

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 4
OF THE CITY CODE, PRECINCT AND WARD BOUNDARIES**

WHEREAS, state law requires that upon release of the new decennial census information that ward and precinct boundaries be adjusted, by September 1, 2011, to ensure that they comply with the standards contained in state law; and

WHEREAS, state law requires ward boundaries to follow precinct boundaries, have nearly equal population counts, and be composed of contiguous territory and be as compact as possible; and

WHEREAS, the proposed precinct and ward boundaries must best meet the standards set forth in Section 372.13(7) of the Code of Iowa; and

WHEREAS, the City Council has conducted a public hearing concerning an ordinance amending Title 1, Chapter 4 of the City Code, precinct and ward boundaries.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA:

SECTION 1. The currently adopted versions of Title 1, Chapter 4 of the City Code are here by deleted and Exhibit A as attached hereby to is adopted in lieu thereof.

SECTION 2. 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 3. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

SECTION 4. This ordinance shall be in effect from and after January 15, 2012 as provided by state law.

PASSED, APPROVED AND ADOPTED this _____ day of July, 2011.

**By the City Council of the
City of Muscatine, Iowa**

Richard W. O'Brien, Mayor

ATTEST:

Gregg Mandsager, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

Publication: _____

Title 1 – Administrative
Chapter 4 – Precincts and Wards

SECTIONS:

- 1-4-1 Definitions
- 1-4-2 Precincts Established
- 1-4-3 Wards Established
- 1-4-4 Polling Places Established
- 1-4-5 Correction of Errors
- 1-4-6 Publication of Changes

1-4-1 Definitions.

For the purposes of this Ordinance, unless the context otherwise requires:

- A. "Annexed territory" means territory annexed to the City after Census Day.
- B. "Census Day" means April 1, 2010 the official date of the 2010 United States Decennial Census.
- C. "City" includes all territory within the corporate limits of the City of Muscatine and all annexed territories.
- D. "Commissioner of Elections" means the County Auditor of Muscatine County.
- E. "Corporate limits" means the corporate limits of the City of Muscatine.
- F. "Legislative district" means a district represented by a member of the House of Representatives of the General Assembly of the State of Iowa, as established by the Supreme Court of Iowa on March 31, 1971, in a supplemental opinion in cases numbered 55021, 55022 and 55023, particularly in Section 75 and 76 of "Appendix A" thereto, as amended. "Legislative district" means a district represented by a member of the House of Representatives of the General Assembly of the State of Iowa, as established by the Supreme Court of Iowa on March 31, 1971, in a supplemental opinion in cases numbered 55021, 55022 and 55023, particularly in Section 75 and 76 of "Appendix A" thereto, as amended.
- G. Points of the compass are approximately unless otherwise stated.
- H. "Street" or similar language means the centerline of the right-of-way and a straight extension of that centerline.
- I. All names, boundaries, lines, features and fixtures are to be construed as they existed on Census Day.

1-4-2 Precincts Established. The City is hereby divided into ten (10) precincts as follows:

A. The First Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a points at the center of the intersection of Lucas Road and Westwood Lane, thence proceeding southeasterly along the centerline of Lucas Road to the center of the intersection of North Houser Street, thence northerly along the centerline of North Houser Street to the center of the intersection of Cedar Street, thence easterly along the centerline of Cedar Street to the center of the intersection of Logan Street, thence southerly along the centerline of Logan Street to the center of the intersection of Foster Street, thence easterly along the

centerline of Foster Street along the to the center of the intersection of Buell Street, thence southerly along the centerline of Buell Street to the center of the intersection of West Fulliam Avenue, thence easterly along the centerline of West Fulliam Avenue to the center of the intersection of Cedar Street, thence southeasterly along the centerline of Cedar Street to the center of the intersection of Bartlett Street, thence northeasterly along the centerline of Bartlett Street to the center of the intersection of Mulberry Avenue, thence northwesterly along the centerline of Mulberry Avenue to the center of the intersection of Tipton Road, thence northwesterly along the centerline of Tipton Road to the Corporate limit line, thence following the Corporate limit line westerly and southerly to the center of the intersection with Lucas Road, thence southeasterly along the centerline of Lucas Road to the center of the intersection of James Street, thence northerly along the centerline of James Street to the center of the intersection of Allan Street, thence southerly along the centerline of Allan Street to the center of the intersection of Westwood Lane, thence southerly to the point of beginning.

