is paid. If refuse collection is discontinued for the nonpayment of such fees and charges, a fee of twenty-five dollars shall be paid to the city clerk in addition to the delinquent fees before such service is restored. (Ord. 181 §1, 1989; Ord. 138 §12, 1970).

8.04.130 Public use of city dumpsters. A. The city may provide dumpsters for public use for the collection of garbage, refuse, and rubbish. The city may provide separate dumpsters for public use for depositing yard waste. All city-provided dumpsters for public use shall be used only by the citizens of Mediapolis. The city dumpsters shall not be used by noncitizens of the city of Mediapolis. Dumpsters provided by the city for public use shall be designated as yard waste or general garbage dumpsters. Yard waste shall not be placed in dumpsters provided for the collection of garbage, rubbish, or refuse. Garbage, rubbish and refuse shall not be placed in dumpsters provided for the collection of yard waste. No person shall deposit furniture, appliances, carpet, gasoline, oil, tires, hazardous chemicals, pesticides, herbicides, fertilizers, batteries, or oil or lead-based paint, in any city dumpster provided for public use. No garbage, rubbish, refuse, yard waste, or any other material shall be dumped on the ground around or in the vicinity of city dumpsters or anywhere else on city property (except at the designated yard waste collection center by the city-owned quanset huts on North Northfield Road, north and east of the Mediapolis schools).

B. A first offense violation of this section shall result in a fine of one hundred dollars. A second offense violation of this section within two years of the first of-

fense shall result in a fine of two hundred fifty dollars. A third offense violation of this section within three years of the first offense shall result in a fine of five hundred dollars. (Ord. 249 §1, 2004).

Chapter 8.08JUNKED MOTOR VEHICLES*Sections:

- 8.08.010 Purpose.
- 8.08.020 Definitions.
- 8.08.030 Declared nuisance.
- 8.08.040 Notice of violation.
- 8.08.050 Liability of owner.
- 8.08.060 Exceptions.

* For statutory provisions concerning abandoned motor vehicles, see Code of Iowa, §§321.89--321.91; for provisions regarding litter, see Code of Iowa, §455B.361 et seq.; for provisions on abandoned motor vehicles, see Ch. 10.24 of this code.

8.08.010 Purpose. The purpose of this chapter is to protect the health, welfare, and safety of the citizens of the city by the prevention of the storage of junked motor vehicles upon private property within the city, except in places authorized by this chapter. (Ord. 152 (part), codified during 1976 codification).

8.08.020 Definitions. For the purpose of this chapter, the following terms are defined:

"Enclosed building" means any structure or portion thereof built for the enclosure of property containing a roof and having exterior walls of the structure or portion thereof constructed in such a manner as to obscure from any street or adjacent property the contents thereof.

"Junked or obsolete motor vehicle" means any motor vehicle stored within the corporate limits of the city, and which meets one of the following two criteria:

1. Lacks one or more operable wheels or other operable part(s) which renders the vehicle inoperable; and such vehicle has remained in such an inoperable condition for a period of two or more weeks;

2. Such vehicle, is not licensed for the calendar year as required by the laws of the state and which because of any one of the following characteristics, constitutes a threat to the public health and safety:

a. Any vehicle with a broken or cracked windshield, broken or cracked headlight, broken or cracked taillight, or any other broken or cracked glass,

b. Any vehicle with a broken or loose fender, door, bumper, hood, hood ornament, running board, trunk top, radio aerial, tailpipe, or a broken door handle, window handle, steering wheel, trunk handle or decorative piece,

c. Any vehicle which has become the habitat of rats, mice, or snakes, or any other vermin or insects,

d. Any vehicle which contains gasoline or any other flammable fuel,

e. Any other vehicle which, because of its defective or obsolete condition, in any way constitutes a threat to the public health and safety.

"Person" means any person, firm, association, partnership, or corporation and any agent of the aforesaid.

"Storage" means the leaving of a motor vehicle upon private property for more than two weeks. (Ord. 262 §1, 2005; Ord. 234 §1, 2001; Ord. 152 (part), added during 1976 codification).

8.08.030 Declared nuisance. The storage of obsolete or junked motor vehicles within the corporate limits of the city, unless excepted by Section 8.08.060, constitutes a threat to the health and safety of the citizens of the city and is a nuisance within the meaning of Sections 657.1 and 368.3 of the 1971 Code of Iowa and within the meaning of Section 8.12.010 of the Mediapolis City Code, and the storage is unlawful. (Ord. 216 §1, 1998: Ord. 152 (part), added during 1976 codification).

8.08.040 Notice of violation. Upon discovery of any junked motor vehicle stored upon private property within the corporate limits of the city, the mayor shall notify the owner of the junked motor vehicle and the owner of the property upon which it is stored, by certified mail:

A. That the junked motor vehicle constitutes a nuisance under the provisions of this chapter;

B. That the owner of the junked motor vehicle must remove the junked motor vehicle from the incorporated limits of the city within two weeks or the violation shall be

corrected in accordance with the provisions of this chapter;

C. That upon failure to comply with the provisions of this chapter within fourteen days from the date of mailing of the notice, the owner of the junked motor vehicle shall be prima facie liable for the violation. (Ord. 262 §2, 2005; Ord. 152 (part), added during 1976 codification).

8.08.050 Liability of owner. If any junked motor vehicle is stored upon private property in violation of this chapter, the owner of the junked motor vehicle shall be prima facie liable for the violation. (Ord. 152 (part), added during 1976 codification).

8.08.060 Exceptions. The terms and provisions of this chapter shall not apply to any person, firm, association, partnership or corporation or any agent thereof that is duly licensed by the city as a junk dealer, if the junk dealer is in full compliance with all of the other ordinances of the city and the laws of the state. The terms and provisions of this chapter shall not apply to any junked or obsolete motor vehicle that is stored within an enclosed

building as defined in Section 8.08.020. The terms and provisions of this chapter shall not apply to businesses or operations of businesses engaged in the towing, repairing, or retail selling and trading of motor vehicles, if the business is otherwise in full compliance with all other ordinances of the city, and the laws of the state. (Ord. 152 (part), added during 1976 codification).

Chapter 8.12

NUISANCES*

Sections:

- 8.12.010 Definitions--Nuisances designated.
- 8.12.020 Creation or maintenance of nuisances prohibited--Abatement authorized.
- 8.12.030 Abatement--Required.
- 8.12.040 Abatement--Warrant issuance procedure.
- 8.12.050 Abatement--Warrant--Stay of execution--Conditions.
- 8.12.060 Abatement--Expenses--Collection.

8.12.010 Definitions--Nuisances designated. For use in this chapter the following terms are defined as follows:

A. "Nuisance" means whatever is injurious to health, indecent or offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. The following are declared to be nuisances:

1. The erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, offensive smells or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public;

2. The causing or suffering any offal, filth or noisome substance to be collected or to remain in any place to the prejudice of others;

3. The obstructing or impeding without legal authority the passage of any navigable river, harbor or collection of water;

* For statutory provisions concerning nuisances in general, see Code of Iowa, 1975, Ch. 657; for provisions authorizing a city to abate nuisances, see Code of Iowa, 1975, §364.12.

4. The corrupting or rendering unwholesome or impure the water of any river, stream or pond, or unlawfully diverting same from its natural course or state, to the injury or prejudice of others;

5. The obstructing or encumbering by fences, buildings or otherwise the public roads, private ways, streets, alleys, commons, landing places or burying grounds;

6. Houses of ill fame kept for the purpose of prostitution and lewdness; gambling houses or houses resorted to for the use of opium or hashish; or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others;

7. Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof;

8. Cotton-bearing cottonwood trees and all other cotton-bearing poplar trees in the city;

9. The depositing or storing of inflammable junk, such as old rags, rope cordage, rubber, bones and paper by dealers in such articles within the fire limits of the city unless it is in a building of fireproof construction;

10. The emission of dense smoke, noxious fumes or fly ash;

11. Dense growth of all weeds, vines, brush or other vegetation in the city so as to constitute a health, safety or fire hazard;

12. Buildings and structures abandoned, dilapidated, dismantled, partially destroyed, collapsing or in any other way dangerous building or structure which is in an unsafe or unsuitable condition for use or habitation, or which because of their appearance become injurious to the sense or obstruct the free use of property of others;

13. The depositing or keeping of junk or refuse, such as old lumber, tin, wire, cans, barrels, cartons, poison, rakes, tires, inner tubes, boxes, piles of grass and hedge clippings, rocks, bricks, cinders, scrap iron, glass bottles, wastepaper, bedsprings, discarded furniture, piles of garbage and ashes;

14. All dilapidated or junk automobiles where the vehicles are in an improper working condition and unable to be moved under their own power.

B. "Property owner" means the contract purchaser if there is one of record, otherwise the record holder of legal title. (Ord. 223 §§1--3, 2000; Ord. 194 §1, 1995; Ord. 152 (part), added during 1976 codification).

8.12.020 Creation or maintenance of nuisances prohibited--Abatement authorized. The creation or maintenance of a nuisance is prohibited, and a nuisance, public or private, may be abated in the manner provided in this chapter. (Ord. 152 (part), added during 1976 codification).

8.12.030 Abatement--Required. The following actions are required and may also be abated in the manner provided in this chapter:

A. The removal of diseased trees or deadwood, but not diseased trees and deadwood outside the lot and property lines and inside the curblines upon the public streets;

B. The removal, repair or dismantling of abandoned, dilapidated, dismantled, partially destroyed, collapsing or in any other way dangerous building or structure which has been declared unsafe;

C. The numbering of buildings;

D. The connection to public drainage systems from abutting property when necessary for public health or safety;

E. The connection to public sewer systems from abutting property, and the installation of sanitary toilet facilities and removal of other toilet facilities on such property;

F. The cutting or destruction of weeds or other growth which constitutes a health, safety or fire hazard;

G. The restraint and control of all domestic animals including, but not limited to, dogs, cats, horses, cattle, swine, sheep, goats and all other animals and livestock by the owner or custodian thereof. (Ord. 194 §2, 1995; Ord. 152 (part), added during 1976 codification).

8.12.040 Abatement--Warrant issuance procedure. A. When, upon indictment, complaint or civil action, any person is found guilty of erecting, causing or continuing a nuisance or other prohibited condition, the court before whom such finding is had may, in addition to the judgment for damages or costs for which a separate execution may issue, order that such nuisance or condition be abated or removed at the expense of the defendant, and, after inquiry into and estimating as nearly as may be the sum necessary to defray the expenses of such abatement, the court may issue a warrant therefore.

B. Each day such violation continues shall be considered a separate offense, and the court before whom such finding is had may issue judgment for damages and/or costs for each such separate offense. (Ord. 216 §2, 1988: Ord. 152 (part), added during 1976 codification).

8.12.050 Abatement--Warrant--Stay of execution--Conditions. Instead of issuing such warrant described in Section 8.12.040, the court may order the same to be stayed upon motion of the defendant, and upon his entering into an undertaking to the city in such sum and with such surety as the court may direct, conditioned either that the defendant will discontinue the nuisance or condition, or that, within a time limited by the court, and not exceeding six months, he will cause the same to be abated and removed, as either is directed by the court; and upon his failure to perform the condition of his undertaking, the same shall be forfeited, and the court, upon being satisfied of such default, may order such warrant forthwith to issue, and action may be brought on such undertaking. (Ord. 152 (part), added during 1976 codification).

8.12.060 Abatement--Expenses--Collection. The expense of abating a nuisance or condition by virtue of a warrant can be collected by the officer in the same manner as damages and costs are collected on execution, except that the materials of any buildings, fences or other things that may be removed as a nuisance or condition may be first levied upon and sold by the officer, and if any of the proceeds remain after satisfying the expense of the removal, such balance must be paid by the officer to the defendant, or to

the owner of the property levied upon; and if the proceeds are not sufficient to pay such expenses, the officer must collect the residue thereof. (Ord. 152 (part), added during 1976 codification).

Chapter 8.16

WEEDS AND OTHER NOXIOUS GROWTHS

Sections:

- 8.16.010 Notice to remove--Completion date.
- 8.16.020 Abatement by city--Account of costs to city council.
- 8.16.030 Notice of abatement by city and costs to owner--Assessment against property when--Certification to auditor.

8.16.010 Notice to remove--Completion date. Whenever and as often as the owner of any lot, lots or parcel of ground within the corporate limits of the city permits the same, or that part of the street in front thereof within the curb or parking line, to become grown up with weeds or other noxious growths, it shall be the duty of the chairman of the health or sanitary committee of the city to cause a notice in writing to be served upon such owner or his agent in charge of or looking after the property, and in case of a nonresident property owner having no local agent, to mail to such owner at his last known place of residence a notice in writing requiring such owner or owners to cut down and destroy, or remove therefrom after the same is cut down, such weeds or other noxious growths within the time therein named, which shall not be less than five days after the date of service of such notice upon a resident or upon the agent of a nonresident or the mailing thereof to a nonresident owner. (Ord. 152 (part), added during 1976 codification).

8.16.020 Abatement by city--Account of costs to city council. Should the owner or owners fail to cut down or cause to be cut down, remove or destroy the weeds or other noxious growths notified to be cut down, removed or destroyed within the time so fixed, then the same may be cut down and removed or destroyed by the city, or someone employed by the city acting through its sanitary or health committee. When so done an accurate account of the cost and expense thereof shall by the sanitary or health committee or other person employed for said purpose be turned in to the city council giving the name of the owner and the proper description of the lot or parcel of ground upon which such weeds or other

noxious growths have been cut, removed or destroyed or in front of which such weeds or other noxious growths have been cut, removed or destroyed within the curblineline or parking line. (Ord. 152 (part), added during 1976 codification).

8.16.030 Notice of abatement by city and costs to owner--Assessment against property when--Certification to auditor. Upon the return to the city council of the expenses so incurred, the city clerk shall cause a notice to be served upon the owner, owners or the local agent of any nonresident owner, and in case of a nonresident owner without a local agent, by mailing to his last known place of residence a written notice stating the amount of such expense and that the same will be assessed against the property of such owner at any subsequent meeting of the city council unless good cause is shown to the contrary; provided that at least five days shall elapse between the service of such notice or the mailing thereof, as the case may be, and the meeting of the council at which it is to be assessed. Should such owner fail to show good cause for not assessing the costs against his property, it shall be the duty of the city clerk to certify such special assessment to the county auditor for collection as other special assessments are collected. (Ord. 152 (part), added during 1976 codification).

Chapter 8.20

ABANDONED REFRIGERATORS

Sections:

8.20.010 Removal of door, lid or locking device required.

8.20.010 Removal of door, lid or locking device required. A. It is unlawful for any person, firm, copartnership or corporation to place or allow to be placed outside any building or dwelling, or within any unoccupied or abandoned building, dwelling or other structure under his or its control, in a location accessible to children, any discarded, abandoned, unattended, or used refrigerator, icebox or other similar container equipped with an airtight door or lid, snap lock or other locking device which may not be released from the inside without first removing the door or lid, snap lock or other locking device from the icebox, refrigerator or similar container.

B. This provision applies alike to the owner of the refrigerator, icebox or similar container and the owner or occupant of premises where the icebox, refrigerator or similar container is permitted to remain. (Ord. 152 (part), added during 1976 codification).

Chapter 8.30FIREWORKSSections:

- 8.30.010 Fireworks.
- 8.30.020 Permit procedure.
- 8.30.030 Violation--Penalty.

8.30.010 Fireworks. Any person, firm, copartnership, or corporation who desires to display fireworks within the corporate limits of the city shall make application to the city council for a permit to conduct such a display of fireworks. The application for permit can be obtained from the city clerk. The form of the application and information to be provided therein is attached to the ordinance codified in this chapter by reference and marked Exhibit "A." The application must be completed and returned to the city clerk at least one month prior to the date during which the applicant proposes to display fireworks. The term "fireworks" shall be defined as provided in Section 727.2 of the 1997 Code of Iowa. (Ord. 212 §1(part), 1998).

8.30.020 Permit procedure. The clerk, upon receipt of an application for the display of fireworks from an applicant, shall forward such application to the fire chief of the Mediapolis community fire department. The fire chief shall make a recommendation to the city council within two weeks of receipt of the application, or before the last regularly scheduled city council meeting before the expiration of the one month time period in which an applicant must make application for such permit, whichever is sooner. The city council shall then, at its next regularly scheduled meeting, either approve or deny the application. If the application is approved, a permit shall be issued by the clerk and signed by the mayor to such applicant for said display. (Ord. 212 §1(part), 1998).

8.30.030 Violation--Penalty. Violations of this chapter shall be punishable pursuant to Iowa Code Section 727.2. A municipal fine shall further be imposed against a person, firm, copartnership, or corporation in the amount of one thousand dollars for the violation of this chapter or Iowa Code Section 727.2 for the display of fireworks within the corporate limits of the city. (Ord. 212 §1(part), 1998).

Title 9

PUBLIC PEACE, MORALS AND WELFARE*

Chapters:

I. OFFENSES BY OR AGAINST PUBLIC OFFICERS AND GOVERNMENT

- 9.04 Interference with City Officers
- 9.08 False Personation of Judge, Magistrate or Peace Officer
- 9.12 Resisting Arrest
- 9.16 Alarms
- 9.20 Fire Apparatus

II. OFFENSES AGAINST THE PERSON

III. OFFENSES AGAINST PUBLIC DECENCY

- 9.28 Prostitution
- 9.32 Public Intoxication and Drinking in Public
- 9.36 Vagrancy
- 9.40 Expectorating

IV. OFFENSES AGAINST THE PUBLIC PEACE

- 9.44 Disturbance of Public Assemblies
- 9.48 Unlawful Assemblies--Riots
- 9.50 Disorderly Conduct
- 9.52 Noise
- 9.56 Electrical Interference

V. OFFENSES AGAINST PROPERTY

- 9.60 Injury to Public Property
- 9.64 Injuring Library Books and Property

VI. CONSUMER PROTECTION

- 9.68 Spoiled Food

Chapters: (Continued)

9.72 Soliciting

- * For statutory provisions authorizing a city to exercise any power and perform any function it deems appropriate to preserve and improve the peace and welfare of its residents, see Code of Iowa, 1975, § 364.1.

Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

Chapters: (Continued)

VII. OFFENSES BY OR AGAINST MINORS

9.78 Curfew for Minors

VIII. WEAPONS

9.80 Weapons

I. OFFENSES BY OR AGAINST PUBLIC OFFICERS AND GOVERNMENT

Chapter 9.04

INTERFERENCE WITH CITY OFFICERS

Sections:

9.04.010 Prohibited.

9.04.010 Prohibited. It is unlawful for any person to interfere with or hinder any policeman, fireman, officer or city official in the discharge of his duty. (Ord. 153 (part), added during 1976 codification).

Chapter 9.08

FALSE PERSONATION OF JUDGE, MAGISTRATE OR PEACE OFFICER

Sections:

9.08.010 Prohibited.

9.08.010 Prohibited. It is unlawful for any person to falsely assume to be a judge, magistrate or peace officer and take upon himself to act as such, or require anyone to aid or assist him in any manner. (Ord. 153 (part), added during 1976 codification).

Chapter 9.12

RESISTING ARREST

Sections:

9.12.010 Prohibited.

9.12.010 Prohibited. It is unlawful for any person to attempt to escape or forcibly resist when arrest is being made by an officer under the authority of a warrant, after information of the intention to make the arrest. (Ord. 153 (part), added during 1976 codification).

Chapter 9.16

ALARMS

Sections:

9.16.010 False alarms of fire prohibited.

9.16.010 False alarms of fire prohibited. It is unlawful for any person to give or cause to be given any false alarm of a fire by setting fire to any combustible material, or by crying or sounding an alarm or by any other means without cause. (Ord. 153 (part), added during 1976 codification).

Chapter 9.20

FIRE APPARATUS*

Sections:

9.20.010 Injuring prohibited.

9.20.010 Injuring prohibited. It is unlawful for any person to wilfully destroy or injure any engine, hose carriage, hose, hook and ladder carriage, or other thing used and kept for extinguishment of fires. (Ord. 153 (part), added during 1976 codification).

II. OFFENSES AGAINST THE PERSON

(Reserved)

* For provisions relating to fire department regulations, see Ch. 2.32 of this code. For provisions relating to fire alarms, see Ch. 9.16 of this code.

III. OFFENSES AGAINST PUBLIC DECENCY

Chapter 9.28

PROSTITUTION

Sections:

- 9.28.010 House of prostitution and prostitution prohibited.
- 9.28.020 Soliciting for carnal knowledge.
- 9.28.030 Leasing house for prostitution prohibited.

9.28.010 House of prostitution and prostitution prohibited. It is unlawful for any person to resort to, use, occupy or inhabit for the purpose of prostitution any house of ill fame or place kept for such purpose, or to be found at any hotel, boardinghouse, cigar store or other place, leading a life of prostitution. (Ord. 153 (part), added during 1976 codification).

9.28.020 Soliciting for carnal knowledge. It is unlawful for any person to ask, request or solicit another to have carnal knowledge with any male or female for a consideration or otherwise. (Ord. 153 (part), added during 1976 codification).

9.28.030 Leasing house for prostitution prohibited. It is unlawful for any person to let any house, knowing that the lessee intends to use it as a place of resort for the purpose of prostitution or knowingly permit such lessee to use the same for such purpose. (Ord. 153 (part), added during 1976 codification).

Chapter 9.32

PUBLIC INTOXICATION AND DRINKING IN PUBLIC*

Sections:

- 9.32.010 Prohibited--School defined.

* For statutory provisions concerning public intoxication, see Code of Iowa, 1975, §123.46.

9.32.010 Prohibited--School defined. It is unlawful for any person to use or consume alcoholic liquors or beer upon the public streets or highways, or alcoholic liquors in any public place, except premises covered by a liquor control license, or to possess or consume alcoholic liquors or beer on any public school property or while attending any public or private school related functions, and no person shall be intoxicated nor simulate intoxication in a public place. As used in this section "school" means a school or that portion thereof which provides teaching for any grade from kindergarten through grade twelve. (Ord. 153 (part), added during 1976 codification).

