

TITLE VII SPECIAL ORDINANCES

CHAPTER 1 NAMES OF STREETS AND PARKS

7-1-1 Public Parks

7-1-2 Streets Named

7-1-1 PUBLIC PARKS.

Block No. Five (5), original plat of the City of Richland, shall be known as the Public Park.

7-1-2 STREETS NAMED.

The streets in the city shall be known by the following names:

1. The street running east and west on the north side of the Public Park, shall be called Harrison Street.
2. The street running east and west on the south side of the Public Park, shall be called Main Street.
3. The first street south of Main Street, shall be called South Street.
4. The second street south of Main Street, shall be called Stroup Street.
5. The third Street south of Main Street, shall be called College Street.
6. The street running north and south on east side of Public Park, shall be called Oak Street.
7. The first street east of Oak Street, running north and south shall be called Mulberry Street.
8. The second street east of Oak Street, running north and south, shall be called Washington Street.
9. The street running north and south on the west side of Public Park, shall be called Richland Street.
10. The street west of Richland street, running north and south, shall be called Walnut Street.
11. The first street north of Harrison Street, running east and west, shall be called North Street.

12. The second street north of Harrison Street, running east and west, shall be called Wasson Street.
13. The third street north of Harrison Street, running east and west, shall be called High Street.
14. The fourth street north of Harrison Street, running east and west, shall be called Division Street.
15. The street commencing at the Southwest Corner of the Southeast Quarter of the Southeast Quarter, of Section 27, Township 74 North, Range 10 West of Fifth Principal Meridian, 133 rods North to the North edge of Main Street in the City of Richland, Keokuk County, Iowa, is hereby named Locust Street.
16. College Street is hereby extended west from the intersection of College Street and Walnut Street to Locust Street, a length of 692.37 feet, and that the width of the extension of College Street is hereby set to be 66 feet.
17. The first street running West of Locust Street shall be called Moffet Street.
18. The second street running West of Locust Street shall be called Suellen Street.
19. The third street running West of Locust Street shall be called Kelleff Street.

TITLE VII SPECIAL ORDINANCES

CHAPTER 2 RESERVED

TITLE VII SPECIAL ORDINANCES

CHAPTER 3 SUBDIVISION REGULATION

7-3-1 Purpose

7-3-2 Facts Found

7-3-1 PURPOSE.

The purpose of this chapter is to officially accept the provisions the Chapter 409 of the Code of Iowa, 1977, pertaining to plats, and specifically Section 409.14, in that it is in the best interest of the citizens of the City of Richland, Iowa, that sub-divisions affecting the City should be approved by the City Council.

7-3-2 FACTS FOUND.

The Council of the City of Richland, Iowa, hereby makes the following findings:

1. The City of Richland, Iowa, hereby accepts and submits to all provisions of Chapter 409 of the Code of Iowa, 1977, pertaining to platting.
2. The City of Richland, Iowa, hereby officially adopts the restrictions of Section 409.14 of the Code of Iowa, 1977, which provides the City shall have approval of plats within two (2) miles of the City Limits of Richland, Keokuk County, Iowa.
3. The City Council of the City of Richland, Iowa, hereby reserves the right to add to the requirements set forth in Chapter 409, in the event that the City Council feels that it is in the best interest of the citizens of the City of Richland, Iowa, to do so.

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CHAPTER 4 RESTRICTED RESIDENTIAL DISTRICT

7-4-1 Interpretation of Standards	7-4-9 Fencing
7-4-2 Definitions	7-4-10 Certificate of Compliance
7-4-3 Boundaries of Excepted Areas	7-4-11 Building Permits
7-4-4 General Provisions	7-4-12 Manufactured and Mobile Homes
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7-4-1 INTERPRETATION OF STANDARDS

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or ordinances, the provisions of this Ordinance shall control.

7-4-2 DEFINITIONS

- A. For the purpose of this Chapter certain terms and words are hereby defined. Words used in this present tense shall include the future, the singular number shall include the plural and the plural number includes the singular; the word "shall" is mandatory, the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the words "used" or "occupied" include the words intended, designed, or arranged to be used or occupied.
 1. Accessory Building or Use: A building or use on the same lot with, and of a nature customarily incidental and subordinate to, the principal building or use. An accessory building shall be a minimum of seven (7) feet away, measured from the foundation, from other buildings or structures.
 2. Building Officials: The City Clerk shall be a Building Official and be responsible for the administration, the Maintenance Staff shall be Building Officials and be responsible for all regulations. The City Council shall be the enforcement of this Ordinance.
 3. Church or Church School: A building used for public worship, or connected with a building so used, or for instruction in religious beliefs, or for the conduct of activities related to church affairs.
 4. Dwelling or Residence: Any building or portion thereof which is designed or used exclusively for residential purposes but not including a tent, cabin, trailer, or mobile home.
 5. Dwelling, Single Family: A detached residence designed for or used exclusively and occupied by one family only.

6. Dwelling, Two-Family: A residence designed for or used exclusively and occupied by two (2) families only, with separate housekeeping and cooking facilities for each.
7. Dwelling, Multiple: A residence designed for or occupied by three (3) or more families, with separate housekeeping and cooking facilities for each.
8. Dwelling, Condominiums: A multiple dwelling as defined herein whereby the fee title to each dwelling unit is held independently of the others.
9. Dwelling, Row: Any one of three or more attached dwellings in a continuous row, each such dwelling designed and erected as a unit on a separate lot and separated from one another by an approved wall or walls.
10. Dwelling, Unit: A room or group of rooms which are arranged, designed, or used as living quarters for the occupancy of one family containing bathroom and/or kitchen facilities.
11. Family: One (1) or more persons occupying a single dwelling unit, provided that all members are related by blood, marriage, or adoption.
12. Garage: A structure for sheltering motor vehicles or household equipment and/or effects.
13. Home Occupation: An occupation or profession conducted entirely within an enclosed dwelling unit that is clearly incidental and secondary to residential occupancy and does not change the character thereof.
14. Home Industry: An occupation or profession conducted entirely within an enclosed accessory building that is clearly incidental and secondary to residential occupancy and does not change the character thereof.
15. Household: A group of persons living together in a single dwelling unit with common access to, and common use of, all living and eating areas within the dwelling unit.
16. Lot: For the purposes of this chapter, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area to provide such yards and other open space as are herein required. Such lot shall have frontage on a public street or private street, and may consist of: (a) A single lot of record; (b) A portion of a lot of record; (c) A combination of complete lots of record; of complete lots of record and portions of lots of record; or of portions of lots of record; and (d) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this chapter.
17. Lot, corner: A lot abutting upon two (2) or more streets at their intersection.
18. Lot, depth of: The mean horizontal distance between the front and rear lot lines.
19. Lot, double frontage: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.
20. Lot, interior: A lot other than a corner lot.
21. Lot lines: The lines bounding a lot.

