NOTICE AND CALL OF COUNCIL MEETING

Governmental Body:	The City Council of City of Orange City, Iowa
Date of Meeting:	March 2, 2026
Time of Meeting:	4:30 o'clock P.M.
Place of Meeting:	Council Chambers, City Hall, 125 Central Ave SE Orange City, Iowa

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Meeting called to order
2. Opening ceremonies
3. Approval of agenda
4. Citizen comments
5. Approval of minutes
6. 10-year street improvement plan
7. Albany Ave SE Surface Transportation Application
8. Resolution ordering construction of the Madison Place Extension Project and setting a public hearing date
9. Ordinance No. 864, an ordinance amending provisions pertaining to cigarette and tobacco permits
10. Ordinance No. 865, an ordinance amending provisions pertaining to liquor licenses and wine and beer permits
11. Ordinance No. 866, an ordinance amending provisions pertaining to conflict of interest

12. Ordinance No. 867, an ordinance amending provisions pertaining to public hearing requirements

13. Ordinance No. 868, an ordinance adding a new section prohibiting false representation of service animal

14. Retail alcohol license renewal applications

15. Resolution authorizing the execution of an amendment to its Gas Supply Agreement with PEFA, Inc in connection with the reset of the available discount in PEFA, Inc's Gas Prepayment Project; approving the issuance of bonds by PEFA, Inc; and related matters

16. Administrative reports

17. Council comments

18. Closed session per Iowa Code Section 21.5.1(j) – real estate

19. Adjournment

This notice is given at the direction of the Mayor pursuant to Chapter 28A, Iowa Code, as amended, and the local rules of said governmental body.

Janet Brown

Janet Brown, City Clerk of the
City of Orange City, Iowa

COUNCIL MEETING
AGENDA NOTES
March 2, 2026

1. The meeting will be called to order by Mayor Deb De Haan at 4:30 o'clock P.M.

2. Opening ceremonies. Pledge of Allegiance to our flag and a moment of silent prayer.

3. The agenda was prepared, posted and distributed in accordance with requirements of the Iowa Open Meeting Act.

4. This time is provided for citizen comments. It is suggested that if someone wishes to speak, we also ask for their residence. This time is intended for residents in the City limits.

5. The minutes of the February 16, 2026 council meeting are enclosed for your review. Exhibit 1

6. City Staff have been working on a 10-year street plan which includes repairs and new construction to support growth. This plan is a guideline and will change over the years; however, we feel it is important to be aware of what projects will need to happen in the future. We would like to review this plan with the Council and get any feedback on our approach.

7. Asking for approval to sign and submit an application for Region III Transportation Project to the NWIPDC (Northwest Iowa Planning & Development Commission) for the Albany Avenue SE Reconstruction Project. Exhibit 2

8. Council needs to adopt a resolution ordering the construction of the Madison Place Extension Project and set a public hearing date for April 6.

9. Ordinance No. 864, a 2025 Legislative change, requires electronic filing of cigarette and tobacco permits. Exhibit 3

10. Ordinance No 865, another legislative change, redefines "canned cocktails" to include wine/beer, allows special class C licensees to sell cocktails for off-premises consumption, and changes fee calculations to be based on postal address rather than city population. Exhibit 4

11. Ordinance No 866, another legislative change, provides regulations allowing officers of the city to be paid a stipend for services as a volunteer firefighter or emergency medical care provider. Exhibit 5

12. Ordinance No. 867, another legislative change, standardizes all public notice requirements to not less than 4 days, no more than 20 days before the hearing. We will address changing the publication requirements for zoning at a future meeting after receiving a recommendation from the Planning and Zoning Commission. Exhibit 6

13. Ordinance No. 868, another legislative change, adds a section prohibiting false representation of a service animal. Exhibit 7

14. We have received a renewal application for a Class B Retail Alcohol License from Woudstra Meat Market for Highland Post and a Class C Retail Alcohol License from Verborgen Kamer. Everything is in order.

15. In 2019, the City entered into a natural gas prepay arrangement with PEFA, Inc, an organization formed through Clayton Energy, our gas supplier, and other municipal gas utilities. A somewhat complex arrangement, PEFA uses the tax-exempt status of the municipal utilities to take advantage of lower bond rates in exchange for multi-year discounted gas. PEFA is looking to enter into another prepay contract and we need to approve an amendment to the gas supply agreement.

