

SUBDIVISION REGULATIONS  
for the  
UNINCORPORATED AREA OF IDA COUNTY, IOWA

Board of Supervisors

Clifford Friedrichsen, Chairman

Wayne T. Swanger

Raymond H. Ernst

Planning and Zoning Commission

Cornelius Conover, Chairman

Robert Bowen

Robert Mitchell

Ray Bumann, Jr.

Edward Schmidt

Warren Carlson

Lester Vohs

Board of Adjustment

Leon Petersen

Dennis Roeder

Donald Irwin

Alverne Hustedt

Bruce Goodenow

Prepared by  
Siouxland Interstate Metropolitan Planning Council  
630 Insurance Exchange Building  
Box 447  
Sioux City, Iowa 51102  
712-279-6286

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## SECTION 1. PURPOSE

The purpose of this ordinance is to provide rules and regulations for the subdivision of land within the unincorporated areas of Ida County, Iowa; to prescribe minimum standards for the design and development thereof; to establish procedures for the approval of preliminary and final plats and requiring as a condition of approval, certain improvements; all for the purpose of promoting the safety, health and general welfare of the public and to facilitate the adequate provisions of transportation, water, sewerage and other public requirements.

## SECTION 2. TITLE

This ordinance shall be known and may be referred to as the Ida County "Subdivision Ordinance".

## SECTION 3. JURISDICTION

All plats, replats, or subdivision of land into three or more parts in the unincorporated areas of Ida County for other than agricultural purposes, including the laying out of suburban lots or additions within two (2) miles of any city having a planning commission or if a new road is created, any division of a parcel of land, shall be submitted to the Board of Supervisors and the County Zoning Commission in accordance with the procedures established by this ordinance, and shall be subject to the requirements established herein, and in Chapter 306 of the Code of Iowa.

All plats, replats, or subdivisions of land as defined above, that are within two (2) miles of any incorporated community having a planning commission shall be submitted to the council and planning commission of such communities, and shall be subject to the procedures and requirements of such community and Chapter 409 of the Code of Iowa as well as the requirements established herein.

## SECTION 4. PRELIMINARY PLATTING PROCEDURE

1. The subdivider of any tract of land to be subdivided shall cause a preliminary plat to be prepared containing the information specified herein and shall file six (6) copies and a reproducible sepia or tracing of the plat with the Administrative Officer.
2. The Administrative Officer shall immediately transmit three (3) copies of the preliminary plat to the Zoning Commission and one (1) copy each to the County Engineer and County Health Officer for study and recommendation.
3. The Zoning Commission shall hold a public hearing on the preliminary plat; consider the recommendations of the County Engineer and County Health Officer as well as the following factors:
  - a. The relation of the proposed subdivision to the public interest and the County Comprehensive Plan.
  - b. The effect of the proposed subdivision on adjacent property values.
  - c. The consistency of the proposed subdivision with the provisions of this ordinance.
  - d. The suitability of the area for the proposed development, with special attention to topographic and subsurface conditions, and to the availability of utility services.
  - e. The relation of the population density resulting from the proposed subdivision to the density contemplated by the ordinance and to the public interest.
  - f. The use of sound planning and engineering practices in designing the subdivision.

- g. Access to existing highways and the nature of the altered traffic pattern that will result from the proposed subdivision.
  - h. The effect of the proposed subdivision on historic sites, woodlands, streams and other features of the environment.
4. The Commission shall, within thirty (30) days of receipt of the plat, submit its recommendations to the Board of Supervisors whether of approval, modification or disapproval, stating its reasons therefore. The subdivider may, however, agree to an extension of time not to exceed sixty (60) days. A copy of the recommendations shall be forwarded to the subdivider.
  5. The Board of Supervisors, upon receipt of the Commission's recommendation or after thirty (30) days or any extension thereof shall have passed, shall by resolution grant approval of or reject the preliminary plat. If the preliminary plat is rejected, the Board of Supervisors shall advise the owner or developer of any changes which are desired or should have consideration before approval will be given. Approval of the preliminary plat by the Supervisors shall constitute approval to proceed with preparation of the final plat but shall not be deemed approval of the subdivision.

The approval of the preliminary plat by the Board of Supervisors shall be null and void unless the final plat is presented to the Board within one hundred eighty (180) days after date of preliminary approval.

