

ORDINANCE NO. 93694-0117

AN ORDINANCE CORRECTING SCRIVENER'S ERRORS, TYPOGRAPHICAL ERRORS, AND/OR OMISSIONS IN CITY CODE SECTIONS TITLE 4, CHAPTER 4, TITLE 7, CHAPTER 5, TITLE 7, CHAPTER 9, TITLE 9, CHAPTER 4, TITLE 13, CHAPTER 5, AND TITLE 15, CHAPTER 2.

WHEREAS, the City Council of the City of Muscatine previously adopted Ordinance No. 93081-0615 on June 4, 2015, an Ordinance codifying and amending the Muscatine Code of Ordinances;

WHEREAS, since the effective date of said Ordinance, the City has identified several minor scrivener's errors, typographical errors, and/or omissions, as the case may be, in City Code Sections Title 4, Chapter 4, Title 7, Chapter 5, Title 7, Chapter 9, Title 9, Chapter 4, and Title 15, Chapter 2.

WHEREAS, the City wishes to correct these errors or omissions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA AS FOLLOWS:

SECTION 1. Title 4 Chapter 4 is amended by deleting the language which is stricken and by adding the underlined language, as follows:

Ord. 98 7473-0100	January 6, 2000	Progress Park
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SECTION 2: Title 7, Chapter 5, Section 2 is amended by adding the underlined language as follows:

- A. Automated Traffic Enforcement System. An electronic system consisting of photographic, video or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic control device or mobile unit as calibrated by Police Department employees or their agents, to automatically produce photographs, video or digital images of each vehicle that violates a standard traffic control device or speed restriction.

SECTION 3: The in-text section heading to Title 7, Chapter 9, Section 13 is amended by deleting the language which is stricken and by adding the underlined language, as follows:

7-9-1~~7~~3 Compliance. Any person who shall violate or fail to comply with any of the provisions of this Chapter, or who shall counsel, aid, or abet any such violation or failure to comply, shall be deemed guilty of a misdemeanor except for uncontested violations charged upon a simple notice of fine under Section 7-1-6 of this Code of Ordinances.

SECTION 4: The in-text section heading for Title 7, Chapter 9, Section 14 is amended by deleting the language which is stricken and by adding the underlined language, as follows:

7-9-1~~8~~4 Reservation of Powers. Nothing in this Chapter shall be construed as prohibiting the City from providing for bus stops, taxicab stands, and other matters of similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles. Nothing in this Chapter shall prohibit emergency or utility vehicles from performing their duties or responding to emergency calls.

SECTION 5: The table of contents identifying the sections of Title 9, Chapter 4, is amended by deleting the language which is stricken, as follows:

SECTIONS:

- 9-4-1 Natural Water Courses
- 9-4-2 Owner to Construct Draining
- 9-4-3 Authority of City
- 9-4-4 Failure to Construct Drain

~~9-4-5 Penalty~~

SECTION 6: The section title for Title 13, Chapter 5, Section 4, is amended in the Table of Contents and the in-text section heading, by deleting the language which is stricken and by adding the underlined language, as follows:

13-5-4 ~~Unit Rates~~ Collection and Drainage

SECTION 7: The section title for Title 13, Chapter 5, Section 5, is amended in the Table of Contents and the in-text section heading, by deleting the language which is stricken and by adding the underlined language, as follows:

13-5-5 ~~Sewage Rate System~~ Sewage Rate Component

SECTION 8: The section title for Title 15, Chapter 2, Section 2, is amended in the Table of Contents and the in-text section heading, by deleting the language which is stricken and by adding the underlined language, as follows:

15-2-2 ~~Establishment and Duties of Bureau of Fire Prevention~~ Enforcement

SECTION 9. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 10. 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 11. WHEN EFFECTIVE. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed and approved by the Muscatine City Council of this 5th day of January, 2017.






Mayor Diana Broderson

ATTEST:



Gregg Mandsager, City Clerk

I certify that the foregoing was published as Ordinance No. 93694-0117 on the 5th day of January, 2017.



Gregg Mandsager, City Clerk

1st Reading – December 15, 2016

Motion by Council Member Natvig, seconded by Council Member Rehwaldt, to adopt the first reading of Ordinance No. 93694-0117.

AYES: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None

ABSENT: None

2nd Reading – January 5, 2017

Motion by Council Member Spread, seconded Council Member by Bynum, to approve the second reading of Ordinance No. 93694-0117.

AYES: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None

ABSENT: None

3rd Reading – January 5, 2017

Original Motion Amended by Council Member Saucedo, seconded by Council Member Rehwaldt, to approve the third reading of Ordinance No. 93694-0117.

AYES: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None

ABSENT: None

The Mayor declared Ordinance No. 93694-0117 adopted.

PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk
Ordinance No. 93694-0117

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

January 13, 2017

Jeff Lee

STATE OF IOWA
MUSCATINE COUNTY

13th day of January, 2017

Steve Thor, Notary Public



**ORDINANCE NO. 93694-0117
AN ORDINANCE CORRECTING
SCRIVENER'S ERRORS,
TYPOGRAPHICAL ERRORS, AND/OR
OMISSIONS IN CITY CODE SECTIONS
TITLE 4, CHAPTER 4, TITLE 7,
CHAPTER 5, TITLE 7, CHAPTER 9,
TITLE 9, CHAPTER 4, TITLE 13,
CHAPTER 5, AND TITLE 15,
CHAPTER 2.**

WHEREAS, the City Council of the City of Muscatine previously adopted Ordinance No. 93081-0615 on June 4, 2015, an Ordinance codifying and amending the Muscatine Code of Ordinances;
WHEREAS, since the effective date of said Ordinance, the City has identified several minor scrivener's errors, typographical errors, and/or omissions, as the case may be, in City Code Sections Title 4, Chapter 4, Title 7, Chapter 5, Title 7, Chapter 9, Title 9, Chapter 4, and Title 15, Chapter 2.
WHEREAS, the City wishes to correct these errors or omissions.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF MUSCATINE, IOWA AS FOLLOWS:

SECTION 1. Title 4 Chapter 4 is amended by deleting the language which is stricken and by adding the underlined language, as follows:

Ord. 987473-0100 January 6, 2000 Progress Park

SECTION 2. Title 7, Chapter 5, Section 2 is amended by adding the underlined language as follows:

A. Automated Traffic Enforcement System. An electronic system consisting of photographic, video or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic control device or mobile unit, as calibrated by Police Department employees or their agents, to automatically produce photographs, video or digital images of each vehicle that violates a standard traffic control device or speed restriction.

SECTION 3: The in-text section heading to Title 7, Chapter 9, Section 13 is amended by deleting the language which is stricken and by adding the underlined language, as follows:

7-9-173 Compliance. Any person who shall violate or fail to comply with any of the provisions of this Chapter, or who shall counsel, aid, or abet any such violation or failure to comply, shall be deemed guilty of a misdemeanor except for uncontested violations charged upon a simple notice of fine under Section 7-1-6 of this Code of Ordinances.

SECTION 4: The in-text section heading for Title 7, Chapter 9, Section 14 is amended by deleting the language which is stricken and by adding the underlined language, as follows:

7-9-184 Reservation of Powers. Nothing in this Chapter shall be construed as prohibiting the City from providing for bus stops, taxicab stands, and other matters of similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles. Nothing in this Chapter shall prohibit emergency or utility vehicles from performing their duties or responding to emergency calls.

SECTION 5: The table of contents identifying the sections of Title 9, Chapter 4, is amended by deleting the language which is stricken, as follows:

SECTIONS:
9-4-1 Natural Water Courses
9-4-2 Owner to Construct Draining
9-4-3 Authority of City
9-4-4 Failure to Construct Drain
9-4-5 Penalty

SECTION 6: The section title for Title 13, Chapter 5, Section 4, is amended in the Table of Contents and the in-text section heading, by deleting the language which is stricken and by adding the underlined language, as follows:

13-5-4 Unit Rates Collection and Drainage

SECTION 7: The section title for Title 13, Chapter 5, Section 5, is amended in the Table of Contents and the in-text section heading, by deleting the language which is stricken and by adding the underlined language, as follows:

13-5-5 Sewage Rate System Sewage Rate Component

SECTION 8: The section title for Title 15, Chapter 2, Section 2, is amended in the Table of Contents and the in-text section heading, by deleting the language which is stricken and by adding the underlined language, as follows:

15-2-2 Establishment and Duties of Bureau of Fire Prevention Enforcement

SECTION 9. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 10. 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 11. WHEN EFFECTIVE. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.
Passed and approved by the Muscatine City Council of this 5th day of January, 2017.

Mayor Diana Broderson

ATTEST:
Gregg Mandsager, City Clerk

I certify that the foregoing was published as Ordinance No. 93694-0117 on the 13th day of January, 2017.

Gregg Mandsager, City Clerk

1st Reading - December 15, 2016
Motion by Council Member Natvig, seconded by Council Member Rehwaltd, to adopt the first reading of Ordinance No. 93694-0117.

AYES: Councilmembers Rehwaltd, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None
ABSENT: None

2nd Reading - January 5, 2017
Motion by Council Member Spread, seconded by Council Member Bynum, to approve the second reading of Ordinance No. 93694-0117.

AYES: Councilmembers Rehwaltd, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None
ABSENT: None

3rd Reading - January 5, 2017
Original Motion Amended by Council Member Saucedo, seconded by Council Member Rehwaltd, to approve the third reading of Ordinance No. 93694-0117.

AYES: Councilmembers Rehwaltd, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None
ABSENT: None

The Mayor declared Ordinance No. 93694-0117 adopted.