

TITLE VII - TRANSPORTATION
STREETS AND ALLEYS

CHAPTER 176
VACATION AND DISPOSAL

176.01 Power to Vacate
176.02 Planning Commission
176.03 Notice of Vacation Hearing

176.04 Findings Required
176.05 Disposal of Vacated Streets or Alleys
176.06 Disposal by Gift Limited

176.01 POWER TO VACATE. When, in the judgment of the Council, it would be in the best interest of the City to vacate a street or alley or portion thereof, the Council may do so by ordinance in accordance with the provisions of this chapter.
(Code of Iowa, Sec. 364.12 [2a])

176.02 PLANNING COMMISSION. Any proposal to vacate a street or alley shall be referred by the Council to the Planning Commission for its study and recommendation prior to further consideration by the Council. The Planning Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission.

(Code of Iowa, Sec. 392.1)

176.03 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.

176.04 FINDINGS REQUIRED. No street or alley or portion thereof shall be vacated unless the Council finds that:

1. Public Use. The street or alley 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.

176.05 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, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

(Code of Iowa, Sec. 364.7)

176.06 DISPOSAL BY GIFT LIMITED. The City may not dispose of a vacated street or alley, or portion thereof, 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
34	Undated	313	June ?, 1965
168	No date	320	March 22, 1966
175	January 13, 1947	322	April 8, 1966
182	August 25, 1947	325	April 12, 1966
184	November 10, 1947	326	May 10, 1966
187	No date	327	May 19, 1966
192	February 16, 1949	334	June 14, 1966
197	No date	335	June 14, 1966
203	November 29, 1949	338	September 27, 1966
204	December 13, 1949	340	October 12, 1966
208	No date	348	July 25, 1967
212	December 11, 1950	349	August 22, 1967
213	No date	350	August 22, 1967
215	February 26, 1951	357	January 23, 1968
223	No date	361	September ?, 1968
246	December 11, 1956	362	October ?, 1968
253	No date	363	November 26, 1968
254	October 14, 1958	364	April 2, 1971
258	May 12, 1959	374	No date
262	No date	383	October 14, 1971
266	October 27, 1959	391	November 9, 1972
273	May 27, 1959	393	No date
279	No date	407	October 25, 1973
297	July 11, 1963	409	November 20, 1973
305	February 9, 1965	410	March 28, 1974
309	February 9, 1965	414	April 25, 1974
310	March 9, 1965	417	April 25, 1974

ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
418	May 23, 1974	619	September 24, 1992
419	May 23, 1974	635	January 14, 1993
420	No date	647	July 29, 1993
439	August 14, 1975	651	October 28, 1993
440	August 28, 1975	660	March 24, 1994
441	August 28, 1975	661	May 26, 1994
446	September 25, 1975	663	July 26, 1994
447	September 25, 1975	698	May 25, 1995
448	October 9, 1975	777	March 11, 1999
449	October 9, 1975	778	March 11, 1999
456	May 13, 1976	779	March 11, 1999
460	August 26, 1976	780	March 11, 1999
461	August 26, 1976	781	March 11, 1999
462	August 26, 1976	786	August 26, 1999
468	January 13, 1977	796	December 9, 1999
474	May 18, 1977	808	August 24, 2000
475	July 14, 1977	817	November 9, 2000
479	December 8, 1977	839	October 25, 2001
489	September 21, 1978	840	November 20, 2001
494	July 12, 1979	843	December 27, 2001
516	November 24, 1981	862	January 23, 2003
522	July 22, 1982	880	July 24, 2003
523	July 22, 1982	977	January 28, 2010
526	November 11, 1982	983	September 9, 2010
528	December 23, 1982	987	April 14, 2011
543	August 22, 1985	988	May 19, 2011
549	March 13, 1986		
560	November 11, 1987		
561	June 23, 1988		
570	April 12, 1990		
572	October 11, 1990		
576	November 29, 1990		
582	May 9, 1991		
587	August 22, 1991		
590	September 26, 1991		
596	November 14, 1991		

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