

RESOLUTION NUMBER _____

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
FOR MAINTENANCE AND REPAIR OF PRIMARY ROADS IN MUNICIPALITIES
WITH THE IOWA DOT

Council member _____ moved the adoption of the foregoing
Resolution Authorizing the Mayor to enter into an AGREEMENT FOR
MAINTENANCE AND REPAIR OF PRIMARY ROADS IN MUNICIPALITIES WITH
THE IOWA DOT. Council member _____ seconded said motion. A roll call vote
was requested by the Mayor and said roll call vote resulted as follows:

Ayes: _____
Nays: _____
Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that
the agreement effective July 1, 2016 to June 30, 2021, between the City of Cresco and
Iowa Department of Transportation is approved and that the Mayor is authorized to
execute the agreement on behalf of the City of Cresco.

PASSED AND APPROVED THIS ____ DAY OF _____, 2016.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo



Iowa Department of Transportation

Agreement for Maintenance and Repair of Primary Roads in Municipalities

This Agreement made and entered into by and between the Municipality of Cresco, Howard County, Iowa, hereinafter referred to as the Municipality, and the Iowa Department of Transportation, Ames, Iowa, hereinafter referred to as the Department.

AGREEMENT:

In accord with Provisions of Chapter 28E, Sections 306.3, 306.4, 313.3-5, 313.21-.23, 313.27, 313.36, 314.5, 321.348 and 384.76 of the Code of Iowa and the Iowa Administrative Rules 761 – Chapter 150 (IAC) the Municipality and Department enter into the following agreement regarding maintenance, repair and minor reconstruction of the primary roads within the boundaries of the Municipality.

I. The Department shall maintain and repair:

- A. Freeways (functionally classified and constructed)
 - 1. Maintain highway features including ramps and repairs to bridges.
 - 2. Provide bridge inspection.
 - 3. Highway lighting.
- B. Primary Highways – Urban Cross-Section (curbed) (See Sec. II.A)
 - 1. Pavement: Maintain and repair pavement and subgrade from face of curb to face of curb (excluding parking lanes, drainage structures, intakes, manholes, public or private utilities, sanitary sewers and storm sewers).
 - 2. Traffic Services: Provide primary road signing for moving traffic, pavement marking for traffic lanes, guardrail, and stop signs at intersecting streets.
 - 3. Drainage: Maintain surface drainage within the limits of pavement maintenance described in I.B.1 above.
 - 4. Snow and Ice Removal: Plow traffic lanes of pavement and bridges and treat pursuant to the Department's policy.
 - 5. Vehicular Bridges: Structural maintenance and painting as necessary.
 - 6. Provide bridge inspection.
- C. Primary Highways – Rural Cross-Section (uncurbed) (See II.B)
 - 1. Maintain, to Department standards for rural roads, excluding tree removal, sidewalks, and repairs due to utility construction and maintenance.
- D. City Streets Crossing Freeway Rights of Way (See II.C)
 - 1. Roadsides within the limits of the freeway fence.
 - 2. Surface drainage of right of way.
 - 3. Traffic signs and pavement markings required for freeway operation.
 - 4. Guardrail at piers and bridge approaches.
 - 5. Bridges including deck repair, structural repair, berm slope protection and painting.
 - 6. Pavement expansion relief joints and leveling of bridge approach panels.

II. The Municipality shall maintain and repair:

- A. Primary Highways – Urban Cross-Section (curbed) (See Sec. I.B)
 - 1. Pavement: Maintain and repair pavement in parking lanes, intersections beyond the limits of state pavement maintenance; curbs used to contain drainage; and repairs to all pavement due to utility construction, maintenance and repair.
 - 2. Traffic Services: Paint parking stalls, stop lines and crosswalks. Maintain, repair and provide energy to traffic signals and street lighting.
 - 3. Drainage: Maintain storm sewers, manholes, intakes, catch basins and culverts used for collection and disposal of surface drainage.
 - 4. Snow and ice removal: Remove snow windrowed by state plowing operations, remove snow and ice from all areas outside the traffic lanes and load or haul snow which the Municipality considers necessary. Remove

snow and ice from sidewalks on bridges used for pedestrian traffic.

