

ORDINANCE NO. 421

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EARLHAM, IOWA, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 165.44(5) FENCES, WALLS, AND PLANTING

Be It Enacted by the City Council of the City of Earlham, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 165.44(5) of the Code of Ordinances of the City of Earlham, Iowa, is amended by adding the following subsection C, and re-numbering the subsequent subsections of section 5:

C. Double Frontage Lots: In the case of double frontage lots with an arterial street forming the rear property line, fences may be permitted a minimum of fifteen (15) feet from the property line of the secondary front yard. Such fences may be up to six (6) feet in height. The finished surface of the fence shall face outside the property. Similar fences on abutting properties must be in alignment to form a row. For the purposes of this chapter, arterial streets within the City are defined as North Chestnut Avenue, from Sixth Street to the north city limits, and other streets as determined from time to time by the City Council.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect April 27, 2020.

Jeff Lillie, Mayor

Attest: _____
Mary Sue Hibbs, Clerk/Treasurer

Passed First Reading: _____
Passed Second Reading: _____
Passed Third Reading: _____

PASSED AND APPROVED: April 27, 2020

<u>Member</u>	<u>1st Reading</u>	<u>2nd Reading</u>	<u>3rd Reading and Final Passage</u>
Baskin			
Fredericksen			
Payne			
Petersen			
Swalla			

I certify that the foregoing Ordinance was published as Ordinance No. 421 on the _____ day of _____, 2020.

Mary Sue Hibbs, City Clerk/Treasurer