

ADDITIONAL ENTRY:

Ida G. Sands, City Clerk
of Emmetsburg, Iowa, SEAL,

to

Whom it may Concer.

(CERTIFIED COPY OF ORD-
INANCE NO. 81.

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(Dated May 10, 1940.

(Filed May 21, 1940.

(Published May 16, 1940.

(Miscellaneous Record 11,

(Page 362.

RESTRICTING RESIDENCE DISTRICTS:

AN ORDINANCE ESTABLISHING A RESTRICTED RESIDENCE DISTRICT, ESTABLISHING RULES AND REGULATIONS AND PRESCRIBING PENALTIES FOR VIOLATION.

Be it Ordained by the Council of the City of Emmetsburg, Iowa:

SECTION 1. Districts: There is hereby designated and established within the said City, the following restricted residence districts:

Blocks covered not covered by this Abstract.

SECTION 2. Certifying Ordinances. Immediately, and within five days, after this ordinance becomes in effect the Clerk shall prepare, or cause to be prepared a plat of the restricted residence districts as established by this ordinance and certify such ordinance and plat to the County Recorder.

SECTION 3. Rules and Regulations: It shall be unlawful to erect, reconstruct, alter or repair any building, within a restricted residence district, so as to increase the size, shape or contents of such building, or so as to create an added burden or disadvantage to any resident of said district, without first filing plans and specifications with the council and securing a permit from the Council.

SECTION 4. Move Buildings. It shall be unlawful to move a building or structure of any kind, from without or within a restricted residence district, or from one location in a restricted residence district to another location in a restricted residence district, without first filing plans and specifications with the council and securing a permit to remove such building or structure within the restricted district. No permit shall be issued that will result in a violation of this ordinance or when, in the judgment of the council, a permit should be refused.

SECTION 5. It shall be unlawful to erect, reconstruct, alter or repair any building or structure, except residences, school houses, churches and other similar structures, within the residence districts, without first securing from the council a permit therefor. Before a permit shall be issued by the council, there shall be filed with the council detailed plans and specifications for such building or structure to be erected, reconstructed, altered or repaired, together with a certificate that personal notice of application for a permit has been served upon all owners of real property, situated within 300 feet of said proposed building or structure, waiving all objections to the erection, reconstruction, repairing of said building or structure.

SECTION 6. Minimum Cost. It shall be unlawful to erect or construct any dwelling house, or other building used for residence purposes, within the said restricted residence district, at a total cost of less than TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS.

SECTION 7. Use and Occupancy. 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.

SECTION 8. Building Line. 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 9. Action to Abate. 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 municipal court. Such action for abatement shall be prosecuted in the name of the municipality and it shall be the duty of the Mayor and City Attorney to prosecute such action for abatement.

SECTION 10: Penalties. Anyone violating any of the provisions of this Ordinance shall, upon conviction, be subject to imprisonment not exceeding thirty days, or to a fine not exceeding one hundred dollars. Whenever the fine and cost imposed for the violation of this ordinance are not paid, the person convicted may be committed to jail until the fine and costs are paid, not exceeding thirty days.

SECTION 11. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 12. This Ordinance shall be in force and effect from and after its passage and publication as provided by law.

PASSED and ADOPTED this 10th day of May, 1940. H. E. Barringer, Mayor.