

**CITY OF RIVERSIDE COUNCIL MEETING AGENDA  
RIVERSIDE COUNCIL CHAMBERS  
60 N GREENE ST**

**WORK SESSION MEETING  
Monday, November 14, 2022 – 6:00 P.M.**

1. Permit Fees-building
  - Address electrical fees
  - What other communities are doing
2. Nuisances-what I have observed so far, possible code updates
  - Noise (Do you want to put a time on it)
  - Pool fencing
  - Weeds
  - Sidewalks
  - Car Parts-non usable objects
  - Campers, trailers
  - Containers
  - Types of fencing
3. Documentation-tracking
4. Staffing
  - CA requirements for staying/plans for filling position
  - Public Works Staffing
  - Deputy Clerk



Trek  
"Where the Best Begins"

STAFF USE ONLY  
Date Received:  
Received by:  
Permit #:  
Paid: \$35 Yes / No

# BUILDING PERMIT APPLICATION

Job Site Address \_\_\_\_\_

Applicant \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_ City/St/Zip \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_ City/St/Zip \_\_\_\_\_

General Contractor \_\_\_\_\_ Address \_\_\_\_\_

Contractor License Number \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_ City/St/Zip \_\_\_\_\_

### Subcontractors

Plumber \_\_\_\_\_ Phone \_\_\_\_\_ Contractor License \_\_\_\_\_

Email \_\_\_\_\_

Mechanical \_\_\_\_\_ Phone \_\_\_\_\_ Contractor License \_\_\_\_\_

Email \_\_\_\_\_

Electrician \_\_\_\_\_ Phone \_\_\_\_\_ Contractor License \_\_\_\_\_

Email \_\_\_\_\_

Sewer/Water Contractor \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Type of Construction (check one box) Building Project Estimated Valuation: \$ \_\_\_\_\_  
(Building Official will set valuation for permit fee)

- New
- Accessory Building
- Addition
- Remodel / Replace
- Deck
- Fence
- Pool
- New Driveway
- Sign
- Demolition

Project Description (include dimensions) \_\_\_\_\_

### Zoning Information:

Lot # & Subdivision \_\_\_\_\_

Occupancy Classification and Use: \_\_\_\_\_

Setback... Front: \_\_\_\_\_ Sides \_\_\_\_\_ Rear \_\_\_\_\_ Is site on a corner lot?  Yes  No

Structure Height: \_\_\_\_\_ # of Story/ies \_\_\_\_\_ Lot Area \_\_\_\_\_ Lot Dimension: \_\_\_\_\_

Proposed Off Street Parking Spaces: \_\_\_\_\_

### Verification of Application

I declare that the information provided in this application is true, correct, and complete to the best of my knowledge.

NAME (print) \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Check List Copy of:  Site Plans  Drawings (Min. 8x10 Sheet or Digital)

# City of Riverside

## Building Permit Process

PO Box 188  
60 N. Greene Street

PHONE 319-648-3501  
FAX 319-648-4012

Items to be submitted by the applicant:

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1. **Building Permit Application Form**

Provide the requested information on the application including site address, contact phone numbers, subcontractor list and project description, including dimensions. Submit an estimated valuation of the project that does not include the cost of the land. The applicant shall sign and date the application.

2. **Building plans**

Submit two identical sets of construction drawings that provide sufficient information for the building official to ascertain the scope of the project. Hand drawn plans may be accepted. However, all documents shall be drawn to scale or contain dimension lines. The drawings shall be produced with the aid of a straightedge. Construction documents shall include a floor plan, a foundation plan and a section view from footing to roof, or as applicable. All rooms shall be labeled. Either the plans or accompanying paperwork shall list finished and unfinished square footage of the proposed structure. Drawings shall be on 8.5" x 11" paper or larger. For commercial and industrial work, professionally drawn documents will be required.

3. **Site plan**

Submit a drawing or aerial photo that shows the proposed footprint of the structure on the lot. The relationship of the building to the boundaries of the property shall be shown on the plan using dimension lines. Drawings shall be to scale and shall include a north arrow. The building footprint and relevant property lines shall be staked on the proposed site at time of application.

4. **Application Fee**

This fee is paid at time of application, for processing of the permit. Payment will be retained by the city whether the permit is approved or denied.

5. **Building Permit Fee**

This fee is paid once the application is approved. The fee total is based on the valuation of the project. Project valuation is determined to be the higher of the two amounts between the estimated valuation stated by the applicant and the amount calculated by the building official.

The city will process the building permit application as follows:

1. The site plan will be reviewed to insure the project will comply with setbacks and other zoning requirements as set forth in the zoning ordinance. A site visit may be necessary before excavation to insure that the new structure will meet the required setback distances.
2. A plan review of the construction documents will be performed by the building official to insure compliance with the building code. Any possible deficiencies will be noted on the plans in red ink. Compliant plans will be marked "Approved". The building official will then calculate the building permit fee.
3. The approved permit, a stamped set of construction documents and a yellow inspection record card will be given to the applicant. The yellow card is a checklist of inspections that will need to be completed in order to finalize the permit. The permit documents shall be posted at the construction site in a location that is accessible to the building inspector for the entirety of the project. Please try to protect the documents from the weather. The city will retain the second set of construction documents for permanent record.

No construction (including excavation) may commence before permit issuance. It is the responsibility of the applicant to schedule the required inspections by calling the city clerk. Do not occupy the structure until all inspections have been called for and approved. The City of Riverside enforces the 2015 International Building Code, the 2015 International Residential Code, the 2015 Uniform Plumbing Code, the 2015 National Electrical Code and the 2015 International Fire Code.

**City of Riverside**  
**Inspection Procedures for**  
**Dwellings**

PO Box 188  
60 N. Greene Street

PHONE 319-648-3501  
FAX 319-648-4012

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**All Inspections:**

- ~~• No construction, including excavation, shall begin until the permit is issued.~~
- It is the applicant's responsibility to schedule inspections by calling the city clerk (648-3501).
- It is recommended that a contractor or representative be on-site during the inspection.
- Every effort will be made to accommodate inspection requests within a 48 hour time period.
- All areas of the work-site and items to be inspected shall be visible and accessible to the inspector.
- The inspector will sign the yellow Inspection Record Card when each inspection is Approved.
- Failure to meet requirements or pass inspection may result in the inspection being rescheduled.

**Footings:**

- Footings shall be inspected prior to pouring concrete.
- The excavation shall be dug to the required depth, (required frost protection is 42" minimum).
- Forms shall be the proper width or diameter as approved on the building plans.
- The bottom surface shall be free of debris, flat and relatively smooth, with right-angled corners at the edges.

**Foundation Wall:**

- Foundation walls shall be inspected prior to pouring concrete.
- Forms shall be constructed to the proper width as approved on the plans and shall be sprayed with form oil.
- Re-enforcement shall be in place.

**Underground Plumbing:**

- All underground piping shall be accessible for inspection prior to the concrete slab being poured.
- Piping shall slope downward and be laid on a firm bed for its entire length, with no sagging.

**Gas Pressure Test:**

- If any gas line has been installed, a pressure test shall be conducted with air before the gas can be hooked up.
- The test shall be done with a 30 psi gauge and shall maintain a minimum of 10 psi for 15 minutes.

**Rough-In Inspections:**

- Roofing material, exterior siding, windows and doors can be installed prior to rough-in inspection.
- Framing, Electrical, Plumbing and HVAC shall be inspected prior to installing insulation and drywall.
- Truss specifications and layout shall be on site for inspection of the roof and floor framing.
- All plumbing vents shall penetrate the roof. Nail guards shall be installed where passing through studs.
- Each mechanical vent shall be terminated to the exterior. Joints in ductwork shall be sealed for air loss.
- All electrical wiring and boxes shall be installed and properly supported/secured.
- Manufacturer's installation instructions shall be provided for all appliances and equipment installed.

**Final Inspection:**

- The structure shall not be occupied until final inspection has been performed.
- All safety hazard issues, including hand rails, guard rails, landings and stairs shall be complete.
- Finish grading shall slope away from the structure. No step shall be greater than 7-3/4" from the ground.
- Each room shall have a light. Cover plates shall be installed on all switches and receptacles.
- Each plumbing fixture and drain shall be operational. Future plumbing shall be properly capped.
- All smoke alarms and carbon monoxide alarms shall be installed, uncovered and operational.
- Decks and finished basements listed on the original house permit shall be finished before occupancy.
- No temporary occupancies will be granted. Any unfinished areas will require new permits to finish.

### When Do I Need a Permit?

The best way to find out if you need a permit is to inquire at City Hall. Discuss your plans in detail before you begin construction so that staff can make an informed decision. Permits are usually required for the following:

- New buildings and additions (bedrooms, bathrooms, family rooms, decks, garages, etc.)
- Remodels or renovations that include a structural change, such as alterations to a bearing component
- Fences over 6' tall, retaining walls over 4' tall, detached gazebos exceeding 200 square feet, pools holding more than 24" of water, fireplaces etc.
- Changes to Electrical, Plumbing or HVAC systems, other than minor repairs or maintenance
- A change of occupancy in an existing building from one classification of use to another (Example #1: A residential garage converted to living space, Example #2: A commercial business changed to another type of commercial business that is different in service, nature, or occupant load)

### What is the maximum size building I can construct without a permit?

A permit is not required to construct a detached building that is 200 square feet or less. This permit exemption is only applicable to a one-story accessory structure used as a tool shed, storage shed, playhouse or similar use. Any addition of square footage to an existing house would require a permit, regardless of size.

### Do I need a permit for bedroom window replacement? What are the requirements?

Replacement of bedroom windows that include frame replacement will always require at least one emergency escape and rescue opening to be installed in each affected bedroom. Double hung windows shall be replaced with casement windows if the header size cannot accommodate a double hung window size that meets code. If double hung windows are desired, the header size will need to be changed. All of the above would require a building permit. Emergency Escape and Rescue Openings shall meet all of the following requirements:

1. A minimum net clear opening of 5.7 square feet
2. A minimum net clear opening height of 24 inches
3. A minimum net clear opening width of 20 inches

Sash replacement of existing windows would not require a permit, and the window would not be required to meet the emergency escape and rescue opening size.

