

RESOLUTION NO. 58-26

A RESOLUTION INITIATING A TEXT AMENDMENT TO SECTION 165.09.11, FENCE REGULATIONS, OF THE DYERSVILLE CODE OF ORDINANCES, AND DIRECTING THE CITY ADMINISTRATOR TO FILE THE APPLICATION WITH THE PLANNING AND ZONING COMMISSION

WHEREAS, the City of Dyersville is authorized to adopt and amend zoning regulations under Iowa Code Chapter 414 and Sections 372.9 and 364.1, as recognized in Section 165.01.02 of the Dyersville Code of Ordinances; and,

WHEREAS, Section 165.03.04(K)(i) authorizes the City Council to amend the text of the Zoning Ordinance on its own motion; and,

WHEREAS, Section 165.09.11(E) requires a permit before a fence is constructed or reconstructed, but does not distinguish a permanent fence from a temporary, movable fence, and the Code does not define “fence”; and,

WHEREAS, residents increasingly use temporary, movable fences for gardens and pet areas, and a clear standard is needed so that the permit requirement is applied consistently; and,

WHEREAS, the City Administrator has prepared a text amendment application proposing to repeal and reenact Section 165.09.11 to address these matters; and,

WHEREAS, under Section 165.03.04(K), a text amendment must be referred to the Planning and Zoning Commission for a public hearing and recommendation before the City Council acts.

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

SECTION 1. INITIATION. The City Council, on its own motion under Section 165.03.04(K)(i) of the Dyersville Code of Ordinances, initiates a text amendment to Section 165.09.11, Fence Regulations.

SECTION 2. DIRECTIONS TO THE CITY ADMINISTRATOR. The City Council directs the City Administrator to file the text amendment application with the Planning and Zoning Commission and to take the steps necessary to bring the amendment before the Commission for a public hearing and recommendation, and thereafter before the City Council, in accordance with Section 165.03.04(K).

SECTION 3. EFFECT. This resolution initiates the amendment process only. It does not adopt or approve the text of any amendment. The City Council reserves full authority to consider, modify, or decline to adopt the amendment following the Planning and Zoning Commission’s public hearing and recommendation.

SECTION 4. EFFECTIVE DATE. This resolution shall be in full force and effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Dyersville, Iowa, this 6th day of July, 2026.

Jeff Jacque, Mayor

ATTEST:

Tricia L. Maiers, City Clerk