

Miscellaneous Record, No. 9, Keokuk County

Limits, regulating the Erection and Removal of Buildings therein, and prescribing Penalties for Violation", being Ordinance No. 33 of the 1930 Revised Ordinances of the Town of Keota, Iowa, be and the same is hereby repealed and the following enacted in lieu thereof, to-wit:

Section One (1). The fire limits are established to include all the following described territory:

Beginning at a point at the East Corporation line of the Town of Keota, Iowa, on the South side of Broadway Street, thence South 278 feet, thence West on a straight line to a point 150 feet West of the West side of Davis Street, thence North to a point 140 feet North of the North side of Broadway Street, thence East to the East side of Ellis Street, thence North to the South side of Keokuk Street, thence East to the West side of Fulton Street, thence South to a point 140 feet North of the North side of Broadway Street, thence East to the said Town Corporation line, thence South to the point of beginning.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

Passed and Approved this 7th day of June, 1948.

Attest:
W. C. Richardson Town Clerk

E. C. Haberman
Mayor

The above ordinance entitled "An Ordinance to Amend an Ordinance entitled "An Ordinance establishing Fire Limits, regulating the Erection and Removal of Buildings therein, and prescribing Penalties for Violation", being Ordinance No. 33 of the 1930 Revised Ordinances of the Town of Keota, Iowa," was authenticated this 7th day of June, 1948.

(CORP. SEAL)

E. C. Haberman, Mayor
W. C. Richardson, Clerk

I, W. C. Richardson, Clerk of the Town of Keota, Iowa, hereby certify that the above ordinance entitled "An Ordinance to Amend an Ordinance entitled 'An Ordinance establishing Fire Limits, regulating the Erection and Removal of Buildings therein, and prescribing Penalties for Violation', being Ordinance No. 33 of the 1930 Revised Ordinances of the Town of Keota, Iowa", was duly passed by the Council on the 7th day of June, 1948, signed by the mayor on the 7th day of June, 1948, authenticated by the mayor and clerk on the 7th day of June, 1948, and published in The Keota Eagle, a newspaper of general circulation published in the Town of Keota, Iowa, on the 17th day of June, 1948; that it has been recorded in the Ordinance books of the town and that the recording thereof has been signed by the mayor and clerk.

(CORP. SEAL)

W. C. Richardson
Clerk of the Town of Keota, Iowa

#2806

Ordinance
Town of Keota, Iowa
to
The Public

Filed for record May 25, A. D. 1953
At 11:20 o'clock A. M.
Nora Jacobs, Recorder
Maurine Richardson, Deputy
Fee: 16¢ VET

ORDINANCE NUMBER 33-D

Councilman Holmes presented the following Ordinance on first reading, entitled "An Ordinance Establishing Restricted Residence Districts, Establishing Rules and Regulations, and Prescribing Penalties for Violation", and moved that the rules be suspended and the Ordinance adopted, seconded by Councilman Mayer. The Mayor ordered the roll called on the suspension of the rules and the passage of the Ordinance and the adoption of the said Ordinance, with the following results:

Yeas: Harold Holmes, G. W. Mayer, L. B. Dempsey, G. M. Ochs
Nays: None
Absent: J. E. Klein

Whereupon the Mayor declared the motion carried and the Ordinance adopted as follows:

ORDINANCE NUMBER 33-D

"An Ordinance Establishing Restricted Residence Districts, Establishing Rules and Regulations, and Prescribing Penalties for Violation."

Be It Enacted by the Town Council of the Incorporated Town of Keota, Iowa:

ARTICLE I.

SHORT TITLE

Section 1. This Ordinance shall be known as the Zoning Ordinance of 1948.

ARTICLE II.

DEFINITIONS.

Section 1. For the purpose of this Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include "structure", and the word "shall" is mandatory and not directory.

(1) Buildings: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.

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(2) Dwelling: Any building or portion thereof which is designed and used exclusively for residential purposes.

(3) Garage, private: An accessory building housing motor driven vehicles which are the property of and for the private use of the occupants of the lot on which the private garage is located. Not more than one (1) of the vehicles may be a commercial vehicle of not more than three (3) tons capacity.

(4) Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, and pergolas.

(5) Structural alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

ARTICLE III.

