

CHAPTER 170

SUBDIVISION REGULATIONS

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170.01 PURPOSE. The purpose of this chapter is to provide minimum standards for the design, development and improvement of all new subdivisions and resubdivisions of land, so that existing land uses will be protected and so that adequate provisions are made for public facilities and services and so that growth occurs in an orderly manner, consistent with the Comprehensive Plan and to promote the public health, safety and general welfare of the residents of the City.

170.02 APPLICATION. Every owner of any tract or parcel of land who has subdivided or shall hereafter subdivide or plat said tract or parcel into three (3) or more parts, any of which are described by metes and bounds description for which no plat of survey is recorded for the purpose of laying out an addition, subdivision, building lot or lots, acreage or suburban lots within the City or within two (2) miles from the corporate limits of the City, shall cause plats of such areas to be made in the form and containing the information as hereinafter set forth before selling any lots therein contained or placing the plat on record.

(Ord. 02-60 - Jun. 02 Supp.)

170.03 RECORDING OF PLAT. No subdivision plat, resubdivision plat or street dedication within the City or within two (2) miles of the corporate limits of the City shall be filed for record with the County Recorder or recorded by the County Recorder until a final plat of such subdivision, resubdivision or street dedication has been reviewed and approved in accordance with the provisions of this chapter. Upon the approval of the final plat by the Council, it shall be the duty of the subdivider to immediately file such plat with the County Auditor and County Recorder as required by law. Such approval shall be revocable after thirty (30) days, unless such plat has been duly recorded and evidence thereof filed with the Clerk within such thirty (30) days.

170.04 FEES. The Council shall, from time to time, establish by resolution fees for the review of plats. No plat for any subdivision or resubdivision shall be

considered filed with the Clerk unless and until said plat is accompanied by the fee as established by resolution of the Council and as required by this chapter.

170.05 PENALTIES. Any person who disposes of or offers for sale any lot or lots within the area of jurisdiction of this chapter before the plat thereof has been approved by the Council and recorded as required by law, shall forfeit and pay fifty dollars (\$50.00) for each lot or part of lot sold, disposed of or offered for sale. Nothing contained herein shall in any way limit the City's right to any other remedies available to the City for the enforcement of this chapter.

170.06 BUILDING PERMIT TO BE DENIED. No building permit shall be issued for construction on any lot, parcel or tract where a subdivision is required by this chapter unless and until a final plat of such subdivision has been approved and recorded in accordance with this chapter and until the improvements required by this chapter have been accepted by the City.

170.07 DEFINITIONS. For use in this chapter, the following words are defined.

1. "Alley" means public property dedicated to public use primarily for vehicular access to the back or side of properties otherwise abutting on a street.
2. "Block" means an area of land within a subdivision that is entirely bounded by streets, railroad rights-of-way, rivers, tracts of public land or the boundary of the subdivision.
3. "City Engineer" means the professional engineer registered in the State designated as City Engineer by the Council or other hiring authority. In the alternative, the City may designate the Public Works Director to perform the duties designated herein to be performed by the City Engineer that are not required to be performed by a licensed engineer. If the City so chooses, all references herein to the City Engineer shall be synonymous with Public Works Director.

(Ord. 97-20 - Oct. 97 Supp.)

4. "Commission" means the Planning and Zoning Commission of the City, as established by Chapter 23 of this Code of Ordinances.
5. "Comprehensive Plan" means the general plan for the development of the City, which plan has been adopted by the Council. Such Comprehensive Plan includes any part of such plan separately adopted and any amendment to such plan or parts thereof.
6. "Cul-de-sac" means a street having one end connecting to another street and the other end terminated by a vehicular turnaround.
7. "Easement" means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of said person's property.