#### SECTION 5. PRELIMINARY PLAT REQUIREMENTS

The preliminary plat shall contain the following information:

1. A location map showing:
  - a. The subdivision name.
  - b. An outline of the area to be subdivided.
  - c. The existing roads and public or community utilities, if any, on adjoining property.
  - d. North point and scale.
  - e. Zoning district(s) in which the land to be subdivided is located according to the Zoning Ordinance.
2. A preliminary plat of the subdivision drawn to the scale of fifty (50) feet to one inch (1"), or to a scale appropriate to conditions. Said preliminary plat shall show:
  - a. Legal description, acreage and name of proposed subdivision.
  - b. Name and address of the owner.
  - c. Name of persons who prepared the plat, and date thereof.
  - d. Location of existing lot lines, roads, public utilities, water mains, sewers, drain pipes, culverts, water courses, tree masses, historic sites, bridges, railroads and buildings in the proposed subdivision.
  - e. Location and widths, other dimensions and names of the proposed roads, utility easements and other open spaces or reserved areas.
  - f. A statement concerning the location and approximate size or capacity of utilities proposed to be installed.
  - g. A statement from applicable utility companies indicating their approval of the utility easements shown on the plat.

- h. Layout of proposed blocks (if used) and lots including the dimensions of each, and the lot and block number in numerical order.
- i. Contours at vertical intervals of not more than two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of not more than five (5) feet if the general slope is ten percent (10%) or greater.
- j. Tract boundary lines showing dimensions, bearings, angles, and references to known lines or bench marks.
- k. Names of adjacent property owners.
- l. Proposed building lines.
- m. Grades of proposed roads.
- n. A cross section of the proposed roads showing the roadway location, the type and width of surfacing, the type drainage and other improvements to be installed.
- o. The size, type and location of proposed wells and/or water mains and sewage disposal system if a public or community system is used.
- p. The drainage of the land including location of proposed sewers, ditches, culverts, bridges and other structures.
- q. North point and graphic scale.
- r. Layout of lots showing approximate dimensions and number.
- s. A statement from the Ida County Soil Conservation District approving the proposed plan or methods and/or techniques to be used in controlling soil erosion during construction and development of the subdivision.

#### SECTION 6. FINAL PLATTING PROCEDURE

- 1. A final plat shall be submitted within one hundred eighty (180) days of the approval of the preliminary plat, or such approval shall expire and the preliminary plat shall be resubmitted for approval prior to preparation of a final plat.
- 2. Procedures for final plats shall be the same as set out for preliminary plats in Section 4 above except that a public hearing is not required.
- 3. Upon approval of the final plat, a certification of approval signed by the Chairman of the Board of Supervisors and attested by the County Auditor shall be affixed to the original tracing of the final plat and copies of the same filed with the County Auditor and County Recorder, along with such other certifications and instruments as may be required by law.

#### SECTION 7. FINAL PLAT REQUIREMENTS

The final plat shall meet the following specifications:

- 1. It may include all or only part of the preliminary plat.
- 2. The plat shall be drawn to the scale of fifty feet (50') to one inch (1"), or to a scale appropriate to conditions.
- 3. The final plat shall contain the following:
  - a. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one (1) foot in three thousand (3,000) feet.
  - b. Accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division