- 5. Maintain sidewalks, retaining walls and all areas between curb and right-of-way line. This includes the removal of trees as necessary and the trimming of tree branches as necessary.
- 6. Clean, sweep and wash streets when considered necessary by the Municipality.
- 7. Maintain and repair pedestrian overpasses and underpasses including snow removal, painting and structural repairs.

B. Primary Highways – Rural Cross-Section (uncurbed) (See Sec. I.C)

- 1. Maintain and repair highway facilities due to utility construction and maintenance.
- 2. Removal of trees as necessary and the trimming of tree branches as necessary.
- 3. Maintain sidewalks.

C. City Streets Crossing Freeway Rights of Way (See I.D)

- 1. All pavement, subgrade and shoulder maintenance on cross streets except expansion relief joints and bridge approach panel leveling.
- 2. Mark traffic lanes on the cross street.
- 3. Remove snow on the cross street, including bridges over the freeway.
- 4. Clean and sweep bridge decks on streets crossing over freeway.
- 5. Maintain all roadside areas outside the freeway fence.
- 6. Maintain pedestrian overpasses and underpasses including snow removal, painting, lighting and structural repair.

III. The Municipality further agrees:

- A. That all traffic control devices placed by the Municipality on primary roads within the Municipal boundaries shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways."
 - B. To prevent encroachment or obstruction within the right of way, the erection of any private signs on the right of way, or on private property which may overhang the right of way and which could obstruct the view of any portion of the road or the traffic signs or traffic control devices contrary to Section 318.11 of the Code of Iowa.
 - C. To comply with all current statutes and regulations pertaining to overlength and overweight vehicles using the primary roads, and to issue special permits for overlength and overweight vehicles only with approval of the Department.
 - D. To comply with the current Utility Accommodation Policy of the Department.
 - E. To comply with the access control policy of the Department by obtaining prior approval of the Department for any changes to existing entrances or for the construction of new entrances.
- IV. Drainage district assessments levied against the primary road within the Municipality shall be shared equally by the Department and the Municipality.
- V. Major construction initiated by the Department and all construction initiated by the Municipality shall be covered by separate agreements.
- VI. The Department and the Municipality may by a separate annual Supplemental Agreement, reallocate any of the responsibilities covered in Section I of this agreement.
- VII. This Agreement shall be in effect for a five year period from July 1, 2016 to June 30, 2021

IN WITNESS WHEREOF, The Parties hereto have set their hands, for the purposes herein expressed, on the dates indicated below.

MUNICIPALITY

IOWA DEPARTMENT OF TRANSPORTATION

By _____

BY _____
District Maintenance Manager

Date _____

Date _____

SUMMARY OF ORDINANCE 460

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY ADDING NEW CHAPTER 101 PERTAINING TO PROHIBITION ON DISCHARGE OF STORM WATER AND GROUNDWATER INTO CITY SANITARY SEWER SYSTEM

Below is a summary of ORDINANCE 460. A full copy of said Ordinance may be obtained between 8 am and 4:30 pm weekdays at City Hall, 130 North Park Place, Cresco, IA 52136 or on the City's website at www.cityofcresco.com.

The purpose of this chapter is to prohibit the discharge of storm water and groundwater into the sanitary sewer system. Property which requires a seepage collection system, or "beaver drain" or sump pump system to discharge water shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer collection system.

Every property owner shall allow an employee of the city, or their designated representative, to gain admittance to the owner's property within 30 days of written notice in order to inspect the property to confirm that there is no sump pump or other prohibited discharge from said property into the city sanitary sewer system. This requirement may also be met by having the property owner contract with a licensed plumber to perform the inspection but the property owner would be responsible for all costs of the licensed plumber's inspection.

