

ORDINANCE NO. 401

ORDINANCE DESIGNATING THE EARLHAM URBAN
REVITALIZATION AREA OF THE CITY OF EARLHAM,
IOWA

WHEREAS, Chapter 404, Code of Iowa (the "Act"), authorizes cities by ordinance to designate revitalization areas if such areas meet the criteria of the Act and if the City completes the procedural requirements of the Act; and

WHEREAS, pursuant to the Act, this Council did, by resolution, adopt an urban revitalization plan for residential and multi-residential abatement for the City of Earlham, Iowa, on August 13, 2018, by Resolution No. _____ called the Earlham Urban Revitalization Plan ("Plan") for the Earlham Urban Revitalization Area ("Area" or "Revitalization Area"); and

WHEREAS, the Area so designated has heretofore been found to meet the criteria of the Act; and

WHEREAS, the revitalization of the Area so described will enhance the rehabilitation, conservation, redevelopment, economic development, or a combination thereof of the Area and is necessary in the interest of the public health, safety, or welfare of the residents of the City, and the Area substantially meets the criteria of Section 404.1 of the Act; and

WHEREAS, notice of the public hearing was published at least 30 days prior to the date of the hearing and notice by ordinary mail was sent to the last known address of the owners of record within the Area as well as to any "occupants" of the addresses located within the proposed Area at least 30 days prior to the date of the hearing; and

WHEREAS, pursuant to the provisions of the Act, the City has held a public hearing on the proposed Plan for said Area; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the proposed Plan for said Area on August 13, 2018.

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

Section 1. That in accordance with the Act, and in consideration of the restrictions set forth in the preamble hereof, the Area legally described as:

All real property contained within the incorporated limits of the City of Earlham, Madison County, State of Iowa, as of January 1, 2018. Any land annexed into the City in the future shall be automatically included in the Revitalization Area as of the effective date of the annexation.

be and the same is hereby designated as a revitalization area under the Act, which shall be known as the Earlham Urban Revitalization Area of the City of Earlham, Iowa.

Section 2. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 3. That 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. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2018.

Mayor

ATTEST:

City Clerk

Read First Time: _____, 2018, _____ Vote for passage:

Read Second Time: _____, 2018, _____ Vote for passage:

Read Third Time: _____, 2018, _____ Vote for passage:

PASSED AND APPROVED: _____, 2018.

I, _____, City Clerk of the City of Earlham, County of Madison, State of Iowa, do hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2018, and published in The Madisonian on _____, 2018.

City Clerk, Earlham, Iowa