22. Lot of record: A lot which is a part of a subdivision recorded in the office of the County Recorder of Butler County, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
23. Lot, width: The width of a lot measured at the building line and at right angles to its depth.
24. Lot reversed frontage: A corner lot, the side street line of which is substantially a continuation of the front lot line of the first platted lot to its rear.
25. Manufactured home: A factory built structure, which is manufactured or constructed under authority of 42 U.S.C. Section 5403 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A manufactured home shall be a minimum of twenty-two (22) feet in width and will be considered as a dwelling under the provisions of this chapter.
26. Mobile home: Any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon public highways or streets, or waterways; so designed and so constructed as to permit residential occupancy thereof, whether attached or unattached to a permanent foundation. Mobile homes shall include any such vehicle with motive power not registered as a motor vehicle in Iowa. Mobile homes to be used for dwelling purposes shall be placed only in an approved mobile home park.
27. Mobile Home Park or Trailer Park: Any lot, parcel or portion thereof having an area of at least five (5) acres upon which three (3) or more mobile homes or trailers occupied for residential purposes are located regardless of whether or not a charge is made for such accommodations; and provided further that said Mobile Home Park shall provide a minimum of three thousand (3,000) square feet per mobile home unit, and maintain front, side, and rear yard areas around said park of at least thirty (30) feet. Each mobile home within said park must maintain at least twenty (20) feet of front, side, and rear yard from all other adjacent mobile homes. Further provided that said Mobile Home Park shall be licensed in accordance with the provisions of the regulatory agencies of the State of Iowa.
28. School: A public or private building used for educational purposes that is regulated by the state department of public instruction as to curriculum.
29. Stable, Private: A building or structure used or intended to be used for housing horses belonging to the owner of the property for non-commercial purposes.
30. Stable, Public and Riding Academy: A building or structure used or intended to be used for the housing or riding of horses on a fee basis. Riding instruction may be given in connection with a public stable or riding academy.

31. **Yard:** An open space on the same lot with a building or structure unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the general ground level of the graded lot upward. In measuring a yard for the purpose of determining the depth of a front yard or the depth of a rear yard, the least distance between the lot line and the main building shall be used. In measuring a yard for the purpose of determining the width of a side yard, the least distance between the lot line and nearest permitted building shall be used.
32. **Yard, front:** A yard extending across the full width of the lot and measured between the front lot line and the building. "Front" shall be determined from the street where the address is derived.
33. **Yard, rear:** A yard extending across the full width of the lot and measured between the rear lot line and the building or any projections other than steps, unenclosed balconies or unenclosed porches. On both corner lots and interior lots the opposite end of lot from the front yard.
34. **Yard, side:** A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest building.

7-4-3 BOUNDARIES OF EXCEPTED AREAS

All of the real estate within the city limits of the city shall be after the effective date of the ordinance codified in this Chapter a restricted residential district, as provided for by Section 415.2 of Chapter 415 of the Code of Iowa and acts amendatory thereto, but that the following described real estate, lying and being situated within the city limits of the city excluded from Articles 1 through 11 of this chapter shall be classified as a Non-Residential District "N-R".

1. Lots 3,4,5,6 Block 1 and Lots 4,5,6,7,8 Block 2 and Lots 7,8 Block 3 and Lots 3,4,5,6 Block 4 and Lots 3,4,5,6 Block 6 and Lots 3,4 Block 7 and Lots 1,2,3,4 Block 8 and Lots 1,2 Block 9 all in the original Plat of the City of Richland, Iowa.

7-4-4 GENERAL PROVISIONS

1. Building Permit and Certificate of Occupancy Required in All Districts.
 - A. No building footprint, area, or size shall hereafter be altered or improved, in valuation of five hundred dollars (\$500) or more, unless a building permit, provided by the City Clerk, approved by the City Code Enforcement Officer, has been approved for each erection, reconstruction, or alteration. Said permit shall be applied for in writing on a properly completed application form, provided by the City Clerk, that is accompanied by plans and specifications sufficient to determine compliance with the applicable ordinances of the City. Any concrete or cement improvements, regardless of the valuation of the project, shall be subject to the permit process defined in this subsection.
 - B. A building permit shall not be issued for buildings that do not comply with this or any other ordinance of the City of Richland. The Building Official may revoke a permit or approval, issued under the provisions of this chapter, if a

false statement or misrepresentation was made by the applicant on the application or plans on which permit approval was based.

- C. If construction, as covered by the building permit, is not initiated within six (6) months from the date of permit issuance, said permit shall be void.
- D. The City of Richland shall charge a fee for said building permit set by resolution.
- E. No change in the use or occupancy of land, nor any change in use or occupancy in an existing building shall be made, nor shall any new building be occupied for any purpose or use until a certificate of occupancy has been issued by the Building Official. If the new occupancy complies with the provisions of this, and all other Ordinances of the City of Richland, the Building Official shall issue said certificate. A certificate of occupancy shall not be issued for uses that do not comply with this or any other Ordinances of the City of Richland. There shall be no fee for a certificate of occupancy.

