

## CHAPTER 135

### STREET USE AND MAINTENANCE

135.01 Removal of Warning Devices	135.08 Burning Prohibited
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**135.01 REMOVAL OF WARNING DEVICES.** It is unlawful for a person to willfully remove, throw down, destroy or carry away from any street or alley any lamp, obstruction, guard or other article or things, or extinguish any lamp or other light, erected or placed thereupon for the purpose of guarding or enclosing unsafe or dangerous places in said street or alley without the consent of the person in control thereof.

(Code of Iowa, Sec. 716.1)

**135.02 OBSTRUCTING OR DEFACING.** It is unlawful for any person to obstruct, deface, or injure any street or alley in any manner.

(Code of Iowa, Sec. 716.1)

**135.03 PLACING DEBRIS ON.** It is unlawful for any person to throw or deposit on any street or alley any glass, glass bottle, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, leaves, grass or any other debris likely to be washed into the storm sewer and clog the storm sewer, or any substance likely to injure any person, animal or vehicle.

(Code of Iowa, Sec. 321.369)

**135.04 PLAYING IN.** It is unlawful for any person to coast, sled or play games on streets or alleys, except in the areas blocked off by the City for such purposes.

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

**135.05 TRAVELING ON BARRICADED STREET OR ALLEY.** It is unlawful for any person to travel or operate any vehicle on any street or alley temporarily closed by barricades, lights, signs, or flares placed thereon by the authority or permission of any City official, police officer or member of the fire department.

**135.06 USE FOR BUSINESS PURPOSES.** It is unlawful to park, store or place, temporarily or permanently, any machinery or junk or any other goods, wares, and merchandise of any kind

upon any street or alley for the purpose of storage, exhibition, sale or offering same for sale, without permission of the City Administrator.

**135.07 WASHING VEHICLES.** It is unlawful for any person to use any public sidewalk, street or alley for the purpose of washing or cleaning any automobile, truck equipment, or any vehicle of any kind when such work is done for hire or as a business. This does not prevent any person from washing or cleaning his or her own vehicle or equipment when it is lawfully parked in the street or alley.

**135.08 BURNING PROHIBITED.** No person shall burn any trash, leaves, rubbish or other combustible material in any curb and gutter or on any paved or surfaced street or alley.

**135.09 EXCAVATIONS.** No person shall dig, excavate or in any manner disturb any street, parking or alley except in accordance with the following:

1. Permit Required. No excavation shall be commenced without first obtaining a permit therefore. A written application for such permit shall be filed with the City and shall contain the following:

A. An exact description of the property, by lot and street number, in front of or along which it is desired to excavate;

B. A statement of the purpose, for whom and by whom the excavation is to be made;

C. The person responsible for the refilling of said excavation and restoration of the street or alley surface; and

D. Date of commencement of the work and estimated completion date.

2. Public Convenience. Streets and alleys shall be opened in the manner which will cause the least inconvenience to the public and admit the uninterrupted passage of water along the gutter on the street.

3. Barricades, Fencing and Lighting. Adequate barricades, fencing and warning lights meeting standards specified by the City shall be so placed as to protect the public from hazard. Any costs incurred by the City in providing or maintaining adequate barricades, fencing or warning lights shall be paid to the City by the permit holder/property owner.

4. Restoration of Public Property. Streets, sidewalks, alleys and other public property disturbed in the course of the work shall be restored to the condition of the property prior to the commencement of the work, or in a manner satisfactory to the City, at the expense of the permit holder/property owner.

5. Inspection. All work shall be subject to inspection by the City. Backfill shall not be deemed completed, nor resurfacing of any improved street or alley surface begun, until such

backfill is inspected and approved by the City. The permit holder/property owner shall provide the City with notice at least twenty-four (24) hours prior to the time when inspection of backfill is desired.

6. Completion by the City. Should any excavation in any street or alley be discontinued or left open and unfinished for a period of twenty-four (24) hours after the approved completion date, or in the event the work is improperly done, the City has the right to finish or correct the excavation work and charge any expenses therefore to the permit holder/property owner.

7. Responsibility for Costs. All costs and expenses incident to the excavation shall be borne by the permit holder and/or property owner. The permit holder and owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by such excavation.

8. Notification. At least forty-eight (48) hours prior to the commencement of the excavation, excluding Saturdays, Sundays and legal holidays, the person performing the excavation shall contact the Statewide Notification Center and provide the center with the information required under Section 480.4 of the Code of Iowa.

9. Permit Fee. A permit fee, in accordance with the fee schedule established by resolution of the Council, shall be payable at the time of filing the application with the City. A separate permit shall be required for each excavation.