16. Administrative reports:

Scheduled Meetings/Important Dates:

March 16	Council Meeting, 4:30 P.M.
April 6	Budget Public Hearing, 4:15 P.M.
April 6	Council Meeting, 4:30 P.M.
April 20	Council Meeting, 4:30 P.M.
May 4	Council Meeting, 4:30 P.M.
May 14-16	Tulip Festival
May 18	Council Meeting, 4:30 P.M.

17. Council comments

18. We will enter into a closed session to discuss a potential real estate transaction.

If you would like additional information about an agenda item or another issue, that would help you or the Council as a whole, please feel free to let me know so I can either get it to you by email or by report at the meeting.

Matt Van Schouwen
City Office 712-707-4885
Cell phone 712-737-7701
Email mattvs@orangecityiowa.com

Exhibit 1

Council Meeting
February 16, 2026

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on February 16, 2026. A quorum was declared by Mayor Deb De Haan. The meeting was held in the Council Chambers, City Hall, 125 Central Ave SE, Orange City, Iowa.

Members Present: Council members Andrew Bloemendaal, Olivia Chapman, Daron De Jong, Mark Scallon, and Bret Walinga

Members Absent: None

Staff: Janet Brown, Matt Van Schouwen, Kent Anderson, Ryan McEwen, and Jason Budden

Guests: Sarah Weber, Doug Calsbeek, Jennie Droog, Dan Roghair, and Kenton Vore

Agenda: A motion was made by Council member Bret Walinga and duly seconded by Council member Andrew Bloemendaal approving the tentative agenda as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Andrew Bloemendaal, Olivia Chapman, Daron De Jong, Mark Scallon; NAYS: None.

Citizen Comments: This time was provided for citizen comments, and none were heard.

Approval of Minutes: The minutes of the February 2, 2026 council meeting were presented. A motion was made by Council member Daron De Jong and duly seconded by Council member Mark Scallon approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Mark Scallon, Andrew Bloemendaal, Olivia Chapman, Bret Walinga; NAYS: None.

Financial Report: The monthly financial report for January 2026, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Bret Walinga and duly seconded by Council member Olivia Chapman approving the monthly financial report as published. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Olivia Chapman, Andrew Bloemendaal, Daron De Jong, Mark Scallon; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from January 20, 2026 through February 16, 2026 was presented. A motion was made by Council member Olivia Chapman and duly seconded by Council member Mark Scallon approving the monthly bills, subject to audit. On call of the roll motion carried. The vote was as follows: AYES: Olivia Chapman, Mark Scallon, Andrew Bloemendaal, Daron De Jong, Bret Walinga; NAYS: None.

$2,430,000 General Obligation Capital Loan Notes, Series 2026A: A motion was made by Council member Bret Walinga and duly seconded by Council member Daron De Jong adopting a resolution approving and authorizing and providing for the issuance, and levying a tax to pay the Notes; approving the Tax Exemption Certificate and Continuing Disclosure Certificate. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Daron De Jong, Andrew Bloemendaal, Olivia Chapman, Mark Scallon; NAYS: None. The resolution was assigned number 2-16-26-2180 and appears in the official resolution book. Records are kept in Appendix 22.

General Obligation Capital Loan Notes, Series 2019A: A motion was made by Council member Bret Walinga and duly seconded by Council member Daron De Jong adopting a resolution authorizing the redemption of Outstanding General Obligation Capital Loan Notes, Series 2019A, dated April 2, 2019. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Daron De Jong, Andrew Bloemendaal, Olivia Chapman, Mark Scallon; NAYS: None. The resolution was assigned number 2-16-26-2181 and appears in the official resolution book. Records are kept in Appendix 22.

$500,000 Taxable General Obligation Capital Loan Notes, Series 2026B: A motion was made by Council member Olivia Chapman and duly seconded by Council member Andrew Bloemendaal adopting a resolution authorizing the issuance and levying a tax for the payment thereof. On call of the roll motion carried. The vote was as follows: AYES: Olivia Chapman, Andrew Bloemendaal, Daron De Jong, Mark Scallon, Bret Walinga; NAYS: None. The resolution was assigned number 2-16-26-2182 and appears in the official resolution book. Records are kept in Appendix 22.

Resolution Setting Public Hearing for Proposed Property Tax Levy: A motion was made by Council member Olivia Chapman and duly seconded by Council member Andrew Bloemendaal adopting a resolution setting 4:15 P.M. on April 6, 2026 as the time for a public hearing to consider the proposed property tax levy of $14.01 for fiscal year 2026-2027. On call of the roll motion carried. The vote was as follows: AYES: Olivia Chapman, Andrew Bloemendaal, Daron De Jong, Mark Scallon, Bret Walinga; NAYS: None. The resolution was assigned number 2-16-26-2183 and appears in the official resolution book.

