

City of Knoxville
City Council Meeting
Tuesday, September 4, 2018 at 6:15 PM
Municipal Building Council Chambers

1. Call To Order

MEMBERS PRESENT:

Mayor Brian Hatch ____, Council Member Megan Suhr ____, Council Member Cal Stephens ____, Council Member James Lane ____, Council Member Rick Kingery ____, Council Member Dylan Morse ____.

2. Citizen/Public Comments
Discussion

3. Consent Agenda

3.I. Approve Council Minutes Of August 20, 2018

Documents:

[COUNCIL MINUTES 082018.PDF](#)

3.II. Approve Special Council Minutes Of August 27, 2018

Documents:

[SPECIAL COUNCIL MINUTES 082718.PDF](#)

3.III. Approve Appointment Of John Gotta To The Board Of Adjustment - Term Expires September 2023

Documents:

[GOTTA APPLICATION.PDF](#)

4. Item Agenda

4.I. Public Hearing - Zoning Code

- A. Open Hearing
- B. Filing of Affidavit of Publications - 8/30/18
- C. Written Comments or Objections
- D. Oral Comments or Objections
- E. Close Hearing

4.I.i. Approve First Consideration, Possible Waive Second And Third Consideration To Adopt An Ordinance Amending The Code Of Ordinances Of The City Of Knoxville, Iowa By Amending Provisions Pertaining To Zoning

Documents:

[ORDINANCE 1813 ZONING CODE.PDF](#)
[CC CODE AMENDMENT MEMO.PDF](#)

4.II. Approve First Consideration, Possible Waive Second And Third Consideration And Adopt An Ordinance Amending The Code Of Ordinances Of The City Of Knoxville, Iowa,

By Amending Provisions Pertaining To Animal Control - Dogs

Documents:

[ORDINANCE 1814 DOGS.PDF](#)

- 4.III. Approve First Consideration, Possible Waive Second And Third Consideration And Adopt An Ordinance Amending The Code Of Ordinance Of The City Of Knoxville, Iowa By Amending Provisions Pertaining To Animal Control - Cats

Documents:

[ORDINANCE 1815 CATS.PDF](#)

- 4.IV. Discussion/Possible Action Regarding Staff Hours At City Hall

- 4.V. Approve Payment Of Claims

5. Reports

- A. Mayor's Report
- B. City Manager's Report

6. Adjourn

Motion _____ Second _____
Vote _____ Time _____

Jodi Bellon, City Clerk

COUNCIL MINUTES

August 20, 2018

The City Council of the City of Knoxville, Iowa convened in regular session Monday, August 20, 2018 at 6:15p.m. in the City Hall Council Chambers. Mayor Brian Hatch presided and the following Council Members were present: Megan Suhr, Cal Stephens, Rick Kingery James Lane and Dylan Morse. Staffs present were City Manager Aaron Adams, City Clerk Jodi Bellon, Assistant City Manager Heather Ussery, Lieutenant Aaron Fuller, Fire Chief Jim Mitchell and Planning & Zoning Administrator Bill Mettee.

Mayor Hatch asked for Citizen/Public Comments regarding items not on the agenda. There were none.

Motion by Stephens; second by Kingery to approve the consent agenda as follows, all ayes.

1. Approve City Council Minutes of August 6, 2018
2. Accept Housing Board Public Hearing Minutes of May 21, 2018
3. Accept Housing Board Minutes of May 21, 2018
4. Accept Housing Board Annual Meeting Minutes of June 25, 2018
5. Accept Housing Board Minutes of June 25, 2018
6. Accept Water Board Minutes of August 14, 2018
7. Accept Library Board Minutes of August 15, 2018
8. Approve Class C Liquor License for Peace Tree Brewing
9. Accept 2018 Knoxville Nationals Report
10. Approve July 2018 Financials

Motion by Lane; second by Morse to set a public hearing for Tuesday, September 4, 2018 at 6:15 pm to approve changes to the zoning code; all ayes.

Motion by Suhr; second by Lane to approve resolution supporting the three-lane conversion of Lincoln Street (Hwy 14); Morse, Suhr, Stephens, Lane, ayes; Kingery, nay.

