

**BUSINESS OF THE CITY COUNCIL  
WINDSOR HEIGHTS, IOWA  
AGENDA STATEMENT**

Item No. \_\_\_\_7\_\_\_\_  
For Meeting of 11/30/09

**ITEM TITLE:** Public hearing on the adoption of the proposed “Code of Ordinances for the City of Windsor Heights, Iowa.”

**CONTACT PERSON(S):** Marketa George Oliver, City Administrator

**SUMMARY EXPLANATION**

The Windsor Heights Municipal Code will be updated to include ordinances that were passed by the City Council. The City’s code is also being revised to conform with any applicable changes made to the Code of Iowa. Because the City’s new Code is in a different format than the City’s former code, it is not possible to post a “red-lined” version showing the changes as they exist in the Code. Therefore, this Executive Summary identified some of changes to the Code that are beyond updating the City’s code to include past ordinances and conform with State law. Staff has identified the changes based on program area. This information has been posted on the City’s website along with the new code and the matter has been published in accordance with State law.

**Police**

- 1) Traffic charges that are already state offenses now refer to the state code instead of rewriting the text on each code.
- 2) Codification reviewed and updated all of our traffic charges to make sure that they are in accordance to current legislation.
- 3) The Theft and Fraud sections of Public Offenses were condensed into a Theft charge only with referral to State Code 714.1.
- 4) Updated the pawnbrokers section to refer to State Code 124.05.
- 5) Several public offense codes that were scattered throughout the code were moved into the new Public Offense Chapter 40.
- 6) Reviewed all Public Offenses and matched them with the appropriate State Code.
- 7) Reviewed and changed licensing for pawnbrokers to one year from the date of issue instead of January 1 of each year.
- 8) Reviewed and updated all definitions to match those of State Code.
- 9) Changed the Animal Ordinance to match the recommended Ordinance from the MAC.

**Public Works**

No significant changes.

**Fire**

No significant changes.

**Nuisances - Noises**

The sections related to noise levels in Chapters 54 (Nuisances) and Chapter 171 (Zoning) were revised to be compatible and reflect like noise levels. This recommendation came from the Planning and Zoning Commission at its February 25, 2009 meeting.

**Zoning**

- 1) Septic Systems – Chapter 98. All septic systems must switch over within a year of code adoption if they are commercial, home based business, rental or contract sale homes. Residential homes must switch over from septic to city sewer PRIOR TO the transfer of title or sale of property. A yearly inspection for all septic systems should be required by a licensed plumber with a report submitted to the city for the building inspectors review. This issue was discussed at the May 27<sup>th</sup> Planning and Zoning Commission meeting and the June 8<sup>th</sup>, 2009 Special Council meeting.
- 2) Hard Surface Driveways. Commercial or home-based business and rental properties must hard surface the driveway within one year, and residential properties within two years, or upon change of ownership, whichever comes first. This issue was discussed at the May 27<sup>th</sup> Planning and Zoning Commission meeting and the June 8<sup>th</sup>, 2009 Special Council meeting.


- 3) Section 174.08: Changes the weight for "Heavy commercial vehicles" from 10 ton to 2.5 tons. This recommendation was made by the Planning and Zoning Commission on February 25, 2009 and has been discussed at previous Council study sessions.

**Council Section**

A section on council member expectations was added to Chapter 17.

**Nuisances**

Chapter 50.02, section 10 was changed to exempt ornamental grasses from nuisance enforcement.

<p>____ Resolution ____ Ordinance ____ Contract ____ Other (Specify) _____</p> <p>Funding Source _____</p> <p>APPROVED FOR SUBMITTAL _____</p> <p style="text-align: center;"> City Administrator</p>
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**STAFF RECOMMENDATION:** Hold public hearing.

**COUNCIL ACTION:**