

## Legal notices

### PUBLIC NOTICE City of Clarion Ordinance NO. 609

**ORDINANCE NO. 609**  
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLARION, IOWA, 2009, BY ADDING CHAPTER 157 PERTAINING TO PROPERTY MAINTENANCE CODE.

BE IT ENACTED by the City Council of the City of Clarion, Iowa: **SECTION 1. NEW CHAPTER.**

The Code of Ordinances of the City of Clarion, Iowa, 2009 is amended by adding Chapter 157 entitled Property Maintenance Code, which is hereby adopted to read as follows:

#### CHAPTER 157 PROPERTY MAINTENANCE CODE

157.01 Property Maintenance Standards Enumerated

157.02 Definitions

157.03 Exterior Property Areas

157.04 Exterior Structures

157.05 Interior Structures and Property Areas

157.06 Handrails and Guardrails

157.07 Accumulation of Rubbish, Garbage to Abate and Yard Waste

157.08 Extermination

157.09 Light and Ventilation Requirements

157.10 Plumbing Facilities and Fixture Requirements

157.11 Mechanical and Electrical Requirements

157.12 Fire Safety Requirements

157.13 Carbon Monoxide Detectors Required

157.14 Notice

**157.01 PROPERTY MAINTENANCE STANDARDS ENUMERATED.**

These minimum conditions and responsibilities of persons for maintenance of structures, equipment and exterior property shall govern.

1. Responsibility. Owners shall be responsible for maintaining structures and exterior property in compliance with these requirements while the occupants shall be responsible for keeping in a clean, sanitary and safe condition which they occupy and control, except as may be provided otherwise herein or in Chapter 156 of this Code of Ordinances.

2. Vacant Structures and Land. Shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to constitute a violation of any other applicable chapter of the Clarion Code of Ordinances adversely affecting the public health or safety.

**157.02 DEFINITIONS.**

1. "Habitable Space" means space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

2. "Stagnant Water" means ponding of standing water for unusual amounts of time, with no current or flow for drainage purposes, often with an unpleasant smell or harboring of mosquitoes as a result.

**157.03 EXTERIOR PROPERTY AREAS.**

1. Grading and Drainage. Exterior areas must be maintained to prevent erosion and accumulation of stagnant water.

2. Rodent Infestation. Proper precautions must be taken to prevent or eliminate rodent infestation.

3. Exhaust Vents. Vents shall not be discharged directly upon abutting public or private property.

4. Accessory Structures. Must be maintained, structurally sound and in good repair.

5. Retaining Walls. Must be maintained, structurally sound and in good repair.

**157.04 EXTERIOR STRUCTURES.**

1. General. The exterior structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

2. Premises Identification. Properties must comply with Chapter 150 of this Code of Ordinances.

3. Structural Members. Shall be maintained free from deterioration and capable of safely supporting the imposed loads.

4. Exterior Walls. Shall be free from holes, breaks and loose or rotting materials, and otherwise properly maintained. All exterior wood surfaces of a dwelling and its accessory structures, fences, porches and similar appurtenances shall be reasonably protected from the elements and against decay by non-lead based paint or other approved protective coating. Exception: Where it can be demon-

strated that the exterior wood surface is comprised of a type or species of wood or has been treated in such a way as to cause it to be especially resistant to decay or infestation, the wood surface in question, if approved by the inspector, shall be exempt from the requirements listed in this subsection.

5. Roofs and Drainage. Shall not have defects that admit rain with drainage to prevent leaking into structure or deterioration. Drains, gutters and downspouts, where present, must be maintained and not discharged in a manner to create a nuisance.

6. Decorative Features. Shall be maintained in good repair with proper anchorage and in a safe condition.

7. Overhang Extensions. All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

8. Stairways, Decks, Porches and Balconies. Shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting imposed loads.

9. Chimneys and Towers. Shall be maintained structurally safe and sound and in good repair with exposed surfaces protected from the elements and against decay or rust.

10. Handrails and Guards. Shall be firmly fastened, capable of supporting normally imposed loads and maintained.

11. Windows, Skylights and Door Frames. Shall be kept in sound condition, good repair and weather-tight, easily openable if required for emergency egress, and capable of being held in position by window hardware.

12. Insect Screens. From April 1<sup>st</sup> to October 31<sup>st</sup>, outside openings required for ventilation shall be supplied with tightly fitting screens. Every storm door shall have a self-closing device in good working condition. Screens shall not be required where other approved means such as air curtains or insect repellent fans are employed.

13. Doors. Shall be maintained in good condition with locks at unit entrances being tightly secured. Doors that are equipped with a deadbolt shall be operated from the inside only by the turning of a knob and shall have a lock-throw of not less than one inch. A sliding bolt shall not be acceptable, and the lock shall be operable without the use of a key, tool, special knowledge or effort.

14. Basement Hatchways. Shall be maintained to prevent the entrance of rodents, rain and surface drainage water. If the hatchway provides access to a unit, it shall be equipped with devices that secure the unit(s) from unauthorized entry.

15. Building Security. Doors, windows or hatchways for units shall be provided with devices designed to provide security for the occupants and property within.

16. Windows. A unit's operable windows located in whole or part within six feet of ground level shall be equipped with sash-locking devices.

17. Cisterns. All cisterns or similar water storage facilities shall be fenced, safely covered or filled in such a way as not to create a hazard to life or limb.