Many members of the community were present to voice their opinions and concerns to council regarding the three-lane conversion. Larry Dursky, 1212 W Madison had questions about the proposal and additional traffic signals. Laci White, 710 W Jones submitted a petition that people signed not in favor of the conversion. Motion by Lane; Second by Kingery to accept petition. Randy Pearson, 1329 S Lincoln had questions about golf carts on Hwy 14 and the extra lane. Don Zoutte, 514 E Marion spoke against the conversion. Kevin Kincaid, 1505 Ridgecrest Ct spoke in concern for the intersection at the middle school. Dawn Rankin, 1313 N Depot is glad there will not be any bike lanes and that this will slow down traffic on Hwy 14. Inez DeMoss, Knoxville is concerned about farm equipment driving on Hwy 14 after the conversion. Rich Goff, Knoxville is not in favor of the conversion. Todd Hamman; 1414 Hobart had concerns. Randy Wilson, 1741 Newbold Dr wants the city to work with the race track on traffic control during the races. Dennis Johnson, 1901 W Larson worries about the race traffic during Nationals. Motion by Morse; second by Lane to approve resolution authorizing the submittal of an application for Traffic Safety Improvement Program (TSIP) funding for the Lincoln Street (Hwy 14) corridor improvements project which includes rehabilitation of the roadway surface, replacement of existing traffic signals and conversion of the corridor to a three-lane configuration between IA Hwy 92 and Kermit Drive; Morse, Suhr, Stephens, Lane, ayes; Kingery, nay.

Motion by Kingery; second by Morse to approve change order #3 for the Library Expansion Project; all ayes.

Motion by Morse; second by Lane to approve change order #2 for 2018 Streets Improvements Project; all ayes.

Motion by Lane; second by Morse to approve bid from Creative Landscaping for sod for the 2018 Streets Improvements Project; all ayes.

Councilmember Suhr asked for the appointment of Jacob Vander Ecken to be pulled from the consent agenda for further discussion. Motion by Suhr; second by Stephens to table appointment of Jacob Vander Ecken due to incomplete application; all ayes.

Motion by Kingery; second by Lane to approve payment of claims; all ayes.

86662	AFLAC	AFLAC-ACC/PRE	310.13
86663	COLLECTION SERVICES CENTER	CHILD SUPPORT	1,363.26
86664	ICMA RETIREMENT TRUST	ICMA	1,108.62
86665	KNOXVILLE FIRE & RESCUE ASSC	FIRE DUES	53.76
86666	COLONIAL LIFE	COLONIAL LIFE	27.92
86667	ABS SANITATION	MONTHLY SANITATION SERVICE	96.00
86668	ALLIANT ENERGY	AIRPORT	100.59
86669	HAWKEYE EXTERMINATORS	GENERAL SPRAY - MERCY ONE	42.80
86670	KNOXVILLE AVIATION	DISH NEXTWORK REIMBURSEMENT	130.87
86671	MC CLURE ENGINEERING CO	ENGINEERING SERVICES	20,733.50
86672	MC CORKLE HARDWARE INC	CHEMICALS FOR WEEDS	255.00
86673	MIDAMERICAN ENERGY COMPANY	AIRPORT SERVICE	144.84
86674	SINCLAIR TRACTOR	HARDWARE/BLADES	366.31
86675	WSP USA	INDEPENDENT ENGINEERING SVC	4,500.00
86676	ABC PEST CONTROL	MONTHLY PEST SPRAY	39.85
86677	BAKER & TAYLOR	36 BOOKS	1,308.40
86678	BOOK PAGE	YEARLY SUBSCRIPTION	324.00
86679	CENTER POINT LARGE PRINT	BOOK	129.42
86680	CREDIT BUREAU SERVICES OF IOWA	CONTRACT DEBT/FINES	76.78
86681	DEMCO INC	NIKON CAMERA	322.02
86682	THE DES MOINES REGISTER	YEARLY SUBSCRIPTION	713.75
86683	FEH ASSOCIATES, INC.	FURNITURE DESIGN PACKAGE	468.00
86684	IOWA DIVISION OF LABOR SERVICE KNOXVILLE CHAMBER OF	BOILER INSPECTION	230.00
86685	COMMERCE	HOSPITALITY TRAINING	50.00
86686	QUALITY SCENT	DEODORIZER	24.00
86687	QUILL CORPORATION	GLOVES	23.61
86688	STATE LIBRARY OF IOWA	ON-LINE DATABASES SUBSCRIPTION	463.78
86689	SWANK MOVIE LICENSING USA	COPYRIGHT COMPLIANCE	398.00
86690	THE GRAND THEATER FOUNDATION	MOVIE THEATER RENTAL	450.00
86691	THE LIBRARY CORPORATION	LIBRARY PATRON CARDS	1,586.00
86692	WTS MEDIA	30 CD CASES	36.00
86693	XEROX CORPORATION	LEASE COPIER	176.22
86694	ACCO UNLIMITED CORPORATION	FAS-DPD TITRATING REAGENT QT	83.90
86695	ARROWHEAD FORENSICS	BLOOD/URINE SPECIFICATION KIT	83.91
86696	ATOMIC TERMITE & PEST CONTROL	MONTHLY PEST CONTROL	70.00
86697	KEEPITSAFE, INC.-LIVEVAULT	90 DAY RETENTION	188.20
86698	TRENTON BACUS	BATTERIES - REIMBURSEMENT	12.10
86699	BROWN'S SANITATION	ROLL-OFF	1,111.20
86700	BRUENING ROCK PRODUCTS INC	9.01 TON ROAD STONE	277.22
86701	CENTRAL IOWA DISTRIBUTING INC	SOAP/TOWEL DISPENSERS	259.50
86702	CITY OF KNOXVILLE	DENNIS WEBB PREMIUMS	791.05