8. "Flood hazard area" means any area subject to flooding by a one percent (1%) probability flood, otherwise referred to as a one hundred year flood, as designated by the State Department of Natural Resources or the Federal Insurance Administration.
9. "Floodway" means the channel of a river or other watercourse and the adjacent lands that must be reserved in order to discharge the waters of a one hundred year flood without cumulatively raising the waterway surface elevation more than one (1) foot.
10. "Improvements" means changes to land necessary to prepare it for building sites including but not limited to grading, filling, street paving, curb paving, sidewalks, walkways, water mains, sewers, drainage ways and other public works and appurtenances.
11. "Lot" means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.
12. "Lot, corner" means a lot situated at the intersection of two streets.
13. "Lot, double frontage" means any lot which is not a corner lot which abuts two streets.
14. "Owner" means the legal entity holding title to the property being subdivided or such representative or agent as is fully empowered to act on the owner's behalf.
15. "Plat" means the map, drawing or chart on which the subdivider's plan for the subdivision is presented in the form which, if approved by the Council and Commission, will be filed and recorded with the County Recorder.
16. "Plats Officer" means the individual assigned the duty to administer this chapter by the Council or other appointing authority.
17. "Resubdivision" means any subdivision of land which has previously been included in a recorded plat. In appropriate context it may be a verb referring to the act of preparing a plat of previously subdivided land.
18. "Street" means public property, not an alley, intended for vehicular circulation. In appropriate context, the term "street" may refer to the right-of-way bounded by the property lines of such public property or may refer to the paving installed within such right-of-way.
19. "Street, arterial" means a street primarily intended to carry traffic from one part of the City to another, and not intended to provide access to abutting property.
20. "Street, major" means an arterial street or other street which has or is planned to have continuity to carry traffic from one section of the City to another.

21. "Subdivider" means the owner of the property being subdivided or such other person or entity empowered to act on the owner's behalf.

22. "Subdivision" means the division of land into two or more parts for the purpose, whether immediate or future, of transfer of ownership or building development. The term, when appropriate to the context, may refer to the process of subdividing or to land subdivided. However, the sale or exchange of small parcels of land to or between the owners of adjacent platted lots, where such sale or exchange does not create any additional lots and where the land sold or exchanged constitutes less than fifty percent (50%) of the area of the enlarged lot after such transfer, is not considered a subdivision.

23. "Utilities" means systems for the distribution or collection of water, gas, electricity, waste water and storm water.

170.08 PRE-APPLICATION; REQUIRED PLANS AND DATA.

1. General subdivision information shall describe or outline existing conditions of the site and the proposed development as necessary to supplement the drawings required below. This information may include data on existing covenants, land, characteristics and available community facilities and utilities; and information describing the subdivision proposal such as a number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and street improvements.

2. Location shall show the relationship of the proposed subdivision to existing community facilities which serve or influence it. Included are development name and location; main traffic arteries, public transportation lines; shopping centers; elementary and high schools; parks and playgrounds; principal places of employment; other community features such as railroad stations, airports, hospitals and churches; title; scale; north arrow and date.

3. Sketch plan on topographic survey shall show in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free-hand pencil sketch made directly on a print of the topographic survey. In any event the sketch plan shall include either the existing topographic data listed in Section 170.09 below or such of these data as the Commission determines necessary for its consideration of the proposed sketch plan.

170.09 INFORMATION REQUIRED ON PRELIMINARY PLAT. In seeking to subdivide land into lots and/or to dedicate streets, alleys or other lands for public use, the owner shall submit four copies of a preliminary plat to the Commission before submission of a final plat. The preliminary plat shall be drawn

to a scale of 100 feet to 1 inch or larger and shall show or be accompanied by the following:

1. The dimensions and location of the property to be platted.
2. The location of property lines, buildings, water courses, tree masses and other existing features affecting the plat.
3. The location and width of proposed and existing streets, alleys and lots included in the plat; also similar facts regarding streets and alleys in the property immediately adjacent.
4. The location and size of existing public sewers, gas and water mains within the tract immediately adjacent thereof.
5. The names and location of all adjoining subdivisions.
6. The title under which the proposed subdivision is to be recorded and the name of the subdivider.
7. Contours at intervals of two feet or less.
8. The scale, date and north point.
9. The plat shall be accompanied by a written and signed statement in which the subdivider sets forth the proposed restrictions, easements, building lines, public improvements, etc. within the area of the plat. The plat must meet all requirements of the zoning regulations for the district in which it is located and shall be in general conformity with the Comprehensive Plan.
10. The plat shall be plainly marked "Preliminary Plat."
11. The plat shall be accompanied by three (3) reduced copies no larger than 8.5 x 14 inches for submission to members of the Planning and Zoning Commission for review. *(Ord. 97-20 - Oct. 97 Supp.)*

