

ORDINANCE 15-24

AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY ADOPTING THE LATEST EDITION OF THE STATEWIDE URBAN DESIGN SPECIFICATIONS PROGRAM (SUDAS) AND MAKING CORRESPONDING AMENDMENTS TO VARIOUS SECTIONS OF THE CODE OF ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. Chapter 5 of the Code of Ordinances is amended by adding the following new section:

**5.16 SUDAS.** The City of Marion hereby adopts the 2015 edition of the Statewide Urban Design and Specifications Program, as Marion's design specifications and manual. These specifications and manual may be known as and cited as "SUDAS". SUDAS as adopted herein replaces the Metropolitan Area Engineering Design Standards and the Cedar Rapids Metropolitan Standards and Specifications previously in effect in Marion. Subsequent updated editions of SUDAS will be adopted by the Marion City Council by resolution.

Section 2. Section 96.10 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

**96.10 PUBLIC SEWER EXTENSIONS.** The construction of sewers which are to be connected to and become a part of the public sewer system shall be done in conformity with the current *SUDAS* for sewer construction on file in the office of the City Engineer. Plans and the appropriate State Department of Natural Resources schedules shall be submitted to and approved by the City Engineer and the Council prior to commencement of work. The City Engineer will then issue a "Construction Permit". For all other user types a "Construction Permit" must be obtained from the Iowa Department of Natural Resources and as hereinafter provided.

Section 3. Section 96.11 of the Code of Ordinances is amended by deleting numbered paragraphs 1 and 2 the same and inserting the following in lieu thereof:

1. 1. Prior to construction a plan of improvement must be prepared by a registered Civil Engineer and submitted for review and approval by the City Engineer. The design of the system shall be in accordance with the requirements of the latest edition of the SUDAS as approved by the City Council and in accordance with the requirements of the Iowa Department of Natural Resources. IDNR sanitary sewer permit forms must be submitted with the plan of improvements.

2. 2. A notice approving the plan of improvements along with two (2) stamped copies of the same will be supplied to the owner authorizing construction. All construction must be done in accordance with the approved plans, and the latest edition of SUDAS as approved by the City Council. No changes to the plans may be made in the field without written authorization of the City Engineer.

Section 4. Section 140.12 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

**140.12 ACCESS ON PUBLIC STREETS; VARIANCES.** The City Engineer shall not authorize any public or private access to a public street, except in accordance with the provisions of the latest edition of SUDAS as approved by the City Council. Variances and appeals from the access standards referenced in this section may be taken to the Council. Variances may be granted where the exercise of sound and reasonable judgment indicates that the literal enforcement of the criteria would cause an undue hardship to any interested party. The nonrefundable fee for applying for an access permit shall be established by Council resolution to reflect the current costs of issuing the permit and supervising, regulating, and inspecting the work.

Section 5. Section 141.07 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

**141.07 SIDEWALK STANDARDS.** Sidewalks repaired, replaced or constructed under the provisions of this chapter shall be in accordance with the latest edition of the Statewide Urban Design and Specifications Design Manual as approved by the City Council.

Section 5. Sections 145.04 and 145.05 of the Code of Ordinances are amended by deleting the same and inserting the following in lieu thereof:

**145.04 DRIVEWAY CONSTRUCTION.** All driveways shall be constructed in conformance with the latest edition of SUDAS as approved by the City Council.

**145.05 EXCAVATIONS.** Excavations to do work under this section shall be dug as to occasion the least possible inconvenience to the public and to provide for the passage of water along the gutter. All such excavations shall have proper barricades at all times, pursuant to latest edition of SUDAS as approved by the City Council. Any street, sidewalk or other public property that is affected by the work shall be restored to as good a condition as it was previous to the excavation. The affected area shall be maintained in good repair to the satisfaction of the Council for four years.

Section 6. Section 146.18 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

**146.18 CONSTRUCTION STANDARDS.** All removals, construction and restoration shall be in conformance with the latest edition of SUDAS as approved by the City Council.

Section 7. Section 151.09 of the Code of Ordinances is amended by deleting subparagraph 6 of the same and inserting the following in lieu thereof:

**151.09 SITE DRAINAGE REQUIREMENTS.** A storm water management plan shall be developed in accordance with the latest edition of SUDAS as approved by the City Council. Said plan must receive approval by the City Engineer.

Section 8. Section 151.12 of the Code of Ordinances is amended by deleting subparagraph 5 of the same and inserting the following in lieu thereof:

1. 5. Street Construction and Design Standards. All other street design and construction shall be in accordance with the latest edition of SUDAS as approved by the City Council

Section 9. Section 151.14 of the Code of Ordinances is amended by deleting subparagraph 5 of the same and inserting the following in lieu thereof:

**151.14 WALKS.** All communities shall be provided with City sidewalks in all perimeter areas adjacent to the public right-of-way. All sidewalks shall be constructed in accordance with latest edition of SUDAS as approved by the City Council.

Section 10. Section 151.19 of the Code of Ordinances is amended by deleting subparagraph 2 of the same and inserting the following in lieu thereof:

1. 2. Sewer Lines. All sewer mains and laterals shall be constructed according to the latest edition of SUDAS as approved by the City Council and connected to the City sewer system. For private sewer mains, PVC pipe SDR 35 A.S.T.M. D 3034 or equivalent is acceptable.

Section 11. Section 155.02 of the Code of Ordinances is amended by deleting subparagraph 6 of the same and inserting the following in lieu thereof:

6. "Design Standards Manual" means the latest edition of SUDAS as approved by the City Council.

