

**ORDINANCE NO. 644**  
**AN ORDINANCE AMENDING THE CODE OF**  
**ORDINANCES OF THE CITY OF HAWARDEN, IOWA,**  
**BY ADDING A NEW SECTION DECLARING A**  
**TEMPORARY MORATORIUM ON THE ISSUANCE OF**  
**BUILDING PERMITS FOR ACCESSORY BUILDINGS**  
**IN RESIDENTIAL DISTRICTS**

**BE IT ENACTED** by the City Council of Hawarden:

**Section 1. Amendment.** The Hawarden Municipal Code is hereby amended to add a new section 167.25 entitled TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS which is hereby adopted to read as follows:

**167.25 TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS** No building permits for an accessory building to be erected within a residential district in the City of Hawarden shall be issued by the building official from the date of publication of this Ordinance until two (2) months from such date. The moratorium provided for herein shall not be construed to deprive any person, firm or corporation of a vested right that such person, firm or corporation may have acquired as a matter of law for the issuance of a building permit as of the effective date of the adoption of this section. Any person, firm or corporation aggrieved by or adversely affected by the building official's refusal to issue a building permit pursuant to this moratorium shall appeal therefrom to the city council.

**Section 2. Severability.** If any section, provision, or part of this ordinance shall be adjudged to be 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 3. Effective Date.** This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed and approved this 22<sup>nd</sup> Day of August, 2007.

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Ricard R. Porter, Mayor

ATTEST:

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Jason Metten, City Administrator

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<b><u>First Reading:</u></b>	<b><u>August 22nd, 2007</u></b>
<b><u>Second Reading:</u></b>	<b><u>Waived</u></b>
<b><u>Third Reading:</u></b>	<b><u>Waived</u></b>

I hereby certify that the foregoing Ordinance No.644 was published in the Hawarden Independent, a newspaper printed and published and has circulation in the City of Hawarden, Iowa on the 13th day of September, 2007.

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Jason R. Metten, City Administrator/City Clerk