**157.05 INTERIOR STRUCTURES AND PROPERTY AREAS.**

1. General. Shall be maintained in good repair, structurally sound and in a clean, sanitary condition. Occupants shall keep that part of the structure which they occupy in a clean and sanitary condition. The owner of multi-family unit(s) shall maintain the shared or public areas of the structure(s) and exterior in a clean and sanitary condition. No owner shall permit occupancy of a vacant dwelling unit or rooming unit unless it is clean, sanitary and fit for human occupancy.

2. Structural Members. Shall be maintained structurally sound and capable of supporting the imposed loads.

3. Stairs and Walking Surfaces.

Shall be maintained in sound condition and good repair.

4. Handrails and Guards. Shall be firmly fastened and capable of supporting normally imposed loads and maintained.

5. Interior Surfaces. Every interior partition, wall, floor, ceiling and other interior surface shall be maintained in a clean and sanitary condition.

**157.06 HANDRAILS AND GUARDRAILS.** General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches above the floor or grade below shall have guards. Handrails shall not be less than 30 inches high or more than 42 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surface. Guards shall not be less than 30 inches high above the floor of the landing, balcony, porch, deck, ramp or other walking surface. For new installations in a residential setting, guards (spindles) on the open side of stairs shall not have openings which allow passage of a sphere 4- 3/8" in diameter.

**157.07 ACCUMULATION OF RUBBISH, GARBAGE AND YARD WASTE.**

1. Accumulation. All exterior property and premises, in compliance with Chapter 105 of the Clarion Code of Ordinances, and the interior of every structure shall be free from any accumulation of rubbish or garbage. Exterior property and premises shall additionally be free from any accumulation of yard waste in compliance with Chapter 105.

2. Disposal of Rubbish and Garbage. Rubbish and garbage shall not be stored outside for more than 48 hours except in a covered, leak-proof container.

**157.08 EXTERMINATION.**

1. Infestation. Structures shall be kept free from insect and rodent infestation.

2. The owner shall be responsible for extermination prior to renting or leasing and in the public or shared areas of the structure.

3. Occupants shall be responsible for extermination during their occupancy of said dwelling structure or unit.

**157.09 LIGHT AND VENTILATION REQUIREMENTS.**

1. General. These provisions shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

2. Responsibility. Owner shall provide and maintain light, ventilation and space conditions in compliance with these requirements and no person shall occupy any premises that do not comply with this code.

3. Light.

A. Habitable Spaces with exterior-facing walls shall have at least one window of approved size facing directly to the outdoors or to a court with a minimum glazed area of five percent of the floor area.

B. Common Halls and Stairways. Multi-family occupancies shall be lighted at all times with at least a 60 watt incandescent bulb or equivalent energy saving bulb, for each 200 square feet of floor area with a spacing not greater than 30 feet.

C. Other Spaces. Shall be provided with natural or artificial light sufficient to the maintenance of sanitary conditions and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

D. Alternative Devices. In lieu of the means for natural light prescribed, artificial light complying with the applicable International Building Code guidelines is permitted.

4. Ventilation.

A. Habitable Spaces with exterior-facing walls shall have at least one operable window equal to 50% of the minimum required glazed area.

B. Bathrooms and Toilet Rooms. Shall comply with ventilation requirements for a habitable space, except that a window shall not be required in such spaces equipped with a mechanical ventilation system discharged to the outdoors or to a properly vented attic.

C. Clothes Dryer Exhaust. Shall be independent of all other systems by exhausting in accordance

with manufacturer's instructions.

D. Alternative Devices. In lieu of the means for ventilation prescribed, artificial mechanical ventilation complying with the applicable International Mechanical Code guidelines is permitted.

**157.10 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS.**

1. General. This section shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

2. Responsibility. The owner shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements.

3. Required Facilities.

A. Dwelling Units. Shall contain its own tub or shower, lavatory, toilet and kitchen sink, which shall be maintained in a sanitary and safe working condition. The lavatory shall be placed in the same room as the toilet or in close proximity. A kitchen sink shall not be used as a substitute for the required lavatory.

B. Rooming Houses. At least one toilet, lavatory and tub or shower shall be supplied for each four rooming units.

C. Hotels. Where private toilets, lavatories and baths are not provided, then one toilet, lavatory and tub or shower having access from a public hallway shall be provided for each 10 occupants.

4. Toilet Rooms.

A. Privacy. Bathrooms shall provide privacy and shall not constitute the only passage to a hall or other space or exterior. A door and interior locking device shall be provided for all common or shared bathrooms in a multiple dwelling.

B. Location. Bathrooms serving hotel units, rooming units or dorm units shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

5. Plumbing Systems and Fixtures.

A. General. All plumbing fixtures shall be properly installed and maintained in working order, kept free from obstructions, leaks, defects and capable of performing its function.

B. Fixture Clearances. Plumbing fixtures shall have adequate clearance for usage and cleaning.

C. Plumbing System Hazards. If a hazard is found, the Code Official shall require the defects to be corrected to eliminate the hazard promptly.

6. Water System.

A. General. Every fixture shall be properly connected to an approved water system and shall be supplied with hot or tempered and cold running water as per the Plumbing Code.

B. Contamination. The water supply shall be maintained free from contamination and all water outlets for plumbing fixtures shall be located above the flood-level rim of the fixture.

C. Supply. Shall be installed and maintained to provide a supply of water to fixtures in sufficient volume and pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks.