If the property is found to be discharging storm water into the city sanitary sewer system, the property owner shall have 90 days to disconnect the sump pump or other prohibited discharge into the city sanitary sewer system, and to request a second inspection.

Any owner who fails to timely comply with the requirements of either the inspection or the correction of any illegal connections to the city sanitary sewer system shall be subject to a monthly surcharge in the amount of \$100.00 per month. This monthly surcharge is intended to offset the added cost to the city associated with having the city wastewater collection, conveyance and treatment system process clear or clean water unnecessarily, when the status of the property owner's connection or non-connection to the city sanitary sewer system cannot be ascertained, or when the owner has failed to timely disconnect any discharge of storm water to the city sanitary sewer system.

PENALTIES AND ENFORCEMENT.

A. A monthly surcharge fee of \$100 shall be added to the property's city sewer bill, as provided above.

B. Any person who shall continue any violation beyond the 90 day limit shall be guilty of a municipal infraction. Each day in which any such violation occurs shall be deemed a separate offense.

C. Any person violating any of the provisions of this ordinance shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation. The City will also retain any and all civil remedies including but not limited to injunction or abatement actions to remedy a violation.

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.

The foregoing shall be in full force and effect from and after the date of passage and publication as provided by law.

Passed and adopted this _____ day of _____, 2016.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading 3/21/16

2nd Reading 4/4/16

3rd Reading _____

I certify that the foregoing was published as a Summary of Ordinance No. 460 on the _____ day of _____, 2016.

City Clerk Michelle Girolamo

ORDINANCE NO. 460

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY ADDING NEW CHAPTER 101 PERTAINING TO PROHIBITION ON DISCHARGE OF STORM WATER AND GROUNDWATER INTO CITY SANITARY SEWER SYSTEM

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

SECTION 1. The Code of Ordinances of the City of Cresco, Iowa, is hereby amended by adding a new Chapter 101, entitled PROHIBITION ON DISCHARGE OF STORM WATER AND GROUNDWATER INTO CITY SANITARY SEWER SYSTEM, which is hereby adopted to read as follows:

CHAPTER 101

PROHIBITION ON DISCHARGE OF STORM WATER AND GROUNDWATER INTO CITY SANITARY SEWER SYSTEM

101.01 Purpose	101.06 Time Limit to Allow Inspection
101.02 Restrictions and Definitions	101.07 Time Limit for Disconnection
101.03 Method of Installation	101.08 Sanitary Sewer Surcharge
101.04 Disconnections Ordered	101.09 Penalties and Enforcement
101.05 Inspections	

101.01 PURPOSE. The discharge of water from any roof, surface, ground, sump pump, footing tile or swimming pool or other natural precipitation into the city sanitary sewer collection system has the potential to cause damage to property and overload the city wastewater collection, conveyance and treatment system. Such discharge may result in the backup of sewage into living quarters of residential homes or other buildings, creating a potential health hazard and potentially exceeding the capacity of the city wastewater collection, conveyance and treatment system. Therefore, the City finds that it is essential to the maintenance of public health, minimization of damage to property and to maintain the functioning and capacity of the city wastewater collection, conveyance and treatment system, that the provisions of this section be strictly enforced.

101.02 RESTRICTIONS AND DEFINITIONS. No water from any roof, surface, ground, sump pump, footing tile, swimming pool or other natural precipitation shall be discharged into the sanitary sewer collection system. Dwellings, including new housing construction or houses under construction, and other buildings and structures which require, because of the infiltration of water into basements, crawl spaces and the like, a seepage collection system, or "beaver drain" or sump pump system to discharge water shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer collection system. A permanent installation shall be one which provides for a year-round discharge connection to the city

subdrain/storm sewer system. If there is no subdrain available, the surface discharge point shall be located no closer than four feet from the curb or as approved by the City. Such discharge line shall consist of a rigid discharge line inside the structure, without valving or quick connections for altering the path of discharge and, if connected to the city subdrain/storm sewer system, shall include a check valve.