10. Permit Issued. Upon approval of the application and payment of the permit fee, a permit shall be issued.

**135.10 MAINTENANCE OF PARKING OR TERRACE.** It shall be the responsibility of the abutting property owner to maintain all property outside the lot and property lines and inside the curb lines upon the public streets, except that the abutting property owner shall not be required to remove diseased trees or dead wood on the publicly owned property or right-of-way. In the event there is no curb line, said property maintenance requirements will include from the property line to the street pavement. Maintenance includes timely mowing, trimming trees and shrubs and picking up litter.

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

**135.11 FAILURE TO MAINTAIN PARKING OR TERRACE.** If the abutting property owner does not perform an action required under the above section within a reasonable time, the City may perform the required action and assess the cost against the abutting property for collection in the same manner as a property tax.

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

**135.12 DUMPING OF SNOW.** It is unlawful to place snow from a lot onto any other property, including street pavement, any street right of way area not adjacent to the lot.

(For example, snow cannot be pushed across the street) or onto any other private property or City property. It is unlawful for any person to throw, push, or place or cause to be thrown, pushed or placed, any ice or snow from private property, sidewalks, or driveways onto the traveled way of a street or alley so as to obstruct gutters, or impede the passage of vehicles upon the street or alley or to create a hazardous condition therein; except where, in the cleaning of large commercial drives in the business district it is absolutely necessary to move the snow onto the street or alley temporarily, such accumulation shall be removed promptly by the property owner or agent. Arrangements for the prompt removal of such accumulations shall be made prior to moving the snow.

(Code of Iowa, Sec. 364.12 [2])  
***(Ordinance No. 10-202)***

**135.13 DRIVEWAY CULVERTS.** The property owner shall, at the owner's expense, install any culvert deemed necessary under any driveway or any other access to the owner's property, and before installing a culvert, permission must first be obtained from the City. In the event repairs are needed at any time with respect to culverts, it shall be the responsibility of the property owner to make such repairs, and, in the event the owner fails to do so, the City shall have the right to make the repairs. If the property owner fails to reimburse the City for the cost of said repairs, the cost shall be certified to the County Treasurer and specially assessed against the property as by law provided.

**135.14 UTILITY PERMIT.** A Utility Permit is required for all utility installations including telecommunications, cable TV, telephone, electric, natural gas, water, sewer, drainage tile, or any other utility.

1. Utility Permit Requirements.

A. Location Plan. An applicant shall file a completed location plan as an attachment to the Utility Permit Application. The location plan shall set forth the location of the proposed line on the road system or along lot lines and include a description of the proposed installation. Applicant is responsible for all surveys necessary to establish location of easements and rights-of-way.

B. Notice of Work. At least five (5) working days prior to the proposed installations, and applicant shall file in triplicate with the City a completed Utility Permit Application stating the approximate date, location and nature of the proposed installation including applicant name, street address, city, state, & zip code, telephone number, contact person, and any other information as may be required by the Public Works Department. Additionally, at least two (2) complete working days prior to the actual work, the applicant shall notify the City of the intent to begin work.

C. Inspection. The City of Bondurant shall provide an inspector during the installation of all lines to review compliance with this Utility Permit. The inspector shall have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.

D. Issuance. Issuance, upon approval of the application, The Utility permit will be issued by the City. The Permit fee will be in accordance with the latest council adopted version of the City of Bondurant Fee Schedule. Fee is for permit review and inspection mentioned in subsection C above.

***(Ordinance No. 201221-222)***

E. Remittance of Fees. Payment of the Utility Permit fee shall be made within (30) days after completion of the installation. Payments not made in such time shall be subject to reasonable interest charges.

F. Requirements. The installation inspector shall review compliance with the following requirements:

1. Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
2. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
3. All tile line locations shall be marked with reference located in the R.O.W. line.
4. No underground utility lines shall cross over a crossroad drainage structure.
5. Residents along the utility route shall have uninterrupted access to the public roads. An all-weather access shall be maintained for residents adjacent to the project.
6. A joint assessment of the road surfacing shall be made by the applicant and the City both before and after construction. After construction, granular surfacing shall be added to an existing granular roadway, drive or parking area by the applicant to restore the surfacing to its original condition. After surfacing has been applied, the road surface shall be reviewed by the City once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
7. All damaged within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the City will be assessed against the applicant. Portland cement concrete patches shall be 1" thicker than the removed Portland cement concrete surfacing. Asphaltic cement concrete patches shall be 1" thicker than the removed asphaltic cement concrete surfacing.

8. Areas disturbed during construction, which present an erosion problem shall be solved by the applicant in a manner approved by the City.