D. Water Heating Facilities. Shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required fixture at a temperature of not less than 110° Fahrenheit. A gas-burning water heater shall not be located in any bathroom, bedroom or other occupied room normally kept closed unless the plumbing code requirements are met. An approved combination temperature and pressure-relief valve discharge pipe shall be properly installed and maintained on water heaters.

7. Sanitary Drainage System.

A. General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

B. Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**157.11 MECHANICAL AND ELECTRICAL REQUIREMENTS.**

1. General. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

2. Responsibility. The owner of the structure shall provide and

maintain mechanical and electrical facilities and equipment in compliance with these requirements.

3. Heating Facilities.

A. Facilities Required. Heating facilities shall be provided in structures as required by this section.

B. Heat Supply. Dwellings shall be provided with heating facilities in good working order and capable of maintaining a room temperature of 65° Fahrenheit in all habitable rooms and bathrooms. Cooking appliances or portable heating units shall not be used to provide space heating to meet the requirement.

C. Room Temperature Measurement. Shall be measured three feet above the floor near the center of the room and two feet inward from the center of each exterior wall.

4. Mechanical Equipment.

A. Mechanical Appliances. Shall be properly installed and maintained in a safe working condition.

B. Removal of Combustion Products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent (exception for labeled and unvented).

C. Clearances. All required clearances to combustible materials shall be maintained.

D. Safety Controls. Shall be maintained in effective operation.

E. Combustion. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided.

F. Energy Conservation Devices. Shall not be installed unless labeled for such purpose and the installation is specifically approved.

G. Duct Systems. Shall be maintained free of obstructions and shall be capable of performing the required function.

5. Electrical Facilities.

A. Facilities Required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section.

B. Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the Electrical Code. Dwellings shall be served by a three-wire, 120/240 volt, single-phased electrical service having a rating of not less than 100 amps.

C. Electrical System Hazards. Where a hazard is found to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the Code Official shall require the defects to be corrected immediately to eliminate the hazard.

6. Electrical Equipment.

A. Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

B. Receptacles. Every habitable space in a dwelling unit shall contain at least one separate and remote receptacle outlet. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground-fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom outlet shall have ground-fault circuit interrupter protection.

7. Elevators, Escalators and Dumbwaiters.

A. General. Shall be maintained to sustain all imposed loads, to operate properly and to be free from physical and fire hazards with current certificate of inspection displayed and available for public inspection.

B. Elevators. In buildings equipped with more than one passenger elevator, at least one elevator shall be maintained in operation at all times when the building is occupied.

**157.12 FIRE SAFETY REQUIREMENTS.**

1. General. The provisions of this chapter shall govern the MINIMUM conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided. The State Fire Marshal may impose additional provisions.

2. Responsibility. The owner shall provide and maintain such fire safety facilities and equipment in compliance with these require-

ments.

3. Means of Egress.

A. General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.

B. Aisles and Corridors. Aisles and corridors shall be unobstructed.

C. Locked Doors. All means of egress doors shall be readily openable from the side from which egress is to be made without need for keys, special knowledge or effort.

D. Emergency Escape Openings. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grills, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the Building Code and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than which is required for normal operation of the escape and rescue opening.

4. Fire-Resistance Ratings.

A. Fire-Resistance-Rated Assemblies. The fire resistance rating of the walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

B. Opening Protection. Required opening protectives shall be maintained in an operative condition. All fire and smoke-stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

5. Fire Protection Systems.

A. General. Existing residential rental units not already provided with single-station smoke alarms shall be provided with approved single-station dual-sensor smoke alarms.

B. Smoke Alarms. Approved single- or multi-station smoke alarms shall be installed and maintained in existing single- and multi-family dwelling units, duplexes, congregated residences and hotel/lodging house guest rooms regardless of occupant load in each sleeping room and immediately outside of sleeping areas and on each story including the basement.

C. Fire Extinguishers. Multi-family dwellings shall have a 2A10BC-rated fire extinguisher located within 75 feet of each dwelling unit's main entrance, with a minimum of one per floor. Extinguishers shall be checked and tagged by a qualified service person annually.

**157.13 CARBON MONOXIDE DETECTORS REQUIRED.**

1. General. Approved carbon monoxide detectors are required to be installed and maintained in each dwelling unit immediately outside sleeping areas. Dwelling units with no potential source of carbon monoxide are exempted from this requirement.

2. Responsibility. The owner shall provide and maintain such detectors and equipment in compliance with these requirements.

**157.14 NOTICE TO ABATE.**

Upon discovery of violations of this Chapter, the City may within seven days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances or exercise any other right or remedy it may have under this Code of Ordinances, at law, or in equity.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**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 after its final passage, approval and publication as provided by law.

Passed and adopted this 19<sup>th</sup> day of October, 2021, and approved this 19<sup>th</sup> day of October, 2021.

CITY OF CLARION, IOWA  
Duane Asbe, Mayor

ATTEST:  
Clint Middleton, City Administrator

Published in the Wright County Monitor on November 4, 2021

### PUBLIC NOTICE Public Hearing for Wright Co. Board of Adjustments

Public Hearing for Wright County Board of Adjustments  
November 9<sup>th</sup> 5:00 PM at the Wright County Engineers Office  
416 5<sup>th</sup> Ave. SW

A request from AMG Technology Investment to construct a 120' Mono Pole tower to provide high speed Internet. Location is section 23 of Belmond township at 2674 130<sup>th</sup> St, Belmond IA. This area is zoned agricultural and is

compatible for this type of structure, however according to Article VII section 710.3 this requires the approval of the Wright County Board of Adjustment as this type of construction is considered a special exception. Written comments must be received by November 9<sup>th</sup>. Please mail to Wright County Planning and Zoning 416 5<sup>th</sup> Ave. SW, Clarion IA. 50525

Published in the Wright County Monitor on November 4, 2021

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[www.clarionnewsonline.com](http://www.clarionnewsonline.com)

## Attention all Clarion Landlords!

There will be an Informational Meeting on Clarion Rental Housing Standards. It will be held Wednesday the 10th of November at the Clarion City Hall, Council Chambers 121 1st St SW at 4:30pm. A short presentation with handouts and Q&A.