2. Non-Conforming Uses and Lots in the Restricted Residence District.

- A. A lawful, or authorized, non-conforming use existing at the time of adoption of this chapter may be continued, maintained, repaired, or sold to another party. Said non-conforming use may not be enlarged, expanded or changed, nor shall it occupy more lot area than was in use on the effective date of the ordinance codified by this chapter unless the Official Restricted Residence Ordinance Map is amended or a Special Permit is granted.
- B. If said lawful non-conforming use, or any portion thereof, is discontinued, either voluntarily by the owner or through the sale of the property or business, for a period of one (1) year or more, any future use of such land shall be in conformity with the provisions of the "R-1" Restricted Residence District unless the Official Restricted Residence Ordinance Map is amended or a Special Permit is granted.
- C. In any Restricted Residence District on a lot of record at the time of enactment of this chapter, a single-family dwelling may be established regardless of the size or dimension of the lot, provided all other requirements of this chapter are met. However, where two (2) or more vacant and contiguous substandard recorded lots are held in common ownership, they shall be combined into zoning lots and shall thereafter be maintained in common ownership and shall be so joined and developed for implementing this chapter. The razing of a building on a substandard lot shall constitute the formation of a vacant lot.

7-4-5 ISSUANCE

The City Council shall approve all permits.

7-4-6 RESTRICTED RESIDENCE DISTRICT

The following regulations shall apply in all areas designated in the "R-1" Restricted Residence District.

1. Principal Permitted Uses (Only one (1) principal permitted use shall be allowed per lot, including lots of record).
 - A. One and two family dwellings or residences.
 - B. Churches, cathedrals, temples, and similar places of worship.
 - C. Public and parochial schools, including elementary and secondary schools.
 - D. Fire stations.
 - E. Publicly owned parks, playgrounds, golf courses, libraries, and recreation areas.
 - F. Agricultural uses, including nurseries and truck gardens; provided that no offensive odors or dust are created, and provided further, that no retail sales shall be permitted on the premises. This shall not be construed to include the operation of livestock feedlots or auctions, public stables, boarding kennels or veterinary clinics or such similar uses.
 - G. Conversions of one family dwellings into two family dwellings in accordance with the lot area, frontage, height, and yard requirements of this section.
 - H. Mobile Home Parks or Trailer Parks may be established provided approval is granted by the City Council after a public hearing has been held pursuant to the establishment of such use.
 - I. Multiple dwellings, including row dwellings consisting of not more than six (6) units in a continuous row, cooperative apartment house, and condominium dwellings.
 - J. Boarding and rooming houses.
 - K. Nursing, convalescent and retirement homes.
 - L. Funeral homes.
 - M. Uses other than those permitted in this section may be erected, reconstructed, altered, or placed provided the City Council shall have approved, by Special Permit, the said erection, reconstruction, alteration, or placement of the use.
2. Home-based occupations, outdoor hobbies, and commercial usage of land, dwellings, or accessory buildings located within a Restricted Residential zone or district must obtain a Conditional Use Permit approved by the City Council and area subject to the following:
 - A. A home occupation shall be clearly secondary to the residential use of the dwelling.
 - B. A home occupation shall be conducted in such a manner that it is compatible with the residential character of the neighborhood in which it is located.
 - C. A detached accessory building of not more than two hundred (200) square feet in area may be used for such home occupation.
 - D. Persons other than those residing in the dwellings shall not be employed in the house.
 - E. Goods related to the home occupation shall not be visible from the street.
 - F. Goods shall not be sold on the premises.

- G. Outdoor storage of materials or equipment related to the home occupation activity is not permitted on the premises.
- H. Except for permitted signage, the home occupation use shall not substantially alter the exterior appearance or character of the residence in which it is conducted, either by exterior construction, lighting, graphics, or other means.
- I. No more than one (1) sign may be visible from the exterior of the property used as a home occupation. The sign shall not exceed one (1) square foot in size.
- J. A home occupation shall not create any nuisance, hazard, or other offensive condition, such as that resulting from noise, smoke, fumes, dust, odors, or other noxious emissions. Electrical or mechanical equipment that causes fluctuations in line voltage, creates any interference in either audio or video reception, or causes and perceivable vibration on adjacent properties is not permitted.
- K. Automotive-service and repair, and medical service uses are prohibited as home occupations.
- L. The Conditional Use Permit is valid for only the original applicant and is not transferable to any resident, address, or any other home occupation. Upon termination of the applicant's residency, the Conditional Use Permit shall become null and void.
- M. The Conditional Use Permit may be revoked at any time by the City Council on conditions of public health, safety, and welfare of the community.

3. A residential accessory building or structure customarily used in conjunction with a dwelling, namely, a garage with a capacity of not more than 1,000 square feet floor area, a tool or "summer" house not exceeding 100 square feet floor area, or a private swimming pool properly fenced and screened. Any other building on residential property shall not be deemed a residential accessory use if not incidental to a residential purpose, or if it is used in conjunction with or for the business of selling goods or rendering services. It is unlawful to move any previously constructed accessory building or structure into or within the City limits, without a Special Permit.

7-4-7 RULES AND REGULATIONS

1. **Conformance Required Except as Hereinafter Specified.** No building or structure shall be extended, converted, enlarged or reconstructed or structurally altered, nor shall any building or land be used which does not comply with all of the regulations established by this chapter for said district.
2. **Continuing Existing Uses.** The use of the building or land at the time of the enactment of the ordinance codified in this chapter may be continued even though such use may not conform with the regulations of this chapter for said district.
3. **Nonconforming Uses of Buildings.** No existing buildings or premises devoted to the use not permitted by this chapter located within the area described in Section 7-

4-2, except when required by law, shall be enlarged, extended, reconstructed, or structurally altered unless a use thereof is changed to a use permitted in such residential district in which the same is located, except as follows:

- a. **Discontinuance.** In the event that a nonconforming use of any building or premises is discontinued for a period of one year, the use of the same shall conform thereafter to the uses permitted.
- b. **Replacing Damaged Buildings.** Any nonconforming building or structure damaged more than sixty percent of its value, exclusive of the foundation, at the time of damage, by fire, explosive, or act of God, shall not be restored or reconstructed and used as before such happenings. With less than sixty percent damage above the foundation, it may be restored and reconstructed and used as before, providing it is done within the six months within such happenings and be built of like or similar materials.

