

CHAPTER 137

VACATION AND DISPOSAL OF STREETS

137.01 Power to Vacate

137.04 Disposal of Vacated Streets or Alleys

137.02 Notice of Vacation Hearing

137.05 Disposal by Gift Limited

137.03 Findings Required

137.01 POWER TO VACATE. When, in the judgment of the Council, it would be in the best interest of the City to vacate a street, alley, portion thereof or any public grounds, the Council may do so by ordinance in accordance with the provisions of this chapter.

(Code of Iowa, Sec. 364.12[2a])

137.02 NOTICE OF VACATION HEARING. The Council shall cause to be published a notice of public hearing of the time at which the proposal to vacate shall be considered.

137.03 FINDINGS REQUIRED. No street, alley, portion thereof or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

137.04 DISPOSAL OF VACATED STREETS OR ALLEYS. When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, portion thereof or public ground, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

(Code of Iowa, Sec. 364.7)

137.05 DISPOSAL BY GIFT LIMITED. The City may not dispose of real property by gift except to a governmental body for a public purpose.

(Code of Iowa, Sec. 364.7[3])

EDITOR'S NOTE

The following ordinances, not codified herein and specifically saved from repeal, have been adopted vacating certain streets, alleys and/or public grounds and remain in full force and effect.

ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
352	--	555	April 22, 2014
363	--	560	November 11, 2014
368	--		
389	--		
411	--		
413	--		
421	--		
424	--		
426	--		
429	December 14, 1993		
435	May 10, 1994		
436	June 14, 1994		
437	June 14, 1994		
440	August 9, 1994		
443	April 25, 1995		
447	May 28, 1996		
448	July 23, 1996		
463	October 26, 1999		
464	November 23, 1999		

465	March 13, 2001		
481	June 14, 2004		
518	August 24, 2010		
542	April 23, 2013		
545	July 16, 2013		
547	September 10, 2013		
550	December 10, 2013		