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Keokuk Co Recorder  
Melissa R. Bird  
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KEOTA MUNICIPAL ORDINANCE No.231

AN ORDINANCE AMENDING THE RESTRICTIONS UPON ERECTION OF FENCES  
**Recorder's Cover Sheet**

**Preparer Information:** (name, address and phone number)

Scott D. Flynn, Mayor Pro-tem, PO Box 77, Keota, IA 52248 (641-636-2266)

**Taxpayer Information:** (name and complete address)

N/A

**Return Document To:** (name and complete address)

Joan Netten-Anderegg, City Clerk, PO Box 77, Keota, IA 52248  
**Grantors:**

Scott D. Flynn, Mayor Pro-tem  
Joan Netten-Anderegg, City Clerk

**Grantees:**

**Legal Description:**

**Document or instrument number of previously recorded documents:** N/A

Ordinance Number 231

AN ORDINANCE AMENDING THE RESTRICTIONS UPON ERECTION OF FENCES

**BE IT ENACTED** by the City Council of the City of Keota, Iowa:

**SECTION 1.** Title VI, Chapter 12, Section 24 of the Keota Municipal Code is hereby amended as follows:

Fences in which the openings between the materials of which the fence is constructed represent less than seventy percent (70%) of the total surface may be erected to a height not exceeding four (4) feet along the lot boundaries of the side yard and rear yard of a lot, except that no such fence shall be erected within the thirty (30) feet of the intersection of the two (2) street lines. Wire fences and other fences in which the openings between the materials of which the fences constructed represent more than seventy percent (70%) of the total fence area may be erected to a height of six (6) feet, except within thirty (30) feet of the intersection of two (2) street lines. Fences may be constructed in front yards of a lot only to a height of three (3) feet except that no fence shall be erected within thirty (30) feet of the intersection of two (2) street lines. Fences shall be set back from alleys a distance of five (5) feet and from sidewalks and/or city street right of ways a distance of two (2) feet. Fences may be built to greater heights than those specified as follows:

1. Upon submission of a notarized statement from the neighboring abutting property owner consenting to the construction of a fence to the height of the fence requested to be constructed. Said consent shall be binding upon all successors in interest of the consenting neighboring property owners. Said statements shall be submitted with the building permit for the fence.

**SECTION 2. REPEALER.** That all other ordinances or parts of ordinances in conflict herewith are repealed.

**SECTION 3. SEVERABILITY CLAUSE.** That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of Keota, Iowa, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 4. CERTIFICATION BY CLERK.** Pursuant to Keota Municipal Code Section 6-12-28 and Iowa Code Section 380.11, the Clerk shall certify this Ordinance to the Keokuk County Recorder.

**SECTION 5. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 17<sup>th</sup> day May, 2010, and approved the 17<sup>th</sup> day of May, 2010.

  
\_\_\_\_\_  
MAYOR ANTHONY CANSLER

ATTEST:

  
\_\_\_\_\_  
CITY CLERK JOAN NETTEN-ANDREGG

I certify that the foregoing was published as Ordinance 231 on the 19<sup>th</sup> day of  
May, 2010.