

ORDINANCE NUMBER 194 (amending Ordinance Number 79)

AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION,  
CONSTRUCTION, USE OF BUILDINGS AND STRUCTURES, AND THE USE OF  
LAND IN THE CITY OF UNIVERSITY HEIGHTS, IOWA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, JOHNSON COUNTY, IOWA:

**Part I: AMENDMENTS:**

University Heights Ordinance No. 79 is amended as follows (with additions indicated by underline; deletions indicated by ~~strike through~~; omissions by "\*\*\*\*\*"):

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Section 14. Building Permits. No building shall hereafter be erected or structurally altered until a building permit is issued by the Building Inspector in accordance with the provisions of this ordinance and of the Building Code. In addition, no paving measuring one hundred (100) square feet or more in surface area shall be placed or installed on any Lot until a building permit is issued by the Building Inspector in accordance with the provisions of this ordinance and the Building Code. A Building Permit is required if the paving will be placed or installed at one time and one location on a Lot and amounting to one hundred (100) square feet or more in surface area and also if the paving will be placed or installed at multiple times and multiple locations on a Lot since adoption of the Building Permit requirement, with the combined total surface area of all locations amounting to one hundred (100) square feet or more. "Paving" means any permanent, dust-free materials including but not limited to asphaltic concrete, Portland cement concrete, and manufactured paving material such as brick.

Section 15. Board of Adjustment Created.

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2. Appeals and Applications to the Board.

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d) The Board shall fix a reasonable time for a hearing of any application or appeal. Notice of the time and place of such hearing shall be given at least seven (7) but not more than twenty (20) days in advance and shall give notice of said hearing by publication by one publication of a notice of the hearing in a newspaper with having a general circulation in the City of University Heights and by mail or email by written notice by Certified U.S. Mail to the parties in interest to the applicant or party appealing and to the owners of property located within two hundred (200) feet of the exterior boundaries of the property that is the

subject of the application or appeal not less than 15 days nor more than 30 days prior to the day of the hearing. If requested by the City, the applicant or the party appealing shall cause a sign, placard, or other notice in a form and at a time specified by the City to be posted at the property and maintained through the date of the hearing.

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- f) A filing fee of ~~50.00~~ in an amount to be established by resolution adopted by the City Council shall be paid with the filing of any application or appeal provided for herein.

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Section 18. Amendments to this Ordinance. The boundaries of districts as now established and the regulations thereof may be amended, supplemented, changed, modified, or repealed by the City Council from time to time, either upon its own motion, or upon a petition therefore, or upon recommendation of the Zoning Commission as hereinafter provided:

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2. The Zoning Commission shall file its recommendations and report to the City Clerk and the Council shall, before enacting any proposed amendment, supplement, change, modification, or repeal, hold a public hearing in relation thereto. Notice of the time and place of such hearing shall be given at least seven (7) but not more than twenty (20) days in advance by publication in a newspaper having a general circulation in the City of University Heights and by mail or email to the party requesting the amendment, to the owner of the property that is the subject of the amendment, and to the owners of property located within two hundred (200) feet of the exterior boundaries of that property. If requested by the City, the applicant or the party appealing shall cause a sign, placard, or other notice in a form and at a time specified by the City to be posted at the property and maintained through the date of the hearing. ~~giving at least seven (7) but not more than twenty (20) days' notice of the time and place of such hearing, which notice shall be published in a newspaper having a general circulation in the City of University Heights, Iowa, but in~~ In no case shall the public hearing be held earlier than the next regularly scheduled City Council meeting following the published notice.

**PART II: EFFECTIVE DATE:**

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

**PART III: REPEALER:**

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

**PART IV: SAVING CLAUSE:**

If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Adopted by the University Heights City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 201.

\_\_\_\_\_  
Weldon E. Heitman ("Wally"), Mayor

ATTEST:  
(SEAL)

\_\_\_\_\_  
Christine M. Anderson, City Clerk

STATE OF IOWA                    )  
  )       SS:  
COUNTY OF JOHNSON            )

On the \_\_\_ day of \_\_\_\_\_, 2016, before me, a notary public in and for the state of Iowa, personally appeared Weldon E. Heitman ("Wally"), Mayor, and Christine M. Anderson, Clerk of the City of University Heights, 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 acknowledged and sealed on behalf of the City, and that Weldon E. Heitman ("Wally") 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.

\_\_\_\_\_  
Notary Public in and for the  
State of Iowa

STATE OF IOWA                    )  
  )       SS:  
COUNTY OF JOHNSON            )

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Christine M. Anderson

Signed and sworn to before me on the \_\_\_\_ day of \_\_\_\_\_, 2016, by  
Christine M. Anderson, Clerk of the City of University Heights.

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Notary Public in and for the  
State of Iowa