

ORDINANCE No. 219

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE
CONCERNING DEFINITIONS

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN
METER, IOWA:**

SECTION 1: Purpose. The purpose of this Ordinance is to amend the Van Meter Municipal Code to provide for a clearer regulatory scheme concerning the City's authority to review divisions of property inside and outside of the City.

SECTION 2: Amendment.

- (1) Section 170.12.370 is to be amended, with the following language to be substituted for the existing language and the existing language to be stricken entirely:

165.07.07 Subdivision. "Subdivision" means division of land into two (2) or more lots for the purpose, whether immediate or future, or transfer of ownership, or the creation of a defined lot from the remainder parcel from a prior division of land. A division of land which creates a street right-of-way or modification of existing street right-of-way shall be considered a division of property under the provisions of this definition. A division of land for the purpose of adjusting boundaries which does not create a new and independent parcel capable of building development shall not be considered a division of land for purposes of this definition. The creation of easements which do not affect the taxable status of land shall not be considered a division of land for purposes of this definition. The creation of easements which affect the taxable status of land shall be considered a division of land for purposes of this definition.

The term "subdivision", when appropriate to the context, relates to the process of subdividing or to the land subdivided or to the resubdivision of land divided or platted into lots, or any other division of land including the creation of a parcel from a previously divided tract of land.

- (2) A new section, Section 170.12.291 is hereby created, with the following language:

170.12.291 Plat of Survey. "Plat of Survey" means a graphic presentation on which a plan for the division of land is presented. A plat of survey that creates a division of land as defined in 170.12.370 shall be considered a subdivision and subject to the provisions of Chapter 170.

SECTION 3: Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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: Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the City Council of the City of Van Meter, Iowa, on this 14th day of February, 2010, and approved this 14th day of February, 2011.

FRED SCALETTA, MAYOR

ATTEST:

JAKE ANDERSON, CITY CLERK