

2231
AT 7:20 O'CLOCK P. M.
JUL 24 1967
MARY A. DUFFY, Recorder
Book 408 Page 191
FEE 3.50 Pd

CERTIFICATION

The undersigned, Town Clerk of the Town of Ogden, Iowa, hereby certifies that the Copy of Ordinance No. 116 which is attached hereto is a true and accurate copy of said Ordinance as such was adopted and passed by the Town Council of the Town of Ogden, Iowa, on the 11th day of July, 1967, and published in the Ogden Reporter, a newspaper printed and published in Ogden, Iowa, on the 20th day of July, 1967.

The undersigned certifies that the attached Plat was prepared pursuant to said Ordinance No. 116 and outlines in red the restricted residence districts thereby established and shows the number of each such district in blue.

Dated this 24th day of July, 1967.



L. S. Nelson

L. S. Nelson
Clerk of the Town of Ogden

STATE OF IOWA
COUNTY OF BOONE

ss:

BE IT REMEMBERED, that on this 24th day of July, 1967, before me, the undersigned, personally appeared L. S. Nelson, to me known to be the Clerk of the Town of Ogden, Iowa, and the person named in and who executed the foregoing instrument and acknowledged the execution of the same to be his voluntary act and deed as such municipal officer.



Mary A. Duffy - Recorder
Mary A. Duffy - Recorder

ORDINANCE NO. 116

AN ORDINANCE ESTABLISHING RESTRICTED RESIDENCE DISTRICTS, ESTABLISHING RULES AND REGULATIONS, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED BY THE COUNCIL OF OGDEN, IOWA:

Section 1. In order to regulate and control the use of buildings hereinafter to be erected, altered or moved, there is hereby established within the Town of Ogden, a restricted residence district.

Section 2. The following residence districts are hereby created:

District No. 1: All that area lying south of a line commencing at the intersection of Walnut Street at West Town limits, thence east along Walnut Street to the intersection with Seventh Street, thence South along Seventh Street to its intersection with Mulberry Street, thence East along Mulberry Street to its intersection with Second Street, thence North along Second Street to its intersection with Walnut Street, thence East along Walnut Street to its intersection with Adam Street, thence South along Adam Street to its intersection with Mulberry Street, thence East along Mulberry Street to the east Town limits.

District No. 2: All that area between First Street on the East and Fifth Street on the West lying north of a line commencing at the corner of Sycamore and First Streets, thence West along Sycamore Street to Fourth Street, thence South a distance of 132 feet along Fourth Street to alley, thence West along alley to Fifth Street.

Section 3. (a) It shall be unlawful to erect, reconstruct, alter, repair or use any building or struc-

ture, except residences or resident outbuildings within restricted residence districts without first securing a permit from the Town Council.

(b) Before a permit shall be issued there shall be filed with the Mayor a detailed plan and specifications for such building or structure to be erected, reconstructed, altered, repaired or used and the Mayor shall publish notice of a time and place of hearing on such application for permit at least five days in advance of hearing by one publication in a newspaper printed and published in Ogden, Iowa, describing the real estate on which the proposed building is to be erected, reconstructed, altered, repaired or used and, pursuant thereto, the Council shall hold a meeting at which time objections, if any, may be heard. If no objections are filed, the Council may, if in its judgment, a permit should not be granted, refuse to grant the same, or the Council may, if in its judgment such permit should be granted, issue same notwithstanding objections thereto. Granting a permit shall require the affirmative vote of four Councilmen.

(c) Prior to such hearing on the application the applicant shall pay the costs of publication and proof thereof shall be filed by applicant with the Clerk prior to said hearing.

Section 4. It shall be unlawful to move a building or structure of any kind, from without to within a restricted residence district, or from one location in a restricted residence district to another within a restricted residence district without securing a permit pursuant to Section 3 of this Ordinance.

Section 5. It shall be unlawful to use or occupy any property within

a restricted residence district in such a way as to be offensive, or which creates any added burden or disadvantage to any resident of said district.

(a) The term residence, as used in this Ordinance, shall not include a Mobile Home as defined by Chapter 321 of the Code of Iowa, 1966. A permit shall be required whenever such a structure is moved into or moved within a restricted residence district. A Mobile Home is hereby declared to be an added burden and disadvantage to the residences within a restricted residence district.

Section 6. It shall be unlawful to erect, construct, alter or repair any building within a restricted residence district, so that any part of such building will be nearer the street than the average of the distance from the street of the two adjoining buildings, one on each side.

Section 7. Any building or structure erected, reconstructed, altered, repaired or used in violation of the provisions of this Ordinance shall be deemed a nuisance, and it shall be abated by action in the District Court. Such action for abatement shall be prosecuted in the name of the municipality and it shall be the duty of the Mayor and the Town Attorney to prosecute such action for abatement.

Section 8. Within five days after the Ordinance becomes effective the Town Clerk shall prepare or have prepared a plat of the restricted residence districts as established by this Ordinance and certify such Ordinance and Plat to the County Recorder.

Section 9. This Ordinance to be effective from and after its publication as provided by law and the filing of the Plat and copy of said Ordinance with the County Recorder.

Dated this 11th day of July, 1967.

LORENZO N. STUMBO
Mayor

Jy20

MAP OF TOWN OF
GODEN, IOWA

SCALE = 600'