170.10 PROCEDURE FOR APPROVAL OF PRELIMINARY PLAT. Four copies of the preliminary plat, one copy of an attorney's title opinion addressed to the Commission, together with three copies of the owner's statement, shall be filed with the Commission and there shall forthwith be referred one copy of the plat and a copy of the owner's statement to the City Engineer. The City Engineer shall examine said plat as to its compliance with the laws and ordinances of the City, the existing street system, and good engineering practices and shall submit findings in duplicate to the Commission, together with the copy of the plat received. When the Engineer's report is received by the Commission, it shall then set forth its recommendations in writing, whether of approval, modification or disapproval. In case of modification or disapproval, it shall give its reasons therefor. The Commission shall forthwith submit all four copies of the preliminary plat, together with a copy of the owner's statement, a copy of the Engineer's report and a signed copy of its recommendations to the Council. The Council shall then take action upon the preliminary plat, certifying its approval or disapproval. In case of

disapproval, it shall give its reasons therefor. If approved and all four copies duly certified, one copy shall be delivered to the Commission, one to the City Engineer, one to the Clerk and the fourth shall be returned to the owner or subdivider. The approval of the preliminary plat by the Council does not constitute acceptance of the subdivision, but shall be authorization to proceed with the preparation of the final plat.

170.11 INFORMATION REQUIRED ON FINAL PLAT. The final plat shall be drawn to a scale of 100 feet to 1 inch or larger and shall show or be accompanied by the following:

1. The boundaries of the property and lines of all proposed streets and alleys, with their widths and names and the lines and dimensions of any other portions intended to be dedicated to the public use, and the centerline elevations duly recorded.
2. All lots lines, and an identification system for all lots and blocks, with figures showing their dimensions.
3. Building lines and easements for any rights-of-way provided for public use, services or utilities, with figures showing their dimensions, unless the subdivider desires to describe the easements for public use, services or utilities in the owner's statement of the plat.
4. All dimensions, both linear and angular, necessary for locating lots, tracts or parcels of ground, streets, alleys and easements, and the boundaries of the subdivision; the linear dimensions are to be expressed in feet and decimals of a foot.
5. The necessary functions for all curvilinear lines and streets and radii for all rounded corners.
6. All survey monuments, ties to a section or quarter section corner, and bench marks, together with their description and measurements relative to the plat.
7. Name of subdivision, location and extent of property subdivided, points of compass, scale and date of plat.
8. Where previous easements appear on a separate instrument, reference to such instrument shall be made on the plat.
9. Complete engineering data covering cross sections, profiles and proposed grades for the improvements required, all to the satisfaction of the City Engineer.
10. The final plat shall be accompanied by the following instruments:
 - A. Certification under seal by a land surveyor, licensed under the laws of the State.

- B. A certified statement from the owner and spouse, if any, that the subdivision as it appears on the plat is with their free consent and is in accordance with the desires of the owner and spouse;
- C. An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall not the encumbrances, along with any bonds securing the encumbrances.
- D. A certified statement from the Treasurer of the County that the land is free from taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by a bond in compliance with Section 354.12 of the Code of Iowa.
- E. A certified statement from the Clerk of the District Court that the land platted is free from all judgments, attachments, mechanics or other liens as appears by the record in that office.
- F. Resolution and certificate for approval by the Council and signature of the Mayor and Clerk.

170.12 PROCEDURE FOR APPROVAL AND ACCEPTANCE OF FINAL PLAT. Four copies of the final plat, together with three copies of the owner's statement, shall be submitted to the Commission, and there shall forthwith be referred one copy of the plat, together with a copy of the owner's statement to the City Engineer. The City Engineer shall carefully examine said plat as to its compliance with the approved preliminary plat and shall submit findings in duplicate to the Commission, together with a copy of the plat received. When the Engineer's report is received by the Commission, it shall, as soon as possible, consider said report and pass upon the plat. When the final plat has been passed upon by the Commission, all four copies of the plat shall forthwith be transmitted to the Council, together with a copy of the owner's statement, a copy of the Engineer's report and a signed copy of its approval to the Council. When the final plat has been approved by the Council and all four copies duly certified, one copy shall be delivered to the Commission, one copy to the City Engineer, one to the Clerk and the fourth copy to the owner or subdivider for filing with the County Recorder. If the plat is disapproved by the Council such disapproval shall point out wherein said proposed plat is objectionable.