Northwest Iowa Regional Housing Authority Appointment: A motion was made by Council member Bret Walinga and duly seconded by Council member Daron De Jong approving the reappointment of Kurt Frederes as the City's representative to the Northwest Iowa Regional Housing Authority. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Daron De Jong, Olivia Chapman, Andrew Bloemendaal, Mark Scallon; NAYS: None.

Natural Gas Worker Position: A motion was made by Council member Olivia Chapman and duly seconded by Council member Andrew Bloemendaal approving the hiring of Brett Keunen as a Natural Gas Worker. On call of the roll motion carried. The vote was as follows: AYES: Olivia Chapman, Andrew Bloemendaal, Daron De Jong, Mark Scallon, Bret Walinga; NAYS: None.

Administrative Reports:

Scheduled Meetings/Important Dates:

March 2	Council Meeting, 4:30 P.M.
March 16	Council Meeting, 4:30 P.M.
April 6	Budget Public Hearing, 4:15 P.M.
April 6	Council Meeting, 4:30 P.M.
April 20	Council Meeting, 4:30 P.M.
May 4	Council Meeting, 4:30 P.M.
May 14-16	Tulip Festival
May 18	Council Meeting, 4:30 P.M.

Oral reports: Matt shared a brochure created by MRES showing the benefits of municipal utilities for Orange City; winter storms have impacted natural gas pricing for us and electricity costs for MRES; will be scheduling a date for strategic planning. Jason reported the new substation transformer has been put in place; working on a 10-year street improvement plan to present at the next meeting, along with an application for DOT funding for Albany Avenue. Dan Roghair provided updates on the fire trucks. Jennie shared the Tulip Festival Extravaganza is March 18.

Council Comments: The Mayor called for comments from members of the Council and none were heard.

Closed Session Per Iowa Code Section 21.5.1(j) – Real Estate: A motion was made by Council member Bret Walinga and duly seconded by Council member Daron De Jong to enter into a closed session at 4:53 o'clock P.M. to discuss possible real estate transactions. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Daron De Jong, Andrew Bloemendaal, Olivia Chapman, Mark Scallon; NAYS: None.

A motion was made by Council member Bret Walinga and duly seconded by Council member Andrew Bloemendaal to exit the closed session at 6:44 o'clock P.M. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Andrew Bloemendaal, Olivia Chapman, Daron De Jong, Mark Scallon; NAYS: None.

No official action was taken.

Adjournment: No further business appearing it was therefore moved by Council member Olivia Chapman and duly seconded by Council member Mark Scallon to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Olivia Chapman, Mark Scallon, Andrew Bloemendaal, Daron De Jong, Bret Walinga; NAYS: None. Adjournment time was 6:44 o'clock P.M.

_____
Deb De Haan, Mayor

ATTEST:_____
Janet Brown, City Clerk

LYON	OSCEOLA	DICKINSON	EMMET
SIOUX	O'BRIEN	CLAY	PALO ALTO
		BUENA VISTA	

REGION III

REGIONAL SURFACE TRANSPORTATION

APPLICATION

2027-2030 Regional Transportation Improvement Program Years

Application Produced by: The Northwest Iowa Planning & Development Commission

APPLICATION FOR REGION III TRANSPORTATION PROJECTS

Complete and return the original plus copy to: Ted Kourousis, Executive Director, NWIPDC
P.O. Box 1493, Spencer, Iowa 51301 by 4:30 p.m. **3/13/2026**
(Fully executed applications will be accepted electronically: **ted.kourousis@nwipdc.org** Do not send maps larger than 8.5" x 14" legal size paper)

1. Project Name: Albany Ave SE Street reconstruction South		Date: 3/3/2026	
2. Contact Person: Jason Budden		Phone Number: 712-707-4885	
3. Address of Contact Person 125 Central Ave	City Orange City	County Sioux	Zip Code 51014
4. Project Sponsor (lead entity if multi-jurisdictional) City of Orange City		Sponsor Signature	

5. Classification of Project: (check all that apply)

- ☐ Highway
- ☒ Construction, reconstruction resurfacing, restoration, and rehabilitation
- ☐ Highway safety improvements Capital and operating costs for traffic management and control
- ☐ Surface Transportation planning, highway And research and development
- ☐ Operational Improvements
- ☐ Fringe and corridor parking facilities
- ☐ Most transportation control measures in The Clean Air Act
- ☐ Development and establishment of management system
- ☐ Transit
- ☐ Capital Costs for transit projects
- ☐ Surface Trans. planning for transit technology transfer activities