Chapter 9.36

VAGRANCY*

Sections:

9.36.010 Prohibited.

9.36.010 Prohibited. It is unlawful for any person to be at large not in the care of some discreet person in a state of vagrancy. For the purpose of this chapter the following persons are vagrants:

A. All common prostitutes and keepers of bawdy houses or houses for the resort of common prostitutes;

B. All habitual drunkards, gamesters or other disorderly persons;

C. All persons wandering about and lodging in barns, outbuildings, tents, wagons or other vehicles, and having no visible calling or business to maintain themselves;

D. All persons begging in public places, or from house to house, or inducing children or others to do so;

E. All persons representing themselves as collectors of alms for charitable institutions under any false or fraudulent pretenses. (Ord. 153 (part), added during 1976 codification).

* For statutory provisions concerning vagrancy, see Code of Iowa, 1975, Ch. 746.

Chapter 9.40

EXPECTORATING

Sections:

9.40.010 Prohibited where.

9.40.010 Prohibited where. It is unlawful for any person to expectorate within any food establishment, restaurant, hotel, motel, motor inn, cocktail lounge or tavern. (Ord. 153 (part), added during 1976 codification).

IV. OFFENSES AGAINST THE PUBLIC PEACE

Chapter 9.44

DISTURBANCE OF PUBLIC ASSEMBLIES

Sections:

9.44.010 Public places and meetings--Disturbance prohibited.

9.44.020 Religious, educational or other assemblies--Disturbance prohibited.

9.44.010 Public places and meetings--Disturbance prohibited. It is unlawful for any person to make or excite any disturbance in a tavern, store or grocery, or at any election or public meeting, or other place where citizens are peaceably and lawfully assembled. (Ord. 153 (part), added during 1976 codification).

9.44.020 Religious, educational or other assemblies--Disturbance prohibited. It is unlawful for any person to wilfully disturb any assembly of persons met for religious worship by profane discourse or rude and indecent behavior, or by making a noise, either within the place of worship or so near as to disturb the order and solemnity of the assembly, or wilfully to disturb or interrupt any school, school meeting, teachers' institute, lyceum, literary society or other lawful assembly of persons. (Ord. 153 (part), added during 1976 codification).

Chapter 9.48UNLAWFUL ASSEMBLIES--RIOTSSections:

- 9.48.010 Gathering for unlawful purposes--Prohibited.
 9.48.020 Disturbance of others by violent,
 tumultuous or unlawful acts--Prohibited.

9.48.010 Gathering for unlawful purposes--Prohibited. It is unlawful for three or more persons in a violent or tumultuous manner to assemble together to do an unlawful act, or, when together, to attempt to do an act, whether lawful or unlawful, in an unlawful, violent or tumultuous manner to the disturbance of others. (Ord. 153 (part), added during 1976 codification).

9.48.020 Disturbance of others by violent, tumultuous or unlawful acts--Prohibited. When three or more persons together and in a violent or tumultuous manner commit an unlawful act, or together do a lawful act in an unlawful, violent or tumultuous manner, to the disturbance of others, they are guilty of a riot, and shall be punished as is provided in Section 1.08.010 of this code. (Ord. 153 (part), added during 1976 codification).

Chapter 9.50DISORDERLY CONDUCTSections:

- 9.50.010 Prohibited.

9.50.010 Prohibited. It is unlawful for any person to conduct himself or herself in a disorderly manner by creating a disturbance within the city in the presence of another by fighting or arguing, or using abusive, lewd, vulgar, or obscene language in the presence of another, or by using loud, profane, vulgar, obscene or lewd language toward anyone. (Ord. 267 § 2, 2006).

Chapter 9.52NOISESections:

9.52.010 Prohibited when.

9.52.010 Prohibited when. It is unlawful for any person to disturb the peace by excessive, loud or unusual noise, by blowing horns or ringing bells, or by the use of sirens, radios or by the use of any type of speaking devices or noisemakers. (Ord. 153 (part), added during 1976 codification).

Chapter 9.56ELECTRICAL INTERFERENCESections:

9.56.010 Prohibited.

9.56.010 Prohibited. It is unlawful to operate any electrical wire, device, apparatus, instrument, machine, or other thing that causes reasonably preventable electrical interference with any other electrical apparatus, including radio receiving sets, until such interference is removed, either by improving the apparatus or by replacing it with other apparatus that will not cause interference. (Ord. 153 (part), added during 1976 codification).

V. OFFENSES AGAINST PROPERTY

Chapter 9.60INJURY TO PUBLIC PROPERTY*Sections:

9.60.010 Removal of hydrant taps, sewer caps or manhole covers--Prohibited when.

9.60.020 Injury to or obstruction of roads, railways and utilities.

* For statutory provisions concerning injury to railroads, see Code of Iowa, 1975, §716.7 et seq.

- 9.60.030 Injury or destruction of vegetation,
property or legal notices--Prohibited.
- 9.60.040 Throwing, shooting and hitting.

9.60.010 Removal of hydrant taps, sewer caps or manhole covers--Prohibited when. It is unlawful for any person to remove or carry away hydrant caps, sewer caps or manhole covers without the consent of the person in control thereof. (Ord. 153 (part), added during 1976 codification).

9.60.020 Injury to or obstruction of roads, railways and utilities. It is unlawful for any person to maliciously injure, remove or destroy any railway or any bridge, rail or plank road; or place or cause to be placed any obstruction on any railway, or on any such bridge, rail or plank road; or wilfully obstruct or injure any public road or highway; or maliciously cut, burn, or in any way break down, injure, or destroy any post or pole used in connection with any system of electric lighting, electric railway, or telephone or telegraph system; or break down and destroy or injure and deface any electric light, telegraph or telephone instrument; or in any way cut, break or injure the wires of any apparatus belonging thereto; or to wilfully tap, cut, injure, break, disconnect, connect, make any connection with, or destroy any of the wires, mains, pipes, conduits, meters or other apparatus belonging to, or attached to, the power plant or distributing system of any electric light plant, electric motor, gas plant or water plant; or to aid or abet any other person in doing so. (Ord. 153 (part), added during 1976 codification).

9.60.030 Injury or destruction of vegetation, property or legal notices--Prohibited. No person shall within the corporate limits cut, hack, break or otherwise injure any ornamental, fruit or shade tree of another; or cut, back, scratch, mark, deface, remove, or injure any railing, bridge, enclosure, fence, building, sidewalk, or other property of another; or destroy any ordinance, advertisement or official notice posted up by order of the council or by any officer of the city, during the time which the same is required by law to be posted. (Ord. 153 (part), added during 1976 codification).

9.60.040 Throwing, shooting and hitting. It is unlawful for a person to throw stones, bricks or missiles of any kind

or to shoot arrows, rubber guns, slingshots, air rifles, BB guns or to hit golf balls or other dangerous instruments or toys on or into any street, alley, highway, sidewalk, public way, public ground, or public building, without written consent of the council. It is further unlawful for a person to do any such act above that results in any object named above being sent or transported to private property not owned by that person. (Ord. No. 334, § 1, 5-15-17).

Chapter 9.64

INJURING LIBRARY BOOKS AND PROPERTY

Sections:

9.64.010 Prohibited.

9.64.010 Prohibited. It is unlawful for any person to wilfully, maliciously or wantonly tear, deface, mutilate, injure or destroy, in whole or in part any newspaper, periodical, book, map, pamphlet, chart, picture or other property belonging to any public library or reading room. (Ord. 153 (part), added during 1976 codification).

VI. CONSUMER PROTECTION

Chapter 9.68SPOILED FOOD*Sections:

9.68.010 Selling prohibited.

9.68.010 Selling prohibited. It is unlawful for any person to sell or offer for sale any tainted, unsound or rotten meat, fish, fowl, fruit, vegetables, eggs, butter, canned goods, packaged goods, or other articles of food, or to sell or offer for sale the flesh of any animal that was diseased. (Ord. 153 (part), added during 1976 codification).

Chapter 9.72SOLICITING**Sections:

9.72.010 Entering private property without invitation to solicit--Prohibited.

9.72.020 Enforcement.

9.72.030 Applicability.

9.72.010 Entering private property without invitation to solicit--Prohibited. The practice of going in and upon the private residences and/or property within the corporate limits of the city by solicitors, agents, peddlers, hawkers, itinerant merchants and transient vendors of merchandise and/or services, not having been invited or requested to do so by the owner or owners, occupant or occupants of the private residences and/or properties, for the purpose of soliciting orders for the sale of goods or services is a nuisance and is punishable, as such nuisance is a misdemeanor. (Ord. 153 (part), added during 1976 codification).

* For statutory provisions concerning the regulation and control of dairy products, see Code of Iowa, 1975, Ch. 192. For provisions concerning milk and dairy products in general, see Code of Iowa, 1975, Chs. 190 to 195. For provisions concerning the control of bovine tuberculosis, see Code of Iowa, 1975, Ch. 165. For provisions concerning meat and poultry inspection, see Code of Iowa, 1975, Ch. 189A.

** For provisions regulating the licensing of peddlers, solicitors and transient merchants, see Ch. 5.04.

9.72.020 Enforcement. The Des Moines County sheriff and members of the department are required and directed to suppress and abate such nuisances as are described in Section 9.72.010. (Ord. 153 (part), added during 1976 codification).

9.72.030 Applicability. The provisions codified in Sections 9.72.010 and 9.72.020 shall not apply to any farmer residing in the state when selling products of his own raising. (Ord. 153 (part), added during 1976 codification).

VII. OFFENSES BY OR AGAINST MINORS*

Chapter 9.78

CURFEW FOR MINORS

Sections:

- 9.78.000 Definition.
- 9.78.010 Time limits.
- 9.78.020 Exceptions.
- 9.78.030 Responsibility of adults.
- 9.78.040 Responsibility of business establishments.
- 9.78.050 Enforcement.

9.78.000 Definition. The term "minor" means in this chapter, any unmarried person below the age of eighteen years. (Ord. 204 §1(part), 1997).

9.78.010 Time limits. It is unlawful for any minor to be or remain upon any of the alleys, streets or public places or to be in places of business and amusement in the city between the hours of eleven p.m. and five a.m. Sunday through Thursday and twelve-thirty a.m. and five a.m. Saturday and Sunday. (Ord. 204 §1(part), 1997).

9.78.020 Exceptions. The restriction provided by subsection 9.78.010 shall not apply to any minor who is accompanied by a parent, guardian or other person charged with the care and custody of such minor, nor shall the restriction apply to any minor who is traveling between his or her home or place of residence and the place where any approved employment, church, municipal or school function is being held. (Ord. 204 §1(part), 1997).

* For statutory provisions concerning contributing to delinquency, see Code of Iowa, §709A.1.

9.78.030 Responsibility of adults. A. It is unlawful for any parent, guardian or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys, places of business or amusement or other public places within the curfew hours set by Section 9.78.020.

B. It is unlawful for any parent, guardian, or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys or public places (e.g., parks) without providing proper supervision of said minor. Proper supervision: A parent, guardian or other person charged with the care and custody of any minor shall not provide proper supervision if said minor commits an infraction of this code or state law at a point in time when the parent, guardian or other person charged with the care and custody of the minor is not in the presence of said minor. The exceptions pertaining to travel as set forth in Section 9.78.020 shall apply to this subsection. (Code of Iowa, Sec. 613.16) (Ord. 267 § 3, 2006: Ord. 204 § 1(part), 1997).

9.78.040 Responsibility of business establishments. It is unlawful for any persons operating a place of business or amusement to allow or permit any minor to be in or upon any places of business or amusement operated by them within the curfew hours set by Section 9.78.010 except as otherwise provided in Section 9.78.020. (Ord. 204 § 1(part), 1997).

9.78.050 Enforcement. Any peace officer of the city or of Des Moines County while on duty is empowered to arrest any minor who violates any of the provisions of Sections 9.78.010 and 9.78.020. Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor. (Ord. 204 § 1(part), 1997).

VIII. WEAPONS

Chapter 9.80WEAPONSSections:

- 9.80.010 Concealed weapons prohibited--Exceptions--Permit required when.
- 9.80.020 Firearm discharge prohibited--Exception.

9.80.010 Concealed weapons prohibited--Exceptions--Permit required when. A. It is unlawful for any person to go armed with or to carry, except as provided in this section, a dirk, dagger, sword, pistol, revolver, stiletto, metallic knuckles, pocket billy, sandbag, skull cracker, slug shot or other offensive or dangerous weapon, except hunting knives adapted and carried as such, concealed either on or about his person, except in one's own dwelling house or place of business, or other land possessed by him.

B. No person shall carry a pistol or revolver concealed on or about his person or whether concealed or otherwise in any vehicle operated by him, except in his dwelling house or place of business or on other land possessed by him, without a permit from the sheriff of the county.

C. However, it is lawful to carry one or more unloaded pistols or revolvers for the purpose of, or in connection with, lawful target practice, lawful hunting, lawful sale or attempted sale, lawful exhibit or showing, or other lawful use, if such unloaded weapon or weapons are carried either:

1. In the trunk compartment of a vehicle; or
2. In a closed container which is too large to be effectively concealed on the person or within the clothing of an individual, and such container may be carried in a vehicle or in any other manner; and no permit shall be required therefor. (Ord. 153 (part), added during 1976 codification).

9.80.020 Firearm discharge prohibited--Exception. It is unlawful for any person to discharge any rifle, shotgun, revolver, pistol, gun or firearm of any kind within the city limits except by authorization of the city council. (Ord. 153 (part), added during 1976 codification).

Title 10VEHICLES AND TRAFFIC*Chapters:

<u>10.04</u>	<u>Regulations Generally</u>
<u>10.08</u>	<u>Traffic Signs</u>
<u>10.12</u>	<u>Traffic Noise and Fumes</u>
<u>10.16</u>	<u>Damage to Streets</u>
<u>10.20</u>	<u>Unsafe Driving</u>
<u>10.24</u>	<u>Abandoned Motor Vehicles</u>
<u>10.28</u>	<u>Speed Limits</u>
<u>10.32</u>	<u>Parking</u>
<u>10.36</u>	<u>Through Streets and Highways</u>
<u>10.40</u>	<u>Controlled-Access Facilities</u>
<u>10.44</u>	<u>School Zone</u>
<u>10.46</u>	<u>Golf Carts on City Streets</u>
<u>10.48</u>	<u>Truck Routes and Parking</u>
<u>10.50</u>	<u>Safety Belts and Safety Harnesses--Use Required</u>

Chapter 10.04REGULATIONS GENERALLYSections:

10.04.010	Purpose.
10.04.020	Definitions.
10.04.030	Statutory provisions adopted--Compliance required.
10.04.040	Enforcement authority--Emergency powers of sheriff and fire department--Compliance required.

10.04.010 Purpose. The purpose of Chapters 10.04 through 10.24 is to make regulations for traffic upon the streets of the city, and to provide for the enforcement of the regulations. (Ord. 153 (part), added during 1976 codification).

* For statutory provisions authorizing local authorities to adopt traffic regulations, see Code of Iowa, 1975, §321.235 et seq. For provisions authorizing local authorities to designate routes over which motor carriers may travel, see Code of Iowa, 1975, §325.27. Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

10.04.020 Definitions. Where words and phrases used in Chapters 10.04 through 10.24 are defined by the laws of Iowa such definitions shall apply to Chapters 10.04 through 10.24. (Ord. 153 (part), added during 1976 codification).

10.04.030 Statutory provisions adopted--Compliance required. Whoever shall, within the city, violate any of the provisions of the following Iowa laws relating to motor vehicles and traffic is in violation of this chapter. The following Iowa statutes are adopted by the city as ordinances of the city:

A. 321.229 through 321.234, 321.275 (subsection 1)--Obedience to a peace officer and responsibility of public officers, emergency vehicles, motorcycles and bicycles to obey traffic regulations;

B. 321.32, 321.33, 321.174, 321.190--Display of registration and license to drive;

C. 321.266, 321.268--Accidents and accident reports;

D. 321.256 through 321.260--Traffic signs, signals and markings;

E. 321.283, 321.284, 321.285, 321.288, 321.290, 321.294, 321.296--Reckless driving, drag racing, speed, control of vehicle and minimum speed;

F. 321.297 through 321.299, 321.303, 321.304, 321.305, 321.307--Driving on right, meeting, overtaking and following;

G. 321.311 through 321.316--Turning and starting, signals on turning and stopping;

H. 321.319 through 321.324--Right-of-way;

I. 321.325, 321.327 through 321.331, 321.340--Pedestrian rights and duties and safety zones;

J. 321.353, 321.358, 321.361--Stopping, standing and parking;

K. 321.362 through 321.371--Unattended vehicle, obstructing driver's view, following fire apparatus, or crossing fire hose. (Ord. 153 (part), added during 1976 codification).

10.04.040 Enforcement authority--Emergency powers of sheriff and fire department--Compliance required. A. Provisions of Chapters 10.04 through 10.24 and the Iowa law relating to motor vehicles and law of the road shall be enforced by the Des Moines County sheriff department.

B. The officers of the sheriff department are authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of a fire or other emergency, officers of the sheriff department may direct traffic as conditions require notwithstanding the provisions of the traffic laws.

C. Officers of the fire department, when at the scene of a fire, may direct or assist the sheriff department in directing traffic thereat or in the immediate vicinity.

D. Any person who wilfully fails or refuses to comply with any lawful order of a sheriff officer or direction of a fire department officer during a fire is in violation of this chapter. (Ord. 153 (part), added during 1976 codification).

Chapter 10.08

TRAFFIC SIGNS*

Sections:

10.08.010 Moving or interfering with traffic signs--
Prohibited.

* For provisions relating to parking signs, see §§10.32.040 and 10.36.030 of this code.

10.08.010 Moving or interfering with traffic signs--
Prohibited. It is unlawful for any person to move, alter or in any way interfere with any traffic sign placed upon the streets, or attached to any pole on the streets by the city authorities, or by the authority of the State Highway Commission. (Ord. 153 (part), added during 1976 codification).

Chapter 10.12

TRAFFIC NOISE AND FUMES*

Sections:

10.12.010 Horns and signals not to be sounded unnecessarily.
10.12.020 Excessive noise or fumes prohibited--
Muffler or noise suppressing system required.
10.12.030 Engine braking systems creating excessive noise prohibited.

* For statutory provisions prohibiting excessive noise, see Ch. 9.52 of this code. For provisions prohibiting the emission of noxious smoke and fumes, see Ch. 8.12 of this code.

10.12.010 Horns and signals not to be sounded unnecessarily. No horn or signal device upon any motor vehicle shall be unnecessarily sounded, or be sounded for any purpose other than to give warning of the approaching of the vehicle. (Ord. 153 (part), added during 1976 codification).

10.12.020 Excessive noise or fumes prohibited--Muffler or noise suppressing system required. A. Every motor vehicle shall be equipped, maintained and operated so as to prevent excessive or unusual noise. Every motor vehicle shall at all times be equipped with a muffler or other effective noise suppressing system in good working order and in constant operation, and no person shall use a muffler cut-out bypass or similar device.

B. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke. (Ord. 153 (part), added during 1976 codification).

10.12.030 Engine braking systems creating excessive noise prohibited. A. It is unlawful for the driver of any vehicle to use or operate within the city of Mediapolis any mechanical exhaust device, engine brake, compression brake or similar device that results in excessive, loud or unusual noise from such vehicle.

B. Evidence that the noise from the operation of such device is audible at a distance of three hundred feet from the motor vehicle is prima facie evidence of a violation, subject to fine as determined by a simple misdemeanor. (Ord. 260 §1, 2005).

Chapter 10.16

DAMAGE TO STREETS*

Sections:

10.16.010 Heavy vehicles with wheel protuberances prohibited--Exceptions.

10.16.020 Prohibited.

* For provisions relating to streets and sidewalks, see Title 12 of this code.

10.16.010 Heavy vehicles with wheel protuberances prohibited--Exceptions. No traction engine, road engine, hauling engine, trailer, steamroller, automobile, tractor, motor vehicle, power vehicle or any other machinery or vehicle weighing with load one ton or more, having flanges, ribs, clamps, cleats, lugs, spikes, raised rims or other protuberances attached to any of its wheels, shall be moved over any paved, oiled or hard-surfaced street, alley or highway in the city, unless such wheels are covered with metal shields, or unless sound, strong planks not less than one foot in width and two inches in thickness are placed and kept continuously under the wheels thereof while traversing the whole or any part of the streets, alleys and highways. But nothing herein contained shall be construed to apply to motor and/or other vehicles equipped with rubber tires nor to prohibit the use of mud chains on rubber tires, when weather or traveling conditions ordinarily so require. (Ord. 153 (part), added during 1976 codification).

10.16.020 Prohibited. No traction engine, road engine, hauling engine, trailer, steamroller, automobile, tractor, motor vehicle, power vehicle or any other machinery, or vehicle shall be moved over any paved, oiled or hard-surfaced street, alley or highway in the city in such manner as to damage the surface thereof. (Ord. 153 (part), added during 1976 codification).

Chapter 10.20UNSAFE DRIVINGSections:

- 10.20.010 Two-wheel or three-wheel motor vehicle--Unsafe driving prohibited.
- 10.20.020 Skidding, sliding or spinning vehicles.

10.20.010 Two-wheel or three-wheel motor vehicle--Unsafe driving prohibited. It is unlawful for the driver of any two-wheel or three-wheel motor vehicle to operate the same upon any public street or highway with the operational tires not in contact with the roadway surface, or to indulge or engage in any kind of trick or unsafe driving. Nothing in this section shall apply to any vehicle being legally parked or towed. (Ord. 153 (part), added during 1976 codification).

10.20.020 Skidding, sliding or spinning vehicles. It is unlawful for any person to operate a motor vehicle in such manner as to cause the vehicle to skid, slide, or spin unless necessary to avoid or escape from an emergency condition. (Ord. 169 §1, 1982).

Chapter 10.24ABANDONED MOTOR VEHICLES*Sections:

- 10.24.010 Prohibited where.
- 10.24.020 Vehicles deemed abandoned when.

10.24.010 Prohibited where. It is unlawful for any person to abandon any motor vehicle or any derelict vehicle or portion of a vehicle upon any street, alley, or parking in the city. (Ord. 153 (part), added during 1976 codification).

10.24.020 Vehicles deemed abandoned when. Any vehicle, portion of a vehicle, or derelict vehicle left upon any street, alley or parking of the city for a period of twenty days shall be conclusively presumed and deemed to be abandoned. (Ord. 153 (part), added during 1976 codification).

* For provisions regarding the storage of junked motor vehicles, see Ch. 8.08 of this code.

Chapter 10.28

SPEED LIMITS*

Sections:

- 10.28.010 Definitions.
- 10.28.020 Speed limits designated.

