

RECORDING FEE \$ None FILED FOR RECORD THE 17 DAY OF STATE OF IOWA, BUTLER COUNTY:
May 20 11 AT 9:50
a O'CLOCK a M. INSTRUMENT NO. 2011-1710 BY Janice Jacobs RECORDER
TRANSFER FEE \$ DEPUTY

**BUTLER COUNTY ORDINANCE TITLE I, No. 2a
CODE OF ORDINANCES IN EFFECT FOR
BUTLER COUNTY, IOWA**

Revised May 10, 2011

**Preparer Information:
Return Document to:**

Butler County Auditor, 319-267-2670
Butler County Auditor, PO Box 325, Allison, IA 50602

Original Document:	01/02/1991	
Revised Document:	04/01/1996	
Revised Document:	04/03/2001	44-312
Revised Document:	05/06/2006	2006-1909

**BUTLER COUNTY ORDINANCE TITLE I, No. 2a
CODE OF ORDINANCES IN EFFECT FOR
BUTLER COUNTY, IOWA
Revised May 10, 2011**

An ordinance readopting the existing county code and amending certain portions therein.

BE IT ENACTED by the Board of Supervisors of Butler County, Iowa:

SECTION 1. Purpose. Code of Iowa Section 331.302 (9) requires that once every five years a County shall compile its codes of ordinances. This ordinance readopts ordinances now in effect and any amendments thereto.

SECTION 2. Readoption and Amendment of Current Code. The Butler County Code of Ordinances does contain the following ordinances stated by title and subject matter:

TITLE I – ORGANIZATION & STRUCTURE

Ordinance – Title I, No. 1

Dated: March 16, 1981

TITLE: An Ordinance to establish an ordinance adoption procedure for Butler County, Iowa.

Ordinance – Title I, No. 2

Dated: September 16, 1991

TITLE: An Ordinance establishing Supervisor Districts for Butler County, Iowa, following 1990 Census figures.

Ordinance – Title I, No. 2a

Dated: January 2, 1991

TITLE: An Ordinance to establish a Code of Ordinances for Butler County, Iowa.

Ordinance – Title I, No. 2a (Revised)

Dated: April 1, 1996

TITLE: An Ordinance to revise the Code of Ordinances for Butler County, Iowa.

Ordinance – Title I, No. 2a (Revised)

Dated: April 2, 2001

TITLE: An Ordinance to revise the Code of Ordinances for Butler County, Iowa.

Ordinance – Title I, No. 2a (Revised)

Dated: May 9, 2006

TITLE: An Ordinance to revise the Code of Ordinances for Butler County, Iowa

Ordinance – Title I, No. 2a (Revised)

Dated: May 10, 2011

TITLE: An Ordinance to revise the Code of Ordinances for Butler County, Iowa

Ordinance – Title I, No. 3

Dated: October 14, 1991

TITLE: An Ordinance repealing Ordinance No. 2 and establishing Supervisor Districts for Butler County, Iowa, following 1990 Census figures.

Ordinance – Title I, No. 4

Dated: December 9, 1991

TITLE: An Ordinance repealing Ordinance No. 3 and establishing Supervisor Districts for Butler County, Iowa, following 1990 Census figures.

Ordinance – Title I, No. 5

Dated: September 24, 2001

TITLE: An Ordinance establishing Supervisor Districts for Butler County, Iowa, following 2000 Census figures.

Ordinance – Title I, No. 6

Dated: October 29, 2001

TITLE: An Ordinance repealing Ordinance No. 5 and establishing Supervisor Districts and Election Precincts for Butler County, Iowa, following 2000 Census figures.

Ordinance – Title I, No. 7

Dated: December 17, 2001

TITLE: An Ordinance repealing Ordinance No. 5 and establishing Supervisor Districts and Election Precincts for Butler County, Iowa, following 2000 Census figures.

Ordinance – Title I, No. 8

Dated: August 12, 2002

TITLE: An Ordinance establishing a Local Office Fee for Uniform Commercial Code (UCC) Information Request.