6. Please describe the proposed project within the space provided.

This project is for the reconstruction of Albany Ave SE. from Highway 10 to 3rd St. SE. This is the main north/south corridor through Orange City and is classified as Minor Arterial. Daily traffic counts range from 7300 to 8900 from 2023 DOT count. This road is an extension for Sioux County Road K64 providing access to and around the community. From our limited records this road was constructec in the 1950's and requires repairs annually. The project will consist of removing existing Pavement to be replaced with 7" PCC it will have modified and drained subbase. The total length of road to be reconstructed is .45 miles. As part of this project Orange City will also be upgrading some utility infrastructure.

7. Please provide a brief description of the project area. Include a map with the area marked (please do not enclose and color maps or maps larger than 8.5" x 14" (legal size) paper

Albany Ave. SE from Hwy 10 to 3rd St SE. Map Attached

8. Project Budget

EXPENSES		REVENUE		
ITEM	COST	SOURCE	AMOUNT	%
Land/Site Acquisition Costs	0	Regional	$1,308,505	37%
Construction/Materials Costs	$2,617,010	Local	$2,233,505	63%
Engineering/Consulting Costs	$460,000			
Capital Acquisition explain:	0			
Click here to enter text.				
Other (expl.) Non-DOT Eligible – Engineering and Utility upgrades – $925,000				
TOTAL COST	$3,542,010	TOTAL COST	$3,542,010	

9. Work plan and schedule for project completion (please be sure to coincide the work plan with the correct federal fiscal year, fiscal year for this cycle is 2027-2030(Federal fiscal year is October 1-September 30)

Preliminary Design Winter 2028
Final Design Fall 2029
Bidding Winter 2030
Construction Spring 2030
Final Completion Fall 2030

10. Is there a need to coordinate with another entity in the programming and/or implementation of this project?

☐ Yes ☒ No

If yes, list other entities involved and describe the interaction needed and coordination to date.

Click here to enter text.