10.28.010 Definitions. For use within this chapter the following terms shall have the meanings indicated in this section unless otherwise expressly stated:

A. "Motor vehicle" means every vehicle which is self-propelled. The terms "car," "automobile," "motorcycle" and "tractor" are synonymous with the term "motor vehicle." "Motor vehicle" includes and is synonymous with the term "vehicle."

B. "Person" includes any individual, firm, corporation or group or other person recognized by law. (Ord. 134 §1, 1975).

10.28.020 Speed limits designated. The following shall be the lawful maximum speed limits except where herein modified and except as provided in subsection F hereof and any speed in excess of the speed limits is unlawful.

- A. Ten miles per hour in any public alley;
- B. Twenty miles per hour in any business district;
- C. Twenty-five miles per hour in any residential area;
- D. Thirty-five miles per hour on Iowa State Highway 61 where the highway is within the city limits, and on Main Street from Centennial Drive to the east city limits;
- E. Specific limits: twenty miles per hour in all school zones;
- F. Fifteen miles per hour in all subdivisions. (Ord. 134 §3, 1975).

* For statutory provisions authorizing local authorities to alter speed limits on local roads, see Code of Iowa, 1975, §§321.236 and 321.293.

Chapter 10.32PARKING*Sections:

- 10.32.010 Parallel parking required--Exceptions designated.
- 10.32.020 No parking areas and schedule designated.
- 10.32.023 Fire lanes and handicapped zones designated.
- 10.32.025 Parking behind city hall.
- 10.32.030 Snow routes established.
- 10.32.040 Authority to post signs regulating stopping, standing or parking.
- 10.32.050 Parking on grade.
- 10.32.060 Impeding traffic prohibited.
- 10.32.070 Owner responsible.
- 10.32.080 Yard parking regulations.

10.32.010 Parallel parking required--Exceptions designated. Every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be stopped or parked so that the right-hand wheels of the vehicle are parallel to and within eighteen inches of the right-hand curb, except in the following cases:

A. Upon streets which have been marked or have signs posted for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign;

B. In places where stopping for loading or unloading of merchandise or materials is requested, vehicles used for transportation of the materials may park in the reasonable manner best suited for such loading or unloading. (Ord. 132 §1, 1975).

10.32.020 No parking areas and schedule designated. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in obedience to the directions of a police officer or traffic-control device, in any of the following places:

A. On a sidewalk;

* For statutory provisions authorizing local authorities to regulate the standing and parking of vehicles, see Code of Iowa, §321.236.

B. Within an intersection;

C. In front of a public or private driveway;

D. Within ten feet of a fire hydrant;

E. Within ten feet on the approach to any stop sign or traffic-control signal located at the side of a roadway;

F. Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of such entrance when signs are posted forbidding such stopping, standing or parking;

G. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

H. At the following places where official signs prohibit stopping or parking:

On Main Street (central business district): no parking two a.m. to five a.m.,

On the north side of Iowa Street from Northfield Street to sign: no parking from eight a.m. to four p.m. on school days,

On Northfield Street front of the school: no parking eight a.m. to four p.m. on school days,

On Northfield Street from Valley Street to Iowa Street: no parking anytime,

On Pine Street from the Northfield intersection to the sign: no parking anytime on both sides of Pine Street,

On Southwind Drive, no parking on both sides of the street,

On Orchard Street from Main Street to the alley: one-hour parking between eight a.m. and five p.m.,

On Orchard Street from Main Street to Middle Street: no parking between two a.m. and five a.m. on the West side of the street on odd numbered days and the East side of the street on even numbered days,

On Wapello Street, also known as Highway 61, from the middle of Curve Street to the middle of Mack Lane; no parking any time on both sides of Wapello Street.

On the east side of Orchard Street one designated spot in front of the public library: ten-minute parking only,

On Main Street in front of Carruther's Pharmacy: ten-minute parking between eight a.m. and six p.m.

I. On the south side of Main Street the first parking stall in front of Carruthers Pharmacy is designated a ten-minute parking area from nine a.m. to six p.m. Monday through Friday and nine a.m. to twelve p.m. Saturday;

J. On the east and west side of Northfield Street from Iowa Street to the northernmost edge of the Mediapolis School property is designated a no parking zone from eight a.m. to four p.m.;

No parking shall be allowed at any time on the west side of Northfield between the northernmost edge of the circle drive in front of the entrance to the high school and the southernmost edge of the circle drive in front of the entrance to the elementary school;

K. The Mediapolis Community School has authorization to use a "roll-out" stop sign on north Northfield Street at the elementary school crossing;

L. On the east side of Orchard Street south of the alleyway, the first three parking spaces shall be designated one-hour parking spaces from nine a.m. to five p.m., Monday through Friday and nine a.m. to noon on Saturday;

M. Reserved.

N. No parking shall be allowed for more than forty-eight continuous hours in all parking spaces located in the following Mediapolis city parking lots:

a) The city parking lot located due south of the Mediapolis City Hall;

b) The city parking lot located adjacent to the Mediapolis City Pool;

Parking shall be prohibited at the 100 Block of Orchard Street parking lot between the hours of two a.m. and five a.m. on the west side of the lot on odd numbered days and on the east side of the lot on even numbered days. Any handicapped space designated in said parking lot shall be separately signed and no parking shall be allowed for more than forty-eight continuous hours in said designated handicapped space. (Ord. 273 § 1, 2007; Ord. 258 § 1, 2005; Ord. 257 § 1, 2005; Ord. 231 § 1, 2001; Ord. 221 § 1, 1999; Ord. 210 § 1, 1997; Ord. 209 § 1, 1997; Ord. 196 § 1, 1995; Ord. 132 § 2, 1975).

(Ord. 293, § 1, 5-18-09; Ord. No. 294, § 1, 5-3-10; Ord. No. 312, §§ 1--3, 8-18-14; Ord. No. 315, § 1, 3-16-15)

10.32.023 Fire lanes and handicapped zones designated. A. The following areas within the city of Mediapolis shall be designated and marked as fire lanes, and no parking therein shall be allowed. Violators will be towed or towed and ticketed for violations of this provision and subject to the regular scheduled fine. Violators will further be responsible for all costs associated with the fine and/or towing expenses. The fire chief or designated school official, upon school property, has the authority to request to have the relevant vehicle towed. The fire chief or designated care center official, upon care center property, has the authority to

request to have the relevant vehicle towed. The following areas within the city limits of the city of Mediapolis are hereby designated as an emergency fire lane:

1. The circle drive of the Mediapolis Elementary School;
2. Those areas of the high school circle drive perpendicular with the two primary doors, and the area between such areas, excepting therefrom the parking areas designated nearest Northfield Street;
3. Starting with the first parking space nearest the entry to the boiler area of the Mediapolis High School on the east line of said parking lot, and including the entire northern line of the same parking lot, and concluding at the sidewalk entering the metal works building on said school grounds south and west of the entry to the boiler area; and also including that portion of said parking lot directly west of the natural gas and utility area due south of the boiler doors and enclosed by chain link fencing.
4. The through drive of the Prairie Ridge Care and Rehab Center directly in front and adjacent to the main entrance to said facility located at 608 Prairie Street.

B. The following areas within the city of Mediapolis shall be designated as handicapped zones, and no parking therein shall be allowed without a duly authorized handicap license plate or duly authorized hanging tag. Violators will be towed or towed and ticketed for violations of this provision and subject to the regular enhanced fine. Violators will further be responsible for all costs associated with the fine and/or towing expenses. The following areas within the city limits of the city of Mediapolis are designated as handicapped parking areas:

1. School:
 - a. The first five parking areas at the northernmost portion of the high school circle drive.
2. Mediapolis Savings Bank:
 - a. The first parking space on Orchard Street directly west of the Mediapolis Saving Bank located at 605 Main St.
3. Mediapolis Savings Bank Branch Facility:
 - a. The first parking space directly east and north of the main entrance of the branch facility located at 205 North Wapello Road.

4. Churches:
 - a. Methodist Church--The first two western most parking spaces on North Street in front of the church located at 601 North Street.
 - b. Lutheran Church--The four parking spaces located on Orchard Street directly west of the main entrance to the church located at 606 North Orchard Street.
 - c. Presbyterian Church--The first two parking spaces in the parking lot directly east of the church located at 801 Middle Street.
5. Iowa Buffalo Company:
 - a. The first two parking spaces to the north of the main entrance to the Iowa Buffalo Company Restaurant located at 213 Wapello Street South.
6. Main Street:
 - a. The easternmost space in front of Harmon's Plumbing at 649 Main Street.
 - b. The first space directly in front of Remember Inn to the north of its entrance located at 602 Main Street.
 - c. The westernmost space in front of Mediapolis Savings Bank at 605 Main Street.
7. Community Housing:
 - a. The two southern most parking spaces on the eastern line of parking spaces of the parking lot for the Mediapolis Senior Housing Facility located at 730 Prairie Street.
8. Prairie Ridge Care and Rehab:
 - a. The first parking space directly west of the main entrance on the south line of parking in the parking lot of the Prairie Ridge Care and Rehab Center located at 608 Prairie Street.
9. U. S. Post Office:
 - a. The parking space directly west of the main entrance to the U. S. Post Office located at 300 N. Main St.

C. The designated fire lanes and handicapped parking areas set forth above shall remain in effect subsequent to any change in ownership of real estate, business entity or otherwise, until such time as said fire lane or designated handicapped parking area is specifically repealed or amended by the Mediapolis City council. (Ord. 238 §1, 2002). (Ord. 299, § 1, 2-7-11; Ord. No. 312, § 4, 8-18-14)

10.32.025 Parking behind city hall. A. Parking on city property behind the Mediapolis city hall shall be restricted to individuals conducting business with the city or otherwise attending functions in the Mediapolis city hall building. Such parking restrictions shall extend to those parking spaces identified by sign as being restricted for city use.

B. Parking on the north and east sides of the Mediapolis city hall shall be limited to two hours. Such parking restrictions shall be limited to those parking spaces identified by sign as being limited to two-hour parking.

C. The fine for a violation of this section shall consist of five dollars. If the fine is not paid within thirty days it shall increase to ten dollars. (Ord. 203, 1997).

10.32.030 Snow routes established. A. A snow emergency shall be in effect when one and one-half inches or more of snow has fallen. The snow emergency ends when both sides of streets have been plowed.

B. Once a snow emergency exists, the public must remove vehicles parked on the traveled portion of the roadways within the city limits that have been designated as

snow routes. On even numbered days vehicles shall not be parked on the odd numbered side of the street and on odd numbered days vehicles shall not be parked on the even numbered side of the street. Vehicles not removed will be towed and the vehicle shall be released to the owner upon the payment by the owner for the cost of removing and storage.

C. Snow routes shall be established on Maple Drive, Green Acres Drive, Lea Darci, Laci Dru, Centennial Drive, Orchard Street between Main and Middle, Lofgren Drive, the 900 to 1300 blocks of Pine Street, the 100 block of South Northfield, and Huron Street. Once a snow emergency exists, on even numbered days vehicles may be parked on the even numbered side of the street and on odd numbered days vehicles may be parked on the odd numbered side of the street.

D. Any vehicle parked in the designated portion of the roadway that hinders the safe and efficient removal or control of snow or ice during a snow emergency may be subject to removal.

E. Signs declaring the roadway a snow emergency route shall be posted by the city on designated roadways.

F. Removal of Vehicles.

1. Any member of the Des Moines County Sheriff's Department or the public works foreman or his designee may have a vehicle removed from a location where a parking prohibition is in effect when:

a. The vehicle is parked in any location where a parking prohibition is in effect pursuant to this section;

b. The vehicle is stalled and the owner has not taken immediate action to have the vehicle removed to a place where there is not a parking prohibition in effect;

c. The vehicle is parked in violation of any parking ordinance or provisions of law and is interfering with or about to interfere with snow removal or similar operations.

2. When a member of the sheriff's department or the public works foreman or his designee has a vehicle removed from a location where a parking prohibition is in effect, as authorized in this section, and the individual removing such vehicle or having such vehicle removed knows or is able to ascertain from registration records in the vehicle the name and address of the owner thereof, the

sheriff's department shall immediately be notified of the necessary facts concerning such removal. If the owner does not appear within three days and identify and claim the vehicle and pay the cost for removal and storage, such vehicle shall be considered to be an abandoned vehicle and impounded and sales steps may be taken by the tow service in accordance with state law. If the owner does appear within three days and identifies and claims the vehicle, such vehicle shall be returned to the owner when, but not until, the owner pays the cost for removal and storage.

3. Members of the sheriff's department, the public works foreman or his designee and the city shall not be liable for damages occasioned by reason of the towing, removal or storage of such vehicle.

G. Citation of Illegally Parked or Left Vehicles.

1. Whenever any vehicle without a driver is parked or stopped in violation of any of the restrictions imposed by this section and is not removed and impounded, a sheriff's deputy or any authorized person finding such vehicle may take such vehicle registration number and other information displayed on the vehicle which identifies its driver or owner and shall attach a written summons to such vehicle in a conspicuous place and the owner, operator or lessee of such vehicle may be held to appear at the time and place designated in the summons. The deputy or other authorized person issuing such summons may, if the driver or owner of the illegally parked vehicle is available, deliver a copy of such summons to such driver or owner instead of affixing the summons to the vehicle.

2. The fines for such offenses shall be as follows: Twenty-five dollars for the first occurrence within a twelve-month period, fifty dollars for the second occurrence within a twelve-month period, and seventy-five dollars for the third and any subsequent occurrences within a twelve-month period. (Ord. 132 §3, 1975).

(Ord. 282, § 1, 1-19-09)

10.32.040 Authority to post signs regulating stopping, standing or parking. The council shall have the authority by resolution to post such signs as are deemed necessary to regulate the stopping, standing or parking of vehicles to include prohibiting parking, stopping, standing or regulating parking for a limited time period. (Ord. 132 §4, 1975).

10.32.050 Parking on grade. No person driving or in charge of a motor vehicle shall permit it to stand unattended upon any perceptible grade without first stopping the engine, setting the brake thereon, and turning the front wheels to the curb or side of the street or highway. (Ord. 132 §5, 1975).

10.32.060 Impeding traffic prohibited. It is unlawful for any person except as otherwise provided in this chapter to stop, stand or park a vehicle in such a manner as to hamper, impede or interfere with the normal flow of traffic. (Ord. 132 §6, 1975).

10.32.070 Owner responsible. In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this code, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this code together with proof that the defendant named in the complaint was at the time the registered owner of that vehicle is prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this code. (Ord. 178 §1, 1988).

10.32.080 Yard parking regulations. A. Front Yard Parking Off Driveway is Prohibited. It shall be unlawful for any person, corporation or legal entity to park a motor vehicle or licensable vehicle in the front yard of any residential lot, unless the motor vehicle or vehicle is parked completely upon a driveway. However, this provision shall not apply to motor vehicles or vehicles being used to move, deliver and/or take articles to and from a yard or building, structure located thereon, or used in connection with providing a temporary service thereon, for a reasonable period of time, which shall not exceed twenty-four hours, while engaging in the active process of said use. It shall be unlawful for any person, corporation or legal entity to park or store an unlicensed or inoperable motor vehicle or vehicle anywhere in the front yard including upon any driveway or driveway extension, unless the motor vehicle or vehicle is parked or stored in a permanent roofed enclosure. Mere licensing of an inoperable motor vehicle or vehicle shall not constitute a defense to the finding that such motor vehicle or vehicle is in violation of this section.

B. Side Yard and Rear Parking Prohibited. It shall be unlawful for any person, corporation or legal en-

tity to park or allow the parking of more than one motor vehicle or vehicle anywhere in the side or rear yard of a residential lot. It shall further be unlawful for any person, corporation or legal entity to park or allow the parking of, or store an unlicensed or inoperable motor vehicle or vehicle anywhere in the side or rear yard, including upon any driveway or driveway extension, unless the motor vehicle or vehicle is parked or stored in a permanent roofed enclosure. Mere licensing of an inoperable motor vehicle or vehicle shall not constitute a defense to the finding that such motor vehicle or vehicle is in violation of this section.

C. Driveway--Off-street parking. The term "driveway" for purposes of this section shall include a paved or gravel surface providing a direct route to the garage or structure to which it provides access, and being no more than eight feet wider than the garage or structure to which it provides said access.

D. Hardship petition. Any lot owner which finds the above regulations to constitute a hardship to their specific circumstances shall be authorized to petition the city council for a hardship waiver, to allow additional off-street parking upon their lot. Said petition shall include a sketch of the owner's lot, proposed parking area, proposed parking surface, remaining green space for the lot, and a statement as to why the waiver is needed. The sketch shall include the dimensions for the lot, proposed parking area and remaining green space, and the petition shall be accompanied by a twenty-five dollar fee. The city council is authorized to hear the petition, and approve or deny such petition given the unique circumstances of each petition, and taking into consideration the surrounding area and lot owner's circumstances, and to provide such conditions as it deems appropriate should such petition be approved. Any waiver granted hereunder shall have a duration as determined by the council, not to exceed two years, and shall thereafter terminate. Each waiver shall further be personal to the applicant, and shall terminate if the application moves from the realty for which the waiver was granted. (Ord. No. 337, § 1, 11-6-17; Ord. No. 324, § 1, 1-4-16; Ord. No. 321, § 1, 11-16-15)

Chapter 10.36STREETS AND THROUGH HIGHWAYS*Sections:

- 10.36.010 Vehicle defined.
- 10.36.020 Through streets and highways designated.
- 10.36.030 Stop or yield required.
- 10.36.040 Authority to designate additional through streets or highways and stop signs at intersections.
- 10.36.050 Stop signs--Compliance required.
- 10.36.060. One-way alley designated.
- 10.36.065. Authority to designate additional one-way streets or alleys.

10.36.010 Vehicle defined. "Vehicle," as used in this chapter, means every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway. (Ord. 104 §6, 1949).

* For statutory provisions authorizing local authorities to designate through highways, see Code of Iowa, 1975, §321.236.

10.36.020 Through streets and highways designated. The following streets and highways in the city are designated as through streets and highways:

- A. U.S. Highway 61 through the city;
- B. Main Street from U.S. Highway 61 East to the city limits;
- C. Northfield Road from Main Street North to the city limits;
- D. Harrison Street from Main Street North to Iowa Street;
- E. Orchard Street from Main Street North to and across North Street;
- F. Middle Street from Northfield Street to Merrill Street;
- G. Middle Street from Curve Street to Highway 61;
- H. North Street from Northfield Street to Minerva;
- I. North Street from Curve Street to Highway 61;
- J. Meadow Street from Harrison Street to Highway 61;
- K. South Street from Curve Street to Highway 61;
- L. Park Avenue from Main Street to Valley Street;
- M. Pine Street from Harrison Street to Northfield Street;
- N. Maple Street from Harrison Street to Northfield Street;
- O. Prairie Street from Sunnyside Street to Northfield Street. (Res. adopted 2-5-69; Ord. 104 §1, 1949).

10.36.030 Stop or yield required. Every driver of a vehicle shall stop in accordance with the following:

- A. Vehicles traveling north on Patsy Street, signs at South, Main, Middle, and North Streets.
- B. Vehicles traveling south on Patsy Street, signs at North, Middle, Main, South, and Meadow Streets.
- C. Vehicles traveling north on Green Acres Drive, a sign at Meadow Street.
- D. Vehicles traveling north on Washington Street, signs at South, Main, Middle, and North Streets.

- E. Vehicles traveling south on Washington Street, signs at Middle, Main, South, and Meadow Streets.
- F. Vehicles traveling north on Andrew Street, signs at South, Main, Middle, and North Streets.
- G. Vehicles traveling south on Andrew Street, signs at Middle, Main, South, and Meadow Streets.
- H. Vehicles traveling north on Blaine Street, a sign at Meadow Street.
- I. Vehicles traveling north on Curve Street, signs at Main, Middle, North Streets and Highway 61.
- J. Vehicles traveling south on Curve Street, signs at North, Middle, Main and Meadow Streets.
- K. Vehicles traveling north on Rock Island Road, a sign at Meadow Street.
- L. Vehicles traveling south on Rock Island Road, a sign at Meadow Street.
- M. Vehicles traveling north on Sunnyside Street, a sign at Meadow Street.
- N. Vehicles traveling north on Orchard Street, a sign at Iowa Street.
- O. Vehicles traveling south on Orchard Street, a sign at Main Street.
- P. Vehicles traveling north on Harrison Street, signs at Main, North, Columbia and Iowa Streets.
- Q. Vehicles traveling south on Harrison Street, signs at Columbia, North, Main and Prairie Streets.
- R. Vehicles traveling north on Cedar Street, signs at Maple and Pine Streets.
- S. Vehicles traveling south on Cedar Street, signs at Maple and Prairie Streets.
- T. Vehicles traveling north on Southwind Drive, a sign at Prairie Street.
- U. Vehicles traveling north on Park Street, signs at North, Columbia and Valley Streets.
- V. Vehicles traveling south on Park Street, signs at Columbia, North and Main Streets.
- W. Vehicles traveling north on Northfield Street, signs at Main and Iowa Streets.
- X. Vehicles traveling south on Northfield Street, signs at Main and Iowa Streets.
- Y. Vehicles traveling north on Maple Drive, signs at Pine Street.
- Z. Vehicles traveling north on Sperry Street, a sign at Huron Street.

AA. Vehicles traveling north on Harper Street, a sign at Middle Street.

BB. Vehicles traveling south on Harper Street, a sign at Main Street.

CC. Vehicles traveling north on Minerva Street, signs at Middle and North Streets.

DD. Vehicles traveling south on Minerva Street, signs at Middle and Main Streets.

EE. Vehicles traveling north on Merrill Street, a sign at North Street.

FF. Vehicles traveling south on Merrill Street, a sign at Main Street.

GG. Vehicles traveling north on Lofgren Drive, a sign at Main Street.

HH. Vehicles traveling north on Centennial Drive, signs at east intersection of Pine Street and Main Streets.

II. Vehicles traveling north on Laci Dru Drive, a sign at Pine Street.

JJ. Vehicles traveling north on Lea Darci Drive, a sign at Main Street.

KK. Vehicles traveling west on Jacara Drive, a sign at Highway 61.

LL. Vehicles traveling east on Iowa Street, signs at Harrison and Northfield Streets.

MM. Vehicles traveling west on Iowa Street, a sign at Harrison Street.