- c. Accurate locations of all existing and recorded roads intersecting the boundaries of the tract.
  - d. Accurate metes and bounds description of the boundary.
  - e. Road or street names.
  - f. Complete curve notes for all curves included in the plat.
  - g. Road right-of-way lines with accurate dimensions in feet and hundredths of feet with angles to right-of-way lines and lot lines.
  - h. Lot numbers and dimensions.
  - i. Block numbers, if used.
  - j. Accurate locations of easements for utilities and any limitations on such easements.
  - k. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
  - l. Building lines and dimensions.
  - m. Location, type, material and size of all monuments and markers.
  - n. Name of the subdivision.
  - o. Name and address of owner and subdivider.
  - p. North point, scale and date.
  - q. Certification by a registered land surveyor of the State of Iowa.
  - r. Certification of dedication of roads and other public property.
  - s. Resolution and certificate for approval by the Board and signatures of the Chairman and County Auditor.
  - t. If the subdivision is within two (2) miles of a city that has a planning commission, a Resolution and Certificate of approval by Council of the affected city shall also accompany the final plat.
4. The final plat shall be accompanied by the following instruments:
- a. A certified statement from the owner and the owner's spouse, if any, that the subdivision as it appears on the plat is with their free consent and is in accordance with the desires of the proprietor and the proprietor's spouse.
  - b. (1) A certificate bearing the approval of the Board of Supervisors, stating that all improvements and installations in the subdivision required by this ordinance have been made or installed in accordance the County specifications, or
    - (2) A surety bond with the County which will insure the County that the improvements will be completed by the subdivider within two (2) years after official acceptance of the plat. The form and type of bond shall be approved by the County Attorney and the amount of the bond shall not be less than the amount of the estimated cost of the improvements as determined by the County Engineer plus twenty (20) percent and the amount of the estimate must be approved by the Board of Supervisors. If the improvements are not completed within the specified time, the Board may use the bond or any necessary portion thereof to complete the same. If the subdivision is within two (2) miles of a city having jurisdiction, the bond shall be with the city.

The final plat shall state that the subdivision, its grantees, assignees, and successors in interest agree that public services including but not limited to road maintenance, snow and ice removal, and any other services normally provided by the County, will not be extended to this subdivision until the road is completed and accepted by the County.

- c. Copy of Restrictive Covenants to be attached to the lots of the subdivision.
  - d. Plans, profiles, cross sections and specifications for road improvements and utility systems to be installed.
5. The final plat shall also be accompanied by the following at the time it is presented for filing with the County Auditor and Recorder:
- a. A complete abstract of title and an opinion from an attorney-at-law showing that the fee title is in the proprietor and that the land platted is free from encumbrance or is free from encumbrance other than that secured by a bond as provided in Section 409.11 of the Code of Iowa.
  - b. If the land platted is encumbered in the manner set out in Section 409.11 of the Code of Iowa, there shall also be filed a certificate showing that an encumbrance bond in an amount double the amount of the encumbrance and approved by the Recorder and Clerk of the District Court and which runs to the County for the benefit of the purchasers of the land subdivided has been filed with the Recorder.
  - c. A certified statement from the Treasurer of the County that it is free from taxes.
  - d. A certified statement from the Clerk of the District Court that the land platted is free from all judgements, attachments, mechanic's or other liens as appears by the record in his office.
  - e. A certified statement of the County Recorder that the title in fee is in such proprietor and that it is free from encumbrance other than that secured by the bond provided for in Section 409.11 of the Code of Iowa, as shown by the records in his office.

#### SECTION 8. PLATS WITHIN TWO MILES OF A CITY

The procedure for plats within two (2) miles of a city having a planning commission shall be the same as set out for preliminary and final plats in and except as hereinafter provided.

1. The subdivider shall also file such plats with the affected municipality in accordance with its established procedures.
2. The County Zoning Commission shall submit its recommendations to the municipality.
3. If action by the municipality is in accord with the recommendations of the Commission, the Board of Supervisors shall concur with such action, provided that the design standards and improvements required by the municipality are not less than those established herein.

#### SECTION 9. DESIGN AND DEVELOPMENT STANDARDS

##### 1. Roads

###### a. Design Considerations:

- (1) The road layout shall provide access to all lots and parcels of land within the subdivision.
- (2) Road jogs of less than 150 feet shall be avoided.
- (3) Cul-de-sacs shall not exceed 750 feet in length.