86703	EMPLOYEE BENEFIT SYSTEMS	DENNIS WEBB PREMIUMS	1,799.95
86704	EXCEL MECHANICAL CO INC	ROOFTOP UNIT WORK	127.50
86705	FIRE RECOVERY EMS	JULY RESCUE PAYMENTS	2,979.81
86706	GPM	TEMP SENSOR FOR SAMPLER	200.70
86707	GRITTERS ELECTRIC INC	BLOWER MOWER	469.00
86708	HAWKEYE PAVING CORP	PAY APP #3 - 2018 STREETS	230,790.34
86709	HUBES GARAGE	REPLACE BRAKES #37	133.20
86710	IA PARK & REC ASSOCIATION	IPRA MEMBERSHIP	165.00
86711	IDEAL READY MIX CO	8.5 YDS CONCRETE	1,129.50
86712	JETCO, INC	LIFT STATION ANTENNA	728.22
86713	JOURNAL EXPRESS	BIKE SALE AD	331.20
86714	KEYSTONE LABORATORIES INC	MONTHLY POOL & SPA TESTING	46.60
86715	KNIA KRLS INC	ADVERTISING	179.50
86716	KNOXVILLE HOSPITAL & CLINICS	MEDICATIONS	425.12
86717	KNOXVILLE AVIATION	MONTHLY CONTRACTUAL SERVICES	3,467.91
86719	KNOXVILLE FARM & HOME INC	SUMP PUMP	1,052.88
86720	KONE INC	ELEVATOR MAINTENANCE	193.65
86721	LISCO	PHONE/INTERNET	2,202.86
86722	MARION COUNTY HUMANE SOCIETY	JUNE ANIMALS	1,810.50
86723	MC CORKLE HARDWARE INC	BRUSH HOG WHEELS	227.90
86724	MIDAMERICAN ENERGY COMPANY	301 W RENO	457.08
86725	MIDWEST OFFICE TECHNOLOGY INC	CONTRACT	39.50
86726	MPH INDUSTRIES INC	PYTHON RADIO UNIT	1,233.30
86727	OFFICE DEPOT	PAPER	106.62
86728	PLUMB SUPPLY COMPANY	SHIPPING	50.62
86729	PRAXAIR DISTRIBUTION INC	OXYGEN	690.33
86730	PROFESSIONAL DEVELOPERS OF IA	MEMBERSHIP DUES	375.00
86731	RACEWAY TIRE & EXHAUST RAILROAD MANAGEMENT	2017 TAHOE TIRES	587.12
86732	COMPANY	RR CROSSING LICENSE FEE	214.01
86733	RAMAEKER SCREEN PRINTING	200 UTV STICKERS	800.00
86734	ROMAR	BRAKE & DISC PADS	320.91
86735	K & L THOMPSON, LLC	OIL CHANGE #936	139.35
86736	SOUTHEASTERN EMERGENCY EQUIP	EMS SUPPLIES	193.38
86737	SPAHN & ROSE LUMBER	STRIKE ANCHORS	19.96
86738	TRUE VALUE HARDWARE INC.	SHUT OFF VALVE	34.31
86739	US CELLULAR	PD CELLPHONES	453.79
86740	APRIL VERWERS	FLOWERS FOR CEMETERY	87.43
86741	VISA	LOCKER ROOM BENCHES	5,995.52
86742	WALMART COMMUNITY	SCBA BATTERIES	252.09
86743	WEX BANK	STREETS	9,537.90
13168917	MASSMUTUAL	HARTFORD	66.91
13168918	IRS WITHHOLDING PAYMENTS	FED/FICA TAX	21,784.44
13168919	TOTAL ADMINISTRATIVE SERVICES	FLEX- MEDICAL	1,241.87
13168920	TOTAL ADMINISTRATIVE SERVICES	WATER DEPT TASC	146.14
13168921	TREASURER-STATE OF IOWA	SEWER SALES TAX	5,413.00
13168922	KNOXVILLE RECREATION CENTER	MONTHLY BANK CHARGES	285.87