B. The Second Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a points at the center of the intersection of Lucas Road and North Houser Street, thence northerly along the centerline of North Houser Street to the center of the intersection of Cedar Street, thence easterly along the centerline of Cedar Street to the center of the intersection of Logan Street, thence Southerly along the centerline of Logan Street to the center of the intersection of Foster Street, thence easterly along the centerline of Foster Street to the center of the intersection of Buell Street, thence southerly along the centerline of Buell Street to the center of the intersection of West Fulliam Avenue, thence westerly along the centerline of West Fulliam Avenue to the center of the intersection of Logan Street, thence southerly along the centerline of Logan Street to the center of the intersection of Newell Avenue, thence westerly along the centerline of Newell Avenue to the center of the intersection of Lucas Road, thence northwesterly along the centerline of Lucas Road to the point of beginning.

C. The Third Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a points at the center of the intersection of Logan Street and West Fulliam Avenue, thence easterly along the centerline of West Fulliam Avenue to the center of the intersection of Cedar Street, thence southeasterly along the centerline of Cedar Street to the center of the intersection of East Ninth Street, thence northeasterly along the centerline of East Ninth Street to the center of the intersection of Mulberry Avenue, thence southeasterly along the centerline of Mulberry to the center of the intersection of East Seventh Street, thence southwesterly along the centerline of East Seventh Street to the center of the intersection of Sycamore Street, thence southeasterly along the centerline of Sycamore Street to the center of the intersection of East Sixth Street, thence southwesterly along the centerline of East Sixth Street to the center of the intersection of Locust Street, thence northwesterly along the centerline of Locust Street to the center of the intersection of West Seventh Street, thence southwesterly along the centerline of West Seventh Street to the center of the intersection of Broadway Street, thence northwesterly along the centerline of Broadway Street to the center of the intersection of Newell Avenue.

D. The Fourth Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a points at the center of the intersection of Locust Street and West Sixth Street, thence northwesterly along the centerline of Locust Street to the center of the intersection of West Seventh Street, thence southwesterly along the centerline of West Seventh Street to the center of the intersection of Broadway Street, thence northwesterly along the centerline of Broadway Street to the center of the intersection of West Eight Street, thence southwesterly along the centerline of West Eight Street to the center of the intersection of Lucas Road,

thence southeasterly along the centerline of Lucas Road to the center of the intersection of Main Street, thence southerly along the centerline of Main Street to the center of the intersection of Hershey Avenue, thence westerly along the centerline of Hershey Avenue to the center of the intersection of West Mississippi Drive, thence northeasterly along the centerline of West Mississippi Drive to the center of the intersection of Ash Street, thence southeasterly along an extension of the centerline of Ash Street to the center of the intersection of the main channel of the Mississippi River, thence northeasterly along the main channel of the Mississippi River to the intersection with an extension of the centerline of Walnut Street, thence northwesterly along the centerline of Walnut Street to the center of the intersection of East Fifth Street, thence northeasterly along the centerline of East Fifth Street to the center of the intersection of Mulberry Avenue, thence northwesterly along the centerline of Mulberry Avenue to the center of the intersection of East Seventh Street, thence southwesterly along the centerline of East Seventh Street to the center of the intersection of Sycamore Street, thence southwesterly along the centerline of Sycamore Street to the center of the intersection of East Sixth Street, thence northeasterly along the centerline of East Sixth Street to the center of the point of beginning.

E. The Fifth Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of East Fifth Street and Walnut Street, thence southeasterly along the centerline of Walnut Street to the center of the intersection of an extension of the Walnut Street centerline and the main channel of the Mississippi River, thence northeasterly along the main channel of the Mississippi River to the center of the intersection of a line extending from the east bank of the mouth of Mad Creek, thence northerly along the east bank of Mad Creek to the center of the intersection of the east bank of Mad Creek and Washington Street, thence southwesterly along the centerline of Washington Street to the center of the intersection Walters Street, thence northerly along the centerline of Walters Street to the center of the intersection of Dale Street, thence westerly along the centerline of Dale Street to the center of the intersection of Isett Avenue, thence northerly along the centerline of Isett Avenue to the center of the intersection of Woodlawn Avenue, thence westerly along the centerline of Woodlawn to the center of the intersection of Oak Street, thence southeasterly along the centerline of Oak Street to the center of the intersection of Maple Avenue, thence westerly along the centerline of Maple Avenue to the center of the intersection of Orange Street, thence northwesterly along the centerline of Orange Street to the center of the intersection of Woodlawn Avenue, thence southwesterly along the centerline of Woodlawn to the center of the intersection of Orange Avenue, thence northwesterly along the centerline of Orange Street to the center of the intersection of Leroy Street, thence southwesterly along the centerline of Leroy Street to the center of the intersection of Mulberry Avenue, thence southeasterly along the centerline of Mulberry Avenue to the center of the intersection of Bartlett Street, thence southwesterly along the centerline of Bartlett Street to the center of the intersection of Cedar Street, thence southeasterly along the centerline of Cedar Street to the center of the intersection of East Ninth Street, thence northeasterly along the centerline of East Ninth Street to the center of the intersection of Mulberry Avenue, thence southeasterly along the centerline of Mulberry Avenue to the center of the intersection of East Fifth Street, thence southwesterly along the centerline of East Fifth Street to the center of the point of beginning.