### Do I need a permit for replacement of a deck?

Construction of a deck will always require a permit, even if replacing an existing deck of the exact same size. Replacement of any component of a deck, including required guard rails or the stairs that serve the deck will also require a permit. Altered portions of an existing deck shall meet current code requirements, even if the old one did not. Repair of a singular component or framing member may not require a permit.

### How long is my permit good for?

Every permit shall begin work within 180 days of its issuance. Once work has begun, it shall not be suspended or abandoned for a period exceeding 180 days. The building official is authorized to grant, one or more extensions of time, for periods of 180 days. The extension shall be requested in writing and justifiable cause demonstrated. Additional fees will be necessary to renew a permit which has expired.

### What are the building inspector's hours?

Typically, inspections are done between the hours of <sup>7 AM - 3:30 PM</sup> 5:00 PM to 8:00 PM on weekdays. 24 hours advance notice is required for all inspections. It may be possible to get an inspection at other hours in an emergency or a special situation. 48 hours notice will be required for any such special requests.

### How long does it take for permit application approval?

A permit application should typically take less than a week to process. This time frame does not apply to a permit that will require a variance, or special exception by the Board of Adjustment. The more complete the information and drawings are at the time of submittal, the more beneficial it will be to the speed of the review process. It will also assist the inspector in finding possible deficiencies at the planning stage rather than during the inspection.

## CITY OF RIVERSIDE – APPLICATIONS/ PERMITS/ FEES

*NOTE: The term "addition" below means structural additions to the item. It does not include improvements to the structure such as siding, windows, or shingles.*

ACTIVITY	REQUIRE APPLICATION	APPLICATION FEE	REQUIRE PERMIT	PERMIT FEE
<b>New Home - Valuation</b> \$100,000 or less \$100,001 to \$150,000 \$150,001 to \$200,000 \$200,001 to \$300,000 \$300,001 to \$500,000 \$500,001 and above	X	\$35.00	X	\$250.00 \$500.00 \$750.00 \$1,000.00 \$1,250.00 \$1,500.00
<b>Addition to Home</b>	X	\$35.00	X	\$.50 per each additional sq. ft.
<b>New Multi-Family – Valuation</b> \$100,000 or less \$100,001 to \$150,000 \$150,001 to \$200,000 \$200,001 to \$300,000 \$300,001 to \$500,000 \$500,001 and above	X	\$35.00	X	\$250.00 \$500.00 \$750.00 \$1,000.00 \$1,250.00 \$1,500.00
<b>Addition to Multi-Family</b>	X	\$35.00	X	\$.50 per each additional sq. ft.
<b>New Business – Valuation</b> \$100,000 or less \$100,001 to \$150,000 \$150,001 to \$200,000 \$200,001 to \$300,000 \$300,001 to \$500,000 \$500,001 and above	X	\$35.00	X	\$500.00 \$750.00 \$1,000.00 \$1,250.00 \$1,500.00 \$1,750.00
<b>Addition to Business</b>	X	\$35.00	X	\$.50 per each additional sq. ft.
<b>New Garage (detached)</b>	X	\$35.00	X	\$250.00
<b>Addition to Garage</b>	X	\$35.00	X	\$.25 per each additional sq. ft.

**CITY OF RIVERSIDE – APPLICATIONS/ PERMITS/ FEES**

<b>New Outbuilding Addition to Outbuilding</b>	X	\$35.00	X	\$0
<b>New Deck / Porch Addition to Deck / Porch</b>	X	\$35.00	X	\$0
<b>New Fence Addition to Fence</b>	X	\$35.00	X	\$0
<b>New Retaining Wall Addition to Retaining Wall</b>	X	\$35.00	X	\$0
<b>Finish/ Remodel Basement</b>	X	\$35.00	X	\$50.00
<b>New Property Access</b> Addition to existing drive way	X	\$35.00	X	\$0
New drive way	X	\$35.00	X	\$0
<b>Pool</b> Above Ground <i>smaller than 3' deep (temporary)</i>	X	\$0		
In-ground or Above ground <i>larger than 3' deep (permanent)</i> <i>Including fence / gate</i>	X	\$35.00	X	\$0
<b>Sign</b>	X	\$35.00	X	\$0
<b>Demolition of Principle Permitted Use</b>	X	\$35.00	X	\$75.00
<b>Three Month Extension to Construction Permit</b> <i>Can be renewed</i>	X	Written Request	X	\$0

**CITY OF RIVERSIDE – APPLICATIONS/ PERMITS/ FEES**

**WATER & SEWER FEES**

Water Connection.....	\$100.00
Sewer Connection.....	\$100.00
Water Meter with MIU.....	\$350.00
Contact City Hall one week prior for meter delivery.	TOTAL \$ 550.00

**SUBDIVISION ORDINANCE**

Copy of Subdivision Ordinance.....	\$15.00
Minor Subdivision.....	\$750.00
Major Subdivision (3 or more lots)	
Preliminary Plat.....	\$1,250.00
Final Plat.....	\$1,000.00

**ZONING ORDINANCE**

Copy of Zoning Ordinance (including map) .....	\$20.00
Change of Zoning Classification (rezoning).....	\$250.00
Special Exception Request (to Board of Adjustment).....	\$250.00
Variance Request (to Board of Adjustment) .....	\$100.00
Appeal to Board of Adjustment .....	\$100.00

**OTHER RELATED ACTIONS / DOCUMENTS**

Copy of Comprehensive Plan (including maps) .....	\$35.00
Special Meetings of the Planning and Zoning Commission.....	\$250.00
Special Meetings of the City Council Commission.....	\$375.00

## CHAPTER 50

# NUISANCE ABATEMENT PROCEDURE

50.01 Definition of Nuisance  
50.02 Nuisances Enumerated  
50.03 Other Conditions  
50.04 Nuisances Prohibited

50.05 Nuisance Abatement  
50.06 Abatement of Nuisance by Written Notice  
50.07 Municipal Infraction Abatement Procedure

**50.01 DEFINITION OF NUISANCE.** Whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property so as essentially to interfere unreasonably with the comfortable enjoyment of life or property is a nuisance.

*(Code of Iowa, Sec. 657.1)*

**50.02 NUISANCES ENUMERATED.** The following subsections include, but do not limit, the conditions that are deemed to be nuisances in the City:

*(Code of Iowa, Sec. 657.2)*

1. **Offensive Smells.** Erecting, continuing, or using any building or other place for the exercise of any trade, employment, or manufacture that, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort, or property of individuals or the public.
2. **Filth or Noisome Substance.** Causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.
3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. **Blocking Public and Private Ways.** Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.
6. **Billboards.** Billboards, signboards, and advertising signs, whether erected and constructed on public or private property, that so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. **(See also Section 62.06)**
7. **Storing of Flammable Junk.** Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of the City, unless in a building of fireproof construction. **(See also Chapter 51)**
8. **Air Pollution.** Emission of dense smoke, noxious fumes, or fly ash.
9. **Weeds, Brush.** Dense growth of all weeds, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard. **(See also Chapter 162)**

10. Dutch Elm Disease. Trees infected with Dutch elm disease. (See also Chapter 151)
11. Airport Air Space. Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.
12. Houses of Ill Fame. Houses of ill fame, kept for the purpose of prostitution and lewdness; gambling houses; places resorted to by persons participating in criminal gang activity prohibited by Chapter 723A of the *Code of Iowa* or places resorted to by persons using controlled substances, as defined in Section 124.101 of the *Code of Iowa*, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.
13. Household Refuse or Appliances. Storage of household refuse or appliances, including but not limited to, stoves or ranges, refrigerators, clothes washers or dryers, water heaters, televisions and heating devices upon the grounds of any property or upon any unenclosed porch, breezeway, carport, deck or similar area.
14. Excrement of Household Pets. Failing to dispose of, promptly and properly, excrement and waste products associated with household pets or domestic animals or allowing such materials to collect upon or escape from property.
15. Number of Household Pets. Harboring or maintaining household pets, domestic animals or livestock in such numbers as to interfere with the peaceful and quiet enjoyment of neighboring properties, by reason of noise, odors, inadequate facilities or strays.

**50.03 OTHER CONDITIONS.** The following actions are required and may also be abated in the manner provided in this chapter:

1. Dangerous Buildings. The removal, repair or dismantling of a dangerous building or structure. "Dangerous building or structure" means any construction, occupied or unoccupied, upon or in which one or more of the following conditions exist:
  - A. Broken or missing windows;
  - B. Missing doors;
  - C. Missing, damaged or destroyed structural elements;
  - D. Infestations of animals or vermin, including, but not limited to, insects, rodents and reptiles;
  - E. Decay through action of the elements, insects, plants or fungi;
  - F. Unsafe or exposed electrical service;
  - G. Damaged, inoperative or missing sanitary facilities;
  - H. Unsafe, damaged or improperly connected supplies of heating or cooking fuel, including, but not limited to, natural gas, LPF or heating oil.
2. Drainage. Maintenance of proper surface water drainage and not allowing ditches or waterways to become obstructed so as to impede the drainage of storm water and other natural runoff.

3. Storage of Flammable Substances. Proper storage of combustibles and flammable substances in devices or containers suitable to prevent their escape or unintended ignition.
4. Connection to Public Drainage Systems. The connection to public drainage systems from abutting property when necessary for public health or safety.

In addition, the following chapters of this Code of Ordinances contain regulations prohibiting or restricting other conditions which are deemed to be nuisances:

Junk and Unused Vehicles (See Chapter 51)

Storage and Disposal of Solid Waste (See Chapter 105)

Trees (See Chapter 151)

**50.04 NUISANCES PROHIBITED.** The creation or maintenance of a nuisance is prohibited, and a nuisance, public or private, may be abated in the manner provided for in this chapter or State law.

*(Code of Iowa, Sec. 657.3)*

**50.05 NUISANCE ABATEMENT.** Whenever any authorized municipal officer finds that a nuisance exists, such officer has the authority to determine on a case-by-case basis whether to utilize the nuisance abatement procedure described in Section 50.06 of this chapter or the municipal infraction procedure referred to in Section 50.07.