170.13 MINIMUM STANDARDS OF DESIGN AND DEVELOPMENT.

1. Standards Prescribed. The standards set forth in this chapter shall be considered the minimum standards necessary to protect the public health, safety and general welfare.

2. Land Suitability. No land shall be subdivided which is found to be unsuitable for subdividing by reason of flooding, ponding, poor drainage, adverse soil conditions, adverse geological formations, unsatisfactory topography or other conditions likely to be harmful to the public health, safety or general welfare, unless such unsuitable conditions are corrected to the satisfaction of the City. If land is found to be unsuitable for subdivision for any of the reasons cited in this section the Council shall state its reasons in writing and afford the subdivider an opportunity to present data regarding such unsuitability. Thereafter, the Council may reaffirm, modify or withdraw its determination regarding such unsuitability.
3. Lands Subject to Flooding. No subdivision containing land located in a floodway or a flood hazard area shall be approved by the City without the approval of the State Department of Natural Resources. No lot shall be located so as to include land located within a floodway or flood hazard area unless the lot is of such size and shape that it will contain a buildable area not within the floodway or flood hazard area, suitable for development as allowed by the Zoning Code for the zone in which the lot is located. Land located within a flood hazard area or a floodway may be included within a plat as follows, subject to the approval of the City:
 - A. Included within individual lots in the subdivision, subject to the limitations of this section.
 - B. Reserved as open space for recreation use by all owners of lots in the subdivision, with an appropriate legal instrument, approved by the City, providing for its care and maintenance by such owners.
 - C. If acceptable to the City, dedicated to the City as public open space for recreation or flood control purposes.
4. Plat to Conform to Comprehensive Plan. The arrangement, character, extent, width, grade and location of all streets and the general nature and extent of the lots and uses proposed shall conform to the Comprehensive Plan of the City; and shall conform to such other plans, including but not limited to a Major Street Plan, a Sanitary Sewer Plan or a Parks and Open Spaces Plan.
5. Construction Standards for Improvements. In addition to the standards set forth in this chapter, the City Engineer shall from time to time prepare, and the Council shall from time to time adopt by resolution, technical standards for public improvements. Such technical standards for public improvements shall contain the minimum acceptable specifications for the construction of public improvements and may vary for classes of improvements, giving due regard to the classification of streets or other improvements, and the extent and character of the area served by the

improvements. Upon adoption by the Council by resolution, such technical standards for public improvements shall have such force and effect as if they were fully set forth herein.

6. Acreage Subdivisions. Where the parcel of land is subdivided into larger tracts than ordinarily used for building lots, such parcel shall be divided so as to allow for the opening of major streets and the ultimate extension of adjacent minor streets. Easements providing for the future opening and extension of such streets may, at the discretion of the Council, be made a requirement of the plat.

7. Relation to Adjoining Street System. New subdivisions shall make provisions for the continuation of the principal existing streets in adjoining additions (or for their proper projection where adjoining property is not subdivided) insofar as they may be necessary for public requirements. In general, such streets shall be of a width as great as that of the streets so continued or projected but shall not be less than the minimum width requirements.

8. Street Arrangements. The street system shall be so arranged to comply as far as practicable with the major street plan of the City. Streets shall intersect as nearly as possible to a right angle and in no case shall they intersect at less than 60 degrees. No street shall be parallel or approximately parallel to a railroad, unless it is 150 feet or more from the line of the railroad right-of-way. Street jogs with centerline offsets of less than 125 feet shall be avoided.

9. Street Right-of-ways.

A. The widths for all street rights-of-way shall conform with the following table, which refers to street types as designated on the Major Street Plan:

RIGHT-OF-WAY STREET TYPES	IN FEET
State Arterials	Requirements set by Iowa DOT
Regional Arterials	80 feet
Community Arterials	70 feet
Collector Streets	60 feet
Minor Streets	60 feet

B. The minimum width for streets shall be 60 feet between property lines, except that in cases where the topography or special

conditions make a street of less width more suitable, the Commission and Council may waive the above requirements.

