

RESOLUTION NO. 74-26

A RESOLUTION SETTING A PUBLIC HEARING DATE ON A PROPOSED TEXT AMENDMENT TO SECTION 165.09.11, FENCE REGULATIONS, OF THE DYERSVILLE CODE OF ORDINANCES

WHEREAS, by Resolution No. 58-26 the City Council, on its own motion under Section 165.03.04(K)(i) of the Dyersville Code of Ordinances, initiated a text amendment to Section 165.09.11, Fence Regulations, and directed the City Administrator to file the application with the Planning and Zoning Commission; and,

WHEREAS, the proposed amendment repeals and reenacts Section 165.09.11 in its entirety to require a fence permit for a permanent fence, to provide that a fence permit is not required for a temporary, movable fence, to set location and height standards for temporary, movable fences in residential districts, and to carry forward the remaining fence regulations as they read today; and,

WHEREAS, the Dyersville Planning and Zoning Commission held an open meeting to the public, and voted to recommend approval of the proposed amendment; and,

WHEREAS, the City Council will consider the proposed text amendment and the ordinance adopting it, and Iowa Code Section 414.4 and Section 165.03.04(K) of the Dyersville Code of Ordinances require that a public hearing be held after published notice before the Council acts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYERSVILLE, IOWA, AS FOLLOWS:

SECTION 1. PUBLIC HEARING SET. This Council shall meet on the 8th day of September, 2026, at 6:00 PM, at the Memorial Building, 340 1st Avenue East, in the City, at which time and place proceedings will be instituted and action taken to approve, approve with modifications, or deny the proposed text amendment to Section 165.09.11, Fence Regulations, of the Dyersville Code of Ordinances, and to consider the ordinance adopting the amendment.

SECTION 2. NOTICE. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least seven days and not more than twenty days prior to said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

The City Council of the City of Dyersville, Iowa, will meet at the Memorial Building, 340 1st Avenue East, on the 8th day of September, 2026, at 6:00 PM, at which time and place proceedings will be instituted and action taken to approve, approve with modifications, or deny a proposed amendment to the text of the Zoning Ordinance of the City of Dyersville, Iowa. The proposed amendment repeals and reenacts Section 165.09.11, Fence Regulations, of the Dyersville Code of Ordinances. The amendment requires a fence permit before a permanent fence is constructed or reconstructed; provides that a fence permit is not required for a temporary, movable fence; provides that in a residential district a temporary, movable fence may

not be located in a front yard and may not exceed four feet in height in a side or rear yard; provides that a fence left in place longer than one hundred eighty consecutive days requires a fence permit; continues to apply the corner visibility, location, drainage, easement, and safety requirements to every fence; and carries forward the remaining fence regulations as they read today. The amendment applies citywide and is not limited to any particular property.

A copy of the proposed amendment and the adopting ordinance is on file in the office of the City Clerk, Memorial Building, 340 1st Avenue East, Dyersville, Iowa, and is available for public inspection during regular business hours.

At the meeting, the Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action on the proposed amendment and the adopting ordinance.

Tricia L. Maiers, City Clerk

SECTION 3. EFFECT. This resolution sets a public hearing only. It does not adopt or approve the text of the proposed amendment. The City Council reserves full authority to consider, modify, or decline to adopt the amendment following the public hearing.

SECTION 4. REPEALER. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This resolution shall be in full force and effect upon its adoption.

PASSED AND APPROVED by the City Council of the City of Dyersville, Iowa, this _____ day of _____, 2026.

Jeff Jacque, Mayor

ATTEST:

Tricia L. Maiers, City Clerk