9. All trenches, excavations, and utilities that are knifed shall be properly tamped.

10. Cable, pipe line, and tile line crossing paved roads shall be constructed as follows: Utilities designated by the City which cross under the roadway shall be placed in casing so that the pipe may be removed for repair without disturbing the sub-grade. The casing shall be adequate strength, and of sufficient length to extent 2 feet beyond each edge of the surfaced roadway. On paved roads, cable casings may be placed through the sub-grade by jacking, or by boring a hole just large enough to take the line. All open excavations near pavement shall be of sufficient distance from pavement to prevent soil collapses resulting in undermining of pavement.

11. On roads not paved, an open trench may, upon approval of the City, be dug and the cable, pipeline, or tile line placed therein, and the trench backfilled over the line. All backfilling of tunnels and trenches shall be thoroughly compacted in layers of 6" or less in depth. Backfilling of trenches within the R.O.W., shall be tamped sufficiently to avoid settlement. All work shall be done in a workmanlike manner, and the ground left in a neat condition, satisfactory to the City.

12. All overhead utilities shall be placed at a distance of two (2) feet inside the R.O.W. line unless specifically approved otherwise by the City.

13. All work shall conform to the minimum Des Moines Metropolitan Design Standards Manual, City of Bondurant Standard Specifications, and criteria set forth herein.

G. Non-Conforming Work. The City may halt the installation at any time if the applicant's work does not meet the requirements set forth in this Utility Permit.

H. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a Utility Permit. However, a Utility Permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.

I. Violation of Ordinance. Violation of any of the provisions of this Chapter shall be a simple misdemeanor punishable with a civil penalty of \$100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.

J. Hold Harmless. The utility company shall save this City harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming this City as an additional insured for the permit work shall be filed in the City Clerk's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.

K. Surety Bond or Cash Bond. The contractor or applicant shall have on file with the City a surety bond or cash bond for restoration of areas within the R.O.W. and on utility easements. The bond shall be a minimum of \$2000 and may be of greater value depending on the scope of the project. A cash bond shall be held for 90 days after date of completion.

L. Permit Required. No applicant shall install any line unless such applicant has obtained a Utility Permit from the City and has agreed in writing that said installation will comply with all ordinances and requirement of the City for such work. Applicants agree to hold the City free from liability for all damage to applicant's property, which occurs proximately as a result of the applicant's failure to comply with said ordinances or requirements.

M. Relocation. The applicant shall, at any time subsequent to installation of utility lines, at the applicant's own expense, relocate or remove such lines as may become necessary to conform to new grades, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvements.

2. Utility Permit Application: An application for all utility installations, including telecommunications, cable TV, telephone, electric, and drainage tile, shall be required.

***(Ordinance No. 06-206)***  
***(Ordinance No. 201221-222)***

**CITY OF BONDURANT  
UTILITY PERMIT**

Application No. \_\_\_\_\_

Date: \_\_\_\_\_

This is a Utility Permit Application for all utility installations including telecommunications, cable TV, telephones, electric, and drainage tile. The applicant agrees to comply with the attached Utility Permit Requirements. Compliance shall be determined by the sole discretion of the City, as deemed necessary to promote public health, safety, and the general welfare. These requirements shall apply unless waived in writing by the City prior to installation.

Applicant Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Location of Utility Work: \_\_\_\_\_

Description of Utility Work: \_\_\_\_\_

\$2,000 Surety Bond: \_\_\_\_\_ \$2,000 Cash Bond: \_\_\_\_\_

Name of Company: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

City Administrator

\_\_\_\_\_

Date

-----  
**Inspected by:**

\_\_\_\_\_

Public Works Staff

\_\_\_\_\_

Date



**135.15 RIGHT-OF-WAY MANAGMENT.** The City shall adopt policies to govern the management of the public rights-of-way. Policies will establish general requirement to guide the use and disturbance of the public rights-of-way.

*(Ordinance No. 190401-206)*

## CHAPTER 136

### SIDEWALK REGULATIONS

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

**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. “Established grade” means that grade established by the City for the particular area in which a sidewalk is to be constructed.
3. “One-course construction” means that the full thickness of the concrete is placed at one time, using the same mixture throughout.
4. “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.
5. “Portland cement” means any type of cement except bituminous cement.
6. “Sidewalk” means all permanent public walks in business, residential or suburban areas.
7. “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.
8. “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 promptly from sidewalks.

There is no minimum accumulation which does not require removal. Any accumulation which is visible must be removed. This includes snow which blows or drifts onto a sidewalk at any time. If a property owner does not remove snow, ice or accumulations within twenty-four (24) hours after such accumulation, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax. The abutting property owner may be liable for damages caused by failure to abide by this duty.