101.03 SUMP, PUMP, AND RIGID PIPE: METHOD OF INSTALLATION.

- A. A discharge pipe shall be installed through the outside foundation wall of the building with rigid pipe (plastic, copper or galvanized) one and one-half (1½") inch inside diameter minimum, without valves or quick connections that would alter the path of discharge. The discharge shall be directed away from the foundation wall.
- B. No discharge shall be directed so as to impact neighboring properties or any sidewalks, streets or right-of-way unless approved by the City.
- C. Where a sump pit exists in any building, it shall have a pump installed with rigid piping as specified above.
- D. Any plumber or contractor who knowingly installs a sump, pump and/or piping that is not in conformance with this ordinance shall be liable to the City for all damages that arise and be subject to the penalties set forth in Section 101.09.

101.04 DISCONNECTIONS ORDERED. Any owner of any dwelling, building or other structure having a roof, surface, ground, sump pump, footing tile or swimming pool now connected and/or discharging into the city sanitary sewer system shall disconnect and/or remove the same. Any disconnects or openings in the city sanitary sewer system shall be closed or repaired in a manner as approved by the Public Works Director or his or her representative.

101.05 INSPECTIONS. Every owner of any dwelling, building or other structure subject to this section, shall allow an employee of the city, or their designated representative, to gain admittance to the owner's property in order to inspect such dwelling, building or other structure, to confirm that there is no sump pump or other prohibited discharge from said property into the city sanitary sewer system. This requirement may also be met by having the property owner contract with a licensed plumber to perform the inspection. The plumber must inspect the property and the sump pump system, and shall complete, sign and return an inspection form, provided by the City, documenting the results of the inspection. All costs associated with an inspection by a privately retained plumber shall be the responsibility of the property owner.

101.06 TIME LIMIT TO ALLOW INSPECTION. The owner of any dwelling, building or other structure shall have a period of thirty (30) days from the date the city, or their designated representative, sends a written notice to the owner requesting admittance to the property for an inspection, to either allow a city inspection of the property, or to contract with a licensed plumber to perform the inspection, and notify the city of the results thereof as provided in section 101.05 of this chapter.

101.07 TIME LIMIT FOR DISCONNECTION OF DISCHARGE. Upon completion of a city inspection of a property, or upon the city's receipt of an inspection form from the licensed plumber hired by the owner of the property, the city shall determine whether any such property is improperly discharging storm water into the city sanitary sewer system,

and shall send a notice to the property owner regarding the results of said inspection if there is a violation. If the property is found to be discharging storm water into the city sanitary sewer system, then the owner shall have a period of ninety (90) days from the date the city sends such written notice to the owner to disconnect the owner's sump pump or other prohibited discharge into the city sanitary sewer system, and to request an inspection, certifying that all work necessary to disconnect the owner's sump pump or other prohibited discharge from said property into the city sanitary sewer system has been completed.

101.08 SANITARY SEWER SURCHARGE. Any owner who fails to timely comply with the requirements of either section 101.06 or of section 101.07 of this chapter shall thereupon be subject to and shall pay a monthly surcharge on the property owner's or tenant's city sewer bill in the amount of \$100.00 per month. Said surcharge shall commence on the first day of the month following the expiration of the thirty (30) day period set forth in section 101.06 of this chapter, or the ninety (90) day period set forth in section 101.07 of this chapter, as applicable, when either the property owner has failed to timely allow a city inspection or has failed to timely correct any illegal connections to the city sanitary sewer system, or has failed to contract with a licensed plumber to inspect the property and correct any illegal connections to the city sanitary sewer system. Such surcharge shall continue to be imposed on the owner's city sanitary sewer bill for as long as the property owner continues to own the property without complying with the requirements of this division. This monthly surcharge is intended to offset the added cost to the city associated with having the city wastewater collection, conveyance and treatment system process clear or clean water unnecessarily, when the status of the property owner's connection or non-connection to the city sanitary sewer system cannot be ascertained, or when the owner has failed to timely disconnect any discharge of storm water to the city sanitary sewer system.