Mayors Report: Mayor Hatch thanked staff for their work on the three-lane conversion, school is back in session so slow down, RVTV is September 5th and congrats to Chief Mitchell on his new position.

City Manger Report: City Manager Aaron Adams had nothing for reports.

Motion by Kingery; second by Lane to adjourn at 7:58 pm; all ayes.

Brian Hatch, Mayor

ATTEST:

Jodi Bellon, City Clerk

COUNCIL MINUTES
August 27, 2018

The City Council of the City of Knoxville, Iowa convened in special session Monday, August 27, 2018 at 12:00 pm. in the City Hall Council Chambers. Mayor Brian Hatch presided and the following Council Members were present: Megan Suhr, Rick Kingery and Dylan Morse. Staffs present were City Manager Aaron Adams, City Clerk Jodi Bellon and Recreation Director Brandon Nemmers.

Motion by Kingery; seconded by Suhr to approve payment to Joiner Construction.

Motion by Kingery; seconded by Morse to adjourn at 12:04 p.m., all ayes.

ATTEST:

Brian Hatch, Mayor

Jodi Bellon, City Clerk

ADVISORY BOARD/COMMISSION
APPLICATION FORM



Individuals serving on Boards and or Commission play an important role in advising the City Council on matter of interest to our community and it's future. Most applicants must reside within the city limits of Knoxville.

After a vacancy has been announced, the Council reviews all applications during a work session. The appointment is made at the next formal City Council meeting. Appointees serve as unpaid volunteers.

Return the application to Mayor, City of Knoxville, 305 S. Third Street, Knoxville, Iowa 50138.

This application is a public document and as such can be reproduced and distributed for the public. This application will be considered for three (3) months only and automatically considered for any vacancy during that time.

ADVISORY BOARD/COMMISSION NAME Board of adjustment TERM _____

NAME John Gotta HOME ADDRESS 3005 W. Larron

Is your home address (listed above) within the corporate limits of Knoxville? Yes No

How long have you been a resident of Knoxville? 56 years

Occupation Facility Director Employer Knoxville Hospital

Telephone Number (Home) 641-891-5173 Business 641-842-1455

Cell Phone 641-891-5173 Email Address gotta@mediacombb.net

Experience and/or activities which you feel qualify you for this position I'm a life long resident who cares about Knoxville. I understand blue prints, set backs etc.

What is your present knowledge of this advisory Board/Commission? I have went before the board with Hospital issues.

What contributions do you feel you can make to this advisory Board/Commission (or state reason for applying)?

Trying to make things fair and consistent.