NN. Vehicles traveling east on High Street, signs at Orchard, Harrison and Northfield Streets.

OO. Vehicles traveling west on High Street, signs at Harrison and Orchard Streets.

PP. Vehicles traveling east on Valley Street, a sign at Northfield Street.

QQ. Vehicles traveling west on Valley Street, a sign at Harrison Street.

RR. Vehicles traveling east on Columbia Street, signs at Highway 61, Patsy, Orchard, Harrison and Park Streets.

SS. Vehicles traveling west on Columbia Street, signs at Harrison, Orchard Streets, and Highway 61.

TT. Vehicles traveling east on North Street, signs at Highway 61, Orchard, Northfield and Merrill Streets

UU. Vehicles traveling west on North Street, signs at Merrill, Northfield, Orchard Streets and Highway 61.

VV. Vehicles traveling east on Middle Street, signs at Highway 61, Orchard, Harrison, Park, Northfield, and Merrill Streets.

WW. Vehicles traveling west on Middle Street, signs at Merrill, Northfield, Park, Harrison, Orchard Streets, and Highway 61.

XX. Vehicles traveling east on Main Street, signs at Highway 61, Harrison and Main Streets.

YY. Vehicles traveling west on Main Street, signs at Northfield, Harrison Streets, and Highway 61.

ZZ. Vehicles traveling east on Main Street alley, a sign at Harrison Street.

AAA. Vehicles traveling east on South Street, a sign at Curve Street.

BBB. Vehicles traveling west on South Street, a sign at Highway 61.

CCC. Vehicles traveling east on Meadow Street, a sign at Harrison Street.

DDD. Vehicles traveling west on Meadow Street, a sign at Highway 61.

EEE. Vehicles traveling east on Maple Street, a sign at Northfield Street.

FFF. Vehicles traveling west on Maple Street, a sign at Harrison Street.

GGG. Vehicles traveling east on Pine Street, signs at Northfield Street, Centennial and Lea Darci Drive.

HHH. Vehicles traveling west on Pine Street, signs at Centennial, Lofgren Drive, Northfield and Harrison Streets.

III. Vehicles traveling east on Prairie Street, a sign at Northfield Street.

JJJ. Vehicles traveling east on Huron Street, a sign at Lofgren Drive.

KKK. Vehicles traveling west on Huron Street, a sign at Northfield Street.

LLL. Vehicles traveling west on Mack Lane, a sign at Highway 61.

MMM. Pursuant to the authority set forth at Mediapolis City Code Section 10.36.040 and Iowa Code Sec-

tion 321.255, permanent "Yield signs" shall be in use on North Northfield Street near the crosswalk to the entrance of the high school.

NNN. All vehicles traveling south on Orchard Street, a sign at North Street.

OOO. All vehicles traveling north on Orchard Street, a sign at North Street.

PPP. All vehicles traveling east on Iowa Street, a yield sign at Orchard Street.

QQQ. All vehicles traveling west on Columbia Street, a yield sign at Curve Street.

RRR. All vehicles traveling west on Huron Street, a stop sign at Lofgren Street.

SSS. All vehicles traveling south on Centennial Street, a stop sign at Huron Street. (Ord. 275 § 1, 2008; Ord. 268 § 1, 2006; Ord. 247 § 2, 2003).

(Ord. 280, § 1, 8-18-08; Ord. 285, § 1, 4-20-09)

10.36.040 Authority to designate additional through streets or highways and stop signs at intersections. The council may from time to time, by resolution, designate other streets in the city as through streets or highways, or designate other intersections of streets at which stops shall be made, and provide for the placing of stop signs thereat. (Ord. 104 § 4, 1949).

10.36.050 Stop signs--Compliance required. Every driver of a vehicle shall stop the vehicle at such signs provided for in Sections 10.36.030 and 10.36.040 before entering any street or highway at the entrance to which such signs have been erected, and shall stop the vehicle when approaching such "school zone" when movable signs have been placed at the limits of the zone, except when directed to proceed by a police officer. (Ord. 104 § 5, 1949).

10.36.060. One-way alley designated. The alley way in the City of Mediapolis is hereby designated as a one-way alley:

A. The alley directly south and parallel to Main Street, running from Rock Island Road to South Harrison Street. One-way traffic shall flow from west to east, and exit on South Harrison Street.

(Ord. No. 319, § 1, 7-6-15)

10.36.065. Authority to designate additional one-way

streets or alleys. The council may from time to time, by resolution, designate other streets or alleys in the city as one-way streets or alleys.

(Ord. No. 319, § 2, 7-6-15)

Chapter 10.40CONTROLLED-ACCESS FACILITIES*Sections:

- 10.40.010 Ordinance to be deemed an exercise of police power.
- 10.40.020 Controlled-access facility defined.
- 10.40.030 Unlawful use of facility.
- 10.40.040 Established.
- 10.40.050 Driveways and entrances provided for access-- Designated.
- 10.40.060 Parking prohibited where.
- 10.40.070 Maximum speed limits designated.

10.40.010 Ordinance to be deemed an exercise of police power. The ordinance codified in this chapter shall be deemed an exercise of the police power of the city under Chapter 148, Acts of the Fifty-Sixth General Assembly of the state, for the preservation of the public peace, health, safety and the promotion of the general welfare. (Ord. 112 §1, 1958).

10.40.020 Controlled-access facility defined. For the purpose of this chapter, a "controlled-access facility" means a highway or street especially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have a controlled right of easement of access, light, air or view by reason of the fact that their property abuts upon such controlled-access facility or for any other reason. (Ord. 112 §2, 1958).

10.40.030 Unlawful use of facility. It is unlawful for any person to:

A. Drive a vehicle over, upon or across any curb, central dividing section or other separation or dividing line on such controlled-access facilities;

B. Make a left turn or a semicircular or U-turn except through an opening provided for that purpose in the dividing curb section, separation or line;

* For statutory provisions concerning controlled-access highways, Code of Iowa, 1975, Ch. 306A. For provisions authorizing local authorities to raise speed limits on controlled-access highways, see Code of Iowa, 1975, §321.293.

C. Drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section or line;

D. Drive any vehicle into the controlled-access facility from a local service road except through an opening provided for that purpose in the dividing curb or dividing section or dividing line which separates such service road from the controlled-access facility property. (Ord. 112 §3, 1958).

10.40.040 Established. There are fixed and established controlled-access facilities on the primary road system extension improvement, Project No. F-301(4), Primary Road No. 61, within the city, described as follows: beginning at the south corporation line (Sta. 637 11.4), thence north on present alignment to the north corporation line. (Sta. 690 16.0, regulating access to and from abutting properties along the highway, from Sta. 637 11.4 to Sta. 690 16.0, all in accordance with the plans for such improvement identified as Project No. F-301(4) on file in the office of the city clerk. (Ord. 112 §4, 1958).

10.40.050 Driveways and entrances provided for access--
Designated. The following is a list of driveways and entrances provided for access to and from the controlled-access facility and properties abutting thereon:

<u>Station</u>	<u>Side</u>	<u>Purpose</u>
637+15	West	Agricultural
637+20	East	Residential
651+13	East	Commercial
653+57	West	Residential
654+53	East	Residential
655+29	East	Agricultural
659+66	East	Commercial
662+65	West	Commercial
662+79	East	Commercial
664+90	East	Commercial
670+82	East	Commercial
671+68	East	Commercial
673+13	East	Residential
674+87	East	Residential
676+88	East	Agricultural
679+69	East	Residential
680+19	West	Residential
685+00	East	Commercial
688+78	West	Commercial
690+08	East	Commercial.

(Ord. 112 §5, 1958).

10.40.060 Parking prohibited where. No person shall at any time stand or park any vehicle on the Primary Road No. 61 within the city or for a distance of thirty-five feet from the back of the sidewalk line of intersecting street approaches to the highway. (Ord. 112 §6, 1958).

10.40.070 Maximum speed limits designated. It is determined that the speed permitted by state law upon Highway No. 61 within the city is less than is necessary for the safe operation of vehicles thereon, and the maximum speed limits of vehicles upon the highway within the city are established as follows:

- A. Northbound vehicles:
 - 55 miles per hour from Sta. 637+11.4 to Sta. 649+00,
 - 35 miles per hour from Sta. 649+00 to Sta. 678+00,
 - 55 miles per hour from Sta. 678+00 to Sta. 690+16;
- B. Southbound vehicles:
 - 55 miles per hour from Sta. 690+16 to Sta. 678+00,
 - 35 miles per hour from Sta. 678+00 to Sta. 657+00,
 - 55 miles per hour from Sta. 657+00 to Sta. 637+11.4. (Ord. 112 §7, 1958).

Chapter 10.44

SCHOOL ZONE

Sections:

10.44.010 Designated.

10.44.010 Designated. There is designated as a "school zone" that part of Northfield Road in the city which begins with the line of the intersection of the street with the south line of Iowa Street and ends with the north line of the north entrance of the school driveway. (Ord. 104 §3, 1949).

Chapter 10.46GOLF CARTS ON CITY STREETSSections:

10.46.010 Generally.

10.46.010 Generally. Golf carts will be allowed to be operated on city streets by persons possessing a valid operator's license. A golf cart shall not be operated upon a city street which is a primary road extension through the city but shall be allowed to cross a city street which is a primary road extension through the city. The golf carts shall be equipped with a "slow moving vehicle" sign and a bicycle safety flag and operate on the street only from sunrise to sunset. Golf carts operated on city streets shall be equipped with adequate brakes and shall meet any other safety measures required by the state of Iowa. (Ord. 170 §1, 1982).

Chapter 10.48TRUCK ROUTES AND PARKINGSections:

10.48.005 Definitions.
 10.48.010 Truck having no fixed terminal--Designated route.
 10.48.020 Truck having fixed terminal--Restricted route.
 10.48.030 Parking restrictions.
 10.48.040 Knowing and permitting contrary operation prohibited.

10.48.005 Definitions. "Truck" means every motor vehicle weighing five tons or more, when loaded or empty, including but not limited to motor truck, semi-trailer or other motor vehicle with trailer attached, and buses. (Ord. 184 §1(part), 1989).

10.48.010 Truck having no fixed terminal--Designated route. Every truck having no fixed terminal within the city or making no scheduled or definite stops within the city for the purpose of loading or unloading shall travel over or upon the following streets within the city and none other:

A. All of Curve, Main, N. Northfield and Rock Island Streets; and

B. That part of Meadow, Middle and North Streets from Highway 61 to Harrison Street; and

C. Harrison Street from North Street to Meadow Street. (Ord. 184 §1(part), 1989).

10.48.020 Truck having fixed terminal--Restricted route. Any truck having a fixed terminal, making a scheduled stop within the city for the purpose of loading or unloading shall proceed over or upon the designated routes set out in Section 10.48.010 to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from the designated route. (Ord. 184 §1(part), 1989).

10.48.030 Parking restrictions. A. Trucks may be parked only upon the following streets within the city and none other:

1. Main Street from Andrew to Curve and from Park to Northfield; and

2. Curve Street from Main to South Street.

B. Except as provided in this chapter no person shall park a truck within the city except if the truck is engaged in the delivery or receiving of merchandise or cargo or passengers. At no such time shall trucks engaged in delivery or receiving of merchandise, cargo or passengers be left unattended. (Ord. 184 §1(part), 1989).

10.48.040 Knowing and permitting contrary operation prohibited. The owner, or any other person, employing or otherwise directing the driver of any truck shall not require or knowingly permit the operation or parking of the truck upon a street in any manner contrary to this section. (Ord. 184 §1(part), 1989).

Chapter 10.50

SAFETY BELTS AND SAFETY HARNESSSES--USE REQUIRED

Sections:

- 10.50.010 Vehicles equipped.
- 10.50.020 Exceptions.
- 10.50.030 Persons responsible.
- 10.50.040 Exception for physically handicapped.

10.50.010 Vehicles equipped. Except for motorcycles or motorized bicycles, 1966 model year or newer motor vehicles subject to registration in Iowa shall be equipped with safety belts and safety harnesses of a type approved by the laws of the state of Iowa and installed in accordance with these laws.

The driver and front seat occupants of a type of motor vehicle which is subject to registration in Iowa, except a motorcycle or a motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in this city except that a child under six years of age shall be secured as required under Section 321.446 of the Code of Iowa. (Ord. 177 §1(part), 1988).

10.50.020 Exceptions. The foregoing section shall not apply to:

A. The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses under rules adopted by the Iowa Department of Transportation;

B. The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five miles per hour between stops;

C. Passengers on a bus;

D. A person possessing a written certificate from a physician on a form provided by the Iowa Department of Transportation that the person is unable to wear a safety belt or safety harness due to physical or medical reasons. The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve months, at which time a new certification may be issued;

E. Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However, this exemption does not apply to the driver of the authorized emergency vehicle. (Ord. 177 §1(part), 1988).

10.50.030 Persons responsible. The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under Section 10.50.010, and the owner of the motor vehicle may be charged for equipment violations under said section. (Ord. 177 §1(part), 1988).

10.50.040 Exception for physically handicapped. Section 10.50.010 shall not be applicable to front seats and front seat passengers of motor vehicles owned, leased, rented or primarily used by physically handicapped persons who use collapsible wheelchairs. (Ord. 177 §1(part), 1988).

Title 11

(RESERVED)

Title 12STREETS, SIDEWALKS AND PUBLIC PLACES*Chapters:

<u>12.02</u>	<u>Streets</u>
<u>12.04</u>	<u>Sidewalks</u>
<u>12.06</u>	<u>Bicycles, Rollerskates, In-Line Skates, Skateboards and Similar Vehicles Prohibited in Certain Areas</u>
<u>12.08</u>	<u>Trees and Shrubbery</u>
<u>12.12</u>	<u>Park Regulations</u>

- * For statutory provisions making the city responsible for the care, supervision and control of public streets and sidewalks, see Code of Iowa, §364.12. For provisions relating to damage to streets, see Ch. 10.16 of this code. For provisions on through streets and highways, see Ch. 10.36 of this code. For provisions on controlled-access facilities, see Ch. 10.40 of this code.
Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

Chapter 12.02STREETSSections:

12.02.010 Street construction requirements.

12.02.010 Street construction requirements. The construction of any new streets in the city of Mediapolis, be it for condominium, personal access, or other use, shall conform to the requirements of the Mediapolis Subdivision Ordinance, Section 6(E). (Ord. 233 §2, 2001).

Chapter 12.04SIDEWALKSSections:

- 12.04.010 Owner defined.
- 12.04.020 Maintenance--Duty of owners of abutting property.
- 12.04.030 Authority of council to order repairs--Notice--Completion date.
- 12.04.040 Repair notice--Contents--Service.
- 12.04.050 Repair notice--Failure to comply--Action by city.
- 12.04.060 Ice and snow removal--Responsibility--To be completed when.
- 12.04.070 Ice and snow removal--Failure to comply--Action by city--Costs.
- 12.04.080 Obstruction of sidewalks prohibited--Exception.

12.04.010 Owner defined. For the purpose of this chapter, "owner" includes the owner of any premises upon which there is located a public sidewalk or premises which abuts or adjoins a sidewalk. (Ord. 155 §1, added during 1976 codification).

12.04.020 Maintenance--Duty of owners of abutting property. It is the duty of all owners of property located in the city to repair, maintain and care for all sidewalks located on or adjoining or abutting the property. (Ord. 155 §2, added during 1976 codification).

12.04.030 Authority of council to order repairs--Notice--Completion date. The council shall have the authority to order a property owner to repair any broken sidewalks for which the owner is, by the terms of this chapter, made responsible and upon notice to the owner, the repair shall be accomplished within sixty days following the receipt of such notice. (Ord. 155 §3, added during 1976 codification).

12.04.040 Repair notice--Contents--Service. The notice required by Section 12.04.030 of this chapter shall be personally served upon the owner of the property by the mayor of the city. In the event the owner cannot be located, the mayor shall certify that fact in writing with the city clerk. The notice shall then be sent by certified mail to the owner, signed by the mayor and clerk, and shall contain a brief statement of the repair required for the purpose of maintenance of the sidewalk. (Ord. 155 §4, added during 1976 codification).

12.04.050 Repair notice--Failure to comply--Action by city. In the event a property owner fails to comply with a notice to repair a sidewalk within sixty days following the service of such notice, then the city may cause repair to be made and all costs thereof shall, by resolution of the council, be certified to the county auditor to be assessed against the property involved. (Ord. 155 §5, added during 1976 codification).

12.04.060 Ice and snow removal--Responsibility--To be completed when. It is made the duty of all property owners, occupants, lessees, tenants or persons in charge to remove all accumulations of ice and snow from the sidewalks for which they are, by this chapter, responsible within a period of twenty-four hours following the deposit of such ice and snow. (Ord. 155 §6, added during 1976 codification).

12.04.070 Ice and snow removal--Failure to comply--Action by city--Costs. In the event of a failure of the owner to remove accumulations of ice and snow the council is empowered to provide for the removal of such ice and snow at a cost of fifty cents per running feet; and in the event of a refusal of the owner to pay the costs of removal the council may, by resolution, certify the same to the county auditor to be assessed against the property. (Ord. 155 §7, added during 1976 codification).

12.04.080 Obstruction of sidewalks prohibited--Exception. No person in the city shall obstruct any sidewalk in the city without the permission of the council; and it is a violation of this chapter for any person to place a device upon any sidewalk in the city whereby the same will impede the normal flow of pedestrian traffic. (Ord. 155 §8, added during 1976 codification).

Chapter 12.06

BICYCLES, ROLLERSKATES, IN-LINE SKATES, SKATEBOARDS AND SIMILAR VEHICLES PROHIBITED IN CERTAIN AREAS

Sections:

- 12.06.010 Operation prohibited where.
- 12.06.020 Signage.
- 12.06.030 Exclusions.
- 12.06.040 Definitions.

12.06.010 Operation prohibited where. In the downtown business district along both sides of Main Street from Curve Street on the west and Harrison Street on the east and on both sides of Orchard Street from Main Street to Middle Street, it is unlawful for any person to ride a bicycle, propel roller skates, in-line skates, skateboards, or similarly unmotorized vehicles on any sidewalk. (Ord. 229 §1(part), 2000).

12.06.020 Signage. In those areas designated by the council, signage shall be posted in conspicuous places indicating that operation of the above-referenced vehicles is prohibited within that area. (Ord. 229 §1(part), 2000).

12.06.030 Exclusions. Wheelchairs and other similar vehicles for the transportation of the handicapped, baby carriages and strollers for transportation of young persons, handcarts and other similar vehicles used for delivery of personal property or used in construction are excludable from this prohibition. (Ord. 229 §1(part), 2000).

12.06.040 Definitions. As used in this chapter:
"Roller skates" means a shoe with wheels attached or a device with wheels designed to be attached to a shoe.
"Skateboard" means a wheeled device designed to transport a rider in position, which device is not otherwise secured to a rider's feet or shoes. (Ord. 229 §1(part), 2000).

Chapter 12.08TREES AND SHRUBBERYSections:

- 12.08.010 Duty of property owner.
 12.08.020 Failure to maintain or remove--Action by city--Costs.

12.08.010 Duty of property owner. The abutting property owner shall have the responsibility for the care, removal and maintenance of all trees and shrubbery upon the public streets. This includes the area between the sidewalk and the curblineline. This chapter specifically refers to removal of diseased trees and the removal of trees or limbs felled by storms or any other means. (Ord. 121 § 1, 1962).

12.08.020 Failure to maintain or remove--Action by city--Costs. In the event that the trees and shrubbery are not properly maintained or that fallen trees or limbs are not removed within a reasonable length of time, the city shall have the power to so maintain or remove the trees or shrubbery and to assess the actual cost thereof against the property owner. (Ord. 121 § 2, 1962).

Chapter 12.12PARK REGULATIONSSections:

- 12.12.010 Purpose.
 12.12.020 Parking.
 12.12.030 Use of drives required.
 12.12.040 Fires.
 12.12.050 Littering.
 12.12.060 City park hours.
 12.12.070 Commercial use.
 12.12.080 Band shell use.
 12.12.100 Park regulations.

12.12.010 Purpose. The purpose of this chapter is to facilitate the enjoyment of park facilities by the general public for establishing rules and regulations governing the use of park facilities. (Ord. 200 §1(1), 1996).

12.12.020 Parking. All vehicles shall be parked in designated parking areas. (Ord. 200 §1(2), 1996).

12.12.030 Use of drives required. No person shall drive any car, cycle or other vehicle, or ride or drive any horse, in any portion of a park except upon the established drives or roadways therein or such other places as may be officially designated by the city. (Ord. 200 §1(3), 1996).

12.12.040 Fires. No fires shall be built, except in a place provided therefor, and such fire shall be extinguished before leaving the area unless it is to be immediately used by some other party. (Ord. 200 §1(4), 1996).

12.12.050 Littering. No person shall place, deposit or throw any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose. (Ord. 200 §1(5), 1996).

12.12.060 City park hours. A. All public parks shall be closed to the public between the hours of ten p.m. until six a.m. of the next day. All persons in any public park at the stated closing hour must promptly leave and no one shall enter or remain in the park during the hours when the park is closed.

B. The time restrictions provided under this section may be waived upon written approval issued by the city clerk. (Ord. 200 §1(6), 1996).

12.12.070 Commercial use. City parks may not be used for any commercial or profit-making activities of any kind without prior consent of the city council. Upon receiving the consent of the city council, the city clerk shall issue a license to conduct the activity on a given date or dates defined by the applicant. Before issuing such license the city clerk may require the following from the applicant:

A. Written application setting forth dates, time, intended purpose and description of activity for which applicant intends to use city park;

B. Certificate of liability insurance from insurance carrier approved by city clerk providing minimum coverage of three hundred thousand dollars of combined bodily injury and property damage per occurrence and with city of Mediapolis, Iowa, named as an additional insured;

C. To execute a hold harmless and indemnification agreement in such form as approved by the city clerk;

D. License fee in the amount of fifty dollars or such amount as may be established by the city council. (Ord. 200 §1(7), 1996).

12.12.080 Band shell use. A. The band shell erected at the northwest corner of the park shall not be open for public use and the city shall be and is hereby authorized to secure said facility as it deems practical. Said band shell may be used for commercial or public use pursuant to the licensing provisions of Section 12.12.070 of this chapter.