- (4) Proposed roads shall be adjusted to the contour of the land so as to produce useable lots and streets of reasonable gradient.
  - (5) New subdivisions shall make provisions for continuation and extension of roads. Trunk and Trunk collector roads shall extend through the subdivision to the boundaries thereof.
  - (6) Where access to adjoining properties is deemed necessary by the County, area service or other local roads shall be extended to the subdivision boundaries.
  - (7) No dead end roads or alleys will be permitted except at subdivision boundaries adjoining undeveloped areas, in which case a temporary turn-around shall be provided.
  - (8) Alleys shall be discouraged in residential areas but shall be provided in commercial and industrial areas unless other suitable public or private access to loading and service areas is provided.
  - (9) Intersection of road center lines shall be between 80 degrees and 100 degrees.
  - (10) Intersection of more than two roads at a point shall not be permitted.
  - (11) Where parkways, scenic drives or special types of roads are proposed, the commission may apply special standards for the design of such parkways, scenic drives or roads.
  - (12) Proposed roads that are extensions of or in alignment with existing roads shall bear the name of the existing road.
- b. Minimum rights-of-way shall be provided as follows:
- (1) Trunk or trunk collector roads--80 feet
  - (2) Area service or local roads--60 feet
  - (3) Frontage roads--40 feet
  - (4) Cul-de-sacs--110 feet in diameter
  - (5) Alleys--20 feet
- c. Road Surfacing:
- (1) Road surfacing in subdivisions within two (2) miles of a city having a planning commission shall be in accordance with the standards established by the municipality but in no case shall the standards be less than established herein.
  - (2) Surfacing on all classes of roads shall be in accordance with one of the following:
    - a. An urban-type cross section with portland cement concrete curb and gutter with a surface width of not less than twenty-five (25) feet from back of curb to back of curb.
    - b. A rural cross section utilizing ditches in lieu of curb and gutter. In such case a surfaced roadway of not less than twenty-four (24) feet in width shall be constructed on a thirty (30) foot wide subgrade top. Foreslopes, backslopes and width and depth of ditches shall be in accordance with the current county standards and specifications for similar work.



2. Blocks

- a. The length of blocks shall not be less than 500 feet and not more than 1,250 feet in length.
- b. Blocks shall be of sufficient width to permit two (2) tiers of lots of appropriate depth and in no case shall the width be less than 220 feet, except where a single tier of double frontage lots parallels a limited access highway, a thoroughfare, railroad or other barrier, ~~and~~ the width shall be not less than 150 feet.
- c. Crosswalks may be required in blocks over 800 feet long or in areas where curved roads require excessive out-of-distance travel. If required, they shall be constructed by the developer.

3. Lots

- a. All lots shall abut on a street or road.
- b. Side lines of lots shall approximate right angles to straight street lines and radial angles to curved street lines except where a variation will provide better street and lot layouts.
- c. Lots with double frontage shall be avoided, except in specific locations where good planning indicates their use. In that event, a planting screen shall be provided along the rear of the lot.
- d. Corner lots shall not be less than 90 feet in width, and interior lots shall not be less than 80 feet in width at the building line.
- e. No lot shall have less area than required by the zoning ordinance for the district in which it is located.

4. Easements and Utility Locations

- a. Easements not less than eight (8) feet in width shall be provided along each side of the rear lot lines of all lots and along such other lot lines as may be required by public and private utility companies.
- b. Easements of greater width may be required for trunk lines, pressure lines, open drainage courses, or high voltage lines and shall be provided as determined by the affected utility or by the County Engineer.
- c. All utility lines shall be placed underground except main or feeder electric distribution lines may be overhead where deemed necessary by the utility company.

5. Erosion Control

- a. The subdivider shall be responsible for controlling soil erosion and surface water runoff within the subdivision during its construction and development and shall provide interim erosion and runoff control measures as work progresses on site grading, the installation of street surfacing, sewers, or other improvements and stages of work.
- b. The subdivider shall be responsible for providing permanent erosion control measures along streams, waterways and other water courses which will ultimately become a permanent part of the subdivision.
- c. Methods for controlling erosion may, where appropriate, include mulches, temporary or permanent vegetative cover, the use of terraces, diversion ditches, impoundments, subsurface drainage pipes, or other structures which will intercept, divert, retard or otherwise control runoff and soil erosion.
- d. The plan and methods and/or techniques for controlling soil erosion and siltation shall be approved by the Ida County Soil Conservation District.