Ordinance – Title I, No. 10

Dated: March 15, 2004

TITLE: An ordinance establishing a School Infra-Structure Local Option Sales and Services tax applicable to transactions within Butler County.

Ordinance – Title I, No. 11

Dated: March 27, 2007

TITLE: An ordinance establishing a School Infra-Structure Local Option Sales and Services tax applicable to transactions within Butler County.

Ordinance – Title I, No. 12

Dated: July 29, 2008

TITLE: An ordinance repealing Ordinance No. 1 and the ordinance adoption procedure.

TITLE II – PUBLIC SERVICES

Ordinance – Title II, No. 1

Dated: August 17, 1992

TITLE: An Ordinance to provide for the issuance of permits for utility line installation and the collection of inspection fees and to provide penalties for violations.

TITLE III – BUSINESS & OCCUPATIONS

TITLE IV – STREETS, ROADS, PUBLIC WAYS & TRANSPORTATION

Ordinance – Title IV, No. 1

Dated: May 21, 1984

TITLE: An Ordinance establishing the Areas Service System "B" Road Classification in Butler County, Iowa.

Ordinance – Title IV, No. 2

Dated: November 5, 1984

TITLE: An Ordinance establishing the policy and level of service in respect to clearance of snow or ice and maintenance of this County's secondary roads during the winter months.

Ordinance – Title IV, No. 2 (Amended)

Dated: December 4, 1989

TITLE: An Ordinance repealing the current existing Ordinance Title IV, No. 2, since the Ordinance is a policy statement, and such policy statements are to be implemented by Resolution instead of Ordinance. Ordinance Title IV, No. 2, established the policy and level of service in respect to clearance of snow or ice and maintenance of this County's secondary roads during the winter months.

Ordinance – Title IV, No. 3

Dated: January 4, 1988

TITLE: An Ordinance prohibiting the alteration of any natural waterway that drains into or from any ditch within the County except by prior permit.

Ordinance – Title IV, No. 3 (Amended)

Dated: August 8, 1988

TITLE: An Amendment to Ordinance – Title IV, No. 3 to provide for penalties for violating the Ordinance.

Ordinance – Title IV, No. 4

Dated: January 4, 1988

TITLE: An Ordinance prohibiting the discharge of any manure into ditches and providing penalties for violating the Ordinance.

Ordinance – Title IV, No. 5

Dated: January 4, 1988

TITLE: An Ordinance prohibiting the dumping of any junk or trash on public highways, ditches or county property.

Ordinance – Title IV, No. 5 (Amended)

Dated: March 25, 2002

TITLE: An Ordinance amending County Ordinance Chapter IV, No. 5, regarding the Prohibition of Dumping Any Material on Public Highways, Ditches or County Property

Ordinance – Title IV, No. 6

Dated: January 21, 1991

TITLE: An Ordinance prohibiting excessive soil loss from private lands to County Right of Way ditches.

Ordinance – Title IV, No. 7

Dated: October 16, 1995

TITLE: An Ordinance establishing the policy and level of service in respect to clearance of snow or ice and maintenance of this county's secondary roads during the winter months.

Ordinance – Title IV, No. 8

Dated: December 6, 1999

TITLE: An Ordinance for imposition of local sales and service tax, at a rate of 1%, in the following areas: City of Clarksville, City of Shell Rock, and the unincorporated areas of Butler County.

Ordinance – Title IV, No. 9

Dated: August 21, 2000

TITLE: An Ordinance establishing the Area Service "C" Road Classification in Butler County.

Ordinance – Title IV, No. 10

Dated: March 1, 2011

TITLE: An Ordinance providing for the special valuation of wind energy conversion property pursuant to Iowa Code Chapter 427B.26

TITLE V – PUBLIC ORDER, SAFETY & HEALTH

Ordinance – Title V, No. 1

Dated: July 18, 1988

TITLE: An Ordinance adopting by reference the private water well construction permit rules of the Iowa Administrative Code (Chapter 38) for Butler County, Iowa.

Ordinance – Title V, No. 2

Dated: July 18, 1988

TITLE: An Ordinance adopting by reference the non-public water well rules of the Iowa Administrative Code (Chapter 49) for Butler County, Iowa.

