

ORDINANCE NO. 2511

AN ORDINANCE AMENDING CHAPTER 135, STREET USE AND MAINTENANCE.

BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF ROBINS, IOWA:

SECTION 1. That a new Section 135.01, DEFINITIONS be inserted and all following sections renumbered. Section 135.01 reads as follows:

1. "Parking" means that part of the street, avenue or highway in the City not covered by sidewalk, and lying between the lot line and the curb line. The grass lying between the innermost edge of a sidewalk, and the outermost curb of the roadway.
2. "Right-of-Way" means that portion of land lying between the lot line and the lot line on the opposing side of the roadway. This can include sidewalk, parking, roadway, median and other city-held spaces.
3. "Breakaway objects" are objects designed to separate from their base or yield upon impact in order to mitigate the destructive and injurious effects of an unexpected or uncontrolled impact.

SECTION 2. That Section 135.10, Maintenance of Parking or Terrace shall be repealed and replaced with the following:

135.11 RIGHTS-OF-WAY AND PARKING.

1. MAINTENANCE OF RIGHTS-OF-WAY AND PARKING.

- A. It shall be the responsibility of the abutting property owner to maintain all property outside the lot and property lines and inside the curb lines upon the public streets, except that the abutting property owner shall not be required to remove diseased trees or dead wood on the publicly owned property or right-of-way. Maintenance includes timely mowing, trimming trees and shrubs and picking up litter.

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

2. USE OF RIGHTS-OF-WAY AND PARKING.

- A. No person shall create, construct, modify, use or maintain upon, over or under the surface of any publicly owned real property or right-of-way within the City any structure or inanimate thing or other encroachment of a private character, unless and until written City permission is granted.
 - i. Exception: Mailboxes
 1. Standard mailboxes may be installed without city permission if they are installed according to US Postal Service regulations, including breakaway supports.
 2. For the purpose of this subsection, a standard mailbox meets the specifications of the US Postal Service. Mailboxes of any kind not designed to bend or fall away when struck by a vehicle are prohibited.

- ii. Failure to comply with the above section within a reasonable time shall be considered a nuisance that may be subject to abatement

SECTION 3. That Section 135.11, is modified as follows:

135.12 FAILURE TO MAINTAIN PARKING. If the abutting property owner does not perform an action required under the above section within a reasonable time, the City may perform the required action and assess the cost against the abutting property for collection in the same manner as a property tax.

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

SECTION 4. Chapter 135, sub-section 12 relating to Dumping of Snow is deleted from this chapter.

SECTION 5. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal code, City of Robins, Iowa and made a part of said Code as provided by law.

SECTION 6. Severability. If any section, provision, or part of the 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 7. Effective Date. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED THIS 1st day of December, 2025.

ATTEST:

Lisa Goodin
Lisa Goodin, City Clerk/Treasurer

Chuck Hinz
Chuck Hinz, Mayor