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

*(Ordinance No. 08-202)*

*(Ordinance No. 15-202)*

*(Ordinance No. 190805-213)*

**136.04 RESPONSIBILITY FOR MAINTENANCE.** The owner of any lot or parcel thereof abutting upon any sidewalk on the city streets in the city shall maintain said sidewalk in a state of good repair, free from cracks, holes, and unevenness so that the sidewalk does not constitute a safety hazard. A state of sidewalk disrepair is hereby declared a public nuisance. The owner of any lot or parcel who fails to repair said sidewalk shall be liable to any person injured as a result of such failure and shall further save, defend, indemnify, and hold harmless the city of Bondurant from an against any claim arising out of the failure to maintain said sidewalk.

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

*(Ordinance No. 17-213)*

**136.05 CITY MAY ORDER REPAIRS.** If the abutting property owner does not maintain sidewalks as required, the City Administrator 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 City Administrator 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 PERMIT REQUIRED.** No person shall remove, reconstruct or install a sidewalk unless such person has obtained a permit from the City and has agreed in writing that said

removal, reconstruction or installation will comply with all ordinances and requirements of the City for such work.

**136.08 SIDEWALK STANDARDS.** Sidewalks repaired, replaced or constructed under the provisions of this chapter shall be of the following construction and meet the following standards:

1. Cement. Portland cement shall be the only cement used in the construction and repair of sidewalks.
2. Construction. Sidewalks shall be of one-course construction.
3. Sidewalk Base. Concrete may be placed directly on compact and well-drained soil. Where soil is not well drained, a three (3) inch sub-base of compact, clean, coarse gravel or sand shall be laid. The adequacy of the soil drainage is to be determined by the City.
4. Sidewalk Bed. The sidewalk bed shall be so graded that the constructed sidewalk will be at established grade.
5. Length, Width and Depth. Length, width and depth requirements are as follows:
  - A. Residential sidewalks shall be at least five (5) feet wide and four (4) inches thick, and each section shall be no more than four (4) feet in length.
  - B. Business District sidewalks shall extend from the property line to the curb. Each section shall be four (4) inches thick and no more than six (6) feet in length.
  - C. Driveway areas shall be not less than six (6) inches in thickness.
6. Location. Residential sidewalks shall be located with the inner edge (edge nearest the abutting private property) on the property line, unless the Council establishes a different distance due to special circumstances.
7. Grade. Curb tops shall be on level with the centerline of the street which shall be the established grade.
8. Elevations. The street edge of a sidewalk shall be at an elevation even with the curb at the curb or not less than one-half ( $\frac{1}{2}$ ) inch above the curb for each foot between the curb and the sidewalk.
9. Slope. All sidewalks shall slope one-quarter ( $\frac{1}{4}$ ) inch per foot toward the curb.
10. Finish. All sidewalks shall be finished with a “broom” or “wood float” finish.
11. Ramps for Persons with Disabilities. There shall be not less than two (2) curb cuts or ramps per lineal block which shall be located on or near the crosswalks at intersections. Each

curb cut or ramp shall be at least thirty (30) inches wide, shall be sloped at not greater than one inch of rise per twelve (12) inches lineal distance, except that a slope no greater than one inch of rise per eight (8) inches lineal distance may be used where necessary, shall have a nonskid surface, and shall otherwise be so constructed as to allow reasonable access to the crosswalk for persons with disabilities using the sidewalk.

(Code of Iowa, Sec. 216C.9)

***(Ordinance No. 210216-202)***

**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 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 of the City Administrator.

**136.13 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 of the City Administrator.
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.

**136.14 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.

**136.15 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)

**136.16 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])

**136.17 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.

**136.18 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 City Administrator.

## CHAPTER 137

### VACATION AND DISPOSAL OF STREETS

137.01 Power to Vacate	137.04 Findings Required
137.02 Planning and Zoning Commission	137.05 Disposal of Vacated Streets or Alleys
137.03 Notice of Vacation Hearing	137.06 Disposal by Gift Limited

**137.01 POWER TO VACATE.** When, in the judgment of the Council, it would be in the best interest of the City to vacate a street, alley, portion thereof or any public grounds, the Council may do so by ordinance in accordance with the provisions of this chapter.

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

**137.02 PLANNING AND ZONING COMMISSION.** Any proposal to vacate a street, alley, portion thereof or any public grounds shall be referred by the Council to the Planning and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission.

(Code of Iowa, Sec. 392.1)

**137.03 NOTICE OF VACATION HEARING.** The Council shall cause to be published a notice of public hearing of the time at which the proposal to vacate shall be considered.