*(Code of Iowa, Sec. 364.12[3h])*

**50.06 ABATEMENT OF NUISANCE BY WRITTEN NOTICE.** Any nuisance, public or private, may be abated in the manner provided for in this section:

*(Code of Iowa, Sec. 364.12[3h])*

1. Contents of Notice to Property Owner. The notice to abate shall contain: †
  - A. Description of Nuisance. A description of what constitutes the nuisance.
  - B. Location of Nuisance. The location of the nuisance.
  - C. Acts Necessary to Abate. A statement of the act or acts necessary to abate the nuisance.
  - D. Reasonable Time. A reasonable time within which to complete the abatement.
  - E. Assessment of City Costs. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against the property owner.
2. Method of Service. The notice may be in the form of an ordinance or sent by certified mail to the property owner.

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† **EDITOR'S NOTE:** A suggested form of notice for the abatement of nuisances is included in the Appendix of this Code of Ordinances. Caution is urged in the use of this administrative abatement procedure, particularly where cost of abatement is more than minimal or where there is doubt as to whether or not a nuisance does in fact exist. If compliance is not secured following notice and hearings, we recommend you review the situation with your attorney before proceeding with abatement and assessment of costs. Your attorney may recommend proceedings in court under Chapter 657 of the *Code of Iowa* rather than this procedure.

*(Code of Iowa, Sec. 364.12[3h])*

3. Request for Hearing. Any person ordered to abate a nuisance may have a hearing with the Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the Clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists and it must be abated as ordered. The hearing will be before the Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.

4. Abatement in Emergency. If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action that may be required under this chapter without prior notice. The City shall assess the costs as provided in subsection 6 of this section after notice to the property owner under the applicable provisions of subsection 1 and 2, and the hearing as provided in subsection 3.

*(Code of Iowa, Sec. 364.12[3h])*

5. Abatement by City. If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the Clerk, who shall pay such expenses on behalf of the City.

*(Code of Iowa, Sec. 364.12[3h])*

6. Collection of Costs. The Clerk shall send a statement of the total expense incurred by certified mail to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one month, the Clerk shall certify the costs to the County Treasurer and such costs shall then be collected with, and in the same manner as, general property taxes.

*(Code of Iowa, Sec. 364.12[3h])*

7. Installment Payment of Cost of Abatement. If the amount expended to abate the nuisance or condition exceeds one hundred dollars (\$100.00), the City may permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest rates provided for assessments against benefited property under State law.

*(Code of Iowa, Sec. 364.13)*

8. Failure to Abate. Any person causing or maintaining a nuisance who shall fail or refuse to abate or remove the same within the reasonable time required and specified in the notice to abate is in violation of this Code of Ordinances.

**50.07 MUNICIPAL INFRACTION ABATEMENT PROCEDURE.** In lieu of the abatement procedures set forth in Section 50.06, the requirements of this chapter may be enforced under the procedures applicable to municipal infractions as set forth in Chapter 3 of this Code of Ordinances.

D. Reports or causes to be reported false information to a law enforcement authority implicating another in some criminal activity, knowing that the information is false, or reports the alleged occurrence of a criminal act, knowing the same did not occur.

*(Code of Iowa, Sec. 708.7)*

2. A person commits harassment when the person, purposefully and without legitimate purpose, has personal contact with another person, with the intent to threaten, intimidate or alarm that other person. As used in this section, unless the context otherwise requires, "personal contact" means an encounter in which two or more people are in visual or physical proximity to each other. "Personal contact" does not require a physical touching or oral communication, although it may include these types of contacts.

**40.03 DISORDERLY CONDUCT.** No person shall do any of the following:

1. **Fighting.** Engage in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided that participants in athletic contests may engage in such conduct that is reasonably related to that sport.

*(Code of Iowa, Sec. 723.4[1])*

2. **Noise.** Make loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.

*(Code of Iowa, Sec. 723.4[2])*

3. **Abusive Language.** Direct abusive epithets or make any threatening gesture that the person knows or reasonably should know is likely to provoke a violent reaction by another.

*(Code of Iowa, Sec. 723.4[3])*

4. **Disrupt Lawful Assembly.** Without lawful authority or color of authority, disturb any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly.

*(Code of Iowa, Sec. 723.4[4])*

5. **False Report of Catastrophe.** By words or action, initiate or circulate a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless.

*(Code of Iowa, Sec. 723.4[5])*

6. **Disrespect of Flag.** Knowingly and publicly use the flag of the United States in such a manner as to show disrespect for the flag as a symbol of the United States, with the intent or reasonable expectation that such use will provoke or encourage another to commit trespass or assault. As used in this subsection:

*(Code of Iowa, Sec. 723.4[6])*

- A. "Deface" means to intentionally mar the external appearance.
- B. "Defile" means to intentionally make physically unclean.
- C. "Flag" means a piece of woven cloth or other material designed to be flown from a pole or mast.
- D. "Mutilate" means to intentionally cut up or alter so as to make imperfect.
- E. "Show disrespect" means to deface, defile, mutilate, or trample.

F. “Trample” means to intentionally tread upon or intentionally cause a machine, vehicle, or animal to tread upon.

7. Obstruct Use of Street. Without authority or justification, obstruct any street, sidewalk, highway, or other public way, with the intent to prevent or hinder its lawful use by others.

*(Code of Iowa, Sec. 723.4[7])*

8. Funeral or Memorial Service. Within 500 feet of the building or other location where a funeral or memorial service is being conducted, or within 500 feet of a funeral procession or burial:

A. Make loud and raucous that causes unreasonable distress to the persons attending the funeral or memorial service or participating in the funeral procession.

B. Direct abusive epithets or make any threatening gesture that the person knows or reasonably should know is likely to provoke a violent reaction by another.

C. Disturb or disrupt the funeral, memorial service, funeral procession, or burial by conduct intended to disturb or disrupt the funeral, memorial service, funeral procession, or burial.

This subsection applies to conduct within 60 minutes preceding, during, and within 60 minutes after a funeral, memorial service, funeral procession, or burial.

*(Code of Iowa, Sec. 723.5)*

**40.04 UNLAWFUL ASSEMBLY.** It is unlawful for three (3) or more persons to assemble together, with them or any of them acting in a violent manner, and with intent that they or any of them will commit a public offense. No person shall willingly join in or remain part of an unlawful assembly, knowing or having reasonable grounds to believe it is such.

*(Code of Iowa, Sec. 723.2)*

**40.05 FAILURE TO DISPERSE.** A peace officer may order the participants in a riot or unlawful assembly or persons in the immediate vicinity of a riot or unlawful assembly to disperse. No person within hearing distance of such command shall refuse to obey.

*(Code of Iowa, Sec. 723.3)*

4. For three dogs over 50 pounds each or four dogs under 50 pounds: 10 feet by 14 feet (140 square feet);
5. For four dogs over 50 pounds each: 12 feet by 16 feet (192 square feet).

**55.05 ABANDONMENT OF CATS AND DOGS.** A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound.

*(Code of Iowa, Sec. 717B.8)*

**55.06 LIVESTOCK NEGLECT.** It is unlawful for a person who impounds or confines livestock in any place to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

*(Code of Iowa, Sec. 717.2)*

**55.07 LIVESTOCK.** It is unlawful for a person to keep bees or livestock within the City except by written consent of the Council or except in compliance with the City's zoning regulations.

**55.08 DAMAGE OR INJURY.** It is unlawful for the owner of an animal to allow or permit such animal to attack persons or domestic animals or to destroy property, to cause personal injury or to place persons in danger of attack or injury.

**55.09 ANNOYANCE OR DISTURBANCE.** It is unlawful for the owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person by frequent and habitual howling, yelping, barking, or otherwise, or by running after or chasing persons, bicycles, automobiles or other vehicles.

**55.10 OWNER'S DUTY.** It is the duty of the owner of any dog, cat, or other animal that has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to a local health or law enforcement official. It is the duty of physicians and veterinarians to report to the local board of health the existence of any animal known or suspected to be suffering from rabies.

*(Code of Iowa, Sec. 351.38)*

**55.11 CONFINEMENT.** If a local board of health receives information that an animal has bitten a person or that a dog or animal is suspected of having rabies, the board shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by such board, and after ten (10) days the board may humanely destroy the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment. This section does not apply if a police service dog or a horse used by a law enforcement agency and acting in the performance of its duties has bitten a person.

*(Code of Iowa, Sec. 351.39)*

**55.12 DOGS, CATS OR OTHER ANIMALS RUNNING AT LARGE.** It is unlawful for any owner to allow a dog, cat, or other animal to run at large within the corporate limits of the City. Any dog, cat, or other animal found at large shall be presumed to be so as a result of lack of sufficient supervision by its owner. Proof that said dog, cat, or other animal was at large shall

159. Section 321.466 – Increased loading capacity; reregistration.

**62.02 PLAY STREETS DESIGNATED.** The Council shall have authority to declare any street or part thereof a play street and cause to be placed appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

*(Code of Iowa, Sec. 321.255)*

**62.03 VEHICLES ON SIDEWALKS.** The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway.

**62.04 CLINGING TO VEHICLE.** No person shall drive a motor vehicle on the streets of the City unless all passengers of said vehicle are inside the vehicle in the place intended for their accommodation. No person riding upon any bicycle, coaster, roller skates, in-line skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

**62.05 QUIET ZONES.** Whenever authorized signs are erected indicating a quiet zone, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

**62.06 OBSTRUCTING VIEW AT INTERSECTIONS.** It is unlawful to allow any tree, hedge, billboard, or other object to obstruct the view of an intersection by preventing persons from having a clear view of traffic approaching the intersection from cross streets. Any such obstruction is deemed a nuisance and in addition to the standard penalty may be abated in the manner provided by Chapter 50 of this Code of Ordinances.

**62.07 COMPRESSION BRAKES PROHIBITED.** All drivers operating trucks on a street or highway within the City limits shall not use the engine back-pressure braking/compression braking system commonly known as “jake brakes,” and any such use shall be deemed a violation of this section and a simple misdemeanor with a maximum fine of \$100.00.