SECTION 10. IMPROVEMENTS REQUIRED

1. Sanitary Sewers. The subdivider shall provide the subdivision with sanitary sewage facilities in accordance with one of the following:
  - a. Public Collection System. Where reasonably available the subdivider shall provide the subdivision with a complete sanitary sewer system which shall connect with the sanitary sewer system of a municipality. In such case the sewer system shall be approved by the affected municipality and shall be designed and constructed in accordance with the municipal specifications.
  - b. Local or Community Treatment System. Where it is not practical to connect the subdivision sanitary sewer system to a municipal sewer, the subdivider shall install a local or community treatment system in accordance with the requirements of the County and State Boards of Health.
  - c. Private Disposal Systems. If it is demonstrated that the above are not practical, the Board of Supervisors may, upon request, permit the subdivider to install on each lot, a septic tank and absorption field or other system approved by the County Board of Health, provided such lots meet the area requirements established for such systems under the County Zoning Ordinance. In no case, however, shall private disposal systems be permitted where rock, impervious clay, or ground water is closer than 30 inches to the surface of the ground.
2. Water. The subdivider shall provide the subdivision with an approved water supply and distribution system in accordance with one of the following:
  - a. Public Water System. Where reasonably available, the subdivider shall provide the subdivision with a complete water main supply system including hydrants, valves and other appurtenances which shall extend into and through the subdivision to the boundary lines, and which shall provide for a water connection to each lot, and shall be connected to a public or municipal water system or an approved rural water system.
  - b. Local or Community Water System. Where a public water system is not available, the subdivider shall install a local or community water supply and distribution system, including all necessary mains, valves, hydrants and other appurtenances, in accordance with the standards and requirements of the County and State Boards of Health.
  - c. Individual Water System. If it is demonstrated that the above are not practical, the Board of Supervisors may, upon request, permit the subdivider to install individual wells on each lot, or other water system approved by the County Board of Health, provided such lots meet the area requirements established for such systems under the County Zoning Ordinance.
3. Storm Drains. The subdivider shall provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes, and manholes to provide for the collection and removal of all surface waters, and these improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.
4. Erosion Control. The subdivider shall provide plans approved by the Soil Conservation District regarding the following:
  - a. Temporary measures for controlling erosion and siltation during development of the subdivision.
  - b. Permanent measures for controlling erosion along streams, waterways, and other water courses which will become a permanent part or fixture within the subdivision.

5. **Markers.** An iron rod not less than one-half ( $\frac{1}{2}$ ) inch in diameter and twenty-four (24) inches in length shall be placed as follows:
  - a. At the intersection of all lines forming angles in the boundary of the subdivision.
  - b. At block and lot corners and changes in direction of block and lot boundaries.
6. **Grading.** All roads within the platted area which are dedicated for public use shall be brought to the grade approved by the County Engineer.
7. **Surfacing.** All roads being dedicated for public use shall be surfaced to the width required by Section 9-1. Surfacing shall be not less than a double coat of oil and chips over a six inch (6") rolled stone base and shall be constructed in accordance with design and specifications, and at grades approved by the Board of Supervisors and the County Engineer.
8. **Specifications.** The type of construction, materials, methods and standards of subdivision improvements shall be equal to the current specifications of the County for like work. Plans and specifications shall be submitted to the Board for approval prior to construction and construction shall not be started until the plans and specifications have been approved.
9. **Inspection.** The Board shall cause the installation of all improvements to be inspected to insure compliance with the requirements of this ordinance. The cost of said inspection shall be borne by the subdivider and shall be the actual cost of the inspection to the County.
10. **Improvements Within Two (2) Miles of a City.** Improvements in subdivision within two (2) miles of a city having a planning commission shall be in accordance with the requirements of the affected city, but shall not be less than those required by the County provided further that all road and drainage construction plans shall be approved by the Board of Supervisors and the County Engineer.

#### SECTION 11. DEFINITIONS

For the purpose of this ordinance, certain terms and words are hereby defined as follows:

1. **Alley.** A permanent public service way or right-of-way, designed to provide a secondary means of access to abutting property.
2. **Auditor.** The County Auditor of Ida County, Iowa
3. **Board.** The Board of Supervisors of Ida County, Iowa.
4. **Building Line.** A line established on a plat as a restrictive covenant, beyond which no building may be placed. The building lines need not correspond to the front, side, or rear yard requirement established in the zoning ordinance, and where they do not, the most restrictive requirement will control,
5. **Commission.** The Zoning Commission of Ida County, Iowa
6. **County.** Ida County, Iowa
7. **Cul-de-Sac.** A short minor road having one end open to motor traffic, and the other end being permanently terminated by a vehicular turnaround.
8. **Easement.** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
9. **Final Plat.** The map or drawing, on which the subdivision plan is presented in the form which, if approved by the Board and Zoning Commission, will be filed and recorded with the County Recorder.