**137.04 FINDINGS REQUIRED.** No street, alley, portion thereof or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. A butting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

**137.05 DISPOSAL OF VACATED STREETS OR ALLEYS.** When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, portion thereof or public ground, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

(Code of Iowa, Sec. 364.7)

**137.06 DISPOSAL BY GIFT LIMITED.** The City may not dispose of real property by gift except to a governmental body for a public purpose.

(Code of Iowa, Sec. 364.7[3])



## CHAPTER 138

### STREET GRADES

138.01 Established Grades	138.02 Record Maintained
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**138.01 ESTABLISHED GRADES.** The grades of all streets, alleys and sidewalks, which have been heretofore established by ordinance are hereby confirmed, ratified and established as official grades.

**138.02 RECORD MAINTAINED.** The City Administrator shall maintain a record of all established grades and furnish information concerning such grades upon request.

## CHAPTER 139

### NAMING OF STREETS

139.01 Naming New Streets	139.04 Official Street Name Map
139.02 Changing Name of Street	139.05 Revision of Street Name Map
139.03 Recording Street Names	

**139.01 NAMING NEW STREETS.** New streets shall be assigned names in accordance with the following:

1. Extension of Existing Street. Streets added to the City that are natural extensions of existing streets shall be assigned the name of the existing street.
2. Resolution. All street names, except streets named as a part of a subdivision or platting procedure, shall be named by resolution.
3. Planning and Zoning Commission. Proposed street names shall be referred to the Planning and Zoning Commission for review and recommendation.

**139.02 CHANGING NAME OF STREET.** The Council may, by resolution, change the name of a street.

**139.03 RECORDING STREET NAMES.** Following official action naming or changing the name of a street, the City Administrator shall file a copy thereof with the County Recorder, County Auditor and County Assessor.

(Code of Iowa, Sec. 354.26)

**139.04 OFFICIAL STREET NAME MAP.** Streets within the City are named as shown on the Official Street Name Map which is hereby adopted by reference and declared to be a part of this chapter. The Official Street Name Map shall be identified by the signature of the Mayor, and bearing the seal of the City under the following words: "This is to certify that this is the Official Street Name Map referred to in Section 139.04 of the Code of Ordinances of Bondurant, Iowa."

**139.05 REVISION OF STREET NAME MAP.** If in accordance with the provisions of this chapter, changes are made in street names, such changes shall be entered on the Official Street Name Map promptly after the change has been approved by the Council with an entry on the Official Street Name Map as follows: "On (date), by official action of the City Council, the following changes were made in the Official Street Name Map: (brief description)," which entry shall be signed by the Mayor and attested by the City Administrator.

## CHAPTER 140

### MAILBOXES

140.01 Purpose	140.05 Visibility; Obstruction
140.02 Definitions	140.06 Exemptions
140.03 Design Restrictions	140.07 Costs of Installation
140.04 Location	

**140.01 PURPOSE.** The purpose of this chapter is to eliminate parking problems on streets and to improve the ability of City crews to remove snow from streets and to maintain streets.

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

1. “Cluster-style” means a style whereby mailboxes are assembled and grouped together on a single area of land so that they are together and are regarded as one unit. Cluster boxes must be City and postal approved manufactured cluster style mailboxes.
2. “Mailbox” means any device containing, intended or used for the collection of mail.

**140.03 DESIGN RESTRICTIONS.** All housing developments which are situated on any cul-de-sac style street, avenue or other roadway shall have cluster-style mailboxes.

**140.04 LOCATION.** Cluster-style mailboxes serving housing developments situated on streets, avenues or other roadways shall be located between the sidewalk and curb, and if at all possible within 100 feet of the entry into the cul-de-sac style street, avenue or other roadway. The location of the cluster-style mailboxes shall not exceed 600 feet from any real property line. The location is to be approved by the postal office and Planning and Zoning Commission.

**140.05 VISIBILITY; OBSTRUCTION.** All cluster-style mailboxes must be erected:

1. Away from the intersection of any street and in no case closer than 25 feet of the intersection in order to prevent obstruction of free and clear vision; and
2. Away from any location where, by reason of the position of, shape or color it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
3. No driveway or street access shall be constructed within 5 feet of the cluster-style mailboxes.

**140.06 EXEMPTIONS.** Any housing development constructed and already receiving mail service before the enactment of the regulations contained in this chapter is not required to comply with these standards.

**140.07 COSTS OF INSTALLATION.** Cost of installation, including but not limited to box units, concrete pad and shelter, shall be borne by the developer, and subsequent maintenance shall be carried out by the post office.