### PUBLIC NOTICE Probate

THE IOWA DISTRICT COURT FOR WRIGHT COUNTY IN THE MATTER OF THE ESTATE OF MARGARET A. ZEIGLER, Deceased  
CASE NO. ESPR017345  
NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Margaret A. Zeigler, Deceased, who died on or about September 25, 2021:

You are hereby notified that on October 8, 2021, the Last Will and Testament of Margaret A. Zeigler, deceased, bearing date of July 5, 2018, was admitted to probate in the above named court and that David E. Zeigler was appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated October 14, 2021.

David E. Zeigler, Executor of Estate  
620 Maple Lane  
Clarion, IA 50525  
Zachary S. Chizek, ICIS#: AT0011821  
Attorney for Executor  
Groves & Chizek Law Office  
1620 Superior Street, Unit 1  
Webster City, IA 50595  
Date of second publication  
Thursday, November 4, 2021  
Probate Code Section 304

Published in the Wright County Monitor on October 28 & November 4, 2021

### PUBLIC NOTICE Probate

IN THE IOWA DISTRICT COURT FOR WRIGHT COUNTY IN THE MATTER OF THE ESTATE OF PROBATE NO. ESPR017346  
CLAIR L. WEPEL, Deceased.

NOTICE OF PROBATE OF WILL, APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS

To all persons interested in the Estate of Clair L. Wepel, deceased, who died on or about September 16, 2021:

You are hereby notified that on the 8th day of October, 2021, the Last Will and Testament of Clair L. Wepel, deceased, bearing the date of May 3, 2016, was admitted to probate in the above-named court and that Billy Caquelin was appointed Executor of the estate. Any action to set aside the Will must be brought in the District Court of said county within the later to occur of four months from the date of the second publication of this Notice or one month from the date of mailing of this Notice to all heirs of the decedent and devisees under the Will whose identities are reasonably ascertainable, or thereafter be forever barred.



## Legal notices

### PUBLIC NOTICE City of Clarion Ordinance NO. 610

#### ORDINANCE NO. 610 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLARION, IOWA, 2009, BY AMENDING CHAPTER 156: RENTAL HOUSING CODE

BE IT ENACTED by the City Council of the City of Clarion, Iowa: **SECTION 1. SECTION MODIFIED.** All Sections of Chapter 156: Rental Housing Code of the Code of Ordinances of the City of Clarion, Iowa, 2009 are hereby repealed and the following adopted in lieu thereof:

#### CHAPTER 156 RENTAL HOUSING CODE

156.01 Purpose and Intent  
156.02 Definitions  
156.03 Terms Defined in Other Codes  
156.04 Terms Not Defined  
156.05 Inspections by City Code Enforcement Personnel  
156.06 Landlord and Operators Register with City  
156.07 Registration  
156.08 Program for Rental Inspection  
156.09 Responsibilities of Operators  
156.10 Responsibilities of Occupants  
156.11 Complaints  
156.12 Right of Entry  
156.13 Unrecorded Land Contracts or Purchase Agreements  
156.14 Authority to Act on Nuisances  
156.15 Provisions of Other Codes and Ordinances  
156.16 Fees

**156.01 PURPOSE AND INTENT.** The purpose of this chapter is to provide for the enforcement of minimum quality standards for all residential rental dwellings, rental dwelling units, rooming houses and rooming units; to establish a program of regular rental inspections; and to protect the health, safety and general welfare of the residents of the City under the provisions of Chapter 157 of this Code of Ordinances. It is not the intent of this chapter to protect the individual, but rather to protect the public as a whole.

**156.02 DEFINITIONS.** For the purposes of interpreting and enforcing this chapter, the following definitions shall apply:

1. "Controlled Area" means areas leased to the occupant and not generally accessible to the general public, which includes, but is not limited to, dwelling units, garage units and storage units assigned to the occupant under the lease agreement.  
2. "Dwelling" means any building or structure, except temporary housing, which is wholly or partly used or intended to be used for living or sleeping by human occupants, but does not include dormitories, hotels or motels. Whenever the word "dwelling" is used in this chapter, it shall be construed as though it were followed by the words "or any part thereof."  
3. "Dwelling unit" means any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking and eating of meals. Whenever the term "dwelling unit" is used in this chapter, it shall be construed as though it were followed by the words "or any part thereof."