7-4-8 RESIDENTIAL HOUSING CONSTRUCTION

1. Minimum dimensions of construction. All residential dwellings utilized for human habitation or occupancy shall hereafter be constructed to minimum completed dimensions of not less than twenty-two (22) feet in width and not less than fifty (50) feet in length. The minimum dimensions of construction shall include, but is not limited to, stick-built constructed on-site housing, manufactured (modular) housing that is constructed on the authority of 42 U.S. C. Section 5403, and prefabricated structuring relocations (new construction or previously occupied housing).
2. Minimum area of residential floor space. Every dwelling hereafter constructed, relocated, or placed on a lot or building site for occupancy shall contain not less than eleven-hundred (1100) square feet of total gross living area not including floor space used for a garage and other purposes than residential.
3. Combining units of construction. An apartment house or condominium not to exceed two (2) units of separate, divided occupancy may be hereafter constructed jointly as a single facility or structure, provided that the two divided units combined dimensions are not less than twenty-four (24) feet in width and not less than fifty (50) feet in length, and not less than six-hundred (600) square feet of total gross living area (per unit), not including floor space used for a garage and other purposes than residential, and does not share heating and cooling facilities, hot water equipment, nor any other essential facility or utility service amongst the separate and divided units.
4. Light, Ventilation, Sanitation, and Protection Requirements.
 - a. In every dwelling hereafter erected, every room shall have at least one window or windows equal to one-eighth of the superficial floor area of room opening on a yard or court located on the same lot and such window or

windows shall be so located as to properly light and ventilate all portions of such rooms, or approved ventilation and light according to recognized standards.

- b. No structure of which the major portion consists of a basement shall be occupied for living and/or sleeping purposes by human beings.
- c. Every dwelling hereafter erected shall be placed upon a substantial wall foundation, providing at least a two-foot air space between the ground surface and the bottom of the joists on the ground floor of such a dwelling, and such wall shall be constructed of cement, brick, stone, concrete blocks, or any combination thereof, unless said dwelling is constructed on a concrete slab laid on the ground level. All exterior walls shall be finished with butt wood siding, wood shingles, cement shingles or siding, stucco on metal lath, masonry veneer or other similar standard siding materials. No roll roofing material shall be used for exterior siding purposes. All wood exterior finish shall be painted or similarly protected. All roofs shall be finished with asphalt, or wood shingles, or other standard roofing material or materials of a permanent nature and construction. All chimneys and outlets for stoves and furnaces shall be constructed in a first class manner and of fireproof materials and in conformity of all fire laws of the state.
- d. Every dwelling hereafter remodeled or altered in any of the following ways shall conform with the requirements of subdivision c of this subsection as follows: In the event that new siding is placed on the exterior walls of a dwelling, it shall be finished with butt wood siding, wood shingles, cement shingles or siding, stucco on metal lath, masonry veneer, or other similar standard siding and no roll roofing shall be used for exterior siding purposes; and any wood exterior surface shall be painted or similarly protected. In the event that new roofing is placed upon any dwelling, such roof shall be finished with asphalt, or wood shingles or other standard roofing material or materials of a permanent nature and construction, In the event that a chimney, either new or a replacement of an existing chimney, is built in connection with any dwelling, it shall be of approved masonry reinforced concrete or approved type of prefabricated chimney. It shall extend at least two and one-half feet above the highest point of the roof nearest its exit, but shall be wholly supported upon a substantial ground foundation or installed according to recognized standards.
- e. Buildings erected as garages shall in no case be occupied for dwelling purposes.

5. Roof Pitch. Every new dwelling shall have a minimum roof pitch of 4:12.

7-4-9 FENCING

The following regulations shall apply to all fences built, repaired or replaced in the R-1 District. 1. No one shall build, repair, replace or extend any new or existing fence, wall or other similar structure unless such structures meet the fence, wall or other similar structure unless such structures meet the following criteria:

- A. All fences shall be erected solely on the property owner's property and shall not extend over the property line.
- B. Each fence will be set back from any side lot line by eighteen (18) inches, unless the adjoining property owner has waived this setback requirement in writing and filed it with the Building Official. The waiver is irrevocable and is binding on all successors in interest. No setback is required for a non-maintenance fence erected on the property owner's property, if there is an official survey of said property.
- C. No fence shall exceed eight (8) feet in height. On street frontage lot lines, corner lots and for any front yards, the height shall not exceed four (4) feet. The front yard limitation shall be twenty-two (22) feet when there are no adjacent buildings or if there are, shall be the average setback for adjacent buildings.
- D. On any new fences the supporting poles shall be on the inside of such a fence, unless waived in writing by the adjoining property owner. Such waiver will be irrevocable.
- E. Each new fence shall be subject to a building permit.

3. Natural Fencing. The foregoing restrictions shall not apply to any fences comprised solely of any living plants being used as a living plants being used as a living fence, excepting that no part of such living fence shall be planted to hang over the property line. Further, the frontage height descriptions of four (4) feet shall also apply to such living fences.

7-4-10 CERTIFICATE OF COMPLIANCE

No dwelling or building shall be erected, rebuilt, or remodeled unless a certificate of compliance is issued by the clerk of the city stating that the dwelling or building according to the plans for its erection, alteration, or modification complies with this chapter and other building laws or ordinances and health laws which are now or may hereafter be enforced. A fee as set by the council shall be paid to the clerk upon the issuance of such certificate of compliance, prior to the issuance of the same.

7-4-11 BUILDING PERMITS

No dwelling or building of any type or nature shall be erected or rebuilt within the city limits, within or without the restricted residential district, without filing with the city clerk the application, site plans, and certified prints for its erection or alterations showing compliance with this chapter and all other ordinances or health laws which are in force and/or the codes of the State of Iowa.

