

ORDINANCE NO. 706

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAWARDEN, IOWA BY ADDING A NEW SECTION TO CHAPTER 69 OF THE HAWARDEN CITY CODE TO REGULATE PARKING OR STORING VEHICLES ON UNIMPROVED SURFACES ON RESIDENTIAL PROPERTIES IN R-1 AND R-2 ZONES.

WHEREAS, City of Hawarden desires to improve Hawarden residential neighborhoods by eliminating unsightly conditions that create urban blight and reduce overall property values, and
WHEREAS, the parking of vehicles in front yards on unimproved surfaces in residential areas causes yard depressions, standing water, grass and vegetation to die, and mud to be tracked onto streets and other property, and

WHEREAS, such conditions are unsightly and unsanitary in residential neighborhoods, and serve to depress surrounding property values.

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Hawarden, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Hawarden, Iowa is amended by adding a new Section 69.15:

69.15 PARKING IN RESIDENTIAL FRONT YARDS. No person shall park or permit the parking of a vehicle in the front yard in a residential district except on a permitted, improved driveway or parking space other than temporary parking as defined herein. For purposes of this Section the following are defined:

1. "Front Yard" means the open space in that portion of a yard between the street and the face of the principal residence and a line extending from the left side of the lot to the right side of the lot. The line, as viewed from the street, shall extend parallel to the street to the nearest corner of the principal residence and then along the face of the principal residence to the right corner, and from that point on a line parallel to the street to a point on the right lot line. When there is no residence, it shall mean the area from the front building setback line to the front edge of the street right-of-way. Corner lots and through lots which abut more than one street shall be deemed to have two front yards for purposes of this section. This shall also apply to that area of the public way not covered by sidewalk and lying between the front lot line and the curb line.

2. "Improved Surface Driveway or Parking Space" means an area connected by a direct access to the street right of way by means of a continuously improved surface with such surface and parking area to be improved by surfacing with concrete, asphalt, paving stones, gravel or rock with a depth of not less than 3 inches or other hard surfaced durable material approved in advance by the City Administrator. The borders of a driveway or parking which is gravel or rock must have its borders clearly delineated with curb, brick, landscaping timbers or metal borders so that the driveway or parking area can be easily delineated from the grass and remaining yard. The area of the improved surface shall not contain more than 50% of the area of the front yard as described.

3. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway and shall include any automobile, truck, motor house, motorcycles, scooters, mopeds, all-terrain vehicles, boats, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, camper shells, folding tent trailers, motor homes, truck campers removed from a truck or pickup, horse trailers, boat trailers with or without boats, and utility trailers or wheeled towing frames. This definition does not include non-motorized bicycles, small engine lawn mowers and devices of similar scale.

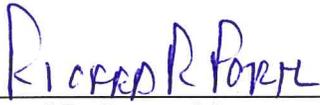
4. "Temporary Parking" means parking limited to, weekend visitors, family gatherings, special events or large gatherings that are temporary in nature. No temporary parking shall exceed 48 hours in any seven-day period. Provided, however, that at no time shall such temporary parking or driving into the front yard be the cause of ruts and/or the non-growth of grass in the front yard such that the track of the vehicle is visible from the street for more than 72 hours after the end of the temporary parking.

SECTION 2. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. 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.

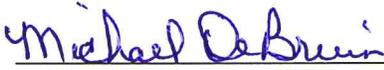
SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved this 24th day of October, 2018.



Ricard R. Porter, Mayor

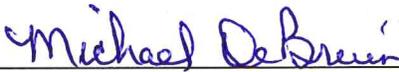
ATTEST:



Michael J. DeBruin, City Administrator/Clerk

First Reading: September 26, 2018
Second Reading: October 10, 2018
Third Reading: October 24, 2018

I Certify that the foregoing was published as Ordinance No. 706 on the 1st day of November, 2018.



Michael J. DeBruin, City Administrator/Clerk