Section 12. Section 155.06 of the Code of Ordinances is amended by deleting subparagraph 1 and 4 of the same and inserting the following in lieu thereof:

1. Clearing and grubbing shall be performed according to Section 2010 of the SUDAS Specifications Manual.

4. Finish grading shall be according to Section 2010 of the SUDAS Specifications Manual.

Section 13. Section 156.02 of the Code of Ordinances is amended by deleting subparagraph 8 of the same and inserting the following in lieu thereof:

1. 8. "Design Standards Manual" means the latest edition of of SUDAS as approved by the City Council.

Section 14. Section 156.07 of the Code of Ordinances is amended by deleting subparagraph 1 of the same and inserting the following in lieu thereof:

1. For purposes of obtaining approval of a Storm Water Management Plan, an Iowa Licensed Professional Engineer, certified Inspector of Sediment and Erosion Control, or Landscape Architect shall design storm water drainage facilities in conformance with SUDAS. Storm water drainage facilities shall be designed with appropriate BMP's such as detention and retention basins, grass swales, buffer strips, bio-retention and other similar types of infiltration basins and riparian areas, that will convey drainage through the property to one or more treatment areas such that no development shall cause downstream property owners, water courses, channels or conduits to receive storm water runoff from the proposed development site at a peak flow greater than that allowed by the standards in effect at the time of approval of the development.

Section 15. Section 175.02 of the Code of Ordinances is amended by deleting subparagraph 16 of the same and inserting the following in lieu thereof:

16. "Design Standards Manual" means the latest edition of SUDAS as approved by the City Council.

Section 16. Section 141.07 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

**141.07 SIDEWALK STANDARDS.** Sidewalks repaired, replaced or constructed under the provisions of this chapter shall be in accordance with the latest edition of of SUDAS.

Section 17. Section 155.02 subparagraph 25 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

25. "Standard Specifications" means the latest edition of latest edition of of SUDAS as approved by the City Council.


Section 18. Section 160.50 subparagraph C of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

(C) Pump discharge pipe shall be installed as per the requirements of the City of Marion Plumbing Code with connections to City storm sewer as provided in the latest edition of SUDAS as approved by the City Council.

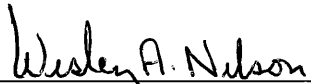
Section 19. Resolution 12469 adopted January 9, 1997 which adopted the Cedar Rapids Metro Specifications is repealed.

Section 20. This Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

Passed and approved this 17th day of December, 2015.

  
\_\_\_\_\_  
Snooks Bouska, Mayor

ATTEST:

  
\_\_\_\_\_  
Wesley A. Nelson, City Clerk

**CERTIFICATE OF SERVICE**  
The undersigned City Clerk of Marion, Iowa certifies that the Ordinance shown immediately above was published in the Marion Times on the 26 day of December, 20 15.  
Wes Nelson  
\_\_\_\_\_  
City Clerk

## **PUBLIC NOTICE**

### **SUMMARY OF ORDINANCE 15-24**

Pursuant to Section 380.7(2) of the Code of Iowa, Notice is hereby given of the passage of Ordinance 15-24 entitled "*An Ordinance amending the code of ordinances by adopting the latest edition of the Statewide Urban Design Specifications Program (SUDAS) and making corresponding amendments to various sections of the code of ordinances.*"

The following is an abstract or synopsis of the essential elements of the Ordinance:

The Code of Ordinances is amended by adding the following new section:

5.16 SUDAS

Section 96.10 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

96.10 Public Sewer Extensions

Section 96.11 of the Code of Ordinances is amended by replacing numbered paragraphs 1 and 2.

Section 140.12 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

140.12 Access on Public Streets; Variances

Section 141.07 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

141.07 Sidewalk Standards

Sections 145.04 and 145.05 of the Code of Ordinances are amended by deleting the same and inserting the following in lieu thereof:

145.04 Driveway Construction

145.05 Excavations

Section 146.18 of the Code of Ordinances is amended by deleting the same and inserting the following in lieu thereof:

146.18 Construction Standards

Section 151.09 of the Code of Ordinances is amended by deleting subparagraph 6 of the same and inserting the following in lieu thereof:

151.09 Site Drainage Requirements

Section 151.12 of the Code of Ordinances is amended by replacing subparagraph 5.

Section 151.14 of the Code of Ordinances is amended by deleting subparagraph 5 of the same and inserting the following in lieu thereof:

151.14 Walks

Section 155.02 of the Code of Ordinances is amended by replacing subparagraph 6.

Section 155.06 of the Code of Ordinances is amended by replacing subparagraphs 1 and 4.

Section 156.02 of the Code of Ordinances is amended by replacing subparagraph 8.

Section 156.07 of the Code of Ordinances is amended by replacing subparagraph 1.

Section 175.02 of the Code of Ordinances is amended by replacing subparagraph 16.

Section 155.02 of the Code of Ordinances is amended by replacing subparagraph 25.

Section 160.50 of the Code of Ordinances is amended by replacing subparagraph C.

Resolution 12469 adopted January 9, 1997 which adopted the Cedar Rapids Metro Specifications is repealed.

The above description of Ordinance 15-24 is a summary. Said Ordinance is located at the Office of the Marion City Clerk, City Hall, 1225 Sixth Avenue #170, Marion, Iowa, where the same may be inspected during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, exclusive of holidays. Said Ordinance becomes effective on the date of this publication.

DATED this 17th day of December, 2015.

WESLEY A NELSON  
CITY CLERK

**CERTIFICATE OF SERVICE**

The undersigned City Clerk of Marion, Iowa certifies that the Ordinance

shown immediately above was published in the Marion Times on the 26 day of December, 2015.

Wes Nelson  
City Clerk