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- A. Only uses permitted in the "R" Districts shall be permitted.
  - B. The average lot area per family contained in the proposed plan, exclusive of the area occupied by right-of-way, will not be less than the lot area per family required in the district in which the development is located.
  - C. Said area shall then be designated on the official zoning map.
2. **Accessory Buildings/Structures.** No accessory building/structures may be erected in any required front yard and no separate accessory building/structure may be erected within 5 feet of a dwelling unit. In addition, private swimming pools shall only be located in a rear yard. No accessory building/structure shall be closer than 5 feet to the rear or side lot lines unless abutting an alley, in which case it may be within 1 foot of the lot line. Accessory buildings/structures located in the rear yard may not occupy more than 30 percent of the rear yard. Accessory garages which are entered directly from the alley shall be at least 15 feet from the alley right-of-way. Except for storage, no accessory building/structure shall be used without occupancy of the principal building. In such cases of storage use, there shall be no fee charged. All accessory buildings and structures shall require a development permit. Each application for an accessory building or structure permit shall be submitted prior to the installation of the building or structure and shall be approved or denied by the Zoning Administrator.
3. **Fences and Hedges.** The following regulations are for fences, hedges and swimming and landscape pool fences in all districts. A permit is needed for the construction of any fence. Each application for a fence permit shall be submitted prior to the installation of the fence and shall be approved or denied by the Zoning Administrator.
- A. **Fences:**
    1. No portion of a fence or hedge, excluding pergolas and arbors, shall exceed 6 feet in height. The height shall be measured vertically from the finished grade of the yard.
    2. Fences and hedges within the front-yard shall not exceed 3 feet in height, or be constructed of more than 30% solid material.
    3. Fences and hedges not more than 6 feet high may be erected on those portions of a lot that are as far back or further back from the street than the main building.
  - B. **Swimming and Landscape Pool Fences:** Fences shall be provided for all permanent outdoor swimming and landscape pools with a depth greater than 18", or capacity greater than 5,000 gallons. Swimming and Landscape Pool fences shall meet the following conditions:
    1. Swimming and Landscape Pool Fences must be at least four feet high from the ground level, but should not exceed 6' above level of the pool. Spacing of the fence should not allow a 4" sphere to pass through.
    2. Swimming and Landscape Pool Fences must have a self-closing and self-latching device on the gate.

- C. **Barbed wire and electric fences:** Barbed wire and electric fences shall be subject to the following requirements:
1. Barbed wire and electric fences shall not be allowed in residential or commercial zones.
  2. Barbed wire and electric fences shall be prohibited within five (5) feet of a public sidewalk or within four (4) feet of a street right-of-way where a public sidewalk does not exist.
  3. Electric fences shall not be permitted in any district except for the enclosure of livestock operations in Agricultural zones (A-1).
  4. No electric fence shall carry a charge greater than twenty-five (25) milliamperes nor a pulsating current longer than one-tenth (1/10) per second in a one-second cycle. All electric fence chargers shall carry the seal of an approved testing laboratory.
  5. The provisions of this subsection shall not apply to the fencing of municipal facilities.
- D. Before issuing a development permit for a fence proposed to be located on a lot-line that is shared by two different property owners, the City of Riverside will require the following conditions to be met:
1. The owners of the properties that share the lot-line on which the proposed fence will be located must sign a written agreement that outlines the material the fence will be constructed from, the location of the fence, the height of the fence and its maintenance, and the agreement of both property owners to all of the above conditions.
  2. The agreement must then be filed with the County Recorder.
  3. A copy of the agreement and proof of its filing with the County Recorder must be presented to the City Official responsible for the issuing of fence permits before the permit will be issued.
  4. If agreement cannot be reached between the property owners on a shared lot-line fence, any fence constructed on either property must be a minimum of (3) feet from said shared lot-line.
- E. Before a hedge is proposed to be located on a lot-line that is shared by two different property owners, the City of Riverside will require the following conditions to be met:
1. The owners of the properties that share the lot-line on which the proposed hedge will be located must sign a written agreement that outlines the type of hedges, the location of the hedge, the height of the hedge and maintenance responsibilities, and the agreement of both property owners to all of the above conditions.
  2. The agreement must then be filed with the County Recorder.
  3. A copy of the agreement and proof of its filing with the County Recorder must be presented to the City before the hedge can be located.

## CHAPTER 50

# NUISANCE ABATEMENT PROCEDURE

50.01 Definition of Nuisance  
50.02 Nuisances Enumerated  
50.03 Other Conditions  
50.04 Nuisances Prohibited

50.05 Nuisance Abatement  
50.06 Abatement of Nuisance by Written Notice  
50.07 Municipal Infraction Abatement Procedure

**50.01 DEFINITION OF NUISANCE.** Whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property so as essentially to interfere unreasonably with the comfortable enjoyment of life or property is a nuisance.

*(Code of Iowa, Sec. 657.1)*

**50.02 NUISANCES ENUMERATED.** The following subsections include, but do not limit, the conditions that are deemed to be nuisances in the City:

*(Code of Iowa, Sec. 657.2)*

1. **Offensive Smells.** Erecting, continuing, or using any building or other place for the exercise of any trade, employment, or manufacture that, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort, or property of individuals or the public.
2. **Filth or Noisome Substance.** Causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.
3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. **Blocking Public and Private Ways.** Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.
6. **Billboards.** Billboards, signboards, and advertising signs, whether erected and constructed on public or private property, that so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. **(See also Section 62.06)**
7. **Storing of Flammable Junk.** Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of the City, unless in a building of fireproof construction. **(See also Chapter 51)**
8. **Air Pollution.** Emission of dense smoke, noxious fumes, or fly ash.
9. **Weeds, Brush.** Dense growth of all weeds, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard. **(See also Chapter 162)**

## CHAPTER 162

## WEEDS, VINES AND BRUSH

162.01 Purpose  
 162.02 Rules for Removal  
 162.03 Definitions  
 162.04 Authority for Enforcement  
 162.05 Interferences with Public Official

161.11 Nuisances  
 161.12 Enforcement  
 161.13 Emergency Control Measures  
 161.14 Control of Weeds or Other Vegetation  
 162.10 Habitual Violators

**162.01 PURPOSE.** The purpose of this chapter is to provide for the removal of weeds, vines, brush or other growth constituting a health, fire or safety hazard within the City, to define the same as nuisances and to provide for their abatement in order to provide for the safety and preserve the health and welfare of the citizens of the City.

**162.02 RULES FOR REMOVAL.** All weeds, vines, brush or other growth which constitute a health, safety or fire hazard shall be cut or destroyed by the property owners when and as needed (as determined by the Council or its authorized representative, if the property owner fails to do so), but in any event at least once by May 1 of each year and thereafter by no later than the first day of each succeeding month through and including October 1 of each year.

**162.03 DEFINITIONS.** For the purposes of this chapter, the following items, phrases, words, and their derivations have the meanings given herein.

1. "Noxious weeds" means primary and secondary classes of weeds as defined by the Code of Iowa, and all additions to this list as so declared by the State Secretary of Agriculture.
2. "Parking" means that part of the street, avenue or highway in the City not covered by sidewalk and lying between the lot line and curb line; on unpaved streets, the parking is that part of the street, avenue, or highway lying between the lot lines and that portion of the street usually traveled by vehicular traffic.
3. "Right-of-way" means the entire width of a platted street or alley in use or undeveloped.
4. "Public Official" means the person designated by the Mayor or City Administrator to enforce this chapter.
5. "Weeds" means any plants growing uncultivated and out of context with the surrounding plant life when such plant has a seed head formed or forming and with a height of eight (8) inches or more, except as otherwise provided in this chapter.

**162.04 AUTHORITY FOR ENFORCEMENT.** The Mayor or City Administrator or any person designated by the Mayor or City Administrator is responsible for the enforcement of this chapter and shall have all the necessary authority to carry out the enforcement of this chapter.

**162.05 INTERFERENCE WITH PUBLIC OFFICIAL.** No persons shall interfere with the Mayor, City Administrator or designee or any appointed assistant while engaged in the enforcement of this chapter.

**162.06 NUISANCES.** Except as provided elsewhere in this chapter, the following provisions shall apply:

1. Each owner and each person in the possession or control of any land shall cut or otherwise destroy, in whatever manner prescribed by the Public Official, all noxious weeds, weeds, vines, brush or other growth constituting a health, fire or safety hazard thereon and shall keep said lands free of such growth.
2. Each owner and each person in possession or control of any property shall be responsible to keep said lot, including along with parking adjacent thereto, alleys, public ways or areas up to the centerline of said ways free of any noxious weeds and to keep grasses and weeds on said lot mowed so that grass and weeds are less than eight (8) inches in height. However, grass and weeds located on undeveloped and unplatted property located more than 100 feet from developed or platted property shall be mowed so that grass and weeds are less than 18 inches in height.
3. Each owner and each person in the possession or control of any lands shall not allow any plant growth of any sort to remain in such a manner as to render the streets, alleys or public ways adjoining said land unsafe for public travel or in any manner so as to impede pedestrian or vehicular traffic upon any public place or way.
4. Where waterways or watercourses are found upon any developed or undeveloped lot, the owner or person in possession or control shall keep the flat or level part of the bank of said waterway free of any weeds and grasses more than 18 inches in height. Should such waterways or watercourses be found within the right-of-way of a street or alley, the adjacent property owner or person in possession or control shall be responsible to keep the flat or accessible portion of creek bank free of any weeds or grasses more than 18 inches in height.
5. No owner or person in possession or control of any developed or undeveloped lot shall allow plant growth or the accumulation of plant materials on such lot to remain in such a state so as to constitute a fire hazard. In no instance shall cut plant material accumulations be located within 150 feet of a building, structure, recreation area (not including the width of any intervening street) or within 125 feet of a street right-of-way.
6. No owner or person in possession or control of any property shall allow landscaping, plantings, vegetation, or gardening in the City right-of-way without the approval of the City Council.

