

**MITCHELL COUNTY ORDINANCE 53**

**AN ORDINANCE RE-ADOPTING THE EXISTING COUNTY CODE  
AND ALL AMENDMENTS THERETO, MITCHELL COUNTY, IOWA**

**BE IT ENACTED** by the Board of Supervisors of Mitchell County, Iowa:

**Section 1. Purpose.** Code of Iowa §331.302(9), requires that once every five (5) years a County shall compile its Code of Ordinances. This ordinance re-adopts ordinances already in affect and adopts ordinances that become effective after the last re-adopting.

**Section 2. Ordinance Repealed.** The following previously-adopted ordinances, identified by ordinance number and subject matter, are hereby repealed, provided that a) any ordinance or part of an ordinance that was repealed by an ordinance hereby repealed shall not be enforceable or considered re-adopted and b) the repeal shall not operate to release or relinquish any penalty, forfeiture or liability incurred under each such ordinance, and each such repealed ordinance shall be treated as remaining in force for the purpose of instituting or sustaining any proper action or prosecution for enforcement of such penalty, forfeiture or liability:

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| 17.1.30 | Zoning Commission Members                 |
| 35      | Mitchell County Road Preservation Act     |
| 41      | Mitchell County Road Protection Ordinance |

**Section 3. Re-adopting of Current Code.** The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number, subject matter and by the authority of the Mitchell County Board of Supervisors, comprise Mitchell County Code of Ordinances:

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| 1  | Ordinance Adoption Procedure   |
| 2  | Mitchell County Planning and Zoning Ordinance (Replaced by Ordinance No. 17)   |
| 89 | Ordinance establishing partial property tax exemption for industrial property upon which improvements have been made     |
| 90 | Land subdivision regulations of Mitchell County  |
| 3  | Liability of county jail prisoners   |
| 4  | Destruction of noxious weeds and brush in public road right-of-way   |
| 5  | Ordinance establishing the Area Service System B Road classification in Mitchell County                                  |
| 6  | Ordinance adopting by reference the nonpublic water well rules of the Iowa Administrative Code #567 (Chapter 49)         |
| 7  | Ordinance adopting by reference the well abandonment standards of the Iowa Administrative Code #567 (Chapter 39)         |
| 8  | Ordinance adopting by reference the on-site waste water disposal rules of the Iowa Administrative Code #567 (Chapter 69) |
| 9  | Partial property tax exemption for cattle facilities   |
| 10 | Ordinance establishing a policy for the separation of yard wastes from all other   |

- garbage and refuse
- 11 Amends the Code of Ordinances by adding a new chapter requiring persons that are responsible for storing hazardous materials, at their own cost, to clean up any leaks or spills of those materials and procedures
  - 12 Uniform Rural Address System
  - 13 Ordinance establishing a local option sales and service tax applicable to transactions within the incorporated areas of Carpenter, Mitchell, Osage, Orchard, Riceville, Stacyville and St. Ansgar of Mitchell County (replaced by Ordinance No. 18)
  - 14 Ordinance establishing a local option sales and service tax applicable to transactions within the incorporated areas of the City of McIntire and the unincorporated areas of Mitchell County (replaced by Ordinance No. 18)
  - 15 Ordinance establishing the policy and level of service in respect to clearance of snow or ice and maintenance of this County's secondary roads during the winter months
  - 16 Ordinance adopting all existing ordinances in accordance with Iowa Code §331.302(9)
  - 17 Mitchell County land use and plan (replaces Ordinance No. 2)
  - 18 Ordinance establishing a local option sales and service tax applicable to transactions within the incorporated areas of Carpenter, McIntire, Mitchell, Osage, Orchard, Riceville, Stacyville, St. Ansgar and the unincorporated areas of Mitchell County (replaces Ordinance Nos. 13 & 14)
  - 19 Prohibiting the possession, use or sale of drug paraphernalia
  - 20 Assessment of Wind Energy Conservation Property
  - 21 Establishing voting districts in Mitchell County
  - 21B Amending ordinance establishing voting districts in Mitchell County
  - 22 Ordinance prohibiting assault, harassment and stalking
  - 23 Ordinance prohibiting theft and fraudulent practices
  - 24 Ordinance regulating hunting, fishing and trapping
  - 25 Ordinance regulating motor vehicles
  - 26 Operating While Intoxicated
  - 27 Ordinance prohibiting noxious weeds
  - 28 Ordinance establishing a school local option sales and services tax applicable to transactions within the school districts of Osage, St. Ansgar and Riceville of Mitchell County
  - 29 Ordinance prohibiting littering
  - 30 Ordinance relating to the amendment of the Mitchell County Zoning Ordinance relating to the permitted uses in the agricultural (AG) district
  - 31 Ordinance re-adopting the existing County Code and all amendments thereto Mitchell County, Iowa
  - 32 Dog Control Ordinance
  - 33 Ordinance Providing that General Property Taxes Levied and Collected in each year on all property located within the State Line Economic Development District be paid to a special fund.
  - 34 Ordinance Amending Mitchell County Zoning Ordinance 17.1.30 regarding term limits of Planning and Zoning Commissioners

- 36 Mitchell County Road Preservation Act
- 37 Ordinance Amending Mitchell County Ordinance No. 36 amending time periods
- 38 Ordinance providing that general property taxes levied and collected each year on all property located within Mitchell County UR-2 Economic Development District Urban Renewal Project Area be paid to a special fund.
- 39 Ordinance establishing rates and charges for the use and service of the Carpenter Sanitary Sewer System
- 40 Ordinance regulating the use of public sewer, building sewers and building drains, onsite systems, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer and providing penalties for violations thereof
- 42 Mitchell County Junk Vehicle Ordinance
- 43 Mitchell County Social Host Ordinance
- 44 Mitchell County Road Protection Ordinance (Repealed)
- 45 An Ordinance Establishing Voting Districts in Mitchell County, Iowa.
- 46 An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2012 Addition to the Mitchell County Urban Renewal Area, Pursuant to §403.19 of the Code of Iowa.
- 46A Mitchell County Steel or Metal Wheel Ordinance
- 46B An Ordinance Re-Adopting the Existing County Code and All Amendments Thereto, Mitchell County, Iowa
- 47 An Ordinance Pursuant to §403.19 of the Code of Iowa Providing for the Division of Property Taxes Levied and Collected Each Year on Taxable Property in the 2013-14 Addition to the Mitchell County Urban Renewal Area.
- 48 An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months
- 49 An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2014 Addition to the Mitchell County Urban Renewal Area, Pursuant to §403.19 of the Code of Iowa
- 50 An Ordinance Re-Adopting the Existing County Code and all Amendments thereto, Mitchell County, Iowa.
- 51 An Ordinance Establishing Voting Districts in Mitchell County, Iowa.
- 52 An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2020 Addition to the Mitchell County Urban renewal Area, Pursuant to Section 403.19 of the Code of Iowa.

**Section 4. Adoption of Code of Ordinances.** The ordinances specified under Section 3 of this Ordinance are re-adopted or adopted, as the case may be, and compiled as the Mitchell County 2021 Code of Ordinances. Copies of the Code shall be on file and available for public inspection in the Office of the County Auditor.

**Section 5. When Effective.** This ordinance shall be effective after its final passage, approval and publication as provided by law.

Adopted by the Board of Supervisors on this 2<sup>nd</sup> day of MARCH, 2021.

MITCHELL COUNTY BOARD OF SUPERVISORS

By: Stewart A. Smith  
\_\_\_\_\_, Chairperson, Board of Supervisors

ATTEST:

Rachel Foster  
Rachel Foster, Auditor