4. "Non-dwelling structure" means any structure, except a dwelling or rooming house used or intended to be used for the shelter or enclosure of any person, animal or property of any kind used in conjunction with a rental dwelling or rental dwelling unit.  
5. "Occupancy" means the act or acts of living, sleeping or cooking in, or having actual possession of a dwelling, dwelling unit or rooming unit.  
6. "Occupant" means any person, including an owner or operator, living, sleeping or cooking in, or having actual possession of a dwelling, dwelling unit or rooming unit.  
7. "Operator" means any person who has charge, care or control of a building, or any part thereof, in which any dwelling units or rooming units are let, either as owner or agent of the owner.  
8. "Owner" means any person who, alone or jointly or severally with others:

A. Has legal title or equitable title to any dwelling, dwelling unit, rooming house or rooming unit;  
B. Has charge, care or control of any dwelling, dwelling unit, rooming house or rooming unit as personal representative, executor, executrix, administrator, administratrix, trustee, conservator of the estate or as the owner.  
9. "Rental property" means any dwelling for which a stated return or payment is made for the possession or use thereof.  
10. "Roomer" means an occupant of a rooming house who is charged

rent and is not a member of the rooming house owner's or operator's family.

11. "Rooming house" means any dwelling or that part of any dwelling containing one or more rooming units in which space is let by the owner or operator to one or more roomers.

12. "Rooming unit" means any room or group of rooms forming a single habitable unit in a rooming house used or intended to be used for living and sleeping, but not for cooking or eating of meals.

13. "Temporary housing" means any tent, trailer, motor home, or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) days.

**156.03 TERMS DEFINED IN OTHER CODES.** Where terms are not defined in this chapter and are defined in Chapter 157 of this Code of Ordinances, they shall have the same meanings ascribed to them in that chapter.

**156.04 TERMS NOT DEFINED.** Where terms are not defined under the provisions of this chapter or under Chapter 157 of this Code of Ordinances, they shall have ascribed to them their ordinarily accepted meanings or such as any context herein may imply.

**156.05 INSPECTIONS BY CITY CODE ENFORCEMENT PERSONNEL.** The City Administrator or his/her designee is authorized and directed to enter and make such inspections as are necessary to determine the condition of dwellings, dwelling units, rooming houses, rooming units and the premises thereof including, but not limited to, any non-dwelling structures used by occupants within the City limits in order to perform his or her duty of safeguarding the health, safety and welfare of the occupants and of the general public.

**156.06 LANDLORD AND OPERATORS TO REGISTER WITH CITY.**

1. All landlords and operators of rental property shall register their rental properties with the City. Each unit is required to be registered and that registration must be amended when the property is sold or has a status change. The registration shall be due May 1 of each calendar year.

2. The City will provide an application form which must be completed and updated upon request. The following information shall be provided to the City:

A. The street address of the dwelling or rooming house;  
B. The number of rental units contained in the dwelling or rooming house; and  
C. The name, address and telephone number of the owner and any agent of the owner of the dwelling or rooming house.

3. If a rental property is not initially registered within the period established in 156.06(1), a late fee for each structure may be added or a municipal infraction pursued.

4. The registration, administrative and other fees outlined in Section 156.16 of this code shall be set by resolution of the Council.

**156.07 REGISTRATION.**

1. No person shall rent to another or offer to rent to another any dwelling, dwelling unit or rooming unit unless the owner or operator of the same has registered the rental property with the City. Such registration shall be renewed on an annual basis.

2. Any person who fails to register their property or properties may be deemed guilty of a municipal infraction.

3. For newly constructed rental property, the registration deadline is 30 calendar days after the City Administrator is notified of construction completion.

4. For rental property that transfers ownership, the registration deadline is 30 calendar days after the final transfer and/or the recording of such. No additional fee shall be due from the new owner for currently registered properties until the next registration deadline.

5. For properties converted to rental property, the registration deadline is 30 calendar days after said status change.  
6. The registration deadline for a rooming house or other property theretofore required to be regularly inspected by the State of Iowa is 30 calendar days after the exemption under Chapter 156.08(4) expires.  
7. Failure to register within the prescribed period may result in a late fee being added or a municipal infraction being pursued.

**156.08 PROGRAM FOR RENTAL INSPECTION.**

1. Required inspections. Regular inspections of each rental property shall be conducted every three years by a designee of the City Ad-

ministrator. Spot inspections may be conducted by City officials upon their observation of units which are obviously and substantially out of compliance. Any such inspections will be scheduled with the owner and/or operator of the units.

2. Requested Inspections. Upon the request of the owner or operator of a rental unit, the City shall inspect said rental unit to determine compliance with this chapter or Chapter 157 of the Code of Ordinances. Upon a successful completion of such inspection, the unit shall be exempt from regular inspections for a period of three years.

3. Section 8 Inspections (also known as SIRHA inspections). Units which have been inspected and passed Section 8 rental requirements shall be deemed to have been regularly inspected and exempt from regular inspections for a period of three years. It shall be the duty of the owner and/or operator of such rental units to provide proof of a Section 8 inspection to the City. A rental certificate shall be issued by the City for units which have passed this inspection requirement.

4. State-Inspected Properties. All properties required to be regularly inspected for health and safety standards by the State of Iowa, including but not limited to, nursing homes, assisted living facilities, hotels, or bed and breakfast inns are exempt from regular inspections. Owners of properties claiming exemption under this provision must furnish a copy of the most recent State inspection report if requested by the City Administrator or designee to verify the exemption.

5. Other Exempt Properties. Subject to the determination of code enforcement staff, the following types of properties are generally considered to be exempt from registration and inspection:

A. Properties that qualify for the State of Iowa homestead property tax credit;

B. Single-family homes or dwelling units occupied by lineal ascendants or descendants of the owner, as defined by Iowa Code Chapter 450.9;

C. Single-family homes or dwelling units owned by a trust, in which a trustee lives in the home or dwelling unit;

6. Failed Inspections. If, after a City inspection, a rental unit is deemed to be out of compliance, a list of needed repairs will be provided to the owner and/or operator with a stated time in which to make the repairs. Upon completion of the repairs, the owner and/or operator shall schedule a re-inspection of the property to confirm compliance. The owner and/or operator shall pay an additional fee if more than one re-inspection is needed to gain compliance.