Specific attention should be directed to a possible conflict of interest. Please list any present affiliations you have with agencies, which may apply for funding from the City. Affiliation means being a board member or employee of the agency. Other types of affiliation must be examined on a case-by-case basis by the City Attorney's Office.

You should know that Section 362.5 of the Code of Iowa generally prohibits, with certain important exceptions, a member of a city board or commission from having an interest in a city contract. A copy of Section 362.5 is attached. If you have any questions, please contact the City Manager's Office at 641-828-0550.

If you are uncertain whether or not a potential conflict of interest exists, please list the agency and the City may contact the City Attorney's office.

If you are not selected, do you want to be notified? Yes No

Do you currently serve on another City of Knoxville Board or Commission? Yes No

It has been Council policy not to permit an individual to serve on two (2) Boards or Commissions at the same time.

Signature of Applicant *JL Holt* Date *8-29-18*

Misrepresentations on this application will constitute just cause for removal of an appointee. If you fail to answer all questions on the application, you may not be considered for appointment.

ORDINANCE NO. 18-13

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KNOXVILLE, IOWA BY AMENDING PROVISIONS PERTAINING TO ZONING

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

SECTION 1. The Code of Ordinances of the City of Knoxville, Iowa is amended by adding two new definitions in Title 9, Chapter 1, Section 3 which is hereby adopted to read as follows:

9-1-3: Definitions:

SPOT ZONING: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive plan.

ZONING MAP AMENDMENT: A revision to the City of Knoxville Zoning Map which modifies the zoning district applicable to a specific lot(s), parcel(s) or tract(s).

SECTION 2. Title 9, Chapter 6C, Section 5 of the Code of Ordinances of the City of Knoxville, Iowa is repealed and the following adopted in lieu thereof.

9-6C-5: BULK REGULATIONS:

The following minimum requirements shall be observed subject to the modifications contained in chapter 4 of this title:

A. Lot Area:

Single-family	Same as R-2 district
Two-family	7,200 square feet
Multiple-family:	
Up to 4 units	8,400 square feet
5 to 18 units	Add 1,500 square feet/unit
Over 18 units	Add 1,200 square feet/unit

B. Lot Width:

Single-family	Same as R-2 district
Two-family	Same as R-2 district
Multiple-family	75 feet
Corner lots	80 feet

- C. Front Yard: 25 feet
(For corner lots 1 of the front yards may be reduced to 15 feet)
- D. Side Yard:
- | | |
|---------------------------|--|
| Single-family | 7 feet |
| Two-family | 7 feet |
| Multiple-family | 11 feet on each side plus 5 feet additional for each story or portion thereof over 2 |
| Other principal buildings | 11 feet on each side |
- E. Rear Yard: 35 feet
- F. Maximum Height:
- | | |
|--------------------|---------|
| Principal building | 45 feet |
| Accessory building | 12 feet |
- A. Maximum Number of Stories:
- | | |
|---------------------|-----------|
| Principal building | 3 stories |
| Accessory building\ | 1 story |
- H. Minimum Width: 20 feet
- I. Perimeter Foundation
- A continuous perimeter foundation, meeting the city building code standards¹, shall be required for all principal buildings. Pier footings will be allowed to accommodate manufactured homes with the following skirting requirements:
1. Skirting must provide the appearance and benefits of a conventional foundation of poured concrete walls, brick or concrete block typical of site built homes.
 2. Skirting must ensure visual compatibility with the permanent foundation systems of surrounding residential structures.
 3. Require certification seal showing the unit complies with federal HUD standards. Note: Housing units constructed before 1976 do not carry certification seals and may not be placed on residential lots.
- J. Off Street Parking/Loading: Spaces for off street parking and loading shall be provided in accordance with the provisions of chapter 9 of this title.

K. Site Plan: Site plans shall be required in accordance with provisions of chapter 11 of this title for all uses permitted in this district except one-family and two-family dwellings.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudicated 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 by the City Council this _____ day of _____, 2018, and APPROVED this _____ day of _____, 2018.

Brian J. Hatch, MAYOR

ATTEST:

Jodi Bellon, CITY CLERK



Memorandum

To: City Council
From: Bill Mettee, Planning and Zoning Administrator
Date: August 20, 2018
Subject: Code Amendment Updates

Members of City Council:

9-1-3 Definitions – Adding two definitions

9-6C-5 R-3 Multi-Family Residential – Adding in a corner lot setback regulation as in R-1 and R-2 zones.