B. At no time shall anyone ride bicycles, skateboards, roller skates, roller blades, or engage in similar activity on the city band shell platform located in the northwest corner of the park, nor shall said individuals ride/jump such items (bicycles, roller blades, roller skates, skateboards) from the band shell platform to the ground/concrete surface below. No person shall further use any city property (picnic tables, trash receptacles, pavilions) as props for skateboarding, roller blading, roller skating, bicycle riding, or in any other manner while engaging in such activities. (Ord. 267 § 1, 2006).

12.12.100 Park regulations. The city shall be and is hereby authorized to erect signage setting forth the park regulations contained in this chapter, and other municipal regulations set forth in this chapter or throughout the Mediapolis Municipal Code, as the council may deem appropriate. (Ord. 267 § 4, 2006).

Title 13

UTILITIES*

Chapters:

- 13.04 Connections to Sewer System
- 13.08 Sewer Rental
- 13.12 Connections to Water System
- 13.16 Water Rates
- 13.20 Utility Use Charges
- 13.24 Restrictions on Location of Contaminants near Public Water Wells

Chapter 13.04

CONNECTIONS TO SEWER SYSTEM**

Sections:

- 13.04.010 Purpose.
- 13.04.020 Definitions.
- 13.04.030 Connection required--When.
- 13.04.040 Permit--Required--Application--Contents--Issuance--Fees--Work commencement.
- 13.04.050 Permit--Revocation--Appeal.
- 13.04.060 Permit--Fee.
- 13.04.070 Special connection charge.
- 13.04.080 Joint sewer permitted when.
- 13.04.090 Pipe and foundation quality criteria.
- 13.04.100 Grade--Offsetting.
- 13.04.110 Excavations--Exposure of water or sewer pipes to frost.

* For statutory provisions concerning city utilities, see Code of Iowa, 1975, Ch. 388. For provisions authorizing a city to grant franchises for the operation of utilities, see Code of Iowa, 1975, §364.2.

** For statutory provisions authorizing a city to require connection to a public sewer system, see Code of Iowa, 1975, §364.12.

Editor's Note: For the name of the electric and natural gas franchisee and franchise expiration date, see the Ordinance Disposition Table, Ords. 113 and 114A. Any violations of any of the provisions of this title shall be punished as set forth in Ch. 108 of this code.

Sections: (Continued)

- 13.04.120 Making the connection.
- 13.04.130 Unlawful discharges into sanitary sewer.
- 13.04.140 Inspection-Approval-Right of entry.
- 13.04.150 Completion by city-Assessment.
- 13.04.160 Application-Enforcement-Supervision of work.
- 13.04.170 Property owners responsibility.

13.04.010 Purpose. The purpose of this chapter is to establish the procedure and regulations to be followed in making private connections to the public sanitary sewers of the city in order to protect the public health, safety and welfare. (Ord. 142 §1, added during 1976 codification).

13.04.020 Definitions. For use in this chapter the following terms are defined:

A. "Building drain" means that part of the lowest piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, which begins three feet outside the building wall.

B. "Building sewer" means that part of the horizontal piping of a drainage system that extends from the end of the building drain, receiving the discharge of the building drain and conveying it to a public sanitary sewer, private sanitary sewer, individual sewage disposal system or other point of disposal.

C. "Person" means any individual person, partnership, corporation or other association.

D. "Private sewer" means a sanitary building drain and sewer privately owned and not directly controlled by public authority.

E. "Public sewer" means a common sanitary sewer directly controlled by public authority.

F. "Sanitary sewer" means a pipe that carries sewage and excludes storm, surface and ground water.

G. "Sewage" means any liquid waste containing animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution. (Ord. 142 §2, added during 1976 codification).

13.04.030 Connection required-When. The owners of all residences and business establishments intended or used for

human habitation, occupancy, or uses, which abut public sewers, must connect their sewage facilities to the public sewers. (Ord. 142 §4, added during 1976 codification).

13.04.040 Permit-Required-Application-Contents-Issuance-Fees-Work commencement. Before any person opens, uncovers, or in any manner makes a connection with or modifies any part of the public sewers, he must obtain a written permit from the city. The application for the permit shall be filed on blanks furnished by the city. The application shall include a legal description of the property, the name of the property owner, the amount and date of any prior assessment for construction of the public sewers, a general description of the materials to be used and the manner of construction, the line of the building sewer and the place of connection, if known, the intended use of the sewer, and the name and address of the person who will do the work. The permit shall be issued bearing the time and date of issuance, if the proposed work meets all the requirements of this chapter and if all fees required under this chapter have been paid. Work under any permit must be begun within six months after it is issued. (Ord. 142 §5, added during 1976 codification).

13.04.050 Permit-Revocation-Appeal. The sewer maintenance man may at any time revoke the permit for any violation of this chapter and require that the work be stopped. The owner or plumber may appeal such action to the city council. (Ord. 142 §6, added during 1976 codification).

13.04.060 Permit-Fee. Before any permit is issued, the person who makes the application shall pay two hundred dollars to the office of the city clerk to cover the cost of supervising, regulating and inspecting the work. (Ord. 165, 1980; Ord. 142 §7, added during 1976 codification).
(Ord. 287, § 1, 6-1-09)

13.04.070 Special connection charge. If the property to be connected to a public sewer has not been assessed for any part of the cost of construction of the public sewers, or has been assessed only as an unimproved lot, the owner shall pay a special connection charge to the city for the use of the public sewers before the permit is issued. The amount of this fee shall be an equitable portion of the cost of the public sewers in relation to the benefits received by the property,

subject to approval modification or revocation by the city council at its regular meetings. (Ord. 142 §8, added during 1976 codification).

13.04.080 Joint sewers permitted when. In no case shall a joint sewer be allowed where the property abuts on a street, alley or easement in which there is a public sewer. Other buildings in adjacent areas which are required to be connected shall be separately and independently connected to the public sewers unless the city council in a duly adopted resolution specifically permits joint connections, in accordance with plans approved by the council. (Ord. 142 §9, added during 1976 codification).

13.04.090 Pipe and foundation quality criteria. Building sewer pipes shall be of the best quality, free from flaws, splits or breaks. They shall be laid on a smooth bottom with bell holes cut in the bottom of the trench so that the length between the bells has a perfect bearing on the ground. Joints between the bell and the spigot shall be watertight, gastight and rootproof. All sewer pipes must be laid in such a manner as to prevent rupture by settlement or freezing. (Ord. 142 §10, added during 1976 codification).

13.04.100 Grade-Offsetting. All sewer pipes shall be laid with a uniform grade from the building to the public sewer and no offsetting will be allowed without written permission from the council. (Ord. 142 §11, added during 1976 codification).

13.04.110 Excavations-Exposure of water or sewer pipes to frost. A. Excavations to do work under this chapter shall be dug so as to occasion the least possible inconvenience to the public and to provide for the passage of water along the gutter. All such excavations shall have proper barricades at all times, and warning lights placed from one-half hour before sunset to one-half hour after sunrise. In refilling the excavation, the earth must be laid in layers and each layer tamped thoroughly to prevent settlement, and this work, and any street, sidewalk, pavement or other public property that is affected must be restored to as good a condition as it was previous to the excavation. The plumber must maintain the affected area in good repair to the satisfaction of the city council for three months after refilling.

B. No excavation shall be made within six feet of any laid water pipe while the ground is frozen, and no wa-

ter or sewer pipe shall be exposed to frost, except by special written permission of the council. (Ord. 142 §12, added during 1976 codification).

13.04.120 Making the connection. Any connection with a public sewer must be made under the direct supervision of the sewer maintenance man or his authorized assistant. The connection shall be made at the property line with that part of the sewer already extending to the property line. If there is no sewer connection extending from the public sewer to the property line, the maintenance man shall supervise a measurement for the location of the "Y" branch in the public sewer. Excavations shall be made at the point designated by the maintenance man and if no "Y" branch is found there, then the plumber shall connect directly with the public sewer at that point, but only with an approved saddle, and no broken or cut pipe material shall be permitted to remain in the sewer. (Ord. 142 §13, added during 1976 codification).

13.04.130 Unlawful discharges into sanitary sewer. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or waste into a public sanitary sewer:

A. Surface Waters. Any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters;

B. High Temperature. Any liquid or vapor having a temperature higher than one hundred fifty degrees F;

C. Fat, Oil, Grease. Any water or waste which contains more than one hundred parts per million, by weight, of fat, oil or grease;

D. Flammable Materials. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

E. Garbage. Any garbage that has not been properly shredded;

F. Solid or Viscous Substance. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing the obstruction of the flow in sewers or other interference with the proper operation of the city sewage system;

G. Noxious or Malodorous Gas. Any noxious or malodorous gas or other substance which either singly or by

interaction with other wastes is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair;

H. Toxic or Poisonous Substance. Any water or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with the sewage system, that would constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage system;

I. Suspended Solids. Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant;

J. Corrosive Wastes. Any water or wastes having corrosive properties capable of causing damage or hazard to structures, equipment or personnel of the sewage system. Free acids and alkalis of such wastes must be neutralized within a permissible range of pH between 4.5 and 10.0;

K. Slugs. Any wastes that for a duration of fifteen minutes have a concentration greater than five (5) times that of "normal sewage" as measured by suspended solids and B.O.D.;

L. Materials Which React with Water or Wastes. Any waters, wastes, materials or substances which react with water or wastes in the sewer system to release noxious gases, develop color of undesirable intensity, form suspended solids in objectionable concentration or create any other condition deleterious to structures and treatment processes;

M. Special Agreements Permitted. No statement in this section shall be construed as preventing any special agreement, arrangement or contract between the council, and any industrial concern whereby an industrial waste of unusual strength or character may be accepted subject to special conditions, rate and cost as established by the council;

N. Surface Water, Rain Water, Stormwater Prohibited.

1. No surface water, rain water or stormwater shall be discharged into the city sanitary sewer system unless the party desiring to do so first obtains a special permit issued by the Mediapolis city council when such discharge may be deemed an emergency or may be deemed necessary or advisable for purposes of flushing, but any

such permit shall be for a limited time and shall be subject to revocation at any time when the Mediapolis city council, in its sole discretion, deems it to be in the best interest of the sanitary sewer system.

2. The sewer maintenance man or his representative must be present when the basement for any structure is poured to insure that there is no illegal connection to the city sewer for the purpose of draining surface water, stormwater or rainwater. The owner shall give the city at least twenty-four hours' notice prior to the basement being poured. If the basement is poured during normal working hours there shall be no charge for the inspection. If the basement is poured after normal working hours or on a weekend, all overtime charges for the employees' time shall be the responsibility of the property owner. Failure to have the work inspected during construction shall result in the connection being inspected via camera and all the associated costs thereof shall be the responsibility of the property owner. Noncompliant connections shall be remediated at the at the expense of the property owner. The sewer maintenance man shall have the right, but not the obligation, to remedy any work done in violation of this provision, and the city shall assess any cost incurred herein to the property owner. Such assessment shall be collected with and in the same manner as general property taxes. (Ord. 197 §1, 1996).

(Ord. 301, §§ 1, 2, 4-4-11)

13.04.140 Inspection--Approval--Right of entry. All private sewers and their connections with the public sewers must be inspected and approved in writing by the sewer maintenance man before they are covered, and he shall keep a record of such approvals in his office. If he refuses to approve the work, the plumber or owner must proceed immediately to correct the work so that it will meet approval. Each person who uses or intends to use the public sewers shall permit the maintenance man or his authorized assistant to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority. (Ord. 142 §15, added during 1976 codification).

13.04.150 Completion by city--Assessment. Should any excavation be left open or partly refilled for twenty-four hours after the private sewer is installed and connected with the

public sewer, or should the work be improperly done, the sewer maintenance man shall have the right to finish or correct the work, and the council shall assess the cost to the property owner. Such assessment shall be collected with and in the same manner as general property taxes. (Ord. 142 §16, added during 1976 codification).

13.04.160 Application--Enforcement--Supervision of work.

The sewer maintenance man shall supervise the installations of private sewers and their connections with public sewers in this city and enforce all regulations pertaining thereto in accordance with this chapter. This chapter shall apply to all replacements of existing sewers as well as to new sewers. (Ord. 142 § 3, added during 1976 codification).

13.04.170 Property owners responsibility. All costs and expenses incident to the installation, connection and maintenance of the private sewer shall be borne by the owner. This shall include all points of the private sewer between and including the connection to the public sewer line and the building which it services. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the private sewer.

(Ord. 277 § 1, 5-19-08)

Chapter 13.08SEWER RENTALSections:

- 13.08.010 Purpose.
- 13.08.020 Sewer district established.
- 13.08.030 Sewer system defined.
- 13.08.040 Rent payment required.
- 13.08.050 Charges designated.
- 13.08.060 Private water systems owners--Rental charge.
- 13.08.070 Special rates.
- 13.08.080 Property lien--Suspension of service when rent is not paid.

13.08.010 Purpose. The purpose of this chapter is to collect from all users and future users of the city sewer system the cost in whole or in part of constructing and maintaining the main sewers and sewage treatment plant in proportion to the service provided or to be provided for each user. (Ord. 122 § 1, 1963).

13.08.020 Sewer district established. The sewer district is as established in Ordinance 98 of the city, and the district consists of the entire corporate limits of the city. (Ord. 122 § 2, 1963).

13.08.030 Sewer system defined. For use within this chapter "sewer system" includes main sewers, sewage pumping stations, treatment and disposal plants, lateral sewers, drainage conduits or channels, and sewer connections in public streets for private property. (Ord. 122 § 3, 1963).

13.08.040 Rent payment required. Every person, firm or corporation whose premises now or hereafter are directly or indirectly served by a connection to the city sewer system shall pay rent to the city at the rate and in the manner provided in Section 13.08.050. (Ord. 122 § 4, 1963).

13.08.050 Charges designated. The sewer rental rate shall be seventy-five percent of the water bill. (Ord. 201(A), 1997).
(Ord. 297, 10-14-10; Ord. No. 318, § 1, 7-6-15)

13.08.060 Private water systems owners--Rental charge. A. Users whose premises have private water systems shall pay as sewer rental the sum of twenty-one dollars per month.

B. The foregoing rates shall be increased by five percent each July 1 unless such increase is waived or modified by resolution of the council prior to the effective date of this increase.

C. Each utility customer shall be assessed a charge of ten dollars per bill for each household or commercial unit serviced by the city, which funds shall contribute to the lagoon project. A household unit for purposes of this section shall constitute a single family home, each unit in a duplex, each apartment unit in an apartment building, and each mobile home in a mobile home park. A household unit shall constitute any other separate and distinct residence within a multi-residential structure constructed for the purpose of housing a separate household. The following multi-unit facilities shall each be assessed a charge of one hundred dollars per monthly bill for a contribution to the lagoon project, to-wit: Mediapolis Community Schools, Prairie Ridge Care & Rehab facility, and the Mediapolis Residential Care Facility. (Ord. 266, 2006; Ord. 201(B), 1997).

(Ord. 297, 10-14-10; Ord. No. 318, § 1, 7-6-15; Ord. No. 329, § 1, 9-6-16)

13.08.070 Special rates. A. Where, in the judgment of the city council, special conditions exist that would make the application of the basic sewer rental inequitable or unfair to either the city or the sewer user, a special rate may be established by the city. Such rates shall be subject to approval by resolution of the city council.

B. Special rates shall be established in the same way for all sewer users under like situations and shall take into account the quantity of sewage and its strength, concentration, and river pollution qualities in general.

C. Whenever sewer users desire special rates they shall, at their own expense, supply the information required by the council to establish special rates. Whenever the city desires to establish special rates the sewer user shall cooperate with the city in obtaining the necessary information at the expense of the city. (Ord. 122 §7, 1963).

13.08.080 Property lien--Suspension of service when rent is not paid. A. The amount of rent charged shall constitute a lien upon that property served by the sewer system and that amount shall be collected in the same manner as other taxes, if payment is not made when due.

B. Water or sewerage service, or both, to the property for which rent has not been paid may be suspended until that payment is made. (Ord. 122 §8, 1963).

Chapter 13.12

CONNECTIONS TO WATER SYSTEM

Sections:

- 13.12.010 Purpose.
- 13.12.020 Authority to make connections to water main.

- 13.12.030 Adoption of 1971 State Plumbing Code--Copies of code and adapting ordinance on file.
- 13.12.040 Connection to public water supply required for residences or business establishments.
- 13.12.050 Permit required--Application contents--Uses--Issuance requirements and date--Commencement of work.
- 13.12.060 Permit--Fee.
- 13.12.065 Water meter.
- 13.12.070 Shutoff valve and waste cock for water-service pipe.
- 13.12.080 Excavations.
- 13.12.090 Property owners responsibility.

13.12.010 Purpose. The purposes of this chapter are to prescribe the procedure to be followed in making private connections with the municipal water system and to establish regulations governing the connections and services therefrom. (Ord. 141 §1, added during 1976 codification).

13.12.020 Authority to make connections to water main. The water maintenance man shall make all connections to the water main. This chapter shall apply to all replacements of existing service pipes as well as new ones. (Ord. 141 §2, added during 1976 codification).

13.12.030 Adoption of 1971 State Plumbing Code--Copies of code and adopting ordinance on file. The installation of any water service pipe and any connection with the municipal water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions, of the 1971 State Plumbing Code as set forth in the 1971 Department Rules, published by the state, which are hereby adopted. An official copy of the 1971 State Plumbing Code as adopted and a certified copy of the ordinance codified in this chapter are on file in the office of the city clerk for public inspection. (Ord. 141 §3, added during 1976 codification).

13.12.040 Connection to public water supply required for residences or business establishments. All residences and business establishments within the city limits intended or used for human habitation, occupancy or use shall be connected

to the public water supply if it is reasonably available and if the building is not furnished with pure and wholesome water from some other source. (Ord. 141 §4, added during 1976 codification).

13.12.050 Permit required--Application contents--Uses--Issuance requirements and

date--Commencement of work. Before any person, firm, corporation or other association makes a connection with the public water system, a written permit must be obtained from the city clerk. The application for the permit shall be filed with the city clerk on blanks furnished by him. The application shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work and the general uses of the water. No different or additional uses will be allowed except by permission of the council. The city clerk shall issue the permit bearing his signature and stating the time of issuance, if the proposed work meets all the requirements of this chapter and if all the fees required under this chapter have been paid. Work under this chapter must be begun within six months after it is issued. (Ord. 141 §5, added during 1976 codification).

13.12.060 Permit--Fee. Before any permit is issued, the person who makes the application shall pay two hundred dollars to the office of the city clerk to cover the cost of installation and water meter. This cost is for three-fourths inch water meter and three-fourths inch parts for hooking to the water main. Larger diameter meter and supplies will be assessed according to the prices at the time of the installation. (Ord. 166, 1980: Ord. 141 §6, added during 1976 codification).

(Ord. 288, § 1, 6-1-09)

13.12.065 Water meter. A. All structures serviced by the public water supply shall have attached to the structure at the point where the water supply system enters the building a water meter. The owner of a structure serviced by the public water supply which is found to not have a water meter shall install a water meter within sixty days of being notified to do so by the city. The city shall provide one water meter at its cost, and replacements will be purchased at the cost of the owner. A replacement meter shall be required when the meter on the structure is damaged beyond normal wear and tear.

Installation of the meter shall be at the owner's expense, and shall comply with the state plumbing code. Any property owner who shall fail to comply with the provisions of this section shall be deemed to have a delinquent account and subject to the provisions of Mediapolis City Code Chapter 13.20.

(Ord. 292, § 1, 10-5-09)

13.12.070 Shutoff valve and waste cock for water service pipe. A. The water maintenance man shall install a main shutoff valve of the inverted key type on the water service pipe near the curb with a suitable lock.

B. The plumber also shall install a shutoff valve and waste cock on every service pipe inside the building near the entrance of the water service pipe into the building; this must be located so that the water can be shut off conveniently and the pipes drained. Where one service pipe is installed to supply more than one customer, there shall be separate shutoff valves inside the building for each customer so that service to one customer can be shut off without interfering with service to the others. (Ord. 141 §7, added during 1976 codification).

13.12.080 Excavations. Excavations to do work under this chapter shall be dug so as to occasion the least possible inconvenience to the public and to provide for the passage of water along the gutter. All such excavations shall have proper barricades at all times and warning lights placed from one-half hour before sunset to one-half hour after sunrise. In refilling the excavation the earth must be laid in layers and each layer tamped thoroughly to prevent settlement, and this work, and any street, sidewalk, pavement or other public property that is affected, must be restored to as good a condition as it was previous to the excavation. The plumber must maintain the affected area for three months after refilling. All water service pipes must be laid so as to prevent rupture by settlement or freezing. No excavation shall be made within six feet of any laid water or sewer pipe while the ground is frozen, and no water or sewer pipe shall be exposed to frost, except by special order of the council. (Ord. 141 §8, added during 1976 codification).

13.12.090 Property owners responsibility. All costs and expenses incident to the installation, connection and main-

tenance of the private water line from the point of the shutoff valve installed near the curb as stated in Section 13.12.070 and the home itself, shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the private water line.
(Ord. 277, § 2, 5-19-09)

Chapter 13.16

WATER RATES

Sections:

- 13.16.010 Purpose.
- 13.16.020 Water rates designated--Building defined.
- 13.16.030 Meter accuracy--Required--Tests--Costs.

13.16.010 Purpose. The purpose of this chapter is to fix water rates. (Ord. 145 § 1, added during 1976 codification).

13.16.020 Water rates designated--Building defined. A. Water shall be furnished at the following monthly rates per building within the city limits:

1. The first one thousand gallons shall be twelve dollars per building.
2. Each additional one thousand gallons shall be seven dollars and seventy-six cents per one thousand gallons.

B. "Building," as used in this chapter, means only those buildings that have water connections and excludes outbuildings unless such buildings also have a water connection. Buildings with multiple water connections shall be charged for each connection. The minimum charge for water shall be twelve dollars per building per month.

C. The foregoing rates shall be increased by five percent each July 1 unless such increase is waived or modified by resolution of the council prior to the effective date of this increase.

D. This rate shall be effective with the July 2015 billing. (Ord. 265, 2006: Ord. 198, 1997).
(Ord. 296, 10-4-10; Ord. No. 317, § 1, 7-6-15)

13.16.030 Meter accuracy--Required--Tests--Costs. A. All water shall be supplied through meters that accurately

measure the amount of water supplied to any building. Any qualified city employee shall make a test of the accuracy of any water meter at any time when requested in writing. If it is found that such meter overruns to the extent of one hundred two percent or more, the cost of the tests shall be paid by the city and a refund shall be made to the customer for the overcharges collected since the last known date of accuracy but not for longer than three months. If the meter is found to be accurate or slow or less than one hundred two percent fast, the patron shall pay the reasonable costs of the tests.