1. All new structures, except out-buildings and additions under 500 square feet that do not require water and sewer connections, must submit plans and specs 30 days prior to start of construction.
2. All easements and permits necessary to hook up utilities must be verified before a permit will be issued.
3. A permit shall be issued only if the council is satisfied with all the information submitted. If any changes or additional information is requested by the council, the owner will be notified in writing of such. A hearing may be requested if owner is in disagreement.
4. Permits for residential additions and out-buildings under 500 square feet that do not require sewer or water hookups, may be approved at the regular council meetings by submitting a sketch showing size, location and type of material to be used.
5. Remodeling and restoration do not require a permit unless the structure is to be altered or the work is to be extensive. Extensive shall mean any project that is estimated to cost over \$5,000 for both material and labor. If a project is to be of this scale, it shall be handled the same as for new structures.
6. Commercial buildings shall be rated the same as residential except the fee may differ by order of the council.
7. The amount of the fees for these permits shall be set by the council, and should be reasonable and minimal so as not to discourage building, but to insure quality construction.
8. The city takes no responsibility for elevations, property lines or locations of any utilities. The property owner shall assume full responsibility for all work performed in relation to the project under this building permit.
9. No construction, erection or assembly of building materials shall take place before a certificate of compliance has been issued by the city clerk.

Failure to make application for and receive approval for a building permit shall result in the immediate suspension of ongoing construction, and/or the removal and disassembly of the completed stages of construction, as determined by the city.

A penalty fee of \$250.00 will be collected in addition to the building permit application fee before consideration and/or approval of the submitted plans of construction, and before a certificate of compliance shall be issued.

7-4-12 MANUFACTURED AND MOBILE HOMES

1. Definitions:

“Manufactured home” (modular home) means a factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C. §5403 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles.

(Code of Iowa, Sec. 414.28)

“Mobile home” or “house trailer” means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.

(Code of Iowa, Sec. 435.1[1])

“Mobile home park” or “trailer camp” means any site, lot, field, or tract of land upon which three or more mobile homes or manufactured homes, or a combination of any of these homes, are placed on developed spaces and operated as a for-profit enterprise with water, sewer or septic, and electrical services available. The term “mobile home park” shall not be construed to include manufactured or mobile homes, buildings, tents, or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students. The mobile home park shall meet requirements of any zoning regulations that are in effect.

(Code of Iowa, Sec. 435.1[2])

2. Location of mobile homes. It is unlawful for any person to park or place any mobile home on the streets, alleys or highways, any public place, or on any private land within the City, except as is provided by State law and this chapter. This section does not apply to:

- a. **Mobile Home Parks.** Mobile homes parked or placed within mobile home parks.
- b. **Dealer's Stock.** Mobile homes parked upon private property as part of a dealer's or a manufacturer's stock not used as a place for human habitation.
- c. **Manufactured Homes.** Manufactured homes, or mobile homes meeting the manufacturing requirements of the State Building Code and which are converted to real property in accordance with Section 435.26 of the Code of Iowa, provided that the location of such manufactured home or mobile home meets all other requirements imposed by this Code of Ordinances.

3. Permanent Occupancy. Mobile homes shall not be used as a permanent dwelling place or for indefinite periods of time, provided that any mobile home connected with the City's sewer and water system may be permitted, on premises other than a

mobile home park, on a permanent basis, if the mobile home meets with all the requirements of the building, plumbing, health, sanitary, electrical and zoning ordinances of the City.

4. Permanent additions or attachments. No permanent additions or attachments of any kind shall be built onto or become a part of any mobile home, nor shall any mobile home be attached to the ground by means of posts, piers or foundations.
5. Manufactured Housing Curtain Wall.
 - A. For the purpose of this section, the open, exposed area beneath the ground floor of manufactured homes shall be enclosed around the entire exterior perimeter with a non-load bearing curtain wall that is constructed from, and limited to, one (1) of the following approved materials:
 - a. Poured concrete (continuous perimeter concrete sill) minimum four (4) inches thick, if compatible with facility's support construction
 - b. Block (masonry blocks) minimum four (4) inches thick
 - c. Brick (masonry bricks) minimum four (4) inches thick
 - d. Stone (flat rock panels, specialty rock panels, simulated stone polymer panels) attached to a treated plywood sub-panel and 2x4 framing not less than twenty-four (24) inches on center that is securely anchored both top and bottom
 - e. Metal (vertical profile painted metal siding) attached to a treated plywood sub-panel and 2x4 framing not less than twenty-four (24) inches on center that is securely anchored both top and bottom
 - f. Vinyl (vinyl siding) vinyl boards or sheets that are the manufacturer's identical product, color, profile, texture, appearance, and application to the vinyl material used above the structure's ground floor, attached to a treated plywood sub-panel and 2x4 framing not less than twenty-four (24) inches on center that is securely anchored both top and bottom.
 - B. The use of solid or perforated solid plastic panels, vinyl mobile home skirting, plywood, foam insulation sheeting, or combinations of the approved materials for the visible, exterior exposure of the curtain wall are prohibited. Any method of insulating the curtain wall shall not be visible from the outside.
 - C. The curtain wall may provide for openings limited to installed vents and one (1) access door no more than three (3) feet wide and located no more than eight (8) feet from the installed utilities.
 - D. The exposed color, profile, texture, and design of the perimeter curtain wall shall be aesthetically consistent throughout and repaired as such when needed.
6. Limitation on length of stay. Thirty (30) days is the maximum period of time any person may occupy a recreational vehicle in any twelve-month period within the City. The limitations imposed in this section shall not apply to the operator of the mobile home park or employees.

7. Special permits. The Council, after reviewing the application of a mobile home owner, may issue special permits allowing the location of mobile homes outside mobile home parks for a period of time not exceeding three (3) months. Not more than one (1) mobile home shall be permitted to locate on the same premises outside of mobile home parks.
8. Emergency and temporary parking. Emergency or temporary parking of mobile homes upon the streets, alleys or highways or any other public or private place for a period not in excess of twenty (20) hours shall constitute a violation, but such parking shall be subject to any prohibitions or regulations contained in other ordinances of the City.
9. Restrictions of location for manufactured and mobile homes. The construction and/or location of manufactured homes are only restricted outside the areas of the City known as Mobile Home Parks or Manufactured Home Communities.
10. Replacement of existing manufactured homes. An owner of a presently located manufactured home may replace the existing manufactured home unit with an improved or enlarged structure on the same premises provided that a replacement unit is compliant with provisions 7-4-8 (1) Minimum Dimensions of Construction and (2) Minimum Area of Residential Floor Space, and obtain an approved Building Permit.