101.09 PENALTIES AND ENFORCEMENT. Whoever shall violate any provision of this chapter for which no specific penalty is provided may be punished as set forth below.

- A. Any person found to be violating any provision of this chapter, shall be served by the city with written notice stating the nature of the violation and providing at least ninety (90) days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. A surcharge fee shall be added to the property's city sewer bill, as provided in section 101.08 of this code.
- B. Any person who shall continue any violation beyond the time limit provided for in subsection (1) of this section shall be guilty of a municipal infraction. Each day in which any such violation occurs shall be deemed a separate offense.
- C. Any person violating any of the provisions of this ordinance shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation. The City will also retain any and all civil remedies including but not limited to injunction or abatement actions to remedy a violation.

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

SECTION 3. SEVERABILITY. 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 _____ day of _____, 2016.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as Ordinance No. 460 on the _____ day of _____, 2016.

City Clerk Michelle Girolamo

SUMMARY OF ORDINANCE NO. 461
NUISANCE ABATEMENT PROCEDURE

**AN ORDINANCE AMENDING CHAPTER 50, NUISANCE ABATEMENT
PROCEDURE OF THE CODE OF ORDINANCES, CITY OF CRESCO, BY
AMENDING SECTION 50.02**

Below is a summary of ORDINANCE 461. A full copy of said Ordinance may be obtained between 8 am and 4:30 pm weekdays at City Hall, 130 North Park Place, Cresco, IA 52136 or on the City's website at www.cityofcresco.com.

The purpose of this Section is to define what is considered a nuisance in accordance with the Code of Ordinances of the City of Cresco, Iowa. The following nuisances are defined:

- | | |
|---|----------------------------|
| 1. Offensive Smells. | 12. Weeds or Brush. |
| 2. Filth or Noisome Substance. | 13. Diseased Trees. |
| 3. Impeding Passage of Navigable River. | 14. Airport Air Space. |
| 4. Water Pollution. | 15. Houses of Ill Fame. |
| 5. Stagnant Water. | 16. Unoccupied Buildings |
| 6. Blocking Public and Private Ways | 17. Structural Maintenance |
| 7. Billboards. | 18. Fences. |
| 8. Storing Flammable Junk. | 19. Discarded Material. |
| 9. Outdoor Storage. | 20. Vermin. |
| 10. Attractive Nuisances. | 21. Construction Projects. |
| 11. Air Pollution. | |

All other provisions of Chapter 50, being Sections 50.01 to and including 50.07 shall remain the same, unchanged and in full force and effect. The foregoing amended section 50.02 shall be in full force and effect from and after the date of passage and publication of this ordinance as provided by law.

Passed and adopted this _____ day of _____, 2016.

CITY OF CRESCO

ATTEST:

MARK BOHLE, MAYOR

MICHELLE GIROLAMO, CITY CLERK

1st Reading _____ 2nd Reading _____ 3rd Reading _____

I certify that the foregoing was published as a Summary of Ordinance No. 461 on the _____ day of _____, 2016.