**162.07 ENFORCEMENT.** The Mayor, City Administrator or designee may inspect all areas alleged to be in violation and in the case of a founded violation notify the last known owner or person in possession (or control) of the area of violation of this chapter. Said notice shall be by certified mail and allow seventy-two hours (72) after mailing said notice as a period of time to eliminate said violations. Return receipt with signature is not required for said notice. The Mayor, City Administrator or designee shall charge an administrative fee in the amount of twenty-five dollars (\$25.00) for each founded violation. Upon failure of the owner or person in possession or control to act within the prescribed 72 hour time period, the City may perform the required action and assess costs against the property for collection in the same manner as a

property tax. In the event such action is taken, the Mayor, City Administrator or designee may obtain competitive quotes to have the required action performed. If no quotes are obtained, the City may have the City personnel perform the required action at rates which shall be established by resolution of the Council from time to time, which rates shall constitute costs to be assessed against the property as provided herein. In addition to the foregoing remedy and other remedies by law, the Mayor, City Administrator or designee may file misdemeanor charges against such individuals or municipal infractions.

**162.08 EMERGENCY CONTROL MEASURES.** Notwithstanding any other provisions of this chapter, whenever in the judgment of the Mayor, City Administrator or designee an emergency exists creating a health, safety or fire hazard which may require weed or grass control without prior notice, control measures shall be taken and costs assessed against the property for collection in the same manner as property tax. However, prior to such assessment, the City shall give the property owner notice by certified mail and an opportunity for a hearing before the Council.

**162.09 CONTROL OF WEEDS OR OTHER VEGETATION.** The Clerk shall annually on or before May 1 through August 1 of each year publish a Notice to Property Owners generally setting forth the duty to control weeds and other vegetation which might be a nuisance in violation of this Code of Ordinances. The Mayor, City Administrator or designee may cause a Notice to Abate Nuisance to be served upon any property owner who fails to comply with the published notice or any person who at any other time has weeds or other vegetation in violation of this Code of Ordinances and shall submit the cost to the Council for assessment as provided in Section 364.12 of the Code of Iowa. In the event of an emergency as set forth in Section 364.12, the notice requirement may be dispensed with. In abating a nuisance under this Code of Ordinances, the Mayor, City Administrator or designee are hereby authorized and directed to employ such persons and rent any and all equipment necessary for the abatement of the nuisance and the costs thereof shall be assessed.

**162.10 HABITUAL VIOLATORS.** If the owner or person in control of any land has previously received a notice to abate nuisance relating to weeds within the preceding 24 months, then the notice to abate nuisance may include notice that such owner or person in control of said property will be considered to be an habitual violator of this chapter and that if the nuisance is not abated within the allowed time, the City will consider the property to be subject to having a contract let by the City for mowing property as needed up to a weekly basis for the next following 24-month period of time and that the full cost of said contract together with an administrative fee of two hundred fifty dollars (\$250.00) will be assessed against the property.

159. Section 321.466 – Increased loading capacity; reregistration.

**62.02 PLAY STREETS DESIGNATED.** The Council shall have authority to declare any street or part thereof a play street and cause to be placed appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

*(Code of Iowa, Sec. 321.255)*

**62.03 VEHICLES ON SIDEWALKS.** The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway.

**62.04 CLINGING TO VEHICLE.** No person shall drive a motor vehicle on the streets of the City unless all passengers of said vehicle are inside the vehicle in the place intended for their accommodation. No person riding upon any bicycle, coaster, roller skates, in-line skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

**62.05 QUIET ZONES.** Whenever authorized signs are erected indicating a quiet zone, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

**62.06 OBSTRUCTING VIEW AT INTERSECTIONS.** It is unlawful to allow any tree, hedge, billboard, or other object to obstruct the view of an intersection by preventing persons from having a clear view of traffic approaching the intersection from cross streets. Any such obstruction is deemed a nuisance and in addition to the standard penalty may be abated in the manner provided by Chapter 50 of this Code of Ordinances.

**62.07 COMPRESSION BRAKES PROHIBITED.** All drivers operating trucks on a street or highway within the City limits shall not use the engine back-pressure braking/compression braking system commonly known as “jake brakes,” and any such use shall be deemed a violation of this section and a simple misdemeanor with a maximum fine of \$100.00.

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## CHAPTER 65

### STOP OR YIELD REQUIRED

65.01 Stop or Yield  
65.02 School Stops  
65.03 Stop Before Crossing Sidewalk

65.04 Stop When Traffic Is Obstructed  
65.05 Yield to Pedestrians in Crosswalks

**65.01 STOP OR YIELD.** Every driver of a vehicle shall stop or yield as directed by traffic control devices posted in accordance with Chapter 61 of this Traffic Code.

**65.02 SCHOOL STOPS.** At any school crossing zone, every driver of a vehicle approaching said zone shall bring the vehicle to a full stop at a point ten (10) feet from the approach side of the crosswalk marked by an authorized school stop sign and thereafter proceed in a careful and prudent manner until the vehicle shall have passed through such school crossing zone.

*(Code of Iowa, Sec. 321.249)*

**65.03 STOP BEFORE CROSSING SIDEWALK.** The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter shall proceed into the sidewalk area only when able to do so without danger to pedestrian traffic and shall yield the right-of-way to any vehicular traffic on the street into which the vehicle is entering.

*(Code of Iowa, Sec. 321.353)*

**65.04 STOP WHEN TRAFFIC IS OBSTRUCTED.** Notwithstanding any traffic control signal indication to proceed, no driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle.

**65.05 YIELD TO PEDESTRIANS IN CROSSWALKS.** Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

*(Code of Iowa, Sec. 321.327)*

**69.05 ANGLE PARKING – MANNER.** Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings. No part of any vehicle, or the load thereon, when parked within a diagonal parking district, shall extend into the roadway more than a distance of sixteen (16) feet when measured at right angles to the adjacent curb or edge of roadway.

*(Code of Iowa, Sec. 321.361)*

**69.06 PARKING FOR CERTAIN PURPOSES ILLEGAL.** No person shall park a vehicle upon public property for more than twenty-four (24) hours, unless otherwise limited under the provisions of Section 69.01 of this chapter, or for any of the following principal purposes:

*(Code of Iowa, Sec. 321.236[1])*

1. Sale. Displaying such vehicle for sale.
2. Repairing. For lubricating, repairing or for commercial washing of such vehicle except such repairs as are necessitated by an emergency.
3. Advertising. Displaying advertising.
4. Merchandise Sales. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under the Code of Ordinances.

**69.07 PARKING PROHIBITED.** No one shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:

1. Crosswalk. On a crosswalk.  
*(Code of Iowa, Sec. 321.358[5])*
2. Center Parkway. On the center parkway or dividing area of any divided street.  
*(Code of Iowa, Sec. 321.236[1])*
3. Mailboxes. Within twenty (20) feet on either side of a mailbox which is so placed and so equipped as to permit the depositing of mail from vehicles on the roadway.  
*(Code of Iowa, Sec. 321.236[1])*
4. Sidewalks. On or across a sidewalk.  
*(Code of Iowa, Sec. 321.358[1])*
5. Driveway. In front of a public or private driveway.  
*(Code of Iowa, Sec. 321.358[2])*
6. Intersection. Within an intersection or within ten (10) feet of an intersection of any street or alley.  
*(Code of Iowa, Sec. 321.358[3])*
7. Fire Hydrant. Within five (5) feet of a fire hydrant.  
*(Code of Iowa, Sec. 321.358[4])*
8. Stop Sign or Signal. Within ten (10) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.  
*(Code of Iowa, Sec. 321.358[6])*

approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

*(Code of Iowa, Sec. 321.236 [10])*

**76.08 CARRYING ARTICLES.** No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

*(Code of Iowa, Sec. 321.236 [10])*

**76.09 RIDING ON SIDEWALKS.** The following shall apply to riding bicycles on sidewalks:

1. **Business District.** No person shall ride a bicycle upon a sidewalk within the Business District, as defined in Section 60.02(1) of this Code of Ordinances.

*(Code of Iowa, Sec. 321.236 [10])*

2. **Other Locations.** When signs are erected on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, no person shall disobey the signs.

*(Code of Iowa, Sec. 321.236 [10])*

3. **Yield Right-of-way.** Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.

*(Code of Iowa, Sec. 321.236 [10])*

**76.10 TOWING.** It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City.

**76.11 IMPROPER RIDING.** No person shall ride a bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

**76.12 PARKING.** No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

*(Code of Iowa, Sec. 321.236 [10])*

**76.13 EQUIPMENT REQUIREMENTS.** Every person riding a bicycle shall be responsible for providing and using equipment as provided herein:

1. **Lamps Required.** Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least three hundred (300) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of three hundred (300) feet to the rear except that a red reflector on the rear, of a type which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of a rear light.

*(Code of Iowa, Sec. 321.397)*

2. **Brakes Required.** Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

*(Code of Iowa, Sec. 321.236 [10])*

## CHAPTER 136

# SIDEWALK REGULATIONS

136.01 Purpose	136.11 Interference with Sidewalk Improvements
136.02 Definitions	136.12 Awnings
136.03 Removal of Snow, Ice and Accumulations	136.13 Encroaching Steps
136.04 Responsibility for Maintenance	136.14 Openings and Enclosures
136.05 City May Order Repairs	136.15 Fires or Fuel on Sidewalks
136.06 Sidewalk Construction Ordered	136.16 Defacing
136.07 Compliance with City Standards	136.17 Debris on Sidewalks
136.08 Sidewalk Standards	136.18 Merchandise Display
136.09 Barricades and Warning Lights	136.19 Sales Stands
136.10 Failure to Repair or Barricade	

**136.01 PURPOSE.** The purpose of this chapter is to enhance safe passage by citizens on sidewalks, to place the responsibility for the maintenance, repair, replacement or reconstruction of sidewalks upon the abutting property owner and to minimize the liability of the City.