**156.09 RESPONSIBILITIES OF OPERATORS.** In addition to and in accordance with the requirements of Chapter 157 and other applicable chapters of this Code of Ordinances, operators are designated to be specifically responsible for the following items. Where any conflict may appear between the guidelines of this chapter and Chapter 157, the definitions and guidelines of this chapter shall control.

1. Maintenance of Structure.  
A. Structures shall be maintained in safe and sound condition and shall be capable of supporting the loads that normal use may cause to be placed thereon. [Clarion Code of Ordinances, Chapter 157.04(1), 157.04(3), 157.04(8), 157.04(10), 157.05 and 157.06]  
B. Exterior shall be maintained in reasonably weathertight, watertight, rodent-proof and insect-proof condition. [Clarion Code of Ordinances, 157.03(2) and 157.04(12)]  
C. Doors shall be maintained in good and functional condition and every door, when closed, shall fit reasonably well within the frame. [Clarion Code of Ordinances, 157.04(13)]  
D. Windows shall be maintained in good and functional condition and shall fit reasonably well within the frame. [Clarion Code of Ordinances, 157.04(11)]  
E. Interior surfaces shall be maintained so as to permit the surface to be kept in a clean and sanitary condition, notwithstanding the occupant's obligations under Section 156.10(A) and 156.10(1)(B). [Clarion Code of Ordinances, 157.05(5)]  
F. Accessory structures shall be kept in a reasonably good state of repair. [Clarion Code of Ordinances, 157.03(4)]

2. Rainwater drainage. [Clarion Code of Ordinances, 157.04(5)]

3. Grading, drainage and landscaping of premises. [Clarion Code of Ordinances, 157.03(1)]

4. Chimneys and smoke pipes shall be maintained in a reasonably

good state of repair. [Clarion Code of Ordinances, 157.04(9)]

5. Exterior surfaces shall be reasonably maintained, protected from the elements and against decay. [Clarion Code of Ordinances, 157.04(4)]

6. Means of egress shall be maintained in good condition and shall be free of obstruction at all times. [Clarion Code of Ordinances, 157.12(3)]

7. Hanging screens and storm windows shall be maintained by the owner or operator of the premises except when there is a written agreement between the owner and the occupant to the contrary. [Clarion Code of Ordinances, 157.04(11)]

8. Electrical systems of every dwelling or accessory structure shall be maintained in good and safe working condition. [Clarion Code of Ordinances, 157.11(5) and 157.11(6)]

9. Supplied plumbing fixtures and systems shall be maintained in good and sanitary working condition. [Clarion Code of Ordinances, 157.10(5), 157.10(6) and 157.10(7)]

10. Gas appliances and facilities shall be properly connected and maintained in good condition. [Clarion Code of Ordinances, 157.10(6D) and 157.11(3B)]

11. Heating and supplied cooling equipment shall be maintained in good and safe working condition. [Clarion Code of Ordinances, 157.11(3)]

12. Floors in kitchen and bathrooms shall be constructed and maintained so as to permit such floor to be easily kept in a clean, dry, and sanitary condition. [Clarion Code of Ordinances, 157.05(5)]

13. Supplied facilities required by Chapter 157 and/or present in the unit and/or designated for the exclusive use by the occupants of the unit at the time that either the rental agreement is signed or possession is given shall function safely and shall be maintained in proper working condition. Maintenance of facilities, utilities, and equipment not required by this chapter shall be the operator's responsibility unless stated to the contrary in the rental agreement. No required supplied facility shall be removed, shut off, or disconnected from any occupied dwelling unit or rooming unit except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made. [Clarion Code of Ordinances, 157.10 and 157.11]

14. Refrigerators and stoves, where provided by the operator, shall be maintained in good and safe working condition.

15. Fire protection systems and carbon monoxide detection systems, where present, shall be maintained in good working condition at all times and shall be provided at the beginning of each tenancy. [Clarion Code of Ordinances, 157.12(5) and 157.13]

16. Covered cisterns shall be fenced, safely covered, or filled in such a way as not to create a hazard to life or limb. [Clarion Code of Ordinances, 157.04(17)]

17. Openings through walls or floors shall be adequately enclosed or sealed to prevent the spread of fire or passage of vermin. [Clarion Code of Ordinances, 157.03(2)]

18. Pest extermination shall be the responsibility of the operator whenever infestation exists in two or more of the dwelling units or rooming units of any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units or more than one rooming unit. [Clarion Code of Ordinances, 157.08]

19. Operator to Let Clean Units: No operator shall permit occupancy of the vacant dwelling unit or rooming unit unless it is clean, sanitary, and fit for human occupancy. [Clarion Code of Ordinances, 157.05(1)]

20. Maintenance of public areas in a safe and sanitary condition shall be the responsibility of the operator of a dwelling containing two or more dwelling units, unless there is a written agreement between the operator and occupant to the contrary. [Clarion Code of Ordinances, 157.05(1)]

21. Provision of adequate facilities for the disposal of garbage in compliance with this code is required.

**156.10 RESPONSIBILITIES OF OCCUPANTS.** An occupant's failure to fulfill the responsibilities of this section shall not cause the failure of an inspection or the refusal to issue a rental certificate. An occupant's failure to fulfill these responsibilities, however, could provide rights to a landlord under the Iowa Uniform Residential Landlord and Tenant Act.