City Clerk Michelle Girolamo

ORDINANCE NO. 461
NUISANCE ABATEMENT PROCEDURE

**AN ORDINANCE AMENDING CHAPTER 50, NUISANCE ABATEMENT
PROCEDURE OF THE CODE OF ORDINANCES, CITY OF CRESCO, BY
AMENDING SECTION 50.02**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF CRESCO AS
FOLLOWS:**

**CHAPTER 50, NUISANCE ABATEMENT PROCEDURE, OF THE CODE OF
ORDINANCES OF THE CITY OF CRESCO, IOWA, IS HEREBY AMENDED BY
AMENDING SECTION 50.02 AS FOLLOWS:**

The existing section 50.02 is hereby repealed and the following adopted in lieu thereof:

SECTION 50.02 NUISANCES ENUMERATED. The following subsections include, but do not limit, the conditions which are deemed to be nuisances in the City:

1. **Offensive Smells.** Erecting, continuing or using any building or other place for the exercise of any individual practice, trade, employment or manufacture, which, by occasioning noxious exhalations, unreasonably offensive smells or other annoyances, becomes injurious or dangerous to the health, comfort or property of individuals or the public.
2. **Filth or Noisome Substance.** Causing or suffering any offal, filth or noisome substance to be collected or to remain in any place to the prejudice of others.
3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor or collection of water.
4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. **Stagnant Water.** Artificially creating, maintaining, causing or allowing to exist any stagnant water standing on any property, including any container or material kept in such a condition that water can accumulate and stagnate therein.
6. **Blocking Public and Private Ways.** Obstructing or encumbering, by fences, building or otherwise, the public roads, private ways, streets, alleys, commons, landing places or burying grounds.

7. **Billboards.** Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. (See also Section 62.06).
8. **Storing Flammable Junk.** Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, within the fire limits of the City, unless in a building of fireproof construction. (See also Chapter 51).
9. **Outdoor Storage.** Storage of the following items in outdoor areas or in partially enclosed sheds, lean-tos or other structures not entirely enclosed by structural walls, roof and properly functioning doors: building materials not part of an active building project; auto parts; miscellaneous steel, plastic, rubber or metal parts or junk; tires; packing boxes; wooden pallets; tree limbs; brush piles; discarded lumber, not including neatly stacked and cut firewood; broken or unused furniture and appliances; any upholstered or finished furniture intended for indoor usage such as couches, beds, mattresses, desks, chairs, shelving or wooden tables; other broken or unused furnishings or equipment including carpeting, appliances and other typical items intended for indoor usage; plastic tarps; trash bags containing leaves, debris, garbage or other items; trash and garbage not properly contained within a trash disposal container; or any other discarded or miscellaneous item or items not normally required in the day to day use of the exterior area of the property, when stored continuously in excess of 7 days on any portion of any property outside of a totally enclosed structure located on the property.
10. **Attractive Nuisances.** Any attractive nuisance dangerous to children in the form of abandoned vehicles, abandoned or broken equipment, including abandoned refrigerators, hazardous pools, ponds, excavations, materials, including building material, debris or neglected machinery.
11. **Air Pollution.** Emission of dense smoke, noxious fumes or fly ash.
12. **Weeds or Brush.** Dense growth of all weeds, vines, brush or other vegetation in the City so as to constitute a health, safety or fire hazard. (See also Chapter 52).
13. **Diseased Trees.** Trees infected with Dutch Elm disease, Emerald Ash Borer or other infectious disease or pest as identified by the city arborist or street department supervisor; or any dead, diseased or damaged trees or plant material which may harbor serious insect or disease pest or disease injurious to other trees or plant material, or any healthy tree in such a state

of deterioration that any part of such tree is likely to fall and damage property or cause injury to persons.

14. **Airport Air Space.** Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located. (See also Chapter 175).
15. **Houses of Ill Fame.** Houses of ill fame, kept for the purpose of prostitution or lewdness; gambling houses; places resorted to by persons participating in criminal activity prohibited by the Code of Iowa or any federal regulation or law or places resorted to by persons using controlled substances, as defined by the Code of Iowa or any federal regulation or law, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.
16. **Unoccupied Buildings.** Any building or portion of a building which is unsecured or abandoned and not maintained as if occupied.
17. **Structural Maintenance.** All structures, both commercial and residential, including detached accessory structures, shall be free of significant observable structural defects. The term "free from significant observable structural defects" means:
 - a. Roofing materials shall be made up of consistent materials and consistent coloration throughout the roof area. All chimneys, smoke stacks or similar appurtenances shall be maintained in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
 - b. Drainage gutters and downspouts shall be securely attached to the structure.
 - c. All exterior trim and exterior exposed surfaces, including siding materials, must be sound, in good condition and securely attached to the structure.
 - d. Exterior walls must be free of holes and made of a consistent material, such that patches or repairs consisting of dissimilar material or colors compared to the prevailing surface material of the exterior walls are not present.
 - e. The foundation shall be free from cracks, breaks and holes so as to prevent the entry of animals.
 - f. Windows and doors, including outer screen or storm windows and doors, must be intact, containing no holes, and squarely hung. The