**136.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. "Broom finish" means a sidewalk finish that is made by sweeping the sidewalk when it is hardening.
2. "Defective sidewalk" means any public sidewalk exhibiting one or more of the following characteristics:
  - A. Vertical separations equal to three-fourths ( $\frac{3}{4}$ ) inch or more.
  - B. Horizontal separations equal to one (1) inch or more.
  - C. Holes or depressions equal to three-fourths ( $\frac{3}{4}$ ) inch or more and at least four (4) inches in diameter.
  - D. Spalling over fifty percent (50%) of a single square of the sidewalk with one or more depressions equal to one-half ( $\frac{1}{2}$ ) inch or more.
  - E. Spalling over less than fifty percent (50%) of a single square of the sidewalk with one or more depressions equal to three-fourths ( $\frac{3}{4}$ ) inch or more.
  - F. A single square of sidewalk cracked in such a manner that no part thereof has a piece greater than one square foot.
  - G. A sidewalk with any part thereof missing to the full depth.
  - H. A change from the design or construction grade equal to or greater than three-fourths ( $\frac{3}{4}$ ) inch per foot.
3. "Established grade" means that grade established by the City for the particular area in which a sidewalk is to be constructed.
4. "One-course construction" means that the full thickness of the concrete is placed at one time, using the same mixture throughout.
5. "Owner" means the person owning the fee title to property abutting any sidewalk and includes any contract purchaser for purposes of notification required herein. For all other purposes, "owner" includes the lessee, if any.

6. "Portland cement" means any type of cement except bituminous cement.
7. "Sidewalk" means all permanent public walks in business, residential or suburban areas.
8. "Sidewalk improvements" means the construction, reconstruction, repair, replacement or removal, of a public sidewalk and/or the excavating, filling or depositing of material in the public right-of-way in connection therewith.
9. "Wood float finish" means a sidewalk finish that is made by smoothing the surface of the sidewalk with a wooden trowel.

**136.03 REMOVAL OF SNOW, ICE AND ACCUMULATIONS.** It is the responsibility of the abutting property owners to remove snow, ice and accumulations from sidewalks within forty-eight (48) hours. If this has not been done within twenty-four (24) hours, notice will be posted on the door of the address and 24 hours later the City will have the snow removed at the rate of fifty cents (50¢) per linear foot of sidewalk. The property owner will be mailed a bill from the City to be paid within thirty (30) days of receipt. Any bills left unpaid will become a lien against the property in the following spring after all snowfall.

*(Code of Iowa, Sec. 364.12[2b & e])*

**136.04 RESPONSIBILITY FOR MAINTENANCE.** It is the responsibility of the abutting property owners to repair, replace or reconstruct, or cause to be repaired, replaced or reconstructed, all broken or defective sidewalks and to maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street.

*(Code of Iowa, Sec. 364.12 [2c])*

**136.05 CITY MAY ORDER REPAIRS.** If the abutting property owner does not maintain sidewalks as required, the Council may serve notice on such owner, by certified mail, requiring the owner to repair, replace or reconstruct sidewalks within a reasonable time and if such action is not completed within the time stated in the notice, the Council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax.

*(Code of Iowa, Sec. 364.12[2d & e])*

**136.06 SIDEWALK CONSTRUCTION ORDERED.** The Council may order the construction of permanent sidewalks upon any street or court in the City and may specially assess the cost of such improvement to abutting property owners in accordance with the provisions of Chapter 384 of the Code of Iowa.

*(Code of Iowa, Sec. 384.38)*

**136.07 COMPLIANCE WITH CITY STANDARDS.** No person shall remove, reconstruct or install a sidewalk unless such person removes, reconstructs or installs the sidewalk in accordance with the City standards for such work.

**136.08 SIDEWALK STANDARDS.** Sidewalks repaired, replaced or constructed under the provisions of this chapter shall be constructed in accordance with the City's sidewalk specifications on file in the office of the City Clerk.

**136.09 BARRICADES AND WARNING LIGHTS.** Whenever any material of any kind is deposited on any street, avenue, highway, passageway or alley when sidewalk improvements are being made or when any sidewalk is in a dangerous condition, it shall be the duty of all

persons having an interest therein, either as the contractor or the owner, agent, or lessee of the property in front of or along which such material may be deposited, or such dangerous condition exists, to put in conspicuous places at each end of such sidewalk and at each end of any pile of material deposited in the street, a sufficient number of approved warning lights or flares, and to keep them lighted during the entire night and to erect sufficient barricades both at night and in the daytime to secure the same. The party or parties using the street for any of the purposes specified in this chapter shall be liable for all injuries or damage to persons or property arising from any wrongful act or negligence of the party or parties, or their agents or employees or for any misuse of the privileges conferred by this chapter or of any failure to comply with provisions hereof.

**136.10 FAILURE TO REPAIR OR BARRICADE.** It is the duty of the owner of the property abutting the sidewalk, or the owner's contractor or agent, to notify the City immediately in the event of failure or inability to make necessary sidewalk improvements or to install or erect necessary barricades as required by this chapter.

**136.11 INTERFERENCE WITH SIDEWALK IMPROVEMENTS.** No person shall knowingly or willfully drive any vehicle upon any portion of any sidewalk or approach thereto while in the process of being improved or upon any portion of any completed sidewalk or approach thereto, or shall remove or destroy any part or all of any sidewalk or approach thereto, or shall remove, destroy, mar or deface any sidewalk at any time or destroy, mar, remove or deface any notice provided by this chapter.

**136.12 AWNINGS.** It is unlawful for a person to erect or maintain any awning over any sidewalk unless all parts of the awning are elevated at least eight (8) feet above the surface of the sidewalk and the roof or covering is made of duck, canvas or other suitable material supported by iron frames or brackets securely fastened to the building, without any posts or other device that will obstruct the sidewalk or hinder or interfere with the free passage of pedestrians.

**136.13 ENCROACHING STEPS.** It is unlawful for a person to erect or maintain any stairs or steps to any building upon any part of any sidewalk without permission by resolution of the Council.

**136.14 OPENINGS AND ENCLOSURES.** It is unlawful for a person to:

1. Stairs and Railings. Construct or build a stairway or passageway to any cellar or basement by occupying any part of the sidewalk, or to enclose any portion of a sidewalk with a railing without permission by resolution of the Council.
2. Openings. Keep open any cellar door, grating or cover to any vault on any sidewalk except while in actual use with adequate guards to protect the public.
3. Protect Openings. Neglect to properly protect or barricade all openings on or within six (6) feet of any sidewalk.

**136.15 FIRES OR FUELS ON SIDEWALKS.** It is unlawful for a person to make a fire of any kind on any sidewalk or to place or allow any fuel to remain upon any sidewalk.

**136.16 DEFACING.** It is unlawful for a person to scatter or place any paste, paint or writing on any sidewalk.

*(Code of Iowa, Sec. 716.1)*

**136.17 DEBRIS ON SIDEWALKS.** It is unlawful for a person to throw or deposit on any sidewalk any glass, nails, glass bottle, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any substance likely to injure any person, animal or vehicle.

*(Code of Iowa, Sec. 364.12 [2])*

**136.18 MERCHANDISE DISPLAY.** It is unlawful for a person to place upon or above any sidewalk, any goods or merchandise for sale or for display in such a manner as to interfere with the free and uninterrupted passage of pedestrians on the sidewalk; in no case shall more than three (3) feet of the sidewalk next to the building be occupied for such purposes.

**136.19 SALES STANDS.** It is unlawful for a person to erect or keep any vending machine or stand for the sale of fruit, vegetables or other substances or commodities on any sidewalk without first obtaining a written permit from the Council.

## CHAPTER 50

# NUISANCE ABATEMENT PROCEDURE

50.01 Definition of Nuisance  
50.02 Nuisances Enumerated  
50.03 Other Conditions  
50.04 Nuisances Prohibited

50.05 Nuisance Abatement  
50.06 Abatement of Nuisance by Written Notice  
50.07 Municipal Infraction Abatement Procedure

**50.01 DEFINITION OF NUISANCE.** Whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property so as essentially to interfere unreasonably with the comfortable enjoyment of life or property is a nuisance.

*(Code of Iowa, Sec. 657.1)*

**50.02 NUISANCES ENUMERATED.** The following subsections include, but do not limit, the conditions that are deemed to be nuisances in the City:

*(Code of Iowa, Sec. 657.2)*

1. **Offensive Smells.** Erecting, continuing, or using any building or other place for the exercise of any trade, employment, or manufacture that, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort, or property of individuals or the public.
2. **Filth or Noisome Substance.** Causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.
3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. **Blocking Public and Private Ways.** Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.
6. **Billboards.** Billboards, signboards, and advertising signs, whether erected and constructed on public or private property, that so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. **(See also Section 62.06)**
7. **Storing of Flammable Junk.** Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of the City, unless in a building of fireproof construction. **(See also Chapter 51)**
8. **Air Pollution.** Emission of dense smoke, noxious fumes, or fly ash.
9. **Weeds, Brush.** Dense growth of all weeds, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard. **(See also Chapter 162)**

## CHAPTER 51

# JUNK AND UNUSED VEHICLES

51.01 Definitions

51.02 Junk and Unused Vehicles Prohibited

51.03 Junk and Unused Vehicles a Nuisance

51.04 Exceptions

51.05 Notice to Abate

**51.01 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. "Junk" means all old or scrap copper, brass, lead, or any other non-ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, waste or used lumber, or salvaged wood; dismantled vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel or other old or scrap ferrous materials; old or discarded glass, tinware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or a rear yard is not considered junk.
2. "Unused vehicle" means any vehicle legally placed in storage with the County Treasurer or unlicensed and which has any of the following characteristics:
  - A. Broken Glass. Any vehicle with a broken or cracked windshield, window, headlight or tail light, or any other cracked or broken glass.
  - B. Broken, Loose or Missing Part. Any vehicle with a broken, loose or missing fender, door, bumper, hood, steering wheel or trunk lid.
  - C. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice, or snakes, or any other vermin or insects.
  - D. Flammable Fuel. Any vehicle which contains gasoline or any other flammable fuel.
  - E. Inoperable. Any motor vehicle that lacks an engine or two or more wheels or other structural parts, rendering said motor vehicle totally inoperable, or that cannot be moved under its own power or has not been used as an operating vehicle for a period of thirty (30) days or more.
  - F. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.