F. The Sixth Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of Mulberry Avenue and Tipton Road, thence northwesterly along the centerline of Tipton to the center of the intersection of the Corporate limit line, thence easterly along the Corporate limit line to the center of the intersection of Isett Avenue, thence southerly along the centerline of Isett Avenue to the center of the intersection of Woodlawn Avenue, thence westerly along the centerline of Woodlawn Avenue to the center of the intersection of Oak Street, thence southeasterly along the centerline of Oak Street to the center of the intersection of Orange Street, thence northwesterly along the centerline of Orange Street to

the center of the intersection of Woodlawn Avenue, thence southwesterly along the centerline of Woodlawn Avenue to the center of the intersection of Orange Street, thence northwesterly along the centerline of Orange Street to the center of the intersection of Leroy Street, thence southwesterly along the centerline of Leroy Street to the center of the intersection of Mulberry Avenue, thence northwesterly along the centerline of Mulberry Street to the point of beginning.

G. The Seventh Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of Main Street and Hershey Avenue, thence westerly along the centerline of Hershey Avenue to the center of the intersection of Green Street, thence southerly along the centerline of Green Street to the center of the intersection of Reed Street, thence northwesterly along the centerline of Reed Street to the center of the intersection of Liberty Street, thence southwesterly along the centerline of Liberty Street to the center of the intersection of Bleeker Street, thence northwesterly along the centerline of Bleeker Street to the center of the intersection of Sternman Street, thence westerly along the centerline of Sternman Street to the center of the intersection of an extension of the centerline Sternman Street and the south bank of the Muscatine Slough, thence westerly along the south bank of the Muscatine Slough to the center of the intersection of south bank of the Muscatine Slough and the Corporate limit line, thence northerly along the Corporate limit line to the center of the intersection of Lucas Road, thence easterly along the centerline of Lucas Road to the center of the intersection of James Street, thence northerly along the centerline of James Street to the center of the intersection of Allan Street, thence easterly along the centerline of Allan Street to the center of the intersection of Westwood Lane, thence southerly along the centerline of Westwood Lane to the center of the intersection of Lucas Road, thence easterly along the centerline of Lucas Road to the center of the intersection of Newell Avenue, thence easterly along the centerline of Newell Avenue to the center of the intersection of Broadway Street, thence southeasterly along the centerline of Broadway Street to the center of the intersection of West Eight Street, thence southwesterly along the centerline of West Eight Street to the center of the intersection of Lucas Road, thence southeasterly along the centerline of Lucas Road to the center of the intersection of Main Street, thence southerly along the centerline of Main Street to the center of the point of beginning.

H. The Eighth Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of Green Street and Hershey Avenue, thence westerly along the centerline of Hershey Avenue to the center of the intersection of West Mississippi Drive, thence northeasterly along the centerline of West Mississippi Drive to the center of the intersection of Ash Street, thence southeasterly along an extension of the centerline of Ash Street to the center of the intersection of the main channel of the Mississippi River, thence southwesterly along the main channel of the Mississippi River to the point where the Corporate limit line no longer concurrent with the main channel of the Mississippi River, thence westerly northerly, southerly, and easterly along the Corporate limit line to the center of the Corporate limit line and the south bank of the Muscatine Slough, thence easterly along the south bank of the Muscatine Slough to the center of the intersection of the south bank of the Muscatine Slough and an extension of the centerline Sternman Street, thence easterly along an extension of the centerline Sternman Street to the center line of Sternman Street, thence easterly along the centerline of Sternman Street to the center of the intersection of Sternman Street and Bleeker Street, thence southeasterly along the centerline of Bleeker Street to the center of the intersection of Liberty Street, thence northeasterly along the centerline of Liberty Street to the center of the intersection of Reed Street, thence southeasterly along the centerline of Reed Street to the center of the intersection of Grandview Avenue, thence northeasterly along the centerline of Grandview Avenue to the center of the intersection of Green Street, thence northerly along the centerline of green street to the point of beginning.