C. Half streets are prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and where the Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted with such tract.

10. Street Grades. Street grades, if practical, shall not exceed six percent for all minor streets.

11. Alleys. The minimum width of an alley in a residential block shall be 20 feet (alleys are not recommended for residential districts except under unusual conditions). Alleys will be required in the rear of all business lots and shall be at least 24 feet wide. Dead-end alleys shall be avoided where possible, but if unavoidable shall be provided with adequate turnaround facilities at the dead end.

12. Easements Where There Are No Alleys. Where alleys are not provided, easements of not less than five feet shall be provided on each side of all rear lots and side lines where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains. Easements of greater width may be required along lines or across lots where necessary for the extension of main sewers and similar utilities. The subdivider shall consult with the City Engineer and the managers of local utility companies regarding need and location of easements.

13. Places. Where it is desired to subdivide a parcel of land, which because of its size or location does not permit a normal lot or street area, there may be established a "place." Such a place may be in the form of a court, non-connecting street or other arrangement, provided, however, that proper access shall be given to all lots from a dedicated place (street or court). If any dead-end place is more than 250 feet in length, it shall terminate in an open space, preferably circular, having a minimum diameter of 100 feet. Except in unusual instances, no dead-end street or place shall exceed 600 feet in length.

14. Blocks. All blocks shall be required to have a maximum length of 500 feet.

15. Lot Lines. All side lines of lots shall be at right angles to straight street lines or radial to curved street lines, unless a variation to this rule will give a better street and lot plan. Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential

development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use and no right of access shall be provided across said easement.

16. Size and Shape of Lots. Minimum lot size shall be governed by the City Zoning Regulations. Lots shall be conveniently shaped and the depth of lots shall generally not exceed their width by more than 2½ times provided the width is at least 60 feet at the building line. Each lot shall have at least 20 feet of frontage on a street.

17. Corner Lots. Corner lots on major street intersections and at all other points likely to be dangerous shall have a radius of not less than 15 feet at the street corner. On business lots, a chord may be substituted for the circular arc. Corner lots shall not be less than 70 feet in width.

18. Street Names. Streets that are obviously in alignment with others already existing and named shall bear the name of existing streets; otherwise, names shall not duplicate existing street names and names similar to existing street names shall not be permitted.

19. Building Lines. Building lines shall be shown on the plat or included in the owner's statement on all lots whenever the depth of such building lines is greater than those required by the Zoning Code. Provisions shall be made in the owner's statement requiring all enclosed parts of buildings to be set back to such building lines.

20. Character of Development. The Commission and the Council may require that certain minimum regulations regarding type and character of development be incorporated in the owner's statement of plat. Such regulations shall be intended to protect the character and development of the platted subdivision, as well as that of the surrounding development.

21. Easements Along Streams and Water Courses. Whenever any stream or surface water course is located in an area that is being subdivided, the subdivider shall, at his or her own expense, make adequate provisions for the proper drainage of surface water and shall also provide and dedicate to the City an easement along said streams and water courses meeting the approval of the Council.

170.14 IMPROVEMENTS. Before the final plat of any subdivision area shall be approved and recorded, the subdivider shall make and install the improvements required in this section. In lieu of final completion of the required improvements, before the final plat is finally approved, the subdivider shall enter into contract with the City to insure the completion of the improvement within a specific time not to exceed 180 days. The performance of said contract shall be secured by the filing of

a bond (or cash) to be approved by the Council. Said bond or cash shall not be less than the approximate cost of the improvements as estimated by the City Engineer.

1. Street Grading and Surfacing. All streets within any subdivision shall be brought to grade established from the City datum plane. All street surfaces shall conform in width with the following table which refers to street types as designated on the Major Street Plan.