DISTRICT BOUNDARIES AND GENERAL REGULATIONS

Section 1. There is hereby designated and established the following restricted residence districts:

All lots and lands within the Corporate limits of the Town of Keota, Iowa, and being situated and lying outside of and excluded from the following:

Beginning at a point at the East Corporation line of the Town of Keota, Iowa, on the South side of Broadway Street, thence South 278 feet, thence West on a straight line to a point 150 feet West of the West side of Davis Street, thence North to a point 140 feet North of the North side of Broadway Street, thence East to the East side of Ellis Street, thence North to the South side of Keokuk Street, thence East to the West side of Fulton Street, thence South to a point 140 feet North of the North side of Broadway Street, thence East to the said Town Corporation line, thence South to the point of beginning.

Section 2. The Clerk shall prepare, or cause to be prepared, a Plat of the restricted residence districts as established by this Ordinance, and the boundaries of the district on such map are hereby made a part of this Ordinance, which map is designated as the "District Zoning Map". The District Zoning Map and all the notations, references and other information shown thereon are a part of this Ordinance and have the same force and effect as if the District Zoning Map and all the notations, references and other information shown thereon were all fully set forth or described herein, the original of which District Zoning Map is properly attested and is on file with the Clerk of the Town of Keota, Iowa.

Section 3. It shall be unlawful to move a building or structure of any kind, from without a restricted residence district to within a restricted residence district, or from one location within a restricted residence district to another location within a restricted residence district, without first filing written plans and written specifications with the Council and securing a Permit to move or remove such buildings or structures within the restricted residence district. The Council may require such reasonable evidence in support of an application for such Permit as it may deem necessary.

Section 4. It shall be unlawful to erect, convert, enlarge, reconstruct or structurally alter any building or structure, except residences, school houses, churches and other similar structures, within the restricted residence districts without first securing from the Council a Permit therefor. Each Application for such Permit shall be accompanied by detailed written plans and written specifications showing the size, shape, materials and location of the building to be erected, and such other information as may be necessary for the enforcement of this Ordinance. A record of the Application and such written plans and written specifications shall be kept in the office of the Clerk of the Town of Keota, Iowa. Before the Council may consider or hear such Application, the Applicant shall file with the Council an Affidavit that personal service of Notice of such Application for such Permit has been served in the form and manner prescribed by the Rules of Civil Procedure of the Iowa Supreme Court upon all owners of real property situated within 300 feet of said proposed building or structure, or a Written Waiver signed by the owners of real estate within 300 feet of the proposed building or structure, waiving all objections to the proposed erection, reconstruction, altering and/or repairing of such building or structure, and that such Affidavit or such Waiver, as the case may be, shall be filed at least twenty (20) days prior to such hearing.

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 in said restricted residence district.

Section 6. Any building or structure erected, reconstructed, altered or repaired in violation of the provisions of this Ordinance shall be deemed a nuisance and it shall be abated by action in the District or Mayor's 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 City Attorney to prosecute such action for abatement.

ARTICLE IV.

INTERPRETATION AND PURPOSE

Section 1. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health, convenience, comfort, morals, prosperity and general welfare.

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ARTICLE V.

VIOLATION AND PENALTY

Section 1. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) or imprisoned for a period not exceeding thirty (30) days, or both, for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

ARTICLE VI.

VALIDITY

Section 1. Should any Section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than that part so declared to be invalid.

ARTICLE VII.

REPEAL OF CONFLICTING ORDINANCES.

Section 1. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

ARTICLE VIII.

DATE OF EFFECT

Section 1. This Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

Passed and Approved this 7th day of June, 1948.

Attest: W. C. Richardson
Town Clerk

E. C. Haberman
Mayor

The above ordinance entitled "An Ordinance Establishing Restricted Residence Districts, Establishing Rules and Regulations, and Prescribing Penalties for Violation" was authenticated this 7th day of June, 1948.

(CORP. SEAL)

E. C. Haberman, Mayor
W. C. Richardson, Clerk

I, W. C. Richardson, Clerk of the Town of Keota, Iowa, hereby certify that the above ordinance entitled "An Ordinance Establishing Restricted Residence Districts, Establishing Rules and Regulations, and Prescribing Penalties for Violation" was duly passed by the Council on the 7th day of June, 1948, signed by the mayor on the 7th day of June, 1948, authenticated by the mayor and clerk on the 7th day of June, 1948, and published in The Keota Eagle, a newspaper of general circulation published in the Town of Keota, Iowa, on the 17th day of June, 1948; that it has been recorded in the Ordinance Books of the Town and that the recording thereof has been signed by the mayor and clerk.

(CORP. SEAL)

W. C. Richardson
Clerk of the Town of Keota, Iowa