Ordinance – Title V, No. 3

Dated: January 29, 1990

TITLE: An Ordinance adopting by reference the on-site wastewater treatment and disposal systems rules of the Iowa Administrative Code (Chapter 69) for Butler County, Iowa.

Ordinance – Title V, No. 4

Dated: January 29, 1990

TITLE: An Ordinance adopting by reference the requirements for properly plugging abandoned wells of the Iowa Administrative Code (Chapter 39), or latest version thereof, for Butler County, Iowa.

Ordinance – Title V, No. 5

Dated: June 25, 1990

TITLE: An Ordinance amending the Code of Ordinances of Butler County, Iowa, by adding a new Chapter requiring that persons responsible for storing, handling and transportation of hazardous materials and providing remedies for the County to clean up spills if the responsible party fails to do so and recover costs for the County.

Ordinance – Title V, No. 6

Dated: July 19, 1993

TITLE: An Ordinance establishing a Smoke-Free Courthouse of Butler County, Iowa.

Ordinance – Title V, No. 7

Dated: April 4, 1994

TITLE: An Ordinance for Flood Plain Management.

Ordinance – Title V, No. 7 (Amended)

Dated: October 30, 2000

TITLE: An Amendment to Ordinance – Title V, No. 5 as follows:

- SECTION I: - Statutory Authority, Findings of Fact and Purpose
 - Add paragraph after introductory paragraph

- SECTION II: - General Provisions
 - A. Lands to Which Ordinance Apply
 - Replace existing paragraph

- SECTION III: - Flood Plain Management Standards
 - Add paragraph "N" after existing paragraph "M"

Ordinance – Title V, No. 8

Dated: February 3, 1997

TITLE: An Ordinance prohibiting swimming in waters county-owned.

Ordinance – Title V, No. 9

Dated: March 16, 1998

TITLE: On-Site Wastewater Treatment and Disposal Systems

Ordinance – Title V, No. 9 (Amended)

Dated: September 2, 2008

TITLE: An Amendment to Ordinance – Title V, No. 9, Health Regulations of Butler County by Creation of Septic Contractor Licensing.

Ordinance – Title V, No. 10

Dated: March 16, 1998

TITLE: Private Water Well Construction

Ordinance – Title V, No. 11

Dated: February 16, 1999

TITLE: An Ordinance prohibiting access to County controlled spillways and dams in Butler County.

Ordinance – Title V, No. 12

Dated: August 28, 2007

TITLE: Engine Noise Reduction Ordinance (Jake Brake Ordinance)

Ordinance – Title V, No. 13

Dated: July 29, 2008

TITLE: An ordinance amending the code of ordinances of Butler County, Iowa be adding an emergency contractor permit ordinance

TITLE VI – PROPERTY & LAND USE

Zoning Ordinance Established

Dated: May 20, 1969

Ordinance was not titled, can be found in Supervisor's Minutes Book J, Page 375.

Zoning Ordinance Revised

Dated: November 1, 1978

Zoning Ordinance was revised but the revisions were not listed, can be found in Supervisor's Minutes Book K, Page 549.

Zoning Ordinance (Amended)

Dated: August 7, 1989

- SECTION IV:
 - Definitions
 - Delete #48: Home Occupation
 - Add #48: Home Occupation or Home Business
 - Add #51: Junk or Salvage Yard

- SECTION VI:
 - General Regulations and Provisions
 - Add #22: Home Occupation or Home Business Standards

- SECTION XVII:
 - Requirements for Location of Mobile Homes and Mobile Home Parks
 - Add new paragraph under "mobile homes located other than in mobile home parks".

Zoning Ordinance (Amended)

Dated: June 30, 1994

- SECTION XV, Item A.7:
 - Delete the entire sentence and replace with revised one.

- SECTION XXI, Item 13.S:
 - Delete entire Item 13.S.

- SECTION VII, Item A.15:
 - Add new Item A.15, temporary asphalt and concrete mixing plants.

