

ORDINANCE NO. 238

AN ORDINANCE IMPOSING MORATORIUM ON ISSUANCE OF NEW RENTAL PERMITS IN THE R-1 ZONE UNTIL JANUARY 15, 2020

Part I: FINDINGS

WHEREAS, the City of University Heights regulates the issuance of rental permits through and by Ordinance No. 110 (Rental Housing Code);

WHEREAS, Ordinance No. 110 establishes a limitation on the number of rental permits in the R-1 Single-Family Residential Zone, as defined by the City's zoning ordinance;

WHEREAS, the state legislature recently passed legislation (Senate File 447) that amends Iowa Code section 414.1 by adding a new provision that prohibits a city from adopting or enforcing any regulation, restriction, or ordinance related to residential property rental permit caps on single-family homes or duplexes, and which is anticipated to be signed by the Iowa Governor in the near future;

WHEREAS, that portion of Ordinance No. 110 that limits the number of rental permits within the City will be invalid and no longer enforceable;

WHEREAS, the City Council desires time to evaluate and review the City's options on how best to regulate rental housing within the City in a manner that comports with state law, but also with the goals and objectives of the City Council and the residents of the City to address housing and quality of life issues in the City, achieving a healthy balance of rental and owner-occupied housing and protecting homes that are suitable for families, single persons, and older persons;

WHEREAS, the City Council desires to permit the community to have input on any proposed City legislation or plans to address rental housing within the City;

WHEREAS, in the meanwhile, the City Council desires that the City cease issuance of rental permits for properties that do not presently have such permits;

WHEREAS, the City Council determines that it is prudent and in the interests of public safety and welfare to impose a

moratorium until January 15, 2020, on the issuance of rental permits for properties in the R-1 Single-Family Residential Zone that do not already have such permits; and

WHEREAS, the City Council reserves the opportunity to constrict, extend, or otherwise modify the moratorium if circumstances warrant,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, IOWA, AS FOLLOWS:

Part II: MORATORIUM

A. A moratorium on the issuance of rental permits for properties in the R-1 Single-Family Residential Zone that do not already have such permits is in effect until January 15, 2020, or until the Council rescinds this Ordinance, whichever occurs first.

B. During the time period this moratorium is in effect, no new rental housing permits shall be issued to properties in the R-1 Zone.

C. In the event the City Council determines that the moratorium should be terminated, extended, or otherwise modified, the City Council may make such changes by further ordinance.

Part III: SAVING CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

Part IV: EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

Part V: REPEALER.

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

Adopted by the University Heights City Council this 24th day of April, 2019, and approved this 24th day of April, 2019.

Louise A. From
Louise A. From, Mayor

(SEAL)

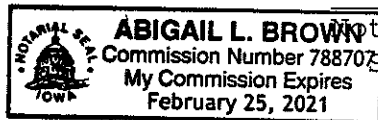
ATTEST:

Christine M. Anderson
Christine M. Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this 24 day of April, 2019, before me, a notary public in and for the state of Iowa, personally appeared Louise A. From and Christine M. Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Louise A. From and Christine M. Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

Abigail Brown



Notary Public in and for the State of Iowa

STATE OF IOWA)
)
COUNTY OF JOHNSON) ss:

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 1st day of May, 2019.

Christine M. Anderson
Christine M. Anderson, City Clerk

Signed and sworn to before me on the 14th day of May, 2019, by Christine M. Anderson, Clerk of the City of University Heights.

[Signature]
Notary Public in and for the
State of Iowa

