**WEST OKOBOJI CITY, IOWA ORDINANCE NO. 2026-01**

AN ORDINANCE AMENDING CHAPTER 135 OF THE CITY OF WEST OKOBOJI (STREET USE AND MAINTENANCE.)

WHEREAS, the City, regulations for street use and maintenance are generally contained in Chapter 135, of the West Okoboji City Ordinances.

WHEREAS, the Council of the City of West Okoboji is considering amending Chapter 135, regarding excavations and driveway culverts.

WHEREAS, the changes/amendments to this chapter include, but are not limited to, the following:

135.09 EXCAVATIONS

6. Restoration of Public Property. Streets, sidewalks, alleys and other public property disturbed in the course of the work shall be restored to the condition of the property prior to the commencement of the work, or in a manner satisfactory to the City. All excavation shall be mechanically compacted in lifts not to exceed 8 inches. All excavation that requires pavement removal shall, before replacing, include sawing all pavements to remove all damaged edges and replacing the pavement with 4,000 psi portland cement concrete (PCC) with limestone coarse aggregate. PCC used for pavement patches shall match the depth of the existing pavement or be a minimum of 6" thick, whichever is greater. PCC at the time of placement shall have an air content of 7.0%, +/- 1.5% and a maximum slump of 4". When patching takes place adjacent to existing concrete or composite pavement, the new pavement shall be tied to the existing pavement with No. 4, Grade 60 epoxy coated tiebars at 24" on center, all concrete patches shall be nominally reinforced with No. 4 rebar, 3' on center. All pavement patches shall be a minimum of 3' x 3' for exploratory potholing, any patch within 4' of an existing concrete pavement joint shall be removed to the joint. In the event that the excavation is under a street, driveway, sidewalk or any other paving, the paving shall be replaced within 72 hours after the completion of the excavation. The City has the right to finish any improper or unfinished work to protect the public from harm. The permit holder/property owner will bear any expenses incurred. The City will be held harmless by the permit holder/property owner in regard to any and all claims or injury or damage arising from acts or omissions of the authority of the permit. It is the permit holder/property owner's responsibility to protect the public. All barricades and safety fence are the permit holder/property owner's responsibility.

135.13 DRIVEWAY CULVERTS. The property owner shall, at the owner's expense, install any culvert deemed necessary under any driveway or any other access to the owner's property, and before installing a culvert, permission must first be obtained from the City. The culvert and driveway shall be designed to convey storm water from one side of the driveway to the other without storm water encroaching on the City street or ponding on upstream or adjacent properties. In the event repairs are needed at any time with respect to culverts, it

shall be the responsibility of the property owner to make such repairs, and, in the event the owner fails to do so, the City shall have the right to make the repairs. If the property owner fails to reimburse the City for the cost of said repairs, the cost shall be certified to the County Treasurer and specially assessed against the property as by law provided.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST OKOBOJI, IOWA:

SECTION I. ENACTMENT: The West Okoboji City Code Chapter 135, including 135.09(6) and 135.13,

SECTION 2. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. 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 4. PUBLICATION. The City Clerk/Administrator is hereby authorized and directed to publish this Ordinance in a newspaper of general circulation in Dickinson County, Iowa in confonnance with Iowa law.

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

ATTEST: Carol Chicoine, City Administrator/Clerk
First Reading: 6-8-26
Second Reading : 7-13-26
Third Reading: Waived
I certify that foregoing was published as Ordinance 2026-01 on the 30th Day of October 2026

Carol Chicoine, City Administrator/Clerk