10. Preliminary Plat. A study, or drawings indicating the proposed manner or layout of the subdivision which is submitted to the Board and Zoning Commission for consideration.
11. Separate Tract. A parcel of land or a group of contiguous parcels of land under one ownership on the effective date of this ordinance.
12. Road or Street. A right-of-way other than an alley dedicated or otherwise legally established to and accepted for the public use, usually affording the principal means of access to abutting property.  
 A road may be designated as a street, highway, thoroughfare, parkway, avenue, lane, drive, place or other appropriate designation.
13. Trunk or Trunk Collector Road. A street or road intended to carry vehicular traffic from area service or local roads to highways, thoroughfares or traffic generators, as defined by the Iowa functional roads and streets classification system.
14. Area Service or Local Road. A road used primarily for access to abutting property and includes area service roads as defined by the Iowa functional roads and streets classification system.
15. Right-of-Way. The area measured between property lines, dedicated to and accepted for public use and providing access to abutting properties.
16. Subdivider. Any person, firm, corporation, partnership, or association who shall lay out, for the purpose of sale or development, any subdivision or part thereof as defined herein, either for himself or others.
17. Subdivision. The division of a separate tract of land into three (3) or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new road is involved, any division of a parcel of land.

#### SECTION 12. FEES.

Each preliminary plat submitted for approval shall be accompanied by a fee of fifty (50) dollars, which shall be credited to the General Fund of County.

#### SECTION 13. VARIANCES.

Where the strict application of standards or requirements established by this ordinance would cause substantial hardship or impose unreasonable restrictions on the development of a tract of land because of natural or physical conditions or limitations, not created by the owner or developer, the Board of Adjustment may grant such variances from these standards or requirements as may be necessary to permit the reasonable development of the land while preserving the intent of this ordinance.

#### SECTION 14. ENFORCEMENT.

In addition to other remedies and penalties prescribed by law the provisions of this ordinance shall be enforced as follows:

1. No plat or subdivision within the unincorporated areas of the County shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat or subdivision have any validity until it complies with the provisions of this ordinance and has been submitted to the County Board of Supervisors for approval as prescribed herein, and if applicable, the Council of the City having two (2) mile jurisdiction over the platted area.
2. Not more than two building permits shall be issued for each separate tract existing at the effective date of this ordinance unless the tract shall have been platted in accordance with the provisions contained herein.

3. No public improvements over which the Board of Supervisors has control shall be made with County funds, nor shall any County funds be expended for road maintenance, road improvements, or other services in any area that has been subdivided after the date of adoption of this ordinance unless such subdivision and roads have been approved in accordance with the provisions of this ordinance and the road accepted by the Board of Supervisors as a public road.
4. Any person who shall hereafter dispose of or offer for sale or lease any lots in any subdivision unless the plat thereof has been approved in accordance with this ordinance and recorded shall forfeit and pay fifty dollars (\$50.00) for each lot or part of lot sold or disposed of, leased, or offered for sale.

SECTION 15. AMENDMENTS

This ordinance may be amended from time to time by the Board of Supervisors. Such amendments as may be proposed shall first be submitted to the Zoning Commission for study and recommendation. The Commission shall report within thirty (30) days, after which the Board shall give notice of and hold a public hearing on the proposed amendment. The amendment shall become effective from and after its adoption and publication as required by law.

SECTION 16. SEPARABILITY

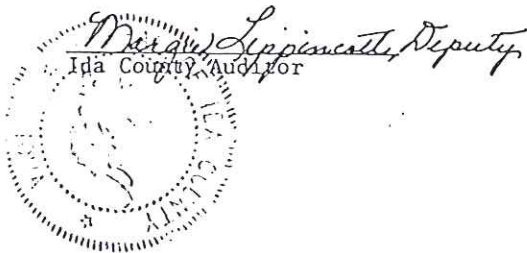
Should any section or provision of this ordinance be declared by the courts to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

SECTION 17. EFFECTIVE DATE

This ordinance shall be in effect from and after its adoption and publication as required by law.

Passed and approved by the Board of Supervisors of Ida County, Iowa, this 9 day of August, 1979.

ATTEST:



*Clifford Friedrichsen*  
Chairman, Ida County Board  
of Supervisors