MINIMUM WIDTHS OF STREETS	
STREET TYPE	STANDARDS
State Arterials	Requirements set by the Iowa DOT
Regional Arterials	24 to 48 feet plus curbs
Community Arterials	24 to 48 feet plus curbs
Collector Streets	30 feet plus curbs
Minor Streets	28 feet plus curbs
Cul-de-sac	45 feet minimum radius plus curb

All streets shall be paved with at least six (6) inches of concrete or equivalent as approved by the Council after receiving the report and recommendation of the City Engineer. All streets shall have integral curb and gutter according to the City Engineer’s specifications. The Planning and Zoning Commission, upon application by the subdivider and appropriate review and approval by the City Engineer, may consider alternative street construction.

(Ord. 97-20 - Oct. 97 Supp.)

2. Water Service. The subdivider shall connect with the public water main and provide water connections to each lot in accordance with the standards and procedures established by the City Waterworks. The cost of construction of all such water mains and connections with existing public water mains shall be paid by the subdivider.
3. Sanitary Sewers. The subdivider shall connect or provide for the connection with sanitary sewers and shall provide within the subdivision the sanitary sewer system required to make the sewer accessible to each lot in the subdivision. The cost of all such sanitary sewers shall be borne by the subdivider. Said sanitary sewer system shall be approved by the Council and the Board of Health of the State and the construction thereof shall be subject to the supervision of the City Engineer.
4. Storm Sewers. The subdivider shall be required to construct storm sewers in accordance with Chapter 2, Storm Water Management and

Drainage for public improvements of the 2005 edition or latest edition of the *Iowa State-wide Urban Design Standards (SUDAS)* in each development.

(Ord. 05-82 – Apr. 05 Supp.)

5. Engineering. The City shall not be responsible for engineering costs associated with new development. All the above mentioned facilities constructed under the provisions of this chapter shall be inspected and shall be subject to the approval of the City Engineer or a representative of the City acting in the capacity of City Engineer and the subdivider shall reimburse the City for all costs of inspection. All material used shall be required to meet all of the following standards: American Association of State Highway Officials, American Society for Testing Materials, American Waterworks Association and Iowa Highway Commission specifications.

6. Off-street Parking. Each lot shall have off-street parking facilities.

7. Other Improvements. The Council may also require certain other improvements such as sidewalks and any other accessories normally found in residential areas.

8. The subdivider shall be required to construct all public improvements in accordance with the 2005 edition or latest edition of the *Iowa State-wide Urban Design Standards (SUDAS)* in each development.

(Ord. 05-83 – Jul. 05 Supp.)

170.15 PLATS SITUATED OUTSIDE THE CITY. All additions, subdivisions and resubdivisions of property situated within two (2) miles, as provided in Section 354.9 of the Code of Iowa, from the corporation limits of the City which require action by the Commission and Council shall comply with the foregoing regulations. The owner's statement of plat shall include a statement to the effect that all buildings to be erected on any of the lots shall be constructed in accordance with the Zoning Code of the City.

170.16 CHANGES AND AMENDMENTS. Any of the provisions of this chapter may be changed and amended at any time by the Council; provided, however, such changes or amendments shall first be submitted to the Commission for report and recommendations, and shall not be effective until after the Council has held a public hearing thereon. Notice of any such public hearing shall be given by publication of a newspaper having general circulation in the City and shall be published at least 15 days prior to the date fixed for public hearing thereon.

170.17 VARIANCES. Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this ordinance would result in extraordinary hardship to the subdivider, the Council may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured. Provided, however, such variance, modification or waiver will not

have the effect of nullifying the intent and purpose of this chapter. In no case shall any variance or modification be more than minimum easing of the requirements as necessary to eliminate the hardship. In so granting a variance, the Council may impose such additional conditions as are necessary to secure substantially the objectives of the requirements so varied, modified or waived.

170.18 ENFORCEMENT. When the Zoning Administrator is apprised of any violation of this chapter or the disregard or ignorance of any of the provisions thereof, said officer shall, after proper investigation and confirmation, notify the owner in writing. If the owner of the property is not available for such notice, the Zoning Administrator may notify the person causing such violation, if other than the owner, or the tenant or agent of such owner. If prompt correction of such violation is not made within three (3) days after the service of such notice, the Zoning Administrator is authorized in the name of the City to institute injunction proceedings or any other proper proceedings in the District Court to restrain and enjoin said violation of this chapter.