Mere licensing of such vehicle shall not constitute a defense to the finding that the vehicle is an unused vehicle.

3. "Vehicle" means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway or street, excepting devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, boat, RV, camper or any combination thereof.

**51.02 JUNK AND UNUSED VEHICLES PROHIBITED.** It is unlawful for any person to store, accumulate, or allow to remain on any private property within the corporate limits of the City any junk or unused vehicle.

**51.03 JUNK AND UNUSED VEHICLES A NUISANCE.** It is hereby declared that any junk or unused vehicle located upon private property, unless excepted by Section 51.04, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of Section 657.1 of the Code of Iowa. If any junk or unused vehicle is kept upon private property in violation hereof, the owner of or person occupying the property upon which it is located shall be prima facie liable for said violation.

*(Code of Iowa, Sec. 364.12[3a])*

**51.04 EXCEPTIONS.** The provisions of this chapter do not apply to any junk or an unused vehicle stored within:

1. Structure. A garage or other enclosed structure; or
2. Salvage Yard. An auto salvage yard or junk yard lawfully operated within the City.

**51.05 NOTICE TO ABATE.** Upon discovery of any junk or junk vehicle located upon private property in violation of Section 51.03, the City shall within five (5) days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

*(Code of Iowa, Sec. 364.12[3a])*

[The next page is 285]

3. Storage of Flammable Substances. Proper storage of combustibles and flammable substances in devices or containers suitable to prevent their escape or unintended ignition.
4. Connection to Public Drainage Systems. The connection to public drainage systems from abutting property when necessary for public health or safety.

In addition, the following chapters of this Code of Ordinances contain regulations prohibiting or restricting other conditions which are deemed to be nuisances:

Junk and Unused Vehicles (See Chapter 51)

Storage and Disposal of Solid Waste (See Chapter 105)

Trees (See Chapter 151)

**50.04 NUISANCES PROHIBITED.** The creation or maintenance of a nuisance is prohibited, and a nuisance, public or private, may be abated in the manner provided for in this chapter or State law.

*(Code of Iowa, Sec. 657.3)*

**50.05 NUISANCE ABATEMENT.** Whenever any authorized municipal officer finds that a nuisance exists, such officer has the authority to determine on a case-by-case basis whether to utilize the nuisance abatement procedure described in Section 50.06 of this chapter or the municipal infraction procedure referred to in Section 50.07.

*(Code of Iowa, Sec. 364.12[3h])*

**50.06 ABATEMENT OF NUISANCE BY WRITTEN NOTICE.** Any nuisance, public or private, may be abated in the manner provided for in this section:

*(Code of Iowa, Sec. 364.12[3h])*

1. Contents of Notice to Property Owner. The notice to abate shall contain: †
  - A. Description of Nuisance. A description of what constitutes the nuisance.
  - B. Location of Nuisance. The location of the nuisance.
  - C. Acts Necessary to Abate. A statement of the act or acts necessary to abate the nuisance.
  - D. Reasonable Time. A reasonable time within which to complete the abatement.
  - E. Assessment of City Costs. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against the property owner.
2. Method of Service. The notice may be in the form of an ordinance or sent by certified mail to the property owner.

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† **EDITOR'S NOTE:** A suggested form of notice for the abatement of nuisances is included in the Appendix of this Code of Ordinances. Caution is urged in the use of this administrative abatement procedure, particularly where cost of abatement is more than minimal or where there is doubt as to whether or not a nuisance does in fact exist. If compliance is not secured following notice and hearings, we recommend you review the situation with your attorney before proceeding with abatement and assessment of costs. Your attorney may recommend proceedings in court under Chapter 657 of the *Code of Iowa* rather than this procedure.

*(Code of Iowa, Sec. 364.12[3h])*

3. Request for Hearing. Any person ordered to abate a nuisance may have a hearing with the Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the Clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists and it must be abated as ordered. The hearing will be before the Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.

4. Abatement in Emergency. If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action that may be required under this chapter without prior notice. The City shall assess the costs as provided in subsection 6 of this section after notice to the property owner under the applicable provisions of subsection 1 and 2, and the hearing as provided in subsection 3.

*(Code of Iowa, Sec. 364.12[3h])*

5. Abatement by City. If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the Clerk, who shall pay such expenses on behalf of the City.

*(Code of Iowa, Sec. 364.12[3h])*

6. Collection of Costs. The Clerk shall send a statement of the total expense incurred by certified mail to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one month, the Clerk shall certify the costs to the County Treasurer and such costs shall then be collected with, and in the same manner as, general property taxes.

*(Code of Iowa, Sec. 364.12[3h])*

7. Installment Payment of Cost of Abatement. If the amount expended to abate the nuisance or condition exceeds one hundred dollars (\$100.00), the City may permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest rates provided for assessments against benefited property under State law.

*(Code of Iowa, Sec. 364.13)*

8. Failure to Abate. Any person causing or maintaining a nuisance who shall fail or refuse to abate or remove the same within the reasonable time required and specified in the notice to abate is in violation of this Code of Ordinances.

**50.07 MUNICIPAL INFRACTION ABATEMENT PROCEDURE.** In lieu of the abatement procedures set forth in Section 50.06, the requirements of this chapter may be enforced under the procedures applicable to municipal infractions as set forth in Chapter 3 of this Code of Ordinances.

## CITYOF RIVERSIDE

**Position:** City Administrator

**Employee Status:** Full-Time, Exempt

**Supervisor:** Mayor and City Council

**Job Functions:** The City Administrator is appointed by and serves under the general direction of the Mayor and City Council and is responsible for the overall administrative direction and supervision of all City Employees. The position is responsible for the efficient and effective management of all facets of government under the control and jurisdiction of the City Council. The position also establishes and maintains a governmental organization which will support and promote retail, industrial, and all other economic development. The position will provide for systematic and orderly flow of information to and from the City Council, employees, and citizens of the community.

**Job Responsibilities:**

1. Draft, implement, coordinate, and administer the policies of the City Council.
2. Prepare agendas for all public meetings in collaboration with the Mayor and attend all City Council meetings.
3. Prepare all resolutions, ordinances, policies, and procedures as approved by the City /Council.
4. Maintain a list of all funding sources available to the City.
5. Receive, review, and recommend to the City Council all alcohol and tobacco permits.
6. Maintain strong working relationships with local law enforcement and other local government officials.
7. Represent the City at functions and meetings.
8. Recommend modifications, additions, and deletions to the Code of Ordinances. Ensure that changes to the Code of Ordinances are handled according to State of Iowa law and federal regulations.
9. Ensure that the duties and responsibilities of the City Clerk are carried out in the Clerk's absence.
10. Oversee the financial management of City Hall and the annual budget.
11. Supervise construction, improvement, repair, maintenance, and management of all City-owned facilities and equipment.
12. Act as the main contact for all entities conducting business with the City. Examples include City Attorney, engineering firms, contractors, vendors, and other outside organizations.
13. Act as Human Resources professional for the City, subject to City Council approval for hiring or firing. The position will provide day-to-day supervision of all City Employees, authorize requested time off by employees, perform annual evaluations, develop short- and long-term goals for employees and recommend pay adjustments, promotions, demotions, and discharges to the City Council. The position is responsible for the recruitment of qualified individuals when vacancies occur.
14. Maintain the City's website and continually review content to ensure the latest information is available to citizens and is easy to find. Maintain the City's presence on social media sites. Manage City signage and other forms of outbound communication.
15. Act as City's main contact for capital project management. Ensure all pre-construction procedures and paperwork are properly completed. Maintain contact with construction superintendents to ensure that projects are on budget and on schedule. Take any change order requests before the City Council for approval.

16. Lead the City Council in goal-setting sessions and assist them in understanding and utilizing the Comprehensive Plan.
17. Actively participate in county economic development organizations and other economic development activities.
18. Promote local businesses and actively participate in the Riverside Area Community Club and other local organizations. Maintain regular contact with local business owners.
19. Direct economic development initiatives to achieve goals and objectives outlined in the Comprehensive Plan.
20. Assist businesses in the application and permitting process and serve as an advocate for economic development in line with the Comprehensive Plan, zoning ordinances, and goals established by the City Council.
21. Promote City-owned properties that may be for sale and the orderly development of related projects.
22. Work with developers of commercial and residential land adjacent to and within the City to bring additional tax revenues to the City.
23. Lead and City fundraising campaigns.
24. Prepare grant proposals and applications, contracts, and other necessary documents as required for community development.
25. Work with local organizations in the development of activities and/or festivals to attract visitors to the City.
26. Oversight of youth and adult sports programs.
27. Working with the public on a regular basis.

**Works Closely with:** The position provides coordination, communications, and cooperation between City employees, City Council, commissions, committees, and is the City's representative working with external stakeholders.

**Equipment:** Computer, phone

**Skills and Qualifications:**

1. Education – Four-year Degree in Public Administration or Business Administration or related field preferred but not required.
2. Experience – Five years' experience in public sector management or similar field preferred with an extensive knowledge of management practices and policies with supervisory experience.
3. Knowledge of principles of public finances, short- and long-term budget projections, intergovernmental relations, human resources principles, administration of grants, state and federal laws, and rules and procedure of local government
4. Excellent communication skills and the ability to communicate clearly both verbally and in writing.
5. Ability to read and understand complex materials required.
6. Must be able to establish and maintain cooperative working relationships with a wide variety of organizations and individuals.
7. Working knowledge of municipal zoning and infrastructure requirements for residential and commercial expansion.
8. License/Certifications/Endorsements – Must hold a valid driver's license. Must be bondable.
9. Mental Requirements – Must have the ability to prioritize, plan and schedule a variety of maintenance related activities in accordance with established deadlines; must be capable of

performing under moderately to highly stressful conditions created by the need to provide accurate solutions to problems and meet citizen's expectations under time deadlines.

**Disclaimer:**

All duties and requirement in this job description have been determined by the employer to be essential job functions and are consistent with ADA requirements and are representative of the functions that are necessary to successful job performance. They may not however, reflect the only duties performed. Employees in this job class will be expected to perform other job-related duties when it can be reasonably implied that such duties do not fundamentally change the basic requirements, purpose, or intent of the position.