I. The Ninth Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a points at the center of the intersection of Park Avenue and Colorado Street, thence westerly along the centerline of Colorado Street to the center of the intersection of Colorado Street and the Corporate limit line, thence southerly along the Corporate Limit line to the center of the intersection of the Corporate limit line and the main channel of the Mississippi, thence southwesterly along the main channel of the Mississippi River to the center of the intersection main channel the of the Mississippi River to the intersection with an extension of the centerline of Walnut Street, main channel of the Mississippi River to the center of the intersection of a line extending from the east bank of the mouth of Mad Creek, thence northerly along the east bank of Mad Creek to the center of the intersection of the east bank of Mad Creek and Washington Street, thence northerly along the east bank of Mad Creek to the center of the intersection of the east bank of Mad Creek and Washington Street, thence northeasterly along the centerline of Washington Street to the center of the intersection of Fillmore Street, thence northerly along the centerline of Fillmore Street to the center of the intersection of Monroe Street, thence easterly along the centerline of Monroe Street to the center of the intersection of Park Avenue, thence northerly along the centerline of Park Avenue to the center of the point of beginning.

J. The Tenth Precinct shall consist of:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of Dale Street and Isett Avenue, thence northerly along the centerline of Isett Street to the center of the intersection of Isett Street and the Corporate limit line, thence easterly, northerly, southerly, and westerly along the Corporate limit line to the intersection of the Corporate limit line and Colorado Street, thence westerly along the centerline of Colorado Street to the center of the intersection of Park Avenue, thence southerly along the centerline of Park Avenue to the center of the intersection of Monroe Street, thence westerly along the centerline of Monroe Street to the center of the intersection of Fillmore Street, thence southerly along the centerline of Fillmore Street to the center of the intersection of Washington Street, thence southwesterly along the centerline of Washington Street to the center of the intersection of Walters Street, thence northwesterly along the centerline of Walters Street to the center of the intersection of Dale Street, thence westerly along the centerline of Dale Street to the point of beginning.

1-4-3 Wards Established.

The City is hereby divided into five (5) wards as follows:

- A. The First Ward shall consist of the First and Second Precincts.
- B. The Second Ward shall consist of the Third and Fourth Precincts.
- C. The Third Ward shall consist of the Fifth and Sixth Precincts.
- D. The Fourth Ward shall consist of the Seventh and Eighth Precincts.
- E. The Fifth Ward shall consist of the Ninth and Tenth Precincts.

1-4-4 Polling Places Designated.

The polling places for each of the precincts established by Section 1-4-1 of this City Code of Muscatine, Iowa, shall be designated by the Commissioner of Elections as provided by the Iowa Code.

- A. The polling place for the First Precinct shall be at Mulberry Elementary School.
- B. The polling place for the Second Precinct shall be at West Middle School.
- C. The polling place for the Third Precinct shall be at Washington School.
- D. The polling place for the Forth Precinct shall be at the Clark House.
- E. The polling place for the Fifth Precinct shall be at the Central Middle School.
- F. The polling place for the Sixth Precinct shall be at Grant School.
- G. The polling place for the Seventh Precinct shall be at Franklin School.
- H. The polling place for the Eighth Precinct shall be at Garfield School.
- I. The polling place for the Ninth Precinct shall be at the former Lincoln School.
- J. The polling place for the Tenth Precinct shall be at Madison School.

1-4-5 Correction of Errors.

If this Ordinance fails to place any part of the City within a precinct established by this Ordinance, the Commissioner of Elections shall assign the omitted area to an adjacent precinct with the same legislative district. If this Ordinance places any part of the City in more than one precinct established by this Ordinance, the Commissioner of Elections shall assign that territory to an adjacent precinct within the proper legislative district. The Commissioner of Elections may also correct obvious clerical errors in this Ordinance.

1-4-6 Publication of Changes. The Commissioner of Elections is hereby directed to publish notice of the boundaries and polling places for the precincts and wards established by this Ordinance pursuant to law. He or she shall also certify a copy of this Ordinance and a map drawn in conformance thereto to the Secretary of State within ten (10) days.