Ordinance – Title VI, No. 1

Dated: May 22, 1989

TITLE: An Ordinance authorizing Industrial Property Tax Credits.

Ordinance – Title VI, No. 2

Dated: August 11, 1997

TITLE: An Ordinance to amend Official Zoning Map of Butler County, Iowa.

Ordinance – Title VI, No. 3

Dated: October 13, 1997

TITLE: An Amendment to Ordinance Title VI, No. 2 to Correct Typographical Errors in the Legal Description.

SECTION I: - 2nd paragraph should now read:

The South 1620 feet of said East ½ of the Northwest ¼ except the West 150 feet thereof and except the South 108 feet thereof and except the Southeast 6.3 acres of the Northeast ¼ of the Northwest ¼ and except the Northeast 5.0 acres of the Southeast ¼ of the Northwest ¼ of said Section 33.

Ordinance – Title VI, No. 4

Dated: February 9, 1998

TITLE: An Ordinance providing for the division of taxes levied on taxable property in the urban Renewal area of Butler County, Iowa pursuant to Section 403.19 of the Code of Iowa.

Ordinance – Title VI, No. 5

Dated: May 18, 1998

TITLE: Amendment to the Butler County Zoning Ordinance

SECTION VI, Item 22:

- Delete last paragraph
- Add new last paragraph

SECTION XXII, Item D:

- Delete fourth paragraph
- Add new fourth paragraph

SECTION XXIV, Item F:

- Delete all of Item F
- Add new Item F

SECTION XXX, Certificates, Fees

- Add Section XXX

Ordinance – Title VI, No. 6

Dated: June 3, 2002

TITLE: An Ordinance amending Ordinances Title VI, No. 2 and No. 3, to remove restrictions regarding notice to truckers and meetings with truckers regarding the Neymeyer Quarry in Section 33 of Washington Township.

Ordinance – Title VI, No. 7

Dated: May 25, 2004

TITLE: An Ordinance repealing the Butler County Zoning Ordinance, as adopted on November 1, 1978, and any amendments thereto; and enacting in lieu thereof a new ordinance entitled the Butler County, Iowa Zoning Ordinance.

Ordinance – Title VI, No. 8

Dated: May 25, 2004

TITLE: An Ordinance repealing existing Subdivision Regulations or Ordinances, and all of the amendments thereto.

This Subdivision Ordinance is enacted in lieu thereof as new Ordinance Number VI No. 8, the "Butler County, Iowa Subdivision Ordinance". This is an ordinance creating Subdivision Regulations for the purpose of protecting health, welfare, and public safety in the unincorporated areas of Butler County, Iowa.

TITLE VII – SOCIAL & HUMAN SERVICES

Ordinance – Title VII, No. 1

Dated: January 8, 1990

TITLE: An Ordinance for General Relief, Butler County, Iowa. To prescribe the general relief program in Butler County, Iowa (Chapter 252, Code of Iowa).

TITLE VIII – CULTURE, EDUCATION & RECREATION

TITLE IX – FRANCHISES

SECTION 3. Code of Ordinances. Copies of the code as adopted herein shall be on file and available for public inspection in the office of the Butler County Auditor.

SECTION 4. When Effective. This ordinance shall be effective after its final passage, approval, and publication as provided by law.

Passed and approved this 10th day of May, 2011.



Karl Nelson, Chairman

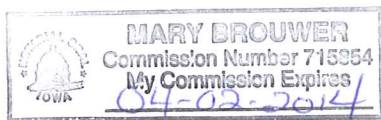


Holly A. Fokkena, Butler County Auditor

STATE OF IOWA

COUNTY OF BUTLER

On this 10th day of May, 2011, before me the undersigned, a Notary Public in and for said County and State, personally appeared **Karl Nelson** and **Holly A. Fokkena**, to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor of Butler County, Iowa, respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said Butler County, Iowa, by authority of its Board of Supervisors and pursuant to Ordinance I, No. 1, of said Board; and that said **Karl Nelson** and **Holly A. Fokkena** as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.



Mary Brouwer
Notary Public In and For Said County
And State of Iowa