A presently located manufactured home may be relocated to another site or building lot provided that the manufactured home being relocated is compliant with provisions 7-4-8 (1) Minimum Dimensions of Construction and (2) Minimum Area of Residential Floor Space, and obtain an approved Building Permit.

11. Removal of established mobile homes. If the owner(s) of an established mobile home that was manufactured prior to June 15, 1976 (not constructed under the authority of 42 U.S.C. Section 5403) ceases to occupy it for residence purposes, or if there is a change of ownership of the mobile home, or the real estate upon which the unit is located, said mobile home shall be removed within sixty (60) days of ceasing occupancy or such change in ownership.

7-4-13 PENALTY FOR VIOLATION

1. Any person, firm or corporation who violates, disobeys, neglects or refuses to comply with or who resists enforcement of any of the provisions of this chapter, upon conviction, shall be fined not more than one hundred dollars for each event. Each day a violation is permitted to exist constitutes a separate offense.
2. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, or land is used in violation of this chapter, the city, in addition to other remedy, shall institute any

proper action or proceedings to prevent such unlawful construction, reconstruction, alteration, or repair, conversion, maintenance, or abate such violation to prevent occupancy of said building, structure, or land, or to prevent any illegal act or use in or about said premises.

7-4-14 PROTECTION OF PUBLIC WELLS

Potential sources of contamination must be restricted upon all lots or portions of lots lying within 200 feet of the municipal well sites to allow construction and safe operation of public water supply wells. The city, as the owner of the public wells, is required to have legal control through purchase, lease, easement, ordinance, or similar means of contiguous land within a distance of 200 feet from the public wells for the life of the wells. Municipal public well #2 is located on the northwest corner of Oak Street and North Street and well #3 will be located within the Walnut Street right-of-way which is north of North Street. The restrictions on usage, are imposed, and any potential sources of contamination as listed in Table A – Separation Distance, which is included in this Ordinance will not be permitted, upon all lots or portions of lots lying within 200 feet of the well sites, or within the radius of said wells as described above, during the life of the aforesaid well sites.

7-4-15 VALIDITY

Should any section, provision, or part of this chapter be declared by a court of competent jurisdiction to be invalid, or unconstitutional, that decision shall not affect the validity of the chapter as a whole or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

TITLE VII SPECIAL ORDINANCES

CHAPTER 5 URBAN REVITALIZATION PLAN

AN ORDINANCE DESIGNATING THE AREA WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF RICHLAND AS AN URBAN REVITALIZATION AREA AND ADDING AN URBAN REVITALIZATION PLAN FOR THE AREA.

BE IT ENACTED by the City Council of the City of Richland, Iowa:

SECTION 1

The district within the corporate boundaries of the City of Richland, Iowa, as established, and existing between June 1, 2013 and May 31, 2023, will be and is hereby declared, pursuant to the Code of Iowa, Chapter 404, to be an Urban Revitalization Area.

SECTION 2

The Urban Revitalization Plan for the City of Richland, Iowa, dated, June 1, 2013, on file with the Office of the City Clerk be hereby declared to be the Urban Revitalization Plan for that area of the City of Richland, Iowa, designated in Section I above.

SECTION 3

This ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

SECTION 4

If any portion of the Ordinance shall be held unconstitutional or invalid for any reason, this decision shall not affect the remaining portions of this Ordinance not so declared unconstitutional or invalid.

TITLE VII SPECIAL ORDINANCES

CHAPTER 6 SEX OFFENDER ORDINANCE

**CITY OF RICHLAND
KEOKUK COUNTY, IOWA**

AN ORDINANCE PROHIBITING SEX OFFENDERS FROM RESIDING WITHIN TWO THOUSAND FEET OF A PUBLIC PARK, PUBLIC PLAYGROUND OR PUBLIC LIBRARY

SECTION 1. PURPOSE The purpose of this ordinance is to provide for the safety and well being of all citizens of Richland, IA.

SECTION 2. DEFINITIONS For the purpose of this ordinance, the following shall be defined as shown herein:

A. "Sex Offender": A person who has been convicted of a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offense that involved a minor as set out in Chapter 692A of the Code of Iowa.

B. "Public Library": A building where a collection of books, periodicals, musical scores, videos, computers, and similar materials are kept for reading or reference.

C. "Public Park": Any area of land owned by the City of Richland, Keokuk County, the State of Iowa, or any other governmental entity set apart for the recreation of the public.

D. "Public Playground": Any area of land owned by the City of Richland, Keokuk County, the State of Iowa, or any other governmental entity used for outdoor games and recreation.

SECTION 3. RESIDENCY RESTRICTED A sex offender shall not reside within two thousand feet (2000) of the real property comprising a public park, public playground, or public library.

SECTION 4. MUNICIPAL INFRACTION A sex offender who resides within two thousand feet (2000) of the real property comprising a public park, public playground, or public library commits a municipal infraction, subject to penalty as set out in the Richland code of ordinance.

SECTION 5. EXCEPTIONS A sex offender who resides within two thousand feet (2000) of the real property comprising a public park, public playground, or public library does not commit a violation of this ordinance if any of the following apply:

- A. The sex offender is subject to an order of commitment under Chapter 229A of the Code of Iowa.
- B. The sex offender has established a residence prior to 12-5-2005, the effective date of

this ordinance.

- C. The sex offender is a minor or ward under guardianship.

SECTION 6. REPEALER CLAUSE Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed to the extent of said difference or inconsistency.

SECTION 7. SEVERABILITY If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction 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 8. EFFECTIVE DATE This ordinance shall be in effect from and after it's final passage, approval, posting and publication as required by law.

