

ORDINANCE NO. 399

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HULL,  
IOWA, BY AMENDING SECTIONS 142.02 and 142.04 STORMWATER DETENTION  
VARIANCES**

**BE IT ENACTED** by the City Council of Hull, Iowa:

**Section 1. SECTIONS AMENDED.** The Code of Ordinances of the City of Hull, Iowa, is amended as follows:

- a) Section 142.02 is hereby amended by striking the sentence "A partial or full variance may be granted, with conditions, by the City only if detention is determined to be unnecessary or impractical." from subparagraphs 2 and 3 and making no replacement section in its entirety and substituting the following new section:
- b) Section 142.04 is hereby amended by striking the section in its entirety and substituting the following new section:

**142.04 PARTIAL OR FULL DETENTION VARIANCES.** The City may grant a partial or full variance from the requirements of Section 142.02, subparagraphs (2) and (3), with conditions, in its sole discretion in the following circumstances:

1. The City has already provided appropriate storm water detention for the applicable lot, project, or area. In this instance, the landowner may not opt out of the variance and must pay the applicable fee.
2. The landowner or applicant requests a variance. In this instance, the landowner may apply for the variance using City-prescribed forms.

The Director of the Storm Water Management Utility is granted the authority to approve or deny variances. In considering a variance, the Director shall consider whether detention of storm water on the site will allow additional sites to drain to that site. If a variance is granted, the applicant shall pay a fee equal to \$0.75 per square foot of impervious coverage area. The Director of the Storm Water Management Utility may reduce this fee as part of the variance process if some Storm Water is detained on the site. If a variance is granted, continuing variances and fee payments will be required each time the impervious surface area is increased on a site.

**Section 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved by the Council the 10<sup>th</sup> day of March, 2025.

  
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Arlan Moss, Mayor

ATTEST:

  
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Heidi Kramer, City Clerk

First Reading: February 10, 2025

AYES: Beukelman, Te Slaa, Van Roekel, Westra & De Kam

NAYS: None

Second Reading: February 24, 2025

AYES: Beukelman, Te Slaa, Van Roekel, Westra & De Kam

NAYS: None

Third Reading: March 10, 2025

AYES: Te Slaa, Van Roekel, Westra & De Kam

NAYS: None

ABSENT: Beukelman

Date of Publication: March 19, 2025