

ORDINANCE NO. 010-12

AN ORDINANCE AMENDING MULTIPLE CEDAR RAPIDS CODE PROVISIONS PERTAINING TO PUBLIC HEALTH REGULATIONS ENFORCED ON BEHALF OF THE CITY OF CEDAR RAPIDS BY THE LINN COUNTY HEALTH DEPARTMENT PURSUANT TO IOWA CODE CHAPTER 28E

WHEREAS the City of Cedar Rapids Municipal Code contains certain provisions regulating matters of public health but has limited operational resources for the enforcement of said provisions; and

WHEREAS, the City of Cedar Rapids ("the City") has found it financially and otherwise beneficial to its residents to enter into an Agreement with Linn County, Iowa pursuant to Iowa Code Chapter 28E under which the Linn County Public Health Department ("LCPH") provides enforcement services on behalf of the City; and

WHEREAS, due to the passage of time, the City ordinances are in need of revision and the City and LCPH have reviewed the ordinances for that purpose;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, AS FOLLOWS:

Section 1. That Section 13.05 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof, and in its place, enacted in lieu thereof the following:

Section 13.05 - ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS
(ADOPTION OF LINN COUNTY ORDINANCE)

The provisions of Chapter 24 of the Linn County Code of Ordinances and Section 69.1, Title 561 of Iowa Administrative Code, as amended from time to time, are hereby adopted in their entirety and incorporated herein by reference as though fully set forth.

Section 2. That Chapter 19 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof, and in its place enacted in lieu thereof the following:

CHAPTER 19 – SWIMMING POOLS AND SPAS

Section 19.01 – ADOPTION OF STATE CODE AND ADMINISTRATIVE REGULATIONS

The provisions of Iowa Code Chapter 135I and Chapter 15, Title 641 of the Iowa Administrative Code, as amended from time to time, are hereby adopted in their entirety and incorporated herein by reference as though fully set forth.

Section 3. That Section 21.04 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 4. That Section 21.06 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 5. That Section 21.07 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 6. That Section 21.08 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 7. That Section 21.09 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 8. That Section 21.10 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 9. That Section 21.11 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof.

Section 10. That Section 21.14 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof, and in its place enacted in lieu thereof the following:

CHAPTER 21 – HEALTH REGULATIONS

Section 21.14 – ADOPTION OF STATE CODE AND ADMINISTRATIVE REGULATIONS

The provisions of Chapter 1, Title 641 of the Iowa Administrative Code, as amended from time to time, are hereby adopted in their entirety and incorporated herein by reference as though fully set forth.

Section 11. That Chapter 26 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof, and in its place enacted in lieu thereof the following:

CHAPTER 26 – AIR POLLUTION

Section 26.01 – ADOPTION OF LINN COUNTY ORDINANCE

The provisions of Chapter 10 of the Linn County Code of Ordinances 2011, as amended from time to time, are hereby adopted in their entirety and incorporated herein by reference as though fully set forth.

Section 12. That Chapter 27 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof, and in its place enacted in lieu thereof the following:

CHAPTER 27 – MILK

Section 27.01 – ADOPTION OF STATE CODE AND ADMINISTRATIVE REGULATIONS

The provisions of Chapters 67 through 69, both inclusive, Title 21 of the Iowa Administrative Code, as amended from time to time, are hereby adopted in their entirety and incorporated herein by reference as though fully set forth.

Section 13. That Section 51.23 of the Cedar Rapids Municipal Code is hereby amended by deletion thereof, and in its place enacted in lieu thereof the following:

CHAPTER 51 – ALCOHOLIC LIQUORS AND BEER

Section 51.23 – ADOPTION OF STATE CODE AND ADMINISTRATIVE REGULATIONS

The provisions of Subsection 1, Section 4.2, Title 185 of the Iowa Administrative Code, as amended from time to time, are hereby adopted in their entirety and incorporated herein by reference as though fully set forth.

Section 14. That Subsection (a) of Section 65.30 of the Cedar Rapids Municipal Code is hereby amended by deleting the second sentence thereof.

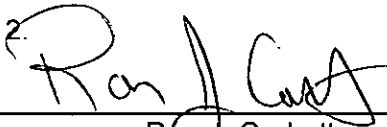
Section 15. Separability of Provisions. That it is the intention of the Council each section, paragraph, sentence, clause and provision of this Ordinance be and is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof other than that affected by such decision.

Section 16. That the aforesaid provisions shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa and made a part of said Code as provided by law.

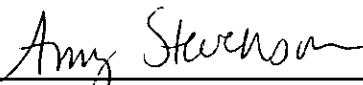
Section 17. That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Introduced this 14th day of February, 2012.

Passed this 28th day of February, 2012.


_____, Mayor
Ron J. Corbett

Attest:


_____, City Clerk
Amy Stevenson