TITLE VII SPECIAL ORDINANCES

CHAPTER 7 INTERNATIONAL BUILDING CODE

An ordinance of the City of Richland, Iowa, adopting the 2003 edition of the International Building Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Richland, Iowa, providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. _____ of the City of Richland, Iowa, and all other ordinances and parts of the ordinances in conflict therewith, The City Council of the City of Richland, Iowa, does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the City Clerk of City of Richland, Iowa, being marked and designated as the International Building Code, 2003 edition, including Appendix Chapters A through J (see International Building Code Section 101.2.1. 2003 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Richland in the State of Iowa for regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Richland, Iowa, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: City of Richland, Iowa,

Section 1612.3. Insert: City of Richland, Iowa,

Section 16123. Insert: October 3, 2005

Section 3410.2. Insert: October 3, 2005

Section 3. That and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is,

for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance nor shall any just or legal right or remedy of any character be Lost, impaired or affected by this ordinance.

Section 6. That the City Clerk is hereby ordered and directed to cause this ordinance to be published.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

TITLE VII SPECIAL ORDINANCES

CHAPTER 8 RULES FOR RESIDENTIAL SOLAR SYSTEMS

7-8-1 Purpose

7-8-2 Systems

7-8-3 Design Standards

7-8-4 Permitting

7-8-5 Removal

7-8-6 Penalty

7-8-1 PURPOSE

It is the purpose of this regulation to promote the safe, effective and efficient use of solar energy systems installed to reduce the on-site consumption of utility supplied energy and/or hot water was a permitted accessory use while protecting the health, safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. A solar energy system shall be permitted as an accessory to a principal use herein and subject to specific criteria as set forth below.

7-8-2 SYSTEMS

The design standards, permitting requirements, and penalties outlined in this ordinance are related to any solar system intended for residential use, including photovoltaic solar electric systems and solar water and pool heating systems.

7-8-3 DESIGN STANDARDS

The installation and construction of a solar energy system shall be subject to the following development and design standards:

- A. A solar energy system must be roof mounted. Ground-mounted systems are not permitted.
- B. A system may be mounted on a principal building or accessory building. A system, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof, nor shall the top of the solar panel exceed 12" above adjacent finish roof surface.
- C. A system should always consist of any array of panels that matches the shape (square, rectangle, or following the lines of the roof) and proportion of the roof, and should be placed on the rear-facing roof it will not significantly reduce the effectiveness of the system.
- D. A system attached to an accessory building shall not be located within the required front yard setback.

- E. The minimum solar energy setback distance from the property lines shall be equivalent to the building setback or accessory building setback requirement of the underlying zoning district.
- F. All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:
 - a. Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species, which provides a visual screen. In lieu of planting a screen, a decorative fence may be used.
 - b. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
 - c. Mechanical equipment shall comply with the setbacks specified for accessory structures in the underlying zoning district.
- G. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- H. A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
- I. No mature trees may be removed in order to clear an area for the solar system installation, nor to further maximize the system's access to sunlight.

7-8-4 PERMITTING

Before a solar energy system is constructed, a permit must be requested and approved. Permit requests will be evaluated in accordance with the following:

- A. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
- B. A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
- C. A solar energy system connected to the utility grid shall provide written authorization from the local utility company (Interstate Power and Light Company) to the City of Richland acknowledging and approving such connection.

- D. The design of the solar energy system shall conform to applicable industry standards. All wiring shall comply with the application version of the National Electric Code (NEC). The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the state of Iowa. [Please note that the existing roof structure and the weight of the solar energy system shall be taken into consideration when applying for a solar energy system permit].
- E. The solar energy system shall comply with all applicable City of Richland Ordinances and Codes so as to ensure the structural integrity of such solar energy system.
- F. Before any construction can commence on any solar energy system the property owner must acknowledge that he/she is the responsible party for owning and maintaining the solar energy system.

7-8-5 REMOVAL

If you wish to remove an existing solar energy system, whether you or a previous homeowner installed it, you must:

- A. Repair any roof damage resulting from the removal of a roof-mounted system.

7-8-6 PENALTY

Violation of any provision of the Ordinance may be the subject to a fine or penalty in the maximum amount of \$3000, per each notice of violation.

TITLE VII SPECIAL ORDINANCES

CHAPTER 9 TREES

7-9-1 Purpose

7-9-2 Definitions

7-9-3 Trees, Shrubs, or Bushes in the Public Right-of-Way

7-9-4 Duty to Trim

7-9-5 Removal of Trees

7-9-6 Tree, Shrub, and Bush Removal on Public Property

7-9-7 Tree, Shrub, and Bush Removal on Private Property

7-9-8 Permit and Regulation

7-9-9 Authority of the Council

7-9-1 PURPOSE

The purpose of this chapter is to regulate and preserve the appearance of the City by requiring trees, shrubs, and bushes to be uniformly located, and to regulate the planting and care of such trees, shrubs, and bushes in the City for the protection of public health, safety, and welfare.

7-9-2 DEFINITIONS

For the purposes of this chapter, the following definitions apply:

1. "Owner" means a person owning private property in the City as shown by County records. This term includes the term "agent," "occupant," "tenant," and "person in control" of the property.
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 the curb line or, on unpaved streets, that part of the street, avenue, or highway lying between the lot line and the portion of the street, avenue, or highway usually traveled by vehicular traffic.
3. "Private property" means all property not owned by the City.
4. "Public property" means any and all property located within the confines of the City and owned by the City or held in the name of the City by any departments, commissions, or agencies within the City government.
5. "Public right-of-way" means all of the land lying between the property lines on either side of all public streets, avenues, highways, and alleys, including public easements and grants to the City.
6. "Street" means the entire width between property lines, including the parking and the public right-of-way, and that portion of the roadway usually traveled by vehicular traffic.

7-9-3 TREES, SHRUBS, OR BUSHES IN THE PUBLIC RIGHT-OF-WAY

It is unlawful for any person to plant any tree, shrub, or bush in any public right-of-way or parking. The City of Richland may plant trees, shrubs, and/or bushes in the public right-of-way as a part of an approved City project, like landscaped medians and boulevards.