B. The city shall have the right to install water meters at the source point where water enters any building or structure. Upon twenty-four hours' written notice to a property owner, a city employee as directed by the city clerk or public works director shall have the right to enter any building or structure for the purpose of determining the accuracy of any water meter. Any building or property owner who shall refuse to allow such city employee to test the accuracy of any such water meter shall be deemed to have a delinquent account and subject to the provisions of Mediapolis City Code Chapter 13.20.

C. The city has enacted a sump pump and sewer inspection program at the order of the Iowa Department of Natural Resources. The city shall have the right to enter the basement, crawlspace or any other area for the purpose of determining if the home is illegally connected to the sanitary sewer system. Upon ten days' written notice, a city employee or employees shall have the right to enter any building or structure to make such determination. Any building or property owner who shall refuse to allow such employee(s) to make such determination shall be deemed to have a delinquent account and subject to the provisions of Mediapolis Code Chapter 13.20. (Ord. 218 §1, 1998: Ord. 145 §3, added during 1976 codification).
(Ord. 304, § 1, 3-5-12)

Chapter 13.20

UTILITY USE CHARGES

Sections:

13.20.010 Deposit prior to receiving new utility services.

- 13.20.020 Statement of account--Rendered when.
- 13.20.030 Statement of account--Payable when--Delinquent when.
- 13.20.040 Delinquent accounts--Notice--Utility disconnected when--Hearing.
- 13.20.050 Utility disconnection hearing--Procedure.
- 13.20.060 Delinquent fees.
- 13.20.070 Automatic withdrawals from customer account to pay utility bill.

13.20.010 Deposit prior to receiving new utility services. A new customer purchasing a property shall fill out an application for utility service with the city clerk, and shall pay a fifty-dollar deposit. Said deposit shall be refunded without interest after twelve consecutive months of the customer keeping the account current. A new customer renting a property shall pay a one hundred dollar deposit. Customers terminating their utility service shall receive the deposit refund after the final reading has been made and any final utility bills have been paid in full. (Ord. No. 333, § 1, 3-20-17; Ord. 224 §1(part), 2000).

13.20.020 Statement of account--Rendered when. The city clerk shall on or before the first day of each month render statements of account to each utility patron in the city for the prior period's utility services at the then effective rate. (Ord. 224 §1(part), 2000).

13.20.030 Statement of account--Payable when--Delinquent when. All utility service accounts shall be due and payable on the twentieth day of the month (or the Monday following if the twentieth falls on a weekend) subsequent to the month for which the statement of account is rendered. Any account not paid in full by the due date shall be considered a delinquent account. (Ord. 224 §1(part), 2000).

13.20.040 Delinquent accounts--Notice--Utility disconnected when--Hearing. Immediately after an account becomes delinquent, the city clerk shall cause to be served by first class

mail, a notice of delinquency termination setting forth the amount of the original account. The notice shall further state that if the account is not paid within ten days from the date of the notice, or if an application for hearing with reference to the delinquency has not been made within the ten-day period, the utility services shall be disconnected and terminated. Any patron whose account is delinquent may request a hearing on the delinquency termination notice by making application therefor in writing or personally at the office of the city clerk; the request for hearing shall set forth the reasons the patron desires the hearing. (Ord. 224 §1(part), 2000).

13.20.050 Utility disconnection hearing-Procedure. Termination hearings shall be held before a hearing board consisting of the mayor and the city council. Termination hearings shall be held at the next regular meeting of the city council after the hearing request is made. The hearing shall be conducted and the board shall proceed under the rules and regulations promulgated by the city council and the laws of the state. Should the hearing board determine that the withholding of payment by the patron is unjustified; it shall direct termination of utility services within five days of such determination in lieu of payment. Notice of the decision shall be served immediately by certified mail or personal service. (Ord. 255 §1, 2005: Ord. 224 §1(part), 2000).

13.20.060 Delinquent fees. A minimum five-dollar fee shall be added to all delinquent accounts. If the five-dollar fee is an amount smaller than one and one-half percent of the delinquent account, then the fee shall be one and one-half percent of the delinquent account. If utility services are disconnected for non-payment of such fees and charges, a fee of fifty dollars shall be paid to the city clerk in addition to the delinquent amount and a fifty-dollar deposit (if not already on deposit) before service is restored. The fifty-dollar reconnect fee shall be assessed if a member of the public works department comes to the property to disconnect the water service after proper notice to the homeowner; and the fee shall attach at the time of the visit, regardless of whether the department member forbears from shutting off the water at the request of the homeowner based on their promise of prompt payment. The fifty-dollar deposit may be refunded pursuant to the terms and conditions of Section 13.20.010 of

this chapter. If the bank for insufficient funds returns a check written to the city for payment of a utility bill, the utility account shall be deemed unpaid. The account holder shall have five days from the date of the notice to pay cash for the amount of the insufficient funds check. Two checks returned for insufficient funds in a twelve-month period shall be cause to require the account holder to pay with cash, money order or certified check thereafter. Other delinquent fees may also apply. (Ord. 255 §2, 2005; Ord. 245, 2003; Ord. 224 §1(part), 2000).
(Ord. 290, § 1, 6-1-09)

13.20.070 Automatic withdrawals from customer account to pay utility bill. Utility customers may choose to pay utility bills by allowing the city clerk on behalf of the city to withdraw the amount of funds from a checking or savings account to pay the amount due on the utility bill. A customer must provide the city with a voided check and other information deemed necessary by the city to set up the service. Failure to have sufficient funds in the chosen account to cover the withdrawal will result in a five-dollar fee being assessed to the chosen account. If the bill is not paid by the twentieth of the month, the delinquent procedure and fees will apply. The automatic withdrawal shall be made on the fifteenth day of each month. (Ord. 255 §3, 2005).

Chapter 13.24

RESTRICTIONS ON LOCATION OF CONTAMINANTS NEAR PUBLIC WATER WELLS

Sections:

- 13.24.010 Applicability.
- 13.24.020 Designating authority.
- 13.24.030 Designated structures—Distances allowed from shallow wells.
- 13.24.040 Designated structures—Distances allowed from deep wells.
- 13.24.050 Nonconforming uses permitted when.

13.24.010 Applicability. Proscriptions as set forth in Sections 13.24.030 and 13.24.040 of this chapter shall apply to all public water wells existing within the city, except public water wells formerly abandoned for use by resolution of

the city. (Ord. 183 §3, 1989).

13.24.020 Designating authority. The city water superintendent shall designate each water well within the city as being a "shallow well" or "deep well" for the purposes of this chapter. (Ord. 183 §4, 1989).

13.24.030 Designated structures—Distances allowed from shallow wells. No structure or facility of the following enumerated types shall be located within the distances set forth in this section, from a shallow public well within the city:

- A. Well house floor drains, five feet;
- B. Water treatment plant wastes, fifty feet;
- C. Sanitary and industrial discharges, four hundred feet;
- D. Floor drains from pump house to surface, none within five feet:
 - 1. Five to ten feet, water main materials enclosed in concrete permitted,
 - 2. Ten to twenty-five feet, must be water main material,
 - 3. Twenty-five to seventy-five feet, must be watertight sewer pipe;
- E. Floor drains to sewers, water plant wastes, storm or sanitary sewers or drains:
 - 1. None permitted within twenty-five feet,
 - 2. If closer than seventy-five feet, must be water main material,
 - 3. If between seventy-five and two hundred feet, must be watertight sewer pipe;
- F. Force mains:
 - 1. None permitted within seventy-five feet,
 - 2. If within two hundred feet, must be water main material;
- G. Land application of solid waste, two hundred feet;
- H. Irrigation of wastewater, two hundred feet;
- I. Concrete vaults and septic tanks, two hundred feet;
- J. Mechanical wastewater treatment plants, four hundred feet;
- K. Cesspools and earth pit privies, four hundred feet;

- L. Soil absorption fields, four hundred feet;
- M. Lagoons, one thousand feet;
- N. Chemical application to ground surface, two hundred feet;
 - 1. Above-ground storage, two hundred feet,
 - 2. On or underground storage, four hundred feet;
- O. Animal pasturage, fifty feet;
- P. Animal enclosure, two hundred feet;
- Q. Animal wastes:
 - 1. Land application of solids, two hundred feet,
 - 2. Land application of liquids or slurry, two hundred feet,
 - 3. Storage tank, two hundred feet,
 - 4. Solids stockpile, four hundred feet,
 - 5. Storage basin or lagoon, one thousand feet;
- R. Earthen silage storage trench or pit, two hundred feet;
- S. Basements, pits, sumps, ten feet;
- T. Flowing streams or other surface water bodies, fifty feet;
- U. Cisterns, one hundred feet;
- V. Cemeteries, two hundred feet;
- W. Private wells, four hundred feet;
- X. Solid waste disposal sites, one thousand feet. (Ord. 183 §1, 1989)

13.24.040 Designated structures-Distances allowed from deep wells. No structure or facility of the following enumerated types shall be located within the distances set forth in this section, from a deep public well within the city:

- A. Well house floor drains, five feet;
- B. Water treatment plant wastes, fifty feet;
- C. Sanitary and industrial discharges, four hundred feet;
- D. Floor drains from pump house to surface, none within five feet;
 - 1. Five to ten feet, water main materials enclosed in concrete permitted,
 - 2. Ten to twenty-five feet, must be water main material,

3. Twenty-five to seventy-five feet, must be watertight sewer pipe;

E. Floor drains to sewers, water plant wastes, storm or sanitary sewers or drains:

1. None permitted within twenty-five feet,
2. If closer than seventy-five feet, must be water main material,
3. If between seventy-five and two hundred feet, must be watertight sewer pipe;

F. Force mains:

1. None permitted within seventy-five feet,
2. If within two hundred feet, must be water main materials;

G. Land application of solid waste, one hundred feet;

H. Irrigation of wastewater, one hundred feet;

I. Concrete vaults and septic tanks, one hundred feet;

J. Mechanical wastewater treatment plants, two hundred feet;

K. Cesspools and earth pit privies, two hundred feet;

L. Soil absorption fields, two hundred feet;

M. Lagoons, four hundred feet;

N. Chemical application to ground surface, one hundred feet;

1. Above-ground storage, one hundred feet,
2. On or underground storage, two hundred feet;

O. Animal pasturage, fifty feet;

P. Animal enclosure, one hundred feet;

Q. Animal wastes:

1. Land application of solids, one hundred feet,
2. Land application of liquids or slurry, one hundred feet,
3. Storage tank, one hundred feet,
4. Solids stockpile, two hundred feet,
5. Storage basin or lagoon, four hundred feet;

R. Earthen silage storage trench or pit, one hundred feet;

S. Basements, pits, sumps, ten feet;

- T. Flowing streams or other surface water bodies, fifty feet;
- U. Cisterns, fifty feet;
- V. Cemeteries, two hundred feet;
- W. Private wells, two hundred feet;
- X. Solid waste disposal sites, one thousand feet. (Ord. 183 §2, 1989)

13.24.050 Nonconforming uses permitted when. The use of structures or facilities existing at the time of enactment of this chapter may be continued even though such use may not conform with the regulations of this chapter. However, such structure or facility may not be enlarged, extended, reconstructed, or substituted subsequent to adoption of this chapter. (Ord. 183 §5, 1989)

Title 14TELECOMMUNICATIONS*Chapters:

- 14.04 Controlling the Use of Public Property and Right-of-Way
- 14.08 Regulating the Placement of Communication Towers and Antennas

Chapter 14.04CONTROLLING THE USE OF PUBLIC PROPERTY AND RIGHT-OF-WAYSections:

- 14.04.010 Purpose and rule of interpretation.
- 14.04.020 Franchise, license or lease required.
- 14.04.030 Fees required.
- 14.04.040 Limit on term.
- 14.04.050 Placement of facilities.
- 14.04.060 Indemnification and bond.
- 14.04.070 Regulation by the city.
- 14.04.080 Construction and excavation by holders of franchises or licenses or leases.
- 14.04.090 City construction and paving.
- 14.04.100 Design notice to city.
- 14.04.110 Aboveground cables, wires, conduits and poles.
- 14.04.120 Assignment.
- 14.04.130 Forfeiture.
- 14.04.140 Application.

14.04.010 Purpose and rule of interpretation. The city council finds it is necessary for the city to establish uniform rules and controls to ensure public safety and provide efficient delivery of services by the city and others wishing to utilize streets and other public property for the delivery of utility or other services, in order to protect public and private investment, ensure orderly use of public property and ensure the health, safety and welfare of the population, to provide for the regulation and administration of the public streets and other public prop-

* Editor's Note: Any violations of any of the provisions of this title shall be punished as set out in Ch. 1.08 of this code.

erty and secure the rights of the city to a return on its investment in public property. This chapter is to be interpreted in light of these findings for the benefit of the public and users of the streets and other public property. (Ord. 206 §1(part), 1997).

14.04.020 Franchise, license or lease required. A. No person or other entity shall use the public right-of-way or other public property without first obtaining a franchise, license or lease from the city. The city shall not enter into or issue any franchise, license or lease that grants exclusive rights. An application for a license or lease shall be filed with the city clerk on a form provided by the city and shall include at a minimum the following information: the name, address and telephone number of the applicant; the name, address and telephone number of a person whom the city may notify or contact at any time concerning the license or lease; an engineering site plat showing the proposed location of the facilities including any manholes, the size, type and proposed depth of any conduit or other enclosures, and also showing all other existing utility services within such right-of-way; and any additional information the city may require. All licenses or leases required by this section shall be granted by the city council.

B. The application shall be made by, or in the name of, the intended holder of the franchise, license or lease. The holder of the franchise, license or lease shall ultimately be the party responsible for performing the duties and obligations under this chapter or under the terms of any franchise, license or lease. (Ord. 206 §1(part), 1997).

14.04.030 Fees required. A. Franchise Fee.

1. All costs incurred by the city in the granting, amending, extension or renewal of a franchise shall be paid by the applicant;

2. A filing fee of five hundred dollars to be paid upon the filing of the application for franchise for the purpose of reimbursing the city for clerical time on the part of city employees in connection with the franchise;

3. An annual fee of two hundred fifty dollars to be paid on the first working day in each calendar year after the granting of and during the term of the franchise for the purpose of reimbursing the city for acquisition, development and maintenance costs of such right-of-way to the city. If the city's cost or expense arising out of the franchise should exceed the minimum fee, the city shall be entitled to bill the franchise holder for labor and equipment rental at the prevailing rate and for the cost of materials provided at the request of the franchise holder. The purpose of this subsection is to allow the city the

opportunity to be reimbursed for any and all out-of-pocket expenses incurred in connection with the franchise granted to the franchise holder.

B. License and/or Lease Fee.

1. An initial fee of two hundred fifty dollars shall be paid to the city upon application for a license or lease for the purpose of reimbursing the city for clerical time on the part of city employees in connection with the license or lease.

2. Two hundred fifty dollars shall be paid on the first working day in each calendar year after the granting of and during the term of the license or lease for the purpose of reimbursing the city for acquisition, development and maintenance costs of such right-of-way to the city. If the city's cost or expense arising out of the license or lease should exceed the minimum fee, the city shall be entitled to bill the license or lease holder for labor and equipment rental at the prevailing rate and for the cost of materials provided at the request of the license or lease holder. The purpose of this subsection is to allow the city the opportunity to be reimbursed for any and all out-of-pocket expenses incurred in connection with the license or lease granted to the license or lease holder. (Ord. 206 §1(part), 1997).

14.04.040 Limit on term. No franchise shall be granted for a term in excess of twenty-five years. No license or lease shall be for a term of more than five years. Any proposed lease which shall exceed three years in length shall not be executed by the city until fully complying with the terms of Section 364.7, Code of Iowa. (Ord. 206 §1(part), 1997).

14.04.050 Placement of facilities. The facilities, fixtures and equipment of the distribution, transmission or sale of any utility services, or services provided under license or lease or easement, shall be placed and maintained so as not to unnecessarily or unreasonably interfere with the travel on the streets, highways, avenues, alleys, bridges and public places in the city, nor shall such facilities, fixtures and equipment interfere with the property use of the same, including, but not limited to, ordinary drainage, or the functioning of the sewers, underground pipe or other property of the city. If facilities, fixtures and equipment of any person or other entity located within a public right-of-way must be relocated because of paving, road construction or road reconstruction, sewer construction or sewer reconstruction, or the construction or reconstruction of public drainage systems, or similar public works or the construction or reconstruction of the facilities of any city-owned utility, such relocation, at the written request of the city, shall be completed by the

owner of such facilities at the owner's cost. The city shall upon request of any person or other entity holding a franchise, license or lease, review any plans for the construction of facilities, fixtures and equipment within the public right-of way and advise the person or other entity of any conflict such construction may have with planned or anticipated public improvements, but failure of the city to so advise such person or other entity will not relieve the owner of such facilities of its obligation under this chapter. Notwithstanding the foregoing, the public works director may require placement of equipment or facilities belonging to any holder of a franchise, license or lease be limited to locations designated by the public works director if such limitation is deemed by the public works director to be necessary to protect the integrity of use of present and future users of the public right-of-way or other public property. (Ord. 206 §1(part), 1997).

14.04.060 Indemnification and bond. A. The holder of any franchise, license or lease shall indemnify and hold the city harmless at all times during the term of the franchise, license or lease from and against all claims for injury or damage to any person or property, including payments under workers' compensation laws, caused by the construction, erection, operation or maintenance of its facilities, fixtures or equipment, or the negligence of its contractors or its employees. In case of any suit or action at law being commenced against the city, upon any claim for damage arising out of any loss, injury or damage claimed to have been caused by any installation, improvement, obstruction or excavation made or left in, under or upon such street, sidewalk, alley or public place by the holder of a franchise, license or lease, its agents, contractors or employees, upon being notified in writing by the city of such action or proceeding, the holder of such franchise, license or lease shall appear and make proper defense thereto at the expense of the holder of the franchise, license or lease; and if any judgment or decree shall in any such case be rendered against the city therein, the holder of such franchise, license or lease shall assume, pay and satisfy such judgment or decree, with the cost thereof.

B. Immediately upon issuance of the franchise, license or lease, the holder of the franchise, license or lease shall purchase general liability insurance. The amount of insurance shall be a minimum of one million dollars with a maximum deductible of five thousand dollars. The holder of the franchise, license or lease shall file with the city clerk a certificate of insurance which clearly discloses on its face coverage in conformity with these requirements. Upon request of the city, the holder of the

franchise, license or lease shall submit a certified copy of the policy. (Ord. 206 §1(part), 1997).

14.04.070 Regulation by the city. The city reserves the right to make reasonable general regulations for the use of streets and other public property which unless otherwise specifically provided shall apply to any holder of a franchise, license or lease. (Ord. 206 §1(part), 1997).

14.04.080 Construction and excavation by holders of franchises or licenses or leases. A. A written permit must be obtained from the public works director whenever it becomes necessary for the holder of any franchise, license or lease to excavate in streets or public grounds of the city. Such permits shall state a particular part or point of the street where the excavation is to be made and the length of time in which such permit shall authorize the work to be done. An exception to a requirement for a permit shall be made in cases of emergency involving public safety, in which case a permit will be obtained at the earliest opportunity after the work has started.

B. In making excavations in the streets, the holder of any franchise, license or lease shall proceed with such work as to cause the least possible inconvenience to the public. The holder of any franchise, license or lease shall properly protect, according to safety standards generally accepted at the time of placement, as may be determined from time to time by the public works director, all excavation and obstructions by proper placement of shoring, surface plates, barricades, warning lights and such other or additional devices as circumstances may warrant. If in the opinion of the public works director such excavation or obstruction is not properly and safely protected, the public works director shall notify such holder of a franchise, license or lease who shall immediately comply with such reasonable instructions.

C. Immediately after use, any trenches for excavations which the holder of a franchise, license or lease has opened shall be filled. However, no trench or excavation in the streets shall be filled or covered without giving the city the right to inspect the same. All backfilling in streets will be according to city specifications. Temporary street surfacing will be placed in such excavations as soon as the same has been backfilled. Pavements, sidewalks, curbs and gutters or other portions of streets and public places opened, disturbed or damaged shall be promptly restored and replaced with like materials at the expense of the holder of a franchise, license or lease and left in as good or better condition as before the opening, disturbance or damage occurred. If like replacement materials are not available, the holder of the franchise, license or lease shall notify the public works director who

must approve the use of any alternate materials. If the holder of a franchise, license or lease fails to comply with the provision of this section, after having been given reasonable notice, the city may do such work as may be needed to properly repair such pavements, sidewalks, curbs and gutters or other portions of streets and public places and the cost thereof shall be repaid to the city by the holder of the franchise, license or lease. In cases where a cut or disturbance is made in a section of street paving or sidewalks, but causes greater disturbance than to just the area cut, rather than replace only the area cut, the holder of a franchise, license or lease shall replace that area as may be ordered by the public works director, which in no event shall exceed the panel or panels disturbed. (Ord. 206 §1(part), 1997).

14.04.090 City construction and paving. A. Whenever the city shall pave or repave any street or shall change the grade line of any street or public place or shall construct or reconstruct any conduit, water main service or water connection, sewer or other city-owned public works or city-owned utility, it shall be the duty of the holder of any franchise, license or lease, when so ordered by the city, to relocate its service lines and other property in the streets or other public places at its own expense so as to conform to the established grade or line of such street or public place and so as not to interfere with the public improvements so constructed or reconstructed. In the case of other public improvements, including but not limited to urban renewal projects, the city may require the holder of a franchise, license or lease to relocate its poles, service lines and appurtenances in the streets at the owner's expense.

B. The city may at its discretion assign personnel for inspection of excavation and related work being performed by the holder of a franchise, license or lease. Should the holder of the franchise, license or lease fail or refuse to do and perform the things provided in this section, the city may, after reasonable notice perform the work and charge the expense thereof to the holder of the franchise, license or lease and the holder of the franchise, license or lease shall pay such charges within thirty days from date of billing, and if not paid within such time, interest shall accrue on the billed amount at the rate of eighteen percent per annum from and after the date of billing until paid. (Ord. 206 §1(part), 1997).