1. Occupant Responsibility. Every occupant of a dwelling unit or rooming unit shall keep in a clean, safe, and sanitary condition that part of the dwelling, dwelling unit, rooming unit, or premises thereof he or she occupies and controls.

A. Every floor and floor covering shall be kept reasonably clean and sanitary.

B. Every wall and ceiling shall be kept reasonably clean and free of dirt or greasy film.

C. No dwelling or the premises thereof shall be used for the storage or handling of refuse.

D. No dwelling or the premises thereof shall be used for the storage or handling of dangerous or hazardous materials.

2. Plumbing Fixtures. The occupants of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care, proper use, and proper operation thereof.

3. Extermination of Pests. Every occupant of a single-family dwelling shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; every occupant of a dwelling containing more than one dwelling unit or rooming unit shall be responsible for such extermination within the unit occupied by him whenever said unit is the only one infested. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by the failure of the owner to maintain a dwelling in a reasonably rodent-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.

4. Storage and Disposal of Garbage. Every occupant of a dwelling shall dispose of rubbish, garbage, and any other organic waste in a clean and sanitary manner by placing it in the authorized disposal facilities or storage containers required by this code.

5. Use and Operation of Supplied Heating Facilities. Every occupant of a dwelling unit or rooming unit shall be responsible for the exercise of reasonable care, proper use, and proper operation of supplied heating facilities.

6. Electrical Wiring. No temporary wiring or extension cords shall be used except extension cords which run directly from portable electric fixtures to convenience outlets and which do not lie beneath floor coverings or extend through doorways, transoms, or similar apertures and structural elements or attached thereto. The occupant shall not knowingly overload the circuitry of the dwelling unit or rooming unit.

7. Supplied Facilities. Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care, proper use, and proper operation thereof.

8. Fire Protection. It shall be the responsibility of the occupant to maintain operational early warning fire protection systems by means of replacing batteries as needed. If these systems become inoperable by mechanical failure, the occupant is required to notify the owner.

**156.11 COMPLAINTS.** All persons making complaints concerning the compliance with the provisions of this chapter of any dwelling, dwelling unit, rooming house or rooming unit shall do so in the following manner:

1. Before filing a complaint with the City, occupants shall provide the operator a written, dated notice providing sufficient detail to identify alleged violations. The notice shall be provided to operator by certified mail or delivery confirmation.

2. Instances of occupants making complaints concerning the dwelling or dwelling unit in which they reside, such tenant shall attach a dated copy of the notice in which they requested the owner or operator to correct the alleged violation, unless the complaint pertains to an emergency situation as determined by the City Administrator or his or her designee.

3. The complaints shall be in writing upon a form provided by the City of Clarion and signed by the complainant.

4. Such complaints shall state the address of the premises, the name of the owner, landlord or operator, and shall state the nature of the alleged violation with specificity.

5. It is a violation of the provisions of this chapter for an owner or operator to take reprisals against any tenant making a complaint under the provisions of this chapter. Any such reprisals shall constitute a municipal infraction.

6. Upon receipt of evidence that the operator has received proper notification as to an alleged violation and been given an appropriate amount of time to resolve the complaint, the City may within seven days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances or utilize any other remedy available to it under this Code of Ordinances, at law, or in equity.

#### 156.12 RIGHT OF ENTRY.

1. City code enforcement personnel are authorized and directed to enforce all of the provisions of this ordinance and Chapter 157 of this Code of Ordinances and to perform the duties of safeguarding the health, safety and welfare of the occupants of all rental dwellings and the general public.

2. City code enforcement personnel are authorized to enter and make inspection to enforce any of the provisions of this chapter, or whenever there is reasonable cause to believe that there exists in any building or upon any premises located within the City any condition or code violation which makes such building or premises unsafe, dangerous or hazardous.

3. City code enforcement personnel may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon them by this chapter, provided that said official shall first present proper credentials and request entry. Such official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and for entry.

4. City Code enforcement personnel may make inspections of all rental premises pursuant to the City's regular inspection program as frequently as may be necessary and may make an inspection at any reasonable time based upon the need for code enforcement.

5. If such entry is refused for regular request or complaint inspections, the City code enforcement personnel shall have recourse to every remedy provided by law to secure entry. When the City code enforcement personnel shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant or any other persons having charge, care or control of any building or premises, shall fail or neglect to promptly permit entry therein by the authorized personnel for the purpose of inspection and examination pursuant to this chapter.

**156.13 UNRECORDED LAND CONTRACTS OR PURCHASE AGREEMENTS.** For purposes of this chapter, any residential property which is the subject of an unrecorded land contract or purchase agreement shall be treated the same as rental property. The contract seller shall have the duties and responsibilities and shall be subject to the same penalties as the owner of rental property.

**156.14 CHAPTER DOES NOT IMPAIR AUTHORITY TO ACT ON NUISANCES.** Nothing in this chapter shall be construed or interpreted to impair or limit in any way the authority of the City to define and declare nuisances, or of the City Administrator, the Police Chief or other City officials to cause the removal or abatement of nuisances by summary proceedings or other appropriate proceedings or otherwise limit in any remedy available to the City under this Code of Ordinances, at law, or in equity.