7-9-4 DUTY TO TRIM

1. All property owners, agents, or occupants of property adjoining the streets in the City shall prune, maintain, and care for all trees, shrubs, and bushes located upon the public right-of-way or parking. All trees, shrubs, and bushes which overhang onto the street, alley, or other roadways of the City must be trimmed to a height of 13 feet immediately above such streets, alleys, or roadways.
2. All trees, shrubs, and bushes which overhang onto the sidewalk of the City must be trimmed to a height of 8 feet immediately above such sidewalk.
3. All trees, shrubs, and bushes located upon public right-of-way or parking shall be trimmed so there are no branches within 2 feet of the sidewalk or curb line, unless they are higher than the height restrictions in subsections 1 and 2 of this section.

7-9-5 REMOVAL OF TREES

The City may remove any tree standing on public property, or in the public right-of-way or parking thereof, which is dead, diseased, or declared to be a nuisance to public safety. No compensation shall be paid to the abutting property owner regardless of whether the City or the property owner placed the tree in the public right-of-way or parking. Any person desiring to remove a live tree which has been planted in the public right-of-way or parking shall first obtain a permit from the Building Inspector. If a permit is issued, the permittee must remove the tree at the permittee's own expense. No fee shall be charged for the permit to remove the tree.

7-9-6 TREE, SHRUB, AND BUSH REMOVAL ON PUBLIC PROPERTY

No trees, shrubs, bushes, or other parts thereof which are dead, decayed, diseased, or dying upon a street, public right-of-way, parking, or public property of the City and which constitute a hazard to the health, safety, or well-being of any person shall be allowed to remain in such condition. No trees, shrubs, or bushes shall be maintained in such a manner as to interfere with the moving of traffic upon the streets in a safe and orderly manner.

7-9-7 TREE, SHRUB, AND BUSH REMOVAL ON PRIVATE PROPERTY

No trees, shrubs, or bushes or parts thereof on private property which are dead, decayed, diseased, or dying or which have become dangerous to the public shall be allowed to remain in such condition.

7-9-8 PERMIT AND REGULATION

1. No tree may be planted within any public utility easement without written permission of the City. No tree shall be planted under existing lines if, at maturity, it is likely to cause interference with those lines.
2. Trees stipulated by City ordinance, planted in and around parking lots, with the intent to provide shade for such parking lots, shall have a caliper of at least two inches at the time of planting and an anticipated mature height of at least 15 feet.

7-9-9 AUTHORITY OF THE COUNCIL

1. The City shall have the authority to order the property owner, agent, or occupant of the property adjoining the streets to prune, maintain, and care for all trees, shrubs, and bushes located on the street, public right-of-way, or parking which have become dangerous to the public or which may interfere with the regular movement of traffic upon the streets in a safe manner, by serving notice upon the property owner to comply with the order. This order is in addition to the requirements that all trees, shrubs, and bushes be trimmed as above described.
2. Should the adjoining property owner, agent, or occupant fail to comply with said order within 30 days after receiving notice from the City, then the City may order the pruning or maintenance of such trees, shrubs, and bushes, and the City Council may assess the costs thereof against the adjoining property by resolution of the Council.

TITLE VII SPECIAL ORDINANCES

CHAPTER 10 USE OF SHIPPING CONTAINERS, TRAILERS AND SEMI-TRAILERS

7-10-1 Definitions

7-10-2 Restrictions on Locations

7-10-3 Appearance and Maintenance

7-10-4 Building Permits

7-10-5 Order of Violation

7-10-6 Violation Removal or Abatement

7-10-7 Costs Assessed

7-10-1 DEFINITIONS

As used in this article, the words and phrases herein defined shall have the following means unless the context otherwise requires:

1. Front Lot Line: the line abutting the street on a square or rectangular lot; and/or that with the narrowest frontage on a corner lot.
2. Shipping container: reusable steel boxes used for inter-modal shipments or other steel boxes either with or without axles and wheels.
3. Semi-trailers: a detachable trailer for hauling freight, with wheels at the rear end, the forward end being supported by the rear of a truck tractor when attached, either with or without axles and wheels.
4. Trailer: a long box with wheels that is pulled behind a truck or car and used to transport things either with or without axles and wheels.
5. Yard, side or rear: the same definition as used in the Zoning Ordinance of the City of Richland.

7-10-2 RESTRICTIONS ON LOCATIONS

No person shall place or caused to be placed or use or permit the use of any shipping container, trailer, or semi-trailer as an accessory building, storage building, or living unit in a Restricted Residential Zone. If placed in a Commercial Zone, the shipping container, trailer, or semi-trailer must be located in either the side or rear yards, but no closer to the Front lot line as the principal building.

7-10-3 APPEARANCE AND MAINTENANCE

Any shipping container, trailer, or semi-trailer must be painted in the same or complimentary color to the principal building. Words, murals or logos are not allowed.

7-10-4 BUILDING PERMITS

Before placement of any shipping container, trailer or semi-trailer a building permit must be obtained from the city clerk after approval by the city council.

7-10-5 ORDER OF VIOLATION

Whenever the city discovers or it is brought to the city's attention, in writing, that there is a shipping container, trailer or semi-trailer located in a district where it is prohibited, the city clerk shall cause written notice to be served upon the owner of the property on which the shipping container, trailer or semi-trailer is located by registered mail or by personal service. Such notice shall state that the shipping container, trailer, or semi-trailer shall be removed within 10 business days of receipt of notice.

7-10-6 VIOLATION REMOVAL OR ABATEMENT

If the owner or occupant of the property fails to comply with the order to abate and remove the shipping container, trailer, or semi-trailer within 10 days from receipt of the notice to abate, the city may have such work done and the cost and expense of such work shall be paid by the owner of the property.

7-10-7 COSTS ASSESSED

If the city abates or removed the shipping container, trailer or semi-trailer by emergency abatement, the city shall give notice to the owner or his or her agent by certified mail, return receipt requested or by personal service, of the total cost of the abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice. The city also may recover the cost of providing notice, including any postage, required by this section. The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by 3-2 thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the shipping container, trailer or semi-trailer was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment, but only until the full cost and applicable interest have been paid in full.