

ORDINANCE NO. 2024-25

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF VAN METER, IOWA, BY AMENDING PROVISIONS PERTAINING TO SECTION CHAPTER 161 RENTAL HOUSING CODE AND CHAPTER 165 ZONING CODE

Be It Enacted by the City Council of the City of Van Meter, Iowa:

SECTION 1. DEFINITION ADDED. Definition added to Chapter 165 Zoning Regulations of the Code of Ordinances of the City of Van Meter, Iowa, is added causing the renumber of the remaining definitions:

59. "Short-Term Rental" means any residential property, dwelling, condominium, or portion thereof that is available for use or is used for accommodations or lodging of guests, who pay a fee or other compensation, for a period of less than thirty-one (31) consecutive days. "Vacation rentals" or "Short-Term Rental" means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests and which are known in the trade as such. The terms "Vacation Rental" or "Short-Term Rental" do not include any hospital, convalescent or nursing home or sanitarium, or any facility associated with a hospital providing rooms for medical patients and their families, nor do they include any hotel, motel, or bed and breakfast facility.

60. "Sign" means any structure or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public. Any non-illuminated or illuminated sign with non-moving, non-flashing, and non-rotating light conforming to the applicable standards set forth in the categories below is exempt from the general sign requirements of each zoning district. However, such sign must meet all other requirements described for its category

- A. Directional/Informational Signs. Up to four free-standing on-premises signs per nonresidential lot with a maximum height of three feet and a total maximum sign area per lot not to exceed 32 square feet. One off-premises sign for an institutional use may be allowed by special permit from the Zoning Administrator.
- B. Flags. Any official governmental flag, or flag displaying the recognized symbol of a non-profit organization.
- C. Historical Marker. A marker, monument, plaque, or other type sign or notice located on public or private property which identifies documents or records an historical event pertaining to the structure on which it is located. One sign per building no larger than 12 square feet is permitted.
- D. Incidental Signs. A sign pertaining to specific products services, or facilities available on the premise. A maximum of five signs per nonresidential lot with a total maximum of 32 square feet.
- E. Institutional Signs. An on-premises sign pertaining to a medical, charitable, religious, educational, or civic institution with a maximum size of 40 square feet.

61. "Specified anatomical areas" means:

- A. Less than completely and opaquely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola; and

B. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

62. “Specified sexual activities” means:

A. Human genitals in a state of sexual stimulation or arousal;

B. Acts of human masturbation, sexual intercourse or sodomy; and fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

63. “Story” means that portion of a building between the surface of any floor and the surface of the floor next above it, or if there is no floor above it the space between such floor and the ceiling next above it.

64. “Street” means a public or private thoroughfare, being a right-of-way of a required width, which affords a primary means of access to abutting property.

65. “Structure” means anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, including satellite receiving antenna.

66. “Structural alteration” means any change in the supporting members of a building, including (but not limited to) bearing walls, load bearing partitions, columns, beams, or girders, or any substantial change in the exterior walls or roof, beyond ordinary repairs and maintenance.

67. “Yard” means an open space on the same lot with a building or structure open, unoccupied, and unobstructed by structures, except as otherwise provided in this chapter.

68. “Yard, front” means an open space extending across the full width of the lot and lying between the front lot line and the nearest line of the principal building, other than the usual projection of steps.

69. “Yard, rear” means an open space extending across the full width of the lot and lying between the rear lot line and the nearest line of the principal building, other than the usual projection of steps.

70. “Yard, side” means an open space extending from the front yard to the rear yard between a building and the side lot line.

SECTION 2. DEFINITION ADDED. Definition added to Chapter 161 Rental Housing Code of the Code of Ordinances of the City of Van Meter, Iowa, is added causing the renumber of the remaining definitions:

6. “Short-Term Rental” means any residential property, dwelling, condominium, or portion thereof that is available for use or is used for accommodations or lodging of guests, who pay a fee or other compensation, for a period of less than thirty-one (31) consecutive days. “Vacation rentals” or “Short-Term Rental” means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests and which are known in the trade as such. The terms “Vacation Rental” or “Short-Term Rental” do not include any hospital, convalescent or nursing home or sanitarium, or any facility associated with a hospital providing rooms for medical patients and their families, nor do they include any hotel, motel, or bed and breakfast facility.”

7. "Tenant" means a person occupying a dwelling unit who pays, or has payments made on the individual's behalf, a stated payment at fixed intervals for the use of the dwelling unit. The term includes a person occupying a dwelling unit owned by another individual, who in return for housing agrees to occupy and maintain the premises. Payment of utilities is not required under the terms of this chapter for a person to be considered a "tenant" within the meaning of this chapter.

SECTION 3. AMENDMENT TO SECTION 161.02 Title and Purpose. Amended to read as stated below:

This chapter shall be known as the City of Van Meter Rental Housing Code. The purpose of this chapter is to ensure that rental housing facilities and short-term rentals and the conditions of such facilities are of sufficient quality to protect and promote the health, safety and welfare of those persons utilizing such housing as well as the general public.

SECTION 4. 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 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the _____ day of _____, _____, and approved this _____ day of _____, _____.

Mayor

ATTEST:

City Clerk
First Reading: _____
Second Reading: _____
Third Reading: _____

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, _____.

City Clerk