**156.15 CHAPTER DOES NOT ABROGATE PROVISIONS OF OTHER CODES AND ORDINANCES.** The provisions of this chapter shall not abrogate the responsibility of any person to comply with any provision of other ordinances of the City.

**156.16 FEES.** The following fees shall be set by resolution of the Council, non-payment of which will constitute a municipal infraction:

1. Annual registration and triennial inspection, which are to follow a format of a set dollar amount for the first unit of each building, with a lesser fee for each additional unit of a building.  
2. Re-inspection.  
3. Late registration.  
4. Section 8 inspection filing fee.

**SECTION 2. REPEAL.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**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 after its final passage, approval and publication as provided by law.

Passed and adopted this 19<sup>th</sup> day of October, 2021, and approved this 19<sup>th</sup> day of October, 2021.  
CITY OF CLARION, IOWA  
Duane Asbe, Mayor  
ATTEST:  
Clint Middleton,  
City Administrator

Published in the Wright County Monitor on November 4, 2021

### PUBLIC NOTICE

#### Board of Supervisors Minutes October 18, 2021

**OCTOBER 18, 2021**

Supervisor Rasmussen called the regular meeting of the Wright County Board of Supervisors to order at 9:00 a.m. Members present were Rasmussen with Helgevoid present via zoom and Kluss absent.

Minutes from the previous regular meeting of October 11, 2021 were read and approved.

Approved claims for payment. In open forum, via zoom Bob Ritter spoke about the Summit Carbon Solutions pipeline going through Wright County.

Sandy McGrath with Wright County Public Health gave an update on the COVID cases in Wright County. There 30 new positive cases since last week with a total of 2,426 positive cases since March 2020. Wright County Public Health is working with the nursing homes to get the booster shot administered.

Adam Clemons, Wright County Engineer, gave an update on the Secondary Roads. The blades continue to work on getting rid of the wind rows in preparation for winter.

Crews will be starting to mow Zone 2 of the gravel road ditches. There were 39 work orders completed last week with 14 being tile, culvert and bridge work and 25 being brush cutting.

Rasmussen designated Helgevoid to be the person to act on half of the Board of Supervisors to sign documents on the opioid litigation.

Motion by Rasmussen and seconded by Helgevoid to receive the monthly revenue report from the Wright County Sheriff. Motion carries.

Motion by Helgevoid and seconded by Rasmussen to receive the quarterly revenue report from the Wright County Recorder. Motion carries.

Motion by Rasmussen and seconded by Helgevoid to receive the quarterly revenue report from the Wright County Auditor. Motion carries.

Motion by Rasmussen and seconded by Helgevoid to adjourn the meeting. Motion carries.

Rick Rasmussen, Supervisor Betty Ellis, Wright County Auditor Wright County Board of Supervisors

Published in the Wright County Monitor on November 4, 2021

## Legals are your right to know!!!!

## Clarion Police Log

In addition to regular patrols and activities, the Clarion Police Department responded to 38 total calls including 11 traffic stops between October 21 to October 27.

**October 21**

1:04 PM: Officers responded to an accident scene between the Casey's and Kum & Go parking lots. Caller informed dispatch caller's vehicle had been backed into.

1:55 PM: Officers responded to a report of forgery in the 400 block of 3rd Ave SW.

4:29 PM: Caller with information about an open case.

4:33 PM: Caller attempting to contact officer. Dispatch advised the caller they will inform the officer to return the call.

4:57 PM: Officer witnessed a large black truck intentionally run over a woman's foot in the 100 block of Central Ave E. Officer checked on the woman, who reported that truck occupants had taken her child. Officer called for assistance.

6:04 PM: Caller informed dispatch that a blue and red race car was speeding up and down their road, in the 900 block of 1st Ave. SE.

9:15 PM: Call for assistance. Subject left the hospital with a friend. Direction and means of travel unknown. Hospital advised they have verbal committal order from court. Awaiting hard copy.

**October 22**

4:47 AM: Hit & Run report. Caller reported that a medium blue extended cab Ford truck headed south at the intersection of Main and 1st Ave. struck an A frame sign in the middle of the road, destroying it and damaging the vehicle. Caller stated he'd moved the debris from the sign and the truck off the road.

9:22 AM: Call for assistance with a juvenile not in school. 400 block of 1st St. SE.

6:55 PM: Call for assistance. 600 block of 1st St. NE. Teenagers accidentally locked out. Caller requested officers

inform them not to damage property.

7:43 PM: Caller would like a return call from an officer regarding vehicle ownership dispute with ex-spouse.

9:20 PM: Caller reported suspicious activity. 3 men dressed in all black, with bags, running along HWY 3 towards Dollar General.

**October 23**

10:28 AM: Officers escorted vehicles from Church of Christ to Evergreen Cemetery.

**October 24**

12:04 AM: Fire alarm. Caller informed dispatch of a false alarm due to malfunction.

1:41 AM: Burglar alarm. Alarm company advised attempting to get ahold of a keyholder.

**October 25**

1:41 AM: Report of a suspicious vehicle on 400 block of S. Main.

1:50 PM: Accident at 2000 block of HWY 3. Complainant reported a pickup struck the rear end of a white car.

6:44 PM: Customer at Yes Way paying all change underpaid.

**October 26**

8:57 AM: Caller reported white Chevy SUV driving erratically 1 mile south of Clarion.

9:34 AM: Accident in Yesway parking lot between Ford Ranger and GMC Denali. No injuries.

10:45 AM: Report of