The current zoning code does not mention anything about spot zoning or rezoning of parcels. I've added definitions for both. I plan to add the process of rezoning to the code in the near future.

The City of Knoxville has an extremely high number of corner lots and we feel that the code needs to be a bit more relaxed with them because both street sides are considered front yards and development must meet those front yard setback requirements. Sometimes this proves difficult, so we're proposing that corner lots in the R-3 zone are permitted to reduce one of the street side yards to 15' as opposed to 25'. We've previously done this in the R-1 and R-2 zones and to add consistency, would like to allow this in R-3 zones.

On August 14, Planning Commission voted unanimously to recommend approval of both definitions and the R-3 setback change.



9-1-3 Definitions:

SPOT ZONING: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive plan.

ZONING MAP AMENDMENT: A revision to the City of Knoxville Zoning Map which modifies the zoning district applicable to a specific lot(s), parcel(s) or tract(s).



9-6C-5: BULK REGULATIONS: 🌐 📄

The following minimum requirements shall be observed subject to the modifications contained in [chapter 4](#) of this title:

A.	Lot Area:	
	Single-family	Same as R-2 district
	Two-family	7,200 square feet
	Multiple-family:	
	Up to 4 units	8,400 square feet
	5 to 18 units	Add 1,500 square feet/unit
	Over 18 units	Add 1,200 square feet/unit
B.	Lot Width:	
	Single-family	Same as R-2 district
	Two-family	Same as R-2 district
	Multiple-family	75 feet
	Corner lots	80 feet
C.	Front Yard:	25 feet (For corner lots 1 of the front yards may be reduced to 15 feet)
D.	Side Yard:	
	Single-family	7 feet
	Two-family	7 feet
	Multiple-family	11 feet on each side plus 5 feet additional for each story or portion thereof over 2
	Other principal buildings	11 feet on each side
E.	Rear Yard:	35 feet



F.	Maximum Height:	
	Principal building	45 feet
	Accessory building	12 feet
G.	Maximum Number Of Stories:	
	Principal building	3 stories
	Accessory building	1 story
H.	Minimum Width:	20 feet
I.	Perimeter Foundation:	A continuous perimeter foundation, meeting the city building code standards ¹ , shall be required for all principal buildings. Pier footings will be allowed to accommodate manufactured homes with the following skirting requirements:
		1. Skirting must provide the appearance and benefits of a conventional foundation of poured concrete walls, brick or concrete block typical of site built homes.
		2. Skirting must ensure visual compatibility with the permanent foundation systems of surrounding residential structures.
		3. Require certification seal showing the unit complies with federal HUD standards. Note: Housing units constructed before 1976 do not carry certification seals and may not be placed on residential lots.
J.	Off Street Parking/Loading:	Spaces for off street parking and loading shall be provided in accordance with the provisions of chapter 9 of this title.
K.	Site Plan:	Site plans shall be required in accordance with provisions of chapter 11 of this title for all uses permitted in this district except one-family and two-family dwellings.

ORDINANCE NO. 18-14

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
CITY OF KNOXVILLE, IOWA, BY AMENDING PROVISIONS
PERTAINING TO ANIMAL CONTROL - DOGS

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

SECTION 1. Title 6, Chapter 4A, Section 3 is amended by removing the words 'forty-eight hours (48)' and adding the words 'up to seven (7) days' and also by adding a second paragraph which is hereby adopted to read as follows:

If there is no currently appointed animal control officer, the chief of police may designate a person or persons to fulfill these duties.

SECTION 2. Title 6, Chapter 4A, Section 4 of the Code of Ordinances of the City of Knoxville, Iowa, is repealed and the following adopted in lieu thereof:

6-4A-4: RELEASE OF IMPOUNDED DOG: If, within seven (7) days after the impounding of a captured dog the reclamation fee and all expenses associated with impounding the dog have been paid by the owner to the police department or Marion county Humane Society the dog shall be released to its owner, otherwise the animal control officer shall cause such dog to be released to the Marion County Humane Society. No animal over six (6) months of age will be released from impound prior to providing current proof of rabies vaccination.