windows shall have intact glass or normal window material that allows the entry of light. No windows, doors or building exteriors shall be covered with, but not limited to, aluminum foil, cardboard, plywood or plastic, except during construction or pending repairs not exceeding thirty (30) days or (for plastic) during the winter as insulation.

- g. All ingress/egress steps and porches of the structure must be of a secure and safe design shall be maintained in an intact manner, with no loose boards or surface materials.
 - h. Exterior wall surfaces shall be properly painted and/or maintained with appropriate exterior wall materials, including wood, vinyl, painted/colored steel or similar metal siding materials, stucco or exterior insulation finish system materials, brick or similar masonry materials, that are in all cases intact, not in a condition of deterioration, are of uniform coloration and are not patched with dissimilar material. Plastic wrap or building wrap material shall not be considered to be an acceptable siding material. No flaking or chipped paint or outer loose material which dominates or detracts from the exterior appearance of the structure. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Oxidation stains shall be removed from exterior surfaces.
 - i. All fencing, including gates, shall be maintained in good condition and free from damage, breaks, holes or missing structural members. All fencing shall be made of consistent materials and coloration.
 - j. Detached accessory structures, including garages and storage sheds, must conform to the standards outlined above. No plastic or building wrap material or tarps shall be used to substitute for doorways or windows.
18. Fences. Any wall, fence or hedge in such condition as to constitute a hazard to persons or property or which obstructs or impedes the free passage through or on adjacent streets, alleys or sidewalks.
19. Discarded Material. Any discarded or unused material on real property that is not consistent with the condition and visual appearance of surrounding adjacent real properties. Types of unacceptable material include those items enumerated in other subsections of this chapter and also include household fixtures, cans, containers, appliances, dirt and gravel piles, rock piles, eroded soil areas, pits, holes and excavations.
20. Vermin. Creating, maintaining, causing or allowing to exist conditions which are conducive to the harborage or breeding of vermin; or allowing

to exist infestations of vermin, such as rats, mice, skunks, snakes, starlings, pigeons, wasps, cockroaches or flies.

21. Construction Projects. Construction projects that are on-going for more than twelve months (except those with a valid building permit time extension due to extenuating circumstances as determined by the Public Works Director). This shall apply also to all exterior work that does not require a city building permit. Scattered building or repair materials shall not be permitted.

All other provisions of Chapter 50, being Sections 50.01 to and including 50.07 shall remain the same, unchanged and in full force and effect. The foregoing amended section 50.02 shall be in full force and effect from and after the date of passage and publication of this ordinance as provided by law.

Passed and adopted this ____ day of _____, 2016.

CITY OF CRESCO

ATTEST:

MARK BOHLE, MAYOR

MICHELLE GIROLAMO, CITY CLERK

ADOPTION OF ORDINANCE NO. 461

Council member _____ read and moved the adoption of the foregoing ordinance and council member _____ seconded said motion. Thereupon the Mayor called for a roll call vote and the following council members voted in favor of the adoption of the foregoing ordinance: _____
The following council members voted against the adoption of the foregoing ordinance: _____.

The Mayor thereupon declared the ordinance duly passed and adopted by affirmative vote by the council members and ordinance number 461 is approved and adopted.