14.04.100 Design notice to city. The holder of a franchise, license or lease shall promptly, upon request, furnish the public works director a detailed map or maps of its distribution system both within the city limits and the area within two miles surrounding the city. The holder of

a franchise, license or lease shall thereafter update the map or maps at least annually or upon request, showing all subsequent additions or deletions to the distribution system. Prior to any excavation a representative must contact the holder of any franchise, license or lease regarding current information on the location of underground lines or facilities in the area concerned. The obligation to contact the holder of a franchise, license or lease under this section shall be satisfied if contact is made with a corporation organized pursuant to Code of Iowa Chapter 480 (1997) or an entity with a similar function utilized by both the city and the company, currently the Iowa One Call System. (Ord. 206 §1(part), 1997).

14.04.110 Aboveground cables, wires, conduits and poles. All cables, wires and conduits shall be placed underground except where aboveground connection to buildings or other locations above ground is reasonably necessary. Such aboveground connection shall be by means of poles located, as far as reasonably practical, within alleys. No such poles shall be installed or erected until the public works director has approved the proposed location, construction and pole heights. (Ord. 206 §1(part), 1997).

14.04.120 Assignment. No sale or assignment of any franchise, license or lease of the use of the public right-of-way or other public property shall be effective until it is approved by the city council and until the holder thereof has filed in the office of the city clerk written notice of the proposed sale, transfer, disposition or assignment, such notice to clearly summarize the proposed procedure and the terms and conditions thereof. Such approval by the city shall not be unreasonably withheld. The proposed vendee, assignee or lessee shall similarly file an instrument, duly executed, reciting such proposal, accepting the terms of the franchise, license or lease and agreeing to perform all of the conditions thereof including adequate showing of insurance coverage required under this chapter. (Ord. 206 §1(part), 1997).

14.04.130 Forfeiture. The violation of any material portion of a franchise, license or lease by the holder thereof or its successors or assigns, or its failure promptly to perform any of the provisions of this chapter shall be cause for forfeiture of such franchise, license or lease and the termination of all rights thereunder. Such forfeiture shall be accomplished by ordinance of the city after written notice to the holder thereof and a continuation of the violation, failure or default specified on the notice for at least thirty days from the date the notice was served. (Ord. 206 §1(part), 1997).

14.04.140 Application. This chapter shall apply to all franchises, licenses or leases and easements granted by the city including all existing franchises, licenses or leases and easements. (Ord. 206 §1(part), 1997).

Chapter 14.08

REGULATING THE PLACEMENT OF COMMUNICATION TOWERS AND ANTENNAS

Sections:

- 14.08.010 Purpose and general policy.
- 14.08.020 Definitions.
- 14.08.030 Local regulation and compliance with the Telecommunications Act of 1996.
- 14.08.040 Lease required.
- 14.08.050 Fee required.
- 14.08.060 Limit on term.
- 14.08.070 Priorities and placement requirements.
- 14.08.080 Application process.
- 14.08.090 Noise and emission standards.
- 14.08.100 Prohibited placement of facilities.
- 14.08.110 Abandonment.
- 14.08.120 Termination.

14.08.010 Purpose and general policy. The council finds that in order to ensure public safety and provide efficient delivery of services by the city and others wishing to utilize wireless communication technologies, in order to protect public and private investments, ensure the health, safety and welfare of the population, to provide for the regulation and administration of the orderly location of antenna arrays and towers and to secure the rights of the city to a return on its investment on public property, it is necessary for the city to establish uniform rules and policies. This chapter is to be interpreted in light of these findings for the benefit of the citizens of the city of Mediapolis. (Ord. 207 §1(part), 1997).

14.08.020 Definitions. As used in this chapter:

- A. "Antenna" means a device, dish or array used to transmit or receive telecommunications signals.
- B. "Communications tower" means a tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes aboveground in a fixed location, freestanding, guyed or on a building.
- C. "Height" of a communication tower is the distance from the base of the tower to the top of the structure.
- D. "Telecommunications" means the transmission, between or among points specified by the user, of information

of the user's choosing, without change in the form or content of the information as sent and received. (Ord. 207 §1(part), 1997).

14.08.030 Local regulation and compliance with the Telecommunications Act of 1996. The Telecommunications Act of 1996 prohibits the city from establishing policies that discriminate against one or a group of providers in favor of another or another group of providers or potential providers. The following objectives shall be applied consistently to all telecommunications providers that request a location on city property for their communication towers and antennas after the adoption of the ordinance codified in this chapter.

A. To minimize the overall number of towers located in the city, providers may be required to participate in collocation agreements.

B. To ensure that new towers will be safe and blend into their environment, providers will propose designs consistent with site characteristics.

C. To assure revenues from site leases of city-owned and controlled land and structures reflect fair compensation for use of city property and administration of this chapter. (Ord. 207 §1(part), 1997).

14.08.040 Lease required. No person or other entity shall use any public property without first obtaining a lease from the city. (Ord. 207 §1(part), 1997).

14.08.050 Fee required. No lease for the use of public property shall be granted without requiring the lessee thereof to pay a reasonable and competitively neutral fee for the use of that public property. (Ord. 207 §1(part), 1997).

14.08.060 Limit on term. No lease for the use of public property shall be granted for a term of more than five years. Any proposed lease which shall exceed three years in length shall not be executed by the city until fully complying with the terms of Section 364.7, Code of Iowa. (Ord. 207 §1(part), 1997).

14.08.070 Priorities and placement requirements. A. Priority of the use of city-owned land for communications antennas and towers will be given to the following entities in descending order of priority:

1. All functions of the city of Mediapolis;
2. Public safety agencies that are not a part of the city, including law enforcement, fire and ambulance services, and private entities with a public safety agreement with the city;

3. Other governmental agencies for uses which are not related to public safety;

4. Entities providing licensed commercial communications services, including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public for business and/or personal use.

B. The placement of communications antennas or towers on city-owned property must comply with the following requirements:

1. The antenna or tower will not interfere with the purpose for which the city-owned property is intended.

2. The antenna or tower will have no adverse impact on surrounding private property.

3. The applicant will produce proof of adequate liability insurance for potential damage antennas or towers could reasonably cause to city property and adjoining private property and facilities and commit to a lease agreement which includes equitable compensation for the use of public land and other necessary provisions and safeguards. The fee shall be established from time to time by resolution of the city council and shall reflect potential expenses and risks to the city and other appropriate factors.

4. The applicant will submit a letter of credit, performance bond, or other security acceptable to the city to cover the cost of antenna or tower removal.

5. The antennas or towers will not interfere with other uses which have a higher priority as discussed in this subsection.

6. Upon reasonable notice, the antennas or towers may be required to be removed at the user's expense.

7. The applicant must reimburse the city for any costs which the city incurs because of the presence of the applicant's antenna or tower.

8. The user must obtain all necessary land use approval.

9. The applicant will cooperate with the city's objective to promote collocations and thus limit the number of separate antennas sites requested. (Ord. 207 §1(part), 1997).

14.08.080 Application process. A. All applicants who wish to locate a communications antenna or tower on city-owned or private property must submit to the city clerk a completed application accompanied by a fee of one hundred fifty dollars and the following documents, if applicable:

1. One copy of typical specifications for proposed structures and antennas, including description of design characteristics and material;

2. A site plan drawn to scale showing property lines, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property, and it shall also set out all underground utilities on or under public property. A site plan is not required if the antenna is to be mounted on an approved existing structure;

3. A current map or update for an existing map on file showing locations of applicant's antennas, facilities, existing towers and proposed towers which are reflected in public records, serving any property within the city;

4. A report from a structural engineer showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANS/EIA/TIA 222, latest revision, standards;

5. Identification of the owners of all antennas and equipment to be located on the site;

6. Written authorization from the site owner for the application;

7. Evidence that a valid FCC license for the proposed activity has been issued;

8. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts;

9. A written agreement to remove the tower and/or antenna within one hundred eighty days after cessation of use;

10. Additional information, as required, to determine that all applicable zoning regulations are met;

11. Any communications facilities located on the roof of an antenna support structure must be set back at least one foot from the edge of the roof of the structure. This setback requirement shall not apply to (1) communications facilities located above the roof of the structure if the facilities are appropriately screened from view through the use of panels, walls, fences or other screening techniques approved by the city, or (2) camouflage antennas that are mounted to the exterior of the antenna support structures below the roof, but do not protrude more than twenty-four inches from the side of such an antenna support structure;

12. Upon showing of hardship the city council may waive one or more of the foregoing requirements.

B. Applicant must also show evidence that all of the following conditions which are applicable are met:

1. Applicant must show that the proposed communications tower, antenna or accessory structure will be placed in a reasonably available location that will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum

standards imposed by applicable communications regulations and applicant's technical design requirements.

2. Applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirement without unreasonable modifications on any existing structure or tower under the control of the applicant.

3. Prior to consideration of a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant's technical design requirements.

4. Applicant must provide the names, addresses and telephone numbers of all owners of other towers or useable antenna support structures within a one-half mile radius of the proposed new tower site, including city-owned property, and written documentation that the applicant (1) made diligent but unsuccessful efforts for a minimum of forty days prior to the submission of the application to install or collocate the applicant's telecommunications facilities on towers or useable antenna support structures owned by the city and other persons located within a one-half mile radius of the proposed tower site, or (2) written technical evidence from an engineer that the proposed tower or facilities cannot be installed or collocated on another person's tower or support structure within a one-half mile radius of the proposed tower and must be located at the proposed site in order to meet the coverage requirements of the applicant's wireless communications system.

5. Applicants must show that a new tower is designed to accommodate additional antennae equal in number to applicant's present and future requirements.

6. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.

7. All towers and communications facilities shall be of camouflage design standards. Examples of camouflage facilities include, but are not limited to, architecturally screened roof, roof-mounted antennas, antennas integrated into architectural elements, telecommunications towers designed to blend into the surrounding environment or to look other than a tower, such as light poles, power poles and trees. At a minimum, all towers not requiring FAA painting or markings shall have an exterior finish which is galvanized or painted dull blue, gray or black. No signs or advertising displays of any kind may be attached to any such tower or antenna.

8. Applicant must show by certificate from a registered engineer that the proposed facility will contain

only equipment meeting FCC rules, and must file with the city clerk a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to one million dollars in aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the city attorney.

9. Land use regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and other general zoning district regulations except setback and height, shall apply to the use. Setbacks on all sides shall be a distance equal to the height of the tower. The following height conditions apply:

a. Residential (R-1 and R-2)--No tower or antenna shall be permitted in a residential district.

b. Commercial (C-1 and C-2)--Freestanding or guyed tower with height not exceeding one hundred eighty feet is a permitted conditional use; height exceeding one hundred eighty feet requires special exception.

c. Industrial (M-1 and M-2)--Freestanding or guyed tower with height not exceeding three hundred sixty feet is a permitted conditional use; height exceeding 360 feet requires special exception.

d. Other (A-Agricultural)--Freestanding or guyed tower with height not exceeding five hundred feet is a permitted conditional use; height exceeding five hundred feet requires special exception.

10. a. A tower must be a minimum distance equal to one and one-half the height of the tower from property designated historic or architecturally significant, and must be set back from all lot lines distances equal to the district setback requirements or twenty-five percent of the tower height, whichever is greater.

b. All responses to applications for siting of telecommunications towers and facilities shall be in writing and shall be made within sixty days after all application materials are received.

11. Upon showing of hardship the city council may waive one or more of the foregoing requirements. (Ord. 207 §1(part), 1997).

14.08.090 Noise and emission standards. A. No equipment shall be operated at towers and telecommunications facilities so as to produce noise in excess of applicable noise standards under WAC 173-60, except during emergencies or periodic routine maintenance which requires the use of a backup generator, where the noise standards may be exceeded temporarily.

B. The federal Telecommunications Act of 1996 gives the FCC sole jurisdiction to regulate radio frequency emissions. Facilities that meet the FCC standards shall not be

conditioned or denied on the basis of emissions impacts. Applicants for tower sites shall be required to provide information on the projected power density of the facility and how this meets the FCC standards. (Ord. 207 §1(part), 1997).

14.08.100 Prohibited placement of facilities. The placement and maintenance of communications antennas or towers are prohibited upon city water towers and in city parks. (Ord. 207 §1(part), 1997).

14.08.110 Abandonment. In the event the use of any communication tower has been discontinued for a period of one hundred eighty consecutive days, the tower shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the city clerk who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Upon such abandonment, the owner/operator of the tower shall have one hundred eighty days within which to: (1) reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower, or (2) dismantle and remove the tower. At the earliest, one hundred eighty-one days from the date of abandonment, without reactivating or upon completion of dismantling and removal, any special exception and/or variance approval for the tower shall automatically expire. (Ord. 207 §1(part), 1997).

14.08.120 Termination. A. The city council may terminate any lease if it is determined that any one of the following conditions exist:

1. A potential user with a higher priority cannot find another adequate location and the potential use would be incompatible with the existing use.
2. A user's frequency broadcast unreasonably interferes with other users of higher priority, regardless of whether or not this interference was adequately predicted in the technical analysis.
3. A user violates any of the standards in this chapter or the conditions attached to the city's lease agreement.

B. Before taking action, the city will provide notice to the user of the intended termination and the reasons for it, and provide an opportunity for a hearing before the city council regarding the proposed action. This procedure need not be followed in emergency situations. (Ord. 207 §1(part), 1997).

Title 15BUILDINGS AND CONSTRUCTION*Chapters:

- 15.04 Fire Limit
- 15.08 Moving Buildings
- 15.12 Numbering Buildings
- 15.16 Sealcoat and Concrete Regulations

- * For statutory provisions concerning cities and housing law, see Code of Iowa, 1975, Ch. 413.
Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code.

Chapter 15.04FIRE LIMITSections:

- 15.04.010 Designated.
- 15.04.020 Construction--Plan of work and list of materials required--Permit.
- 15.04.030 Compliance required for construction--Building materials and construction requirements.
- 15.04.040 Outbuilding construction--Permit--Application--Construction restrictions.
- 15.04.050 Property improvement--Council vote.
- 15.04.060 Moving nonconforming buildings within or into fire limits--Prohibited.
- 15.04.070 Damaged buildings--Reconstruction permitted when.
- 15.04.080 Damaged buildings--Determination of amount of damage--Rebuilding.
- 15.04.090 Unlawful erection or moving of buildings--Notice to abate--Abatement by city--Costs.

15.04.010 Designated. The fire limits are established to include all the following described territory:

Commencing at the intersection of Northfield Street and North Street, thence west on North Street to Andrew Street, thence south on Andrew Street to Meadows Street, thence east on a straight line parallel with Main Street to Northfield Street, thence north on Northfield Street to the place of beginning. (Ord. 22 §1, 1925).

15.04.020 Construction--Plan of work and list of materials required--Permit. It is unlawful to build, enlarge or alter any wall, structure, building or part thereof, within the fire limits, until a plan of the proposed work, together with a statement of materials to be used, has been submitted to the mayor, who shall, if in accordance with the provisions of this chapter, issue a permit for the proposed work. (Ord. 22 §2, 1925).

15.04.030 Compliance required for construction--Building materials and construction requirements. A. The erection of any building or structure of any kind, or additions thereto, or substantial alterations thereof, involving partial rebuilding, is prohibited in the fire limits, unless constructed in strict compliance with this chapter.

B. The building or structure shall be enclosed on all sides with walls constructed wholly of stone, brick, terracotta, hollow building tile, concrete or other fireproof material and shall have the roof, top and sides of all roof structures, including dormer windows and cornices, covered with incombustible material approved by the National Board of Fire Underwriters.

C. All exterior or division walls of buildings hereafter erected shall be of sufficient thickness to support the load to be carried and in all cases a brick, stone, concrete or hollow tile wall shall be at least eight inches thick and shall extend at least eighteen inches above the roof.

D. The ends of all floor, ceiling and roof beams, entering a party wall or firewall from opposite sides, shall be separated by solid masonry, sufficiently thick to prevent the spread of fire through the walls.

E. The building or structure and the lot upon which the building or structure is placed shall not be altered in such a way as to increase the amount of rainwater runoff which travels to adjoining landowners' property. The plan required by Section 15.04.020 shall provide for rainwater runoff to be directed towards the public right-of-way directly adjacent to the property at issue. Should no public right-of-way be directly adjacent to the property at issue, the plan shall call for the runoff of rainwater such as not to increase the amount of rainwater runoff flowing to the property of adjacent landowners as relative to the amount of rainwater runoff prior to the erection of any building or structure on the property at issue. (Ord. 208 §1, 1998; Ord. 22 §3, 1925).

15.04.040 Outbuilding construction--Permit--Application--Construction restrictions. The mayor may issue a permit to build coal houses and other outbuildings within the fire limits of other materials than those specified in this chapter, not exceeding twelve feet in height and one

hundred and fifty square feet in area, to be placed not less than twenty feet from any building or erection and not less than five feet from the lot line, and in connection with the use of which no fire is anticipated. To obtain such permission, written application shall be made to the mayor before any work is done, specifying the location, size and contemplated use of the proposed erection, and if the mayor approves of the same he shall issue a permit. (Ord. 22 §4, 1925).

15.04.050 Property improvement--Council vote. The council may, by four-fifths vote, issue a permit to improve any property within the fire limits on condition that such improvement shall not increase the fire hazard according to the rules of the Iowa Rating Bureau. (Ord. 22 §5, 1925).

15.04.060 Moving nonconforming buildings within or into fire limits--Prohibited. The removal of any building not constructed as provided by this chapter, from without to within the fire limits or from any part of the fire limits to any other place therein, is prohibited. (Ord. 22 §6, 1925).

15.04.070 Damaged buildings--Reconstruction permitted when. Any building within the fire limits not constructed in accordance with the provisions of this chapter, which may hereafter be damaged by fire, decay, or otherwise to the extent of fifty percent of its value shall not be repaired or rebuilt but shall be torn down or removed. When the damages are less than fifty percent of its value, the building shall not be repaired so as to be higher in value than it was before the damages were sustained, except upon approval by four-fifths of the council, of the plans and specifications of such repairs and rebuilding. (Ord. 22 §7, 1925).

15.04.080 Damaged buildings--Determination of amount of damage--Rebuilding. In case of a question as to the amount or extent of damage by fire or otherwise to any building, the damage shall be determined by three disinterested parties, owners of real estate within the fire limits, one of whom shall be appointed by the owner or agent of the building, the second by the mayor, and the persons thus chosen shall elect a third person, all of whom shall subscribe to an oath to ascertain the damage to the best of their ability and according to the provisions of this chapter and their decision shall be in writing, shall be final and conclusive, and shall be filed with the clerk. No building within the fire limits shall be repaired or rebuilt until such finding has been filed with the clerk. (Ord. 22 §8, 1925).

15.04.090 Unlawful erection or moving of buildings--Notice to abate--Abatement by city--Costs. Any person, firm or corporation who erects or moves any building contrary to the provisions of this chapter, shall be given ten days' written notice by the mayor to remove or tear down the same, and if such removal or taking down is not completed within ten days from the time of service of such notice, the mayor shall cause the same to be removed or taken down. The mayor shall report the expense to the clerk, and the same shall be charged to the person, firm or corporation owning such building, and collected by the clerk, or in case the clerk is unable to collect such cost, the same shall be certified to the county auditor as a special tax against the property and collected the same as other taxes. (Ord. 22 §9, 1925).

Chapter 15.08MOVING BUILDINGSSections:

- 15.08.010 License--Required.
- 15.08.020 Compliance with designated route required.
- 15.08.030 Authority to direct route of move--Applica-
tion--Written obligation.

15.08.010 License--Required. It is unlawful for anyone to move any building along or across a street or alley within the corporate limits of the city without having first procured from the mayor of the city a written license to do so. (Ord. 143 (part), added during 1976 codification).

15.08.020 Compliance with designated route required. It is unlawful to move any building along or across any street or alley within the corporate limits of the city at any place other than that specified by the mayor of the city in a written license issued for that purpose. (Ord. 143 (part), added during 1976 codification).

15.08.030 Authority to direct route of move--Applica-
tion--Written obligation. It is further provided that the mayor of the city shall have power to direct the course along which buildings shall be moved in or across the streets or alleys of the city, and before the license is issued, a written application therefor shall be filed with the mayor and the same shall contain a written obligation signed by sureties to be approved by the mayor, if required by the mayor, wherein the licensee agrees and obligates himself and surety, if any, to pay the expense of removing and replacing all electric wires and cables necessarily removed and replaced to permit the moving of the building. (Ord. 143 (part), added during 1976 codification).

Chapter 15.12NUMBERING BUILDINGSSections:

- 15.12.010 Plan--Duty to number.
- 15.12.020 Base lines.
- 15.12.030 Odd and even numbers.
- 15.12.040 Manner of numbering.
- 15.12.050 Distance between numbers--Exceptions.
- 15.12.060 Prefixes.
- 15.12.070 Numbers to be conspicuous.
- 15.12.080 Cost taxed.
- 15.12.090 Duty of city to furnish correct number.

15.12.010 Plan--Duty to number. Buildings now or hereafter erected and fronting public streets, avenues or alleys within the city shall be numbered and the owners, agents or occupants shall cause said numbers to be placed on their property and maintained in accordance with this chapter. (Ord. 222 §1(part), 1999).

15.12.020 Base lines. Main Street and Highway 61 constitute the base lines from which the numbering of buildings fronting or situated on streets extending from either side of such lines, and on either side thereof, commence. (Ord. 222 §1(part), 1999).

15.12.030 Odd and even numbers. Odd numbers are on the west and even numbers on the east side of the streets going north and south from Main Street and odd numbers on the north side and even numbers on the south side of the streets going east and west from Highway 61, alternating respectively from side to side, such number being one hundred for each block in the distance between two street intersections on the same street. (Ord. 222 §1(part), 1999).

15.12.040 Manner of numbering. Where the streets intersecting on opposite sides of the street are not the same, the numbers shall run in each case to a street intersecting on the side being numbered. (Ord. 222 §1(part), 1999).

15.12.050 Distance between numbers--Exceptions. In all residential and noncentral business district portions of the city, the numbers shall be for each twenty-five feet, except where lots or buildings vary from twenty-five feet, such lots or buildings shall be numbered to conform to the size of the lot. In the central business district

portion of the city, the numbers shall be for each fifteen feet, except where lots or buildings vary from fifteen feet, such lots or buildings shall be numbered to conform to the size of the lot. Whenever the fraction of land, lot or building less than twenty-five feet (or fifteen feet in the central business district) occurs, it shall be designated by the number before it with the figure "1/2" added. (Ord. 222 §1(part), 1999).

