

ORDINANCE NO. 400

**AN ORDINANCE REPEALING THOSE ORDINANCES
DESIGNATING THE 1989 EARLHAM URBAN
REVITALIZATION PLAN AREA, DESIGNATING THE 2001
EARLHAM URBAN REVITALIZATION PLAN AREA, AND
REPEALING ALL PRIOR AMENDING ORDINANCES TO
SAID URBAN REVITALIZATION PLANS**

WHEREAS, Chapter 404 of the Code of Iowa authorizes cities by ordinance to designate revitalization areas; and

WHEREAS, the City Council of the City of Earlham, State of Iowa (the “City”), adopted an Urban Revitalization Plan (the “1989 Urban Revitalization Plan”) on April 10, 1989, by Ordinance No. 253, designating an area of the City as the Earlham Urban Revitalization Area until January 1, 1992; and

WHEREAS, the City subsequently adopted the Earlham Urban Revitalization Plan 2001-2006 (the “2001 Urban Revitalization Plan”) by Ordinance on March 12, 2001, designating an area of the City as the Earlham Urban Revitalization Area until March 12, 2006; and

WHEREAS, the City subsequently purported to extend the duration of the 2001 Earlham Urban Revitalization Plan until March 12, 2011, by Ordinance No. 323, adopted April 10, 2006; purported to amend the terms of the 2001 Urban Revitalization Plan by Ordinance No. 329, adopted June 4, 2007; and purported to further extend the duration of the 2001 Earlham Urban Revitalization Plan until March 12, 2019, by Ordinance No. 330, adopted October 8, 2007; and

WHEREAS, the 1989 Urban Revitalization Plan expired by its terms on January 1, 1992; and

WHEREAS, the 2001 Urban Revitalization Plan expired by its terms on March 12, 2006; and

WHEREAS, the City desires to repeal the ordinances described above to confirm that the 1989 Urban Revitalization Plan and the 2001 Urban Revitalization Plan have expired and that said ordinances are no longer in effect.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF EARLHAM, STATE OF IOWA, THAT:**

Section 1. Ordinance No. 253 and the Ordinance adopted March 12, 2001 designating urban revitalization areas in the City are hereby repealed and it is hereby confirmed that the 1989 Urban Revitalization Plan and 2001 Urban Revitalization Plan are no longer in effect.

Section 2. Ordinances Nos. 323, 329, and 330 purporting to amend the 2001 Urban Revitalization Plan are hereby repealed.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to repeal all ordinances dated prior to this Ordinance that designated an urban revitalization area within the City or amended provisions of an urban revitalization plan of the City.

Section 4. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 11th day of June, 2018.

Mayor

ATTEST:

City Clerk

Read First Time: _____, 2018

Read Second Time: _____, 2018

Read Third Time: _____, 2018

PASSED AND APPROVED: June 11, 2018.

I, Mary Sue Hibbs, City Clerk of the City of Earlham, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 400 passed and approved by the City Council of the City at a meeting held June 11, 2018, signed by the Mayor on June 11, 2018, and published in The Madisonian on _____, 2018.

City Clerk, City of Earlham, State of Iowa

(SEAL)