SECTION 3. Title 6, Chapter 4A, Section 5 of the Code of Ordinances of the City of Knoxville, Iowa, is repealed and the following adopted in lieu thereof:

6-4A-5: REMOVAL FROM POUND: Any person who shall, without the consent of the Knoxville Police Department and the Humane Society, take or remove any dog from said pound, shall be guilty of a misdemeanor.

SECTION 4. Title 6, Chapter 4A, Section 8 of the Code of Ordinances of the City of Knoxville, Iowa, is repealed and the following adopted in lieu thereof:

6-4A-8: PENALTIES: Any person violating any of the provisions of this article for a first offense shall be subject to a fine of fifty dollars (\$50.00) which shall be due and payable at the Knoxville Police Department or Marion County Humane Society. Any person violating any provision of this article and being a second or subsequent offender shall be subject to a fine of one hundred dollars (\$100.00) payable at the Knoxville Police Department or Marion County Humane Society. Only violations that occurred during the prior twenty-four (24) months will be considered when determining if the current violation is a first, second, or subsequent violation.

SECTION 5. Severability Clause. If any section, provision or part of this ordinance shall be held unconstitutional or invalid, 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 6. When Effective. This ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council this ____ day of _____, 2018, and approved this ____ day of _____, 2018.

ATTEST:

Brian J. Hatch, MAYOR

Jodi Bellon, CITY CLERK

ORDINANCE NO. 18-15

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
CITY OF KNOXVILLE, IOWA, BY AMENDING PROVISIONS
PERTAINING TO ANIMAL CONTROL - CATS

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

SECTION 1. Title 6, Chapter 4B, Section 1 is amended by deleting the following sentence ‘All cats shall be required to have an identification tag on it listing the name and address of the owners of the cat.’

SECTION 2. Title 6, Chapter 4B, Section 3 is deleting the words ‘sixty (60) hours’ and adding the words ‘up to seven (7) days’ and also by adding a second paragraph which is hereby adopted to read as follows:

If there is no currently appointed animal control officer, the chief of police may designate a person or persons to fulfill these duties.

SECTION 3. Title 6, Chapter 4B, Section 4 of the Code of Ordinances of the City of Knoxville, Iowa, is repealed and the following adopted in lieu thereof:

6-4B-4: RELEASE OF IMPOUNDED CAT: If, within seven (7) days after the impounding of a captured cat the reclamation fee and all expenses associated with impounding the cat have been paid by the owner to the police department or Marion County Humane Society the cat shall be released to its owner, otherwise the animal control officer shall cause such cat to be released to the Marion County Humane Society. No animal over six (6) months of age will be released from impound prior to providing current proof of rabies vaccination.

SECTION 4. Title 6, Chapter 4B, Section 6 of the Code of Ordinances of the City of Knoxville, Iowa, is repealed and the following adopted in lieu thereof:

6-4B-6: REMOVAL FROM POUND: Any person who shall, without the consent of the Knoxville Police Department and the Humane Society, take or remove any cat from said pound, shall be guilty of a misdemeanor.

SECTION 5. Title 6, Chapter 4B, Section 7 of the Code of Ordinances of the City of Knoxville, Iowa, is repealed and the following adopted in lieu thereof:

6-4A-8: PENALTIES: Any person violating any of the provisions of this article for a first offense shall be subject to a fine of fifty dollars (\$50.00) which shall be due and payable at the Knoxville Police Department or Marion County Humane Society. Any person violating any provision of this article and being a second or subsequent offender shall be subject to a fine of one hundred dollars (\$100.00) payable at the Knoxville Police Department or Marion County Humane Society. Only violations that occurred during the prior twenty-four (24) months will be considered when determining if the current violation is a first, second, or subsequent violation.

SECTION 6. Severability Clause. If any section, provision or part of this ordinance shall be held unconstitutional or invalid, 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 7. When Effective. This ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council this ____ day of _____, 2018, and approved this ____ day of _____, 2018.

ATTEST:

Brian J. Hatch, MAYOR

Jodi Bellon, CITY CLERK