15.12.060 Prefixes. All portions of any and all streets intersecting Main Street and running north and south which lie north of Main Street shall be known and designated with the prefix "north" and those which lie south of Main Street shall be known and designated with the prefix "south." Future east-west streets west of present Highway 61 shall be prefixed by "west." Streets east of present Highway 61 shall not change from their present designation, and will not need the addition of a prefix. (Ord. 222 §1(part), 1999).

15.12.070 Numbers to be conspicuous. The number may be made of metal, wood, tin, or glass, or the number may be painted on the front of the building, door, post, transom, or otherwise placed in or about the front of the building in a conspicuous place such as may easily be seen in plain view from the street. The numbers shall not be less than two inches wide by three inches long. Every owner is required to place a suitable number on every dwelling fronting on a street, avenue or alleyway. (Ord. 222 §1(part), 1999).

15.12.080 Cost taxed. Should any owner of property neglect, fail or refuse for thirty days after being notified by certified or first class mail or in person to put up such numbers as may be required by this chapter, then such numbering shall be done by a duly appointed representative of the city and the cost thereof assessed against the property as a special assessment. (Ord. 222 §1(part), 1999).

15.12.090 Duty of city to furnish correct number. It is made the duty of each person to call upon the city clerk to learn the correct number of his or her property and it is made the duty of said officer to give each per-

son applying the correct number of his or her premises free of charge. (Ord. 222 §1(part), 1999).

Chapter 15.16

SEALCOAT AND CONCRETE REGULATIONS

Sections:

- 15.16.010 Permit required.
- 15.16.020 Costs.
- 15.16.030 Review of permit applications.

15.16.010 Permit required. That property owners in the city of Mediapolis are required to obtain a permit at a cost of twenty dollars before any installation of seal-coat or concrete on the city right-of-way to insure that proper drainage will occur. (Ord. 252 §1, 2004).

15.16.020 Costs. After such installation all costs associated with the repair or replacement of the surface for any reason (including snow removal damage or damage resulting from necessary access to city-owned underground utilities) shall be borne by the property owner and any subsequent owner of that property and not by the city of Mediapolis. (Ord. 252 §2, 2004).

15.16.030 Review of permit applications. All permit applications shall be reviewed by the Mediapolis city council at a scheduled city council meeting after submission to and initial review by the public works department. (Ord. 252 §3, 2004).

Title 16

SUBDIVISIONS*

(RESERVED)

* For statutory provisions concerning plats, see Code of Iowa, 1975, Ch. 409.
Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code. Current subdivision provisions are on file in the office of the city clerk.

Title 17

ZONING*

(RESERVED)

* For statutory provisions concerning municipal zoning, see Code of Iowa, 1975, Ch. 414.
Editor's Note: Any violations of any of the provisions of this title shall be punished as set forth in Ch. 1.08 of this code. Current zoning provisions are on file in the office of the city clerk.

DISPOSITION OF ORDINANCES TABLE

Beginning with Supplement No. 7, this table will be replaced with the "Code Comparative Table and Disposition List."

ORDINANCE
NUMBER

1	Election, appointment and qualification of officers (Not codified)
2	(None)
3	Council's powers and duties (Not codified)
4	(None)
5	Mayor's powers and duties (Not codified)
6	(None)
7	(None)
8	Clerk's powers and duties (Not codified)
9	(None)
10	(None)
11	Treasurer's powers and duties (Not codified)
12	(None)
13	Marshal's powers and duties (Not codified)
14	(None)
15	Street commissioner's powers and duties (Not codified)
16	(None)
17	Superintendent of waterworks' powers and duties (Not codified)
18	(None)
19	Compensation of officers and employees (Not codified)
20	Fire department (Not codified)
21	(None)
22	Fire limits (15.04)
23	(None)
24	(None)

ORDINANCE
NUMBER

25	Vacations licenses (Not codified)
26	(None)
27	(None)
28	Billboards (Not codified)
29	(None)
30	Dogs at large and dog licenses (Repealed by 114)
31	(None)
32	Public dance halls prohibited (Not codified)
33	Pool and billiard halls and bowling alleys prohibited (Repealed by 118)
34	Poll tax (Not codified)
35	(None)
36	Nuisances (Not codified)
37	(None)
38	Prevention of injury or annoyance from dangerous, offensive or unhealthy things (Not codified)
39	Offenses (Not codified)
40-50	(None)
51	Explosives and oils (Not codified)

ORDINANCE
NUMBER

52 Moving buildings (Not codified)
53 (None)
54 Operation of locomotives and cars (Not codified)
55 Tree planting, care and trimming (Not codified)
56 Cleaning and repairing sidewalks (Not codified)
57 (None)
58 Sidewalk construction (Not codified)
59 (None)
60 (None)
61 (None)
62 Protection of streets from damage by certain vehicles (Not codified)
63 (None)
64 Milk regulations (Not codified)
65 (None)
66 (None)
67 Traffic regulations (Not codified)
68--71 (None)
72 Waterworks system regulations (Not codified)
73--77 (None)
78 Sewer system regulations (Not codified)
79 (None)
80 (None)
81 Fireworks and firecrackers sale (Not codified)
82 Street grade system, datum plane and bench marks (Not codified)
83 Speed limits (Not codified)
84 (None)
85 (None)
86 Fire limits (Not codified)
87 (None)
88 Band concerts (Repealed by 89)
89 Repeals Ord. 88, band concerts (Repealer)
90 Beer sale regulations (Not codified)
91 (None)
92 (None)
93 (None)
94 Release of title to Lot 1 in Block 13 and alley vacation (Special)
95 Amends §5 of beer sale Ordinance 90 annual fees (Not codified)
96 Electric franchise (Special)
97 (None)
98 Sewer district established (Not codified)
99 Pool and billiard room license (Not codified)
100 Parking, storing and abandoning vehicles, and depositing refuse and junk on streets (Not codified)

ORDINANCE
NUMBER

101 Deletes §15 of offenses Ordinance 39, showing
moving pictures on Sunday (Repealer)
102 (None)
103 (None)
104 Through streets and highways (10.36, 10.44)
105 (None)
106 (None)
107 Parking prohibited on part of U.S. Highway 61
(Repealed by 108)
108 Repeals Ordinance 107 prohibiting parking on U.S.
Highway 61 (Repealer)
109 Parking prohibited on portions of U.S. Highway 61
(Not codified)
110 Earth pit toilet construction (Not codified)
110-1-- Compensation of officers and employees (Repealed
111 by 117)
112 Controlled access facilities (10.40)
113 Iowa Southern Utilities Company electric fran-
chise, expires 1984 (Special)
114 Dog licensing and regulations; repeals Ordinance
30 (Not codified)
114A Iowa Southern Utilities Company natural gas fran-
chise, expires 1984 (Special)
115 Water system connections and services (Not codi-
fied)
116 Mobile homes and mobile home parks (Not codi-
fied)
117 Compensation of town officers and employees;
repeals Ordinance 110-1 passed 1/14/52 (Not
codified)
118 Bowling alley licenses and regulations; repeals
Ordinance 33 adopted 9/10/25 on pool and billiard
halls and bowling alleys (Not codified)
119 Building construction, alteration, removal and
demolition permits (Not codified)
120 Violation of state motor vehicle law unlawful
(Not codified)
121 Duty of abutting property for care of street
trees and shrubs (12.08)
122 Sewer rental regulations (13.08)
123--129 (None)
130 Charter adoption (1.01)
131 Water rates and billing (Not codified)
132 Parking regulations (10.32)
133 Dog licensing and regulations, repeals Ordinance
140, providing for licensing of dogs to run at
large (Repealed by unnumbered ordinance dated 5-
20-93)
134 Speed limits (10.28)
135 Alley vacation (Special)

ORDINANCE
NUMBER

- 136 Board of library trustees; repeals Ordinance dated 8/20/18 (2.36)
- 137 Amends §10 of Ordinance 138, refuse collection system (Repealed by 199)
- 138 Refuse collection system (8.04)
- 139 Repeals §5 of Ordinance 122, sewer rental (Repealed by 201)
- 140 Dogs (Repealed by 133)
- 141 Water system connections and regulations (13.12)
- 142 Sewer system connections and regulations (13.04)
- 143 Moving buildings (15.08)
- 144 Utility use charges (Repealed by 224)
- 145 Water utility rates (13.16)
- 146 General provisions (1.04)
- 147 General penalty (1.08)
- 148 Runoff elections in lieu of primary elections for elective municipal officers (2.04)
- 149 Appointment and qualification of municipal officers (2.08)
- 150 Powers and duties of municipal officers (2.12, 2.16, 2.20, 2.24, 2.28)
- 151 Volunteer fire department (2.32)
- 152 Junked motor vehicles, nuisances, weeds and other noxious growths, abandoned refrigerators, refuse collection (8.08, 8.12, 8.16, 8.20)
- 153 Public peace, morals and welfare (9.04--9.20, 9.28--9.72, 9.80, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24)
- 154 Peddlers, solicitors and transient merchants (5.04)
- 155 Sidewalks (12.04)
- 156 Code adoption (1.02)
- 157 Amends §13.16.020, water rates (Repealed by 198)
- 158 Amends §13.08.050, sewer rates (Repealed by 201)
- 159 Repeals subparagraph B and repeals and replaces subparagraph E of §7 of the subdivision ordinance (Not codified)
- 160 Rezone; amends subparagraph 1 of §6 of Art. 4 of the zoning ordinance (Not codified)
- 161 Amends subsections A, B, C, and D of §8.04.100, garbage collection rates (Repealed by 199)
- 162 Amends §13.08.050, sewer rates (Repealed by 201)
- 163 Amends subsections A, B, C and D of §8.04.100, garbage collection rates (Repealed by 199)
- 164 Amends §13.08.050, sewer rates (13.08)
- 165 Amends §13.04.060, sewerage system permit and fees (13.04)
- 166 Amends §13.12.060, water system permit and fees (13.12)

ORDINANCE
NUMBER

167 (Missing)
168 Mutual Telephone Company franchise
(Special)
169 Adds §10.20.020, unsafe driving (10.20)
170 Adds Ch. 10.46, golf carts on city streets
(10.46)
171 CATV franchise (Special)
172 Iowa Southern Utilities Company franchise
(Special)
173 (Pending)
174 Amends §13.08.050, sewer rates (Repealed by
201)
175 Amends subsection A of §8.04.100, garbage
collection rates (Repealed by 199)
176 Amends subsections A, B, C and D of
§8.04.100, garbage collection rates
(Repealed by 199)
177 Adds Ch. 10.48 [10.50], safety belts and
harnesses (10.50)
177A Adds Ch. 6.05, dangerous and vicious animals
(6.05)
178 Adds §10.32.070, parking (10.32)
179 Rezone (Special)
180 Amends §8.04.100, garbage and collection
fees (Repealed by 199)
181 Amends §8.04.120, garbage and collection
fees (8.04)
182 Adds §13.20.050, utility use charges
(Repealed by 224)
183 Restricts location of contaminants near
public water wells (13.24)
184 Adds Ch. 10.48, truck routes and parking
(10.48)
185 Adds §8.04.071; amends §§8.04.020 and
8.04.050, garbage and refuse (8.04)
186 Amends §8.04.100, garbage collection fees
(Repealed by 199)
187 Rezone (Special)
188 Amends §13.16.020, water rates (Repealed by
198)
189 Rezone (Special)

ORDINANCE
NUMBER

190 Amends zoning ordinance (Not codified)
Unnum. (5-20-93) Repeals and replaces Ch. 6.04,
Ord. dogs and cats (6.04)
191 Declares stop intersection and prohibits
parking on portion of Highway 61 (Special)
192 Amends §13.16.020, water rates (Repealed by
198)
193 Amends §§13.08.050 and 13.08.060, sewer
rental (Repealed by 201)
194 Adds §8.12.010(A)(12); repeals and replaces
§8.12.030(B), nuisances (8.12)
195 Amends §7(I) of Ordinance 132, subdivisions
(Special)

ORDINANCE
NUMBER

196 Adds §10.32.020(I), parking (10.32)
197 Repeals and replaces § 13.04.130, connections to
sewer system (13.04)
198 Repeals and replaces §13.16.020, water rates
(13.16)
199 Adds §§ 8.04.101 and 8.04.102, repeals and re-
places §8.04.100, garbage and refuse (8.04)
200 Adds new chapter, park regulations (12.12)
201 Repeals and replaces §§13.08.050 and 13.08.060,
sewer rental (13.08)
202 Rezone (Special)
203 Parking (10.32)
204 Adds Ch. 9.78, curfew for minors (9.78)
205 Division of taxes levied on property in urban
renewal area (Not codified)
206 Adds Ch. 14.04, controlling use of public proper-
ty and right-of-way (14.04)
207 Adds Ch. 14.08, regulating placement of communi-
cation towers and antennas (14.08)
208 Adds §15.04.030(E), fire limits (15.04)
209 Adds §10.32.020(J), parking (10.32)
210 Adds §10.32.020(K), parking (10.32)
211 Rezone (Special)
212 Adds Ch. 8.30, fireworks (8.30)
213 Amends zoning ordinance (Not codified)
214 Rezone (Special)
215 Rezone (Special)
216 Amends §§8.08.030 and 8.12.040, nuisances (8.08,
8.12)
217 Rezone (Special)
218 Amends §§13.16.030, 13.20.010, 13.20.030,
13.20.040 and 13.20.050, water system (13.16)
219 Rezone (Special)
220 Rezone (Special)
221 Repeals portion of §10.32.020(H), no-parking
zones (10.32)
222 Adds Ch. 15.12, numbering buildings (15.12)
223 Adds §8.12.010(A)(13) and (14); amends
§8.12.010(A)(12), nuisances (8.12)
224 Repeals and replaces Ch. 13.20, utility use
charges (13.20)
225 Amends subdivision ordinance (Not codified)
226 Amends zoning map (Not codified)
227 Approves condominium development (Special)
228 (Number not used)
229 Adds Ch. 12.06, bicycles, rollerskates, in-line
skates, skateboards and similar vehicles prohib-
ited in certain areas (12.06)

ORDINANCE
NUMBER

230 RAGBRAI ordinance (Not codified)
231 Amends portion of §10.32.020(H), parking
(10.32)
232 Rezone (Special)
233 Adds Ch. 12.02; amends subdivision ordinance,
street construction requirements (12.02)
234 Amends §8.08.020, junked or obsolete motor
vehicle (8.08)
235 Division of taxes levied in urban renewal
area (Special)
236 Rezone (Special)
237 Adds §6.04.065; amends §6.04.070, disposal of
dog or cat (6.04)
238 Adds §10.32.023, fire lanes designated
(10.32)
239 Rezone (Special)
240 Amends zoning ordinance (Not codified)
241 Amends subdivision ordinance (Not codified)
242 Adds Ch. 2.03, salaries and payment schedules
(2.03)
243 Amends §8.04.100, minimum garbage fees
(8.04)
244 Amends zoning ordinance (Special)
245 Amends §13.20.060, delinquent utility fees
(13.20)
246 Rezone (Special)
247 Amends §10.36.030, stop or yield required
(10.36)
248 Amends §8.04.100, garbage and refuse (8.04)
249 Adds §8.04.130, garbage and refuse (8.04)
250 Amends §8.04.100, garbage and refuse (8.04)
251 Amends zoning map (Not codified)
252 Adds Ch. 15.16, sealcoat and concrete
regulations (15.16)
253 Amends zoning map (Not codified)
254 (Number not used)
255 Adds §13.20.070; amends §§13.20.050 and
13.20.060, utility use charges (13.20)
256 Amends zoning ordinance (Not codified)
257 Amends §10.32.020, parking (10.32)

ORDINANCE
NUMBER

258	Amends § 10.32.020, parking (10.32)
259	Amends § 8.04.090, garbage and refuse (8.04)
260	Adds § 10.12.030, traffic noise and fumes (10.12)
261	Amends § 8.04.050, garbage and refuse (8.04)
262	Amends §§ 8.08.020 and 8.08.040, junked motor vehicles (8.08)
263	Amends zoning map (Not codified)
264	Division of taxes levied on taxable property (Special)
265	Amends § 13.16.020, water rates (13.16)
266	Amends § 13.08.060, sewer rental (13.08)
267	Adds Ch. 9.50 and §§ 12.12.080 and 12.12.100; amends § 9.78.030, various provisions (9.50, 9.78, 12.12)
268	Amends § 10.36.030, streets and through highways (10.36)
269	Amends zoning map (Not codified)
270	Mediapolis Telephone Company, d/b/a MTC Technologies franchise (Special)
271	Amends official town plat (Special)
272	Amends § 8.04.100, garbage and refuse (8.04)
273	Amends § 10.32.020, parking (10.32)
274	Amends § 8.04.030, garbage and refuse (8.04)
275	Amends § 10.36.030, streets and through highways (10.36)
276	Rezone (Special)

Beginning with Supplement No. 7, this table will be replaced with the "Code Comparative Table and Disposition List."

CODE COMPARATIVE TABLE AND DISPOSITION LIST

This is a chronological listing of the ordinances of Mediapolis, Iowa beginning with Supplement No. 7, included in this Code.

Ordinance Number	Date	Description	Section	Section this Code
277	5-19-08	Adds provisions pertaining to property owners responsibility	1 Added	13.04.170
			2 Added	13.12.090
278	6- 2-08	Franchise	1-10	Omitted
279	6- 2-08	Grant of franchise	1-12	Omitted
280	8-18-08	Amends provisions pertaining to traffic signs	1 Added	10.26.030 PPP, QQQ
			1	10.36.030 CCC, OOO
281	12- 1-08	Amends rate charges	1	8.04.100 C.
282	1-19-09	Amends provisions pertaining to snow routes	1	10.32.030
283	1- 5-09	Adds fines pertaining to prohibition of burning of garbage and refuse	1 Added	8.04.050 D.
284	1- 5-09	Rezoning	1	Omitted
285	4-20-09	Amends provisions pertaining to traffic signs	1 Added	10.36.030 RRR
286	5- 4-09	Amends provisions pertaining to peddlers, solicitors and transient merchants	2	5.04.040
287	6- 1-09	Amends permit fees for sewer connection	1	13.04.060
288	6- 1-09	Amends permit fees for water connection	1	13.12.060
289	6- 1-09	Adds regulations for the yard waste collection site and penalties for violations of said regulations	1, 2 Added	8.04.071 A, B
290	6- 1-09	Amends fees for disconnect of water service	1	13.20.060

Ordinance Number	Date	Description	Section	Section this Code
291	9- 8-09	Provides for division of taxes levied on personal property		Omitted
292	10- 5-09	Adds provisions providing for installation of water meters	1 Added	13.12.065
293	5-18-09	Removes no parking restrictions near the site of the old city swimming pool	1	10.32.020 H.
294	5- 3-10	Designates parking restrictions in city parking lots	1 Added	10.32.020 N.
			2	10.32.020 H.
295	7-19-10	Establishes fees for collection of appliances and electronics with screens	1 Added	8.04.100 G.
296	10- 4-10	Amends water rates		13.16.020
297	10- 4-10	Amends sewer rental rates		10.08.050 13.08.060
299	2- 7-11	Amends handicapped parking space designations	1	10.32.023 B.6.
300	3-21-11	Amends general penalty provisions	1	1.08.010
301	4- 4-11	Amends sanitary sewer provisions	1	13.04.130 N.
303	11-21-11	Amends impoundment fee	1	6.04.070 B.
304	3- 5-12	Amends water meter provisions	1	13.16.030 C.
305	3-19-12	Adds farmer's market exemptions provisions	1 Added	5.04.035
			2 Added	5.04.100
307	6-18-12	Amends rate charges	1	8.04.100 C.
308	11- 5-12	Amends impoundment provisions	1 Added	6.04.070 D.

Ordinance Number	Date	Description	Section	Section this Code
309	4-15-13	Enacting Chapter 1.09: Municipal Infractions	1--8 Added	1.09.010-- 1.09.060
310	7- 1-13	Amending residential refuse rates	1	8.04.100 C.
311	7-21-14	Amending chapter 8.04--Refuse fees	1	8.04.100 A.--C.
312	8-18-14	Amending sections 10.32.020 and 10.32.023 by changing parking regulations near the Mediapolis Community School	1	10.32.020 H.
			2 Rpld	10.32.020 M.
			3	10.32.020 J.
			4	10.32.023 B.1.a.
313	9-22-14	Amending chapter 8.04 Refuse	1 Added	8.04.100 H.
315	3-16-15	Amending parking regulations	1	10.32.020 H.
316	7- 6-15	Amending residential refuse rates	1	8.04.100 C.
317	7- 6-15	Amending water rates	1	13.16.020
318	7- 6-15	Amending sewer rental rates	1	13.08.050, 13.08.060
319	7- 6-15	Amending chapter 10.36 Through Streets and Highways	1 Added	10.36.060
			2 Added	10.36.065
320	9-14-15	Amending refuse fees	1	8.04.100 A., B.
321	11-16-15	Amending chapter 10.32 Parking	1 Added	10.32.080
324	1- 4-16	Amending yard parking regulations	1	10.32.080 D.
327	7-18-16	Amending residential refuse rates	1	8.04.100 C.
328	9- 6-16	Amending refuse fees	1 Rpld	8.04.100 A., B.
			Added	8.04.100 A.

Ordinance Number	Date	Description	Section	Section this Code
			Rnbd as	8.04.100 C., D. 8.04.100 B., C.
			2	8.04.100 D.
			3 Added	8.04.100 I.
329	9- 6-16	Assessing rental charges for improvements to lagoon system	1	13.08.060
330	10- 3-16	Taxes levied on taxable property		Omitted
331	12- 5-16	Zoning		Omitted
332	12- 5-16	Amending impoundment of animals; definition of dangerous animals; updating fines	1	6.04.070
			2	6.05.010
333	3-20-17	Utility use charges	1	13.20.010
334	5-15-17	Throwing, shooting and hitting	1 Added	9.60.040
335	6-19-17	Municipal officers-- salaries and payment schedules	1, 2	2.03.020, 2.03.030
336	10- 9-17	Zoning		Omitted
337	11- 6-17	Yard parking regulations	1	10.32.080