**Residency requirement:**

The City Administrator agrees to reside within twenty (20) miles of the City of Riverside city limits during her/his employment. Failure to reside within twenty (20) miles of the city limits will be considered a breach of contract under Section 9.

# CITYOF RIVERSIDE

**Position:** Public Works Maintenance

**Employee Status:** Full-Time, Non-exempt

**Supervisor:** City Administrator

**Job Functions:** Participate in all maintenance activities on city streets and parks.

**Job Responsibilities:**

1. Maintain City sidewalks as required.
2. Maintain all City signs, signals, paint crosswalks and parking markings.
3. Maintain, clean and repair storm sewers and catch basins as needed.
4. Mowing and trimming all City owned property.
5. Spray weeds along roadways and City maintained sidewalks when needed.
6. Remove snow, ice and debris from streets and sidewalks as needed.
7. Maintain, hang, remove, and store (or arrange for such) pole banners and holiday street decorations.
8. Maintain bathrooms on City parks property (clean, stock, disinfect, etc.)
9. Maintain the maintenance shop buildings (clean, inspect, report issues, etc.).
10. Report needed maintenance on city property structures as needed.
11. Trim and/or remove (or arrange for such) trees on City property as needed.
12. Inspect park playground equipment and repair or replace (or arrange for such) as needed.
13. Maintain (or arrange for such) all city property structures as needed.
14. Maintain retention basin.
15. Maintain City trails as needed.
16. Operate all City equipment on appropriate applications as needed.
17. Perform (or arrange for such) general maintenance and repair work on all City equipment as needed. Maintain accurate equipment records.
18. Arrange for the rental of equipment as needed.
19. Keep an accurate timecard and submit it with a weekly spreadsheet showing areas of work during the previous week on the first business day of each payroll week to the city clerk's office. Any combination of hours over 40 hours per week are to be pre-approved by your supervisor unless it is an emergency.
20. Notify your supervisor directly if you find it necessary to leave work early.
21. Notify your supervisor directly if you are unable to be present for work or unexpectedly detained. Upon your return, report directly to your supervisor.
22. Respond to emergencies and situations that cannot wait for a response during regular business hours to ensure the operation of all City functions or preserve private property. This may involve answering your cell phone during non-regularly scheduled work hours.
23. Dispose of dead animals and other disposable items as needed from city property.
24. Report to the City Clerk any vehicles parked illegally on city property.
25. Order parts and supplies for operations, projects, and equipment as needed and obtain a pre-approved purchase order.
26. Give input to your supervisor on planned projects and other needs to be included in the annual task listing or for budget planning.
27. Be aware of all city policies as listed in the City of Riverside's Personnel Policy Manual or as may be updated. This manual will be updated as needed. All updates become effective once adopted by the Riverside City Council.
28. Works on an occasional basis with the general public.

29. All other duties as may be needed or assigned.

**Works Closely with:** Other Public Works Maintenance Employees, City Administrator

**Equipment Used:** Mower, weed trimmer, backhoe, skid loader, tractor, pickup, power washer

**Skills and Qualifications:**

1. Education – High School Graduate or equivalent required.
2. Computer skills with a high emphasis on Word and Excel.
3. Valid Iowa Driver’s License.
4. Obtain and maintain the appropriate Commercial Driver’s License (CDL) Class B with Air Brakes.
5. Ability to establish and maintain effective working relationships with City Elected Officials, City Hall staff, other employees, citizens, and general public.
6. Ability to stand, walk, occasional crouching, crawling, stooping, kneeling, pushing, pulling, lifting, and carrying heavy objects.
7. Intensive use of hands, fingers, legs, arms in grasping objects, driving equipment, and using hand tools.
8. Must be able to climb into cabs of various equipment, use hoist, jacks, and other related tools for maintenance and repair of various equipment.
9. Must be able to wear safety gear at all times as needed to perform duties.
10. Must be able to work in extreme temperatures at various time of year.
11. Must be able to work in numerous undesirable conditions including but not limited to noise, dust, fumes, occasional heavy lifting, and exposure to moving parts.
12. Experience - Two years of general maintenance experience.
13. Special Abilities – Must have good organizational skills; must be a self-starter and have good communications skills to interact with staff and citizens and manage numerous projects in the City.
14. Physical Requirements – Must be able to lift heavy items on an occasional basis and carry, push, or pull heavy items as needed, using OSHA guidelines. Must be able to stand, sit, listen, watch, crouch, stoop, kneel, bend, climb and balance for extended periods of time in all weather conditions.
15. Mental Requirements – Must have the ability to prioritize, plan and schedule a variety of maintenance related activities in accordance with established deadlines; must be capable of performing under moderately to highly stressful conditions created by the need to provide accurate solutions to problems and meet citizen’s expectations under time deadlines.

**Disclaimer:**

All duties and requirement in this job description have been determined by the employer to be essential job functions and are consistent with ADA requirements and are representative of the functions that are necessary to successful job performance. They may not however, reflect the only duties performed. Employees in this job class will be expected to perform other job-related duties when it can be reasonably implied that such duties do not fundamentally change the basic requirements, purpose, or intent of the position.

**Residency requirement: Must reside within 20 miles of Riverside city limits or be willing to relocate.**

## CITY OF RIVERSIDE

**Position:** Deputy Clerk

**Employee Status:** Full time, Non-Exempt

**Supervisor:** City Administrator, City Clerk

**Job Functions:** Responsible to operate as a backup for all facets of the City Clerk's office. This position has the responsibility for determining the priority of some tasks listed subject to the direction of the City Clerk and City Administrator.

**Job Responsibilities:**

1. Open and close the office.
2. Place garbage and recycling out for collection.
3. Take telephone calls, respond to messages, or forward messages to the appropriate person.
4. Initial answering of the telephone.
5. Backup to collect mail from the post office, open mail, route mail to the appropriate person and respond to mail if needed.
6. Wait on customers, provide information.
7. Respond to customers' email inquiries or route them to the appropriate person.
8. Sign for packages and route them to the appropriate person.
9. Keep City Clerk and City Administrator informed of current issues.
10. Communicate information to staff.
11. Perform research for staff, management, and customers.
12. Send out correspondence and other mailings as needed.
13. Send and receive faxes.
14. Report streetlight issues to utility companies.
15. Receive formal complaints and forward to the appropriate person.
16. Backup to update website.
17. Proofread and edit documents as needed.
18. Compose letters and reports as needed.
19. Backup to post messages on the electronic sign at city hall.
20. Assist with the printing and processing of the newsletter.
21. Back-up to the City Clerk to prepare meeting packets for City Council and other meetings as may be required. This includes scheduling some meetings.
22. Backup to the City Clerk for the following tasks:
  - Verify time sheet information.
  - Calculate distributions of time.
  - Record time sheet information into the payroll module.
  - Generate and distribute paychecks.
23. Backup to administer the utility billing system.
  - Waiting on customers, opening envelopes from mail and drop box.
  - Making the deposits, balancing the total with the bill stubs.
  - Checking for online payments.
  - Posting payments, issuing receipts.
  - Collecting water deposit fees and forms, as well as presenting new residents with utility information.

- Reconciling customer deposits and customer information.
  - Processing new accounts.
  - Revising documents used with utility system.
  - Initiating the monthly and as needed meter readings.
  - Generate the bills, process penalties, process delinquent notices, generate reports.
  - Communicate and recommend action for delinquent accounts to the City Clerk and City Administrator.
  - Ensure code enforcement for utility matters.
  - Backup to process needed liens for uncollected amounts due.
  - Process write-offs for uncollectable amounts due.
  - Submit information to the Income Off-set Program.
24. All other payments.
- Waiting on customers.
  - Backup for opening envelopes from the mail.
  - Issue receipts.
  - Take the deposit to the bank.
25. Send tax exempt certificates to vendors.
26. Accounts Payable:
- Backup to verify information for check issuance against invoices.
27. Receive requests for room reservations and give out information.
28. Recommend changes to forms or process as needed.
29. Receive requests for park reservations and process.
30. Backup to make a park reservation card and ask the maintenance department to post.
31. Order or purchase city supplies as needed with purchase order approval of City Administrator.
32. Operate all office equipment: phone, copier, printer, fax, computers, and more. Some of the software used: Word, Excel, Publisher, Power Point, Outlook, Windows.
33. Notarize documents.
34. Attend training sessions to keep current with regulations and software.
35. Other tasks as may be required.

**Works Closely with:** City Clerk, City Administrator

**Equipment Used:** Computer, Calculator, Printer

**Skills and Qualifications:**

1. Education – High School Graduate or equivalent required. Some college with office or accounting emphasis or Iowa’s Municipal Professional’s Institute and Academy training preferred.
2. Experience-Experience in an office environment required, with governmental office experience and Microsoft Office preferred.
3. License/Certifications/Endorsements – Must hold a valid driver’s license. Must be bondable.
4. Special Abilities - Must have good organizational skills; must be a self-starter; have good communication skills to interact with staff, elected officials, and citizens; and the ability to manage numerous processes at the same time.
5. Physical Requirements – Must be able to lift objects weighing more than 50 pounds on an occasional basis and carry, push, or pull them up to 10 feet unassisted; must be able to stand, sit, listen, and watch for extended periods of time.
6. Mental Requirements – Must have the ability to prioritize, plan and schedule a variety of maintenance related activities in accordance with established deadlines; must be capable of performing under

moderately to highly stressful conditions created by the need to provide accurate solutions to problems and meet citizen's expectations under time deadlines.

**Disclaimer:**

All duties and requirement in this job description have been determined by the employer to be essential job functions and are consistent with ADA requirements and are representative of the functions that are necessary to successful job performance. They may not however, reflect the only duties performed. Employees in this job class will be expected to perform other job-related duties when it can be reasonably implied that such duties do not fundamentally change the basic requirements, purpose, or intent of the position.

**Residency requirement: Must reside within 20 miles of Riverside city limits or be willing to relocate.**