CITY OF CRESCO

ATTEST:

MARK BOHLE, MAYOR

MICHELLE GIROLAMO, CITY CLERK

Cresco's 150th Celebration
Looking Back,
July 22-24, 2016

1. Thanks to the MANY volunteers for all of the hours already donated to this event and the many more hours that will be needed to make it successful.
2. Meetings are being held and committees are working together. There are 15 sub-committees working under an Executive Committees comprised of 8 volunteers.
3. Entertainment has been booked with 5 bands in the Fenced-in Concert area with beer garden. A \$20 wristband will be sold for access to all concerts all 3 days. These are available online and will be sold the week prior to the event as well as the day of the events.
4. See the enclosed schedule of events – this is subject to change as new events are added. There are many things planned so hopefully there will be a large crowd to enjoy the festivities all weekend long.
5. Please review the enclosed budgets that have been submitted by all of the committees. There are a lot of additional expenses to sponsoring a large event like this so everyone did their best to anticipate their needs. I believe that we will need to anticipate that some expenses will come in higher than expected. The majority of the revenue will come from sponsorships, sale of wristbands and sales from the beer garden.

A decision needs to be made by the City Council regarding requests from local bars that will be requesting special permits for their liquor licenses that will allow them to put up temporary fenced-in outdoor beer gardens adjacent to their bars.

Advantages:

1. Allows bars to serve more people and gives the crowd alternative destinations.
2. Individual bar owners will make more money that weekend by serving more people.

Disadvantages:

1. May pull people away from the concert/beer garden area because they can still hear the bands without purchasing wristbands.
2. City will make less profit from the beer sales that it needs to pay the expenses for the whole celebration.
3. One of the bar's beer garden will impede the flow of pedestrians and visibility of the Information Center planned to be hosted in the Burke Auction house. This will be the first aid center, displays of historical items, sale of souvenirs and information headquarters.

The City Council has the authority to approve the outdoor beer garden requests so the Executive Committee as well as the bar owners would like a decision made as this will impact planning of the events.

City of Cresco
 150th Celebration
 July 22-24, 2016

June 1, 2015 - April 14, 2016

Budget

June 1, 2015 - July 31, 2016

Committee	June 1, 2015 - July 31, 2016			June 1, 2015 - April 14, 2016		
	Budget Revenue	Budget Expense	Budget Net	Actual Revenue	Actual Expense	Actual Net
Insurance	0	2,000	(2,000)			0
Environmental Cleanup	1,500	4,900	(3,400)			0
Entertainment	70,000	70,500	(500)		27,563	(27,563)
Tournaments/Contests	5,000	10,000	(5,000)	770	325	445
All-School Reunion	0	6,000	(6,000)			0
Parade	0	300	(300)			0
Housing	0	500	(500)			0
Tours/Transportation	0	3,750	(3,750)			0
Historical Displays	0	500	(500)			0
Security	0	8,000	(8,000)		466	(466)
Sponsorships/Donations	17,000	500	16,500	4,229		4,229
Marketing	2,000	15,000	(13,000)	940	4,666	(3,726)
Souvenirs	17,000	9,455	7,545	542	2,120	(1,578)
Raffle	20,000	12,000	8,000	940	11,421	(10,481)
Finance	0	100	(100)		76	(76)
Vending-Food/Beverages	29,700	13,700	16,000		1,196	(1,196)
Craft/Vendor Show	<u>1,250</u>	<u>300</u>	<u>950</u>	<u>825</u>	<u>0</u>	<u>825</u>
Totals	163,450	157,505	5,945	8,246	47,833	(39,587)
Cash Transferred from City	50,000	20,000	30,000	44,500		

Cash Balance as of 4/14/16	4,913
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(City of Cresco will transfer up to \$50,000 for start-up money and hopes to be repaid \$20,000)



Concert/Beer Garden

Cruise

Food Vendors

Kids Games/Bouncy Houses

Craft Show/Art in Park