ORDINANCE NO. 1245

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF IOWA FALLS, IOWA, BY AMENDING PROVISIONS PERTAINING TO PUBLIC HEARING REQUIREMENTS – ZONING AND SUBDIVISION

Be It Enacted by the City Council of the City of Iowa Falls, Iowa:

SECTION 1. SUBSECTION MODIFIED. Subsection 9 of Section 23.05 of the Code of Ordinances of the City of Iowa Falls, Iowa, is repealed and the following adopted in lieu thereof:

> 9. Comprehensive Plan: Public Hearing. Before adopting a comprehensive plan as referred to in the preceding paragraph, or any part of it, or any substantial amendment thereof, the Commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one publication in a newspaper of general circulation in the City not less than four (4) or more than twenty (20) days before the date of hearing. However, in no case shall the public hearing be held earlier than the next regularly scheduled Commission meeting following the published notice. The adoption of the plan or part or amendment thereof shall be by resolution of the Commission carried by the affirmative vote of not less than two-thirds (2/3) of the members of the Commission. After adoption of said plan by the Commission an attested copy thereof shall be certified to the Council and the Council may approve the same. When said plan or any modification or amendment thereof shall receive approval of the Council, the said plan until subsequently modified or amended as herein authorized shall constitute the official City plan.
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> *(Code of Iowa, Sec. 414.1, 414.6 & 392.1)*

SECTION 2. SUBPARAGRAPHS MODIFIED. Subparagraph B of Subsections 1, 2, and 3 of Section 165.61 of the Code of Ordinances of the City of Iowa Falls, Iowa, are repealed and the following is adopted in lieu thereof:

> 1. B. The Board shall fix a reasonable time for the hearing of the appeal, and give not less than four (4) days or more than twenty (20) days' public notice. At said hearing, any party may appear in person, by agent or by attorney.
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> 2 B. The Board shall fix a reasonable time for the hearing the special exception, and give not less than four (4) days or more than twenty (20) days' public notice. At said hearing, any party may appear in person, by agent or by attorney.
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> 3 B. The Board shall fix a reasonable time for the hearing of the variance, and give not less than four (4) days or more than twenty (20) days' public notice. At said hearing, any party may appear in person, by agent or by attorney.

SECTION 3. SEVERABILITY CLAUSE. 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. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 15th day of December, 2025, and approved this 15th day of December, 2025.

Mayor

ATTEST:

City Clerk

First Reading: 12-15-25

Second Reading: 12-15-25

Third Reading: 12-15-25

I certify that the foregoing was published as Ordinance No. 1245 on the 20th day of December, 2025.

City Clerk