QUESTIONS 11-13 ARE FOR HIGHWAY PROJECTS ONLY

11. If applicable, what is the Average Daily Traffic of the proposed project? 7300/8900

12. If applicable, what is the Federal Functional Classification(s) of the route within the proposed project?

Minor Arterial

13. If applicable, what are the basic roadway sufficiency numbers for the route within the proposed project?

N/A

PROJECT CHECKLIST

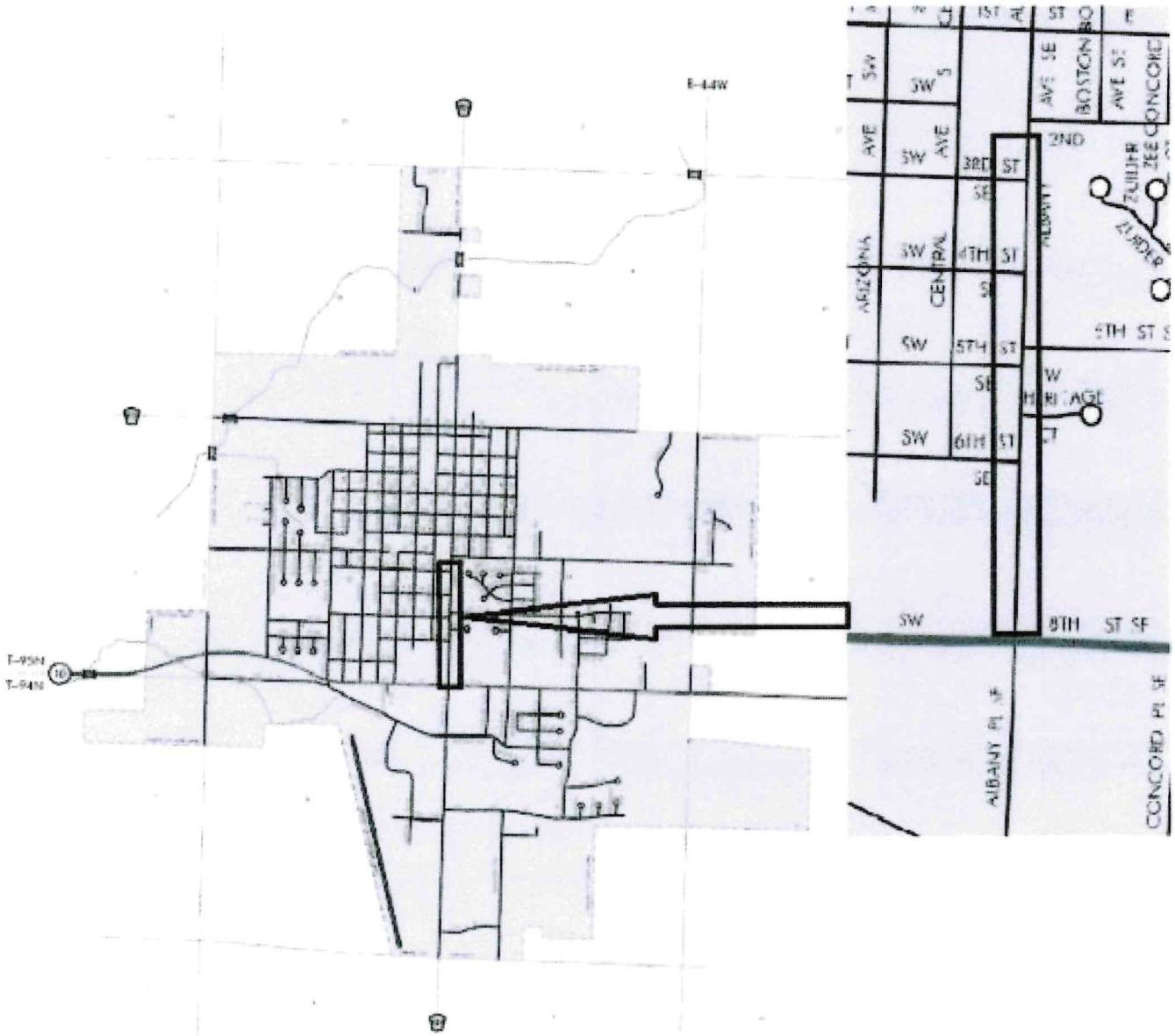
14. The following items are required		Note: Applications must specifically and directly answer each criterion within the space provided to receive points. Pertinent attachments are allowed such as maps, drawings, and/or photos if they are reproducible
☒	Project Description	
☒	Project Location Map (reproducible)	
☒	Project Budget	
☒	Project work plan with schedule	

Please fill in the following appropriate blanks:

We, the City of Orange City Support this application for Albany Ave Road Reconstruction South by submitting this application, regional funds in the amount of $$1,308,505 are requested. This project has the support of local match funding of $$2,233,505, which is 63% of the anticipated project costs.

BY: _____
Deb De Haan, Mayor

ATTEST: _____
Jason Budden



HIGHWAY AND STREET MAP
OF

ORANGE CITY
IOWA

IOWA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION DEVELOPMENT DIVISION
STUDIES PLANNING BUREAU

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

84-5732

ORDINANCE NO. 864

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGE CITY, IOWA, BY AMENDING PROVISIONS PERTAINING TO CIGARETTE AND TOBACCO PERMITS

Be It Enacted by the City Council of the City of Orange City, Iowa:

SECTION 1. CHAPTER MODIFIED. Chapter 121 of the Code of Ordinances of the City of Orange City, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 121

CIGARETTE AND TOBACCO PERMITS

121.01 Definitions
121.02 Permit Required
121.03 Application
121.04 City Approval
121.05 Fees
121.06 Issuance
121.07 Expiration
121.08 Refunds
121.09 Persons Under Legal Age
121.10 Self-Service Sales Prohibited
121.11 Permit Revocation

121.01 DEFINITIONS. For use in this chapter the following terms are defined:
(Code of Iowa, Sec. 453A.1)

1. "Alternative nicotine product" means a product, not consisting of or containing tobacco, that provides for the ingestion into the body of nicotine, whether by chewing, absorbing, dissolving, inhaling, snorting, or sniffing, or by any other means. "Alternative nicotine product" does not include cigarettes, tobacco products, or vapor products, or a product that is regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

2. "Cigarette" means any roll for smoking made wholly or in part of tobacco, or any substitute for tobacco, irrespective of size or shape and irrespective of tobacco or any substitute for tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material. However, cigarettes shall not be construed to include cigars.

3. "Department" means the State Department of Revenue.

4. "Place of business" means any place where cigarettes, tobacco products, alternative nicotine products, or vapor products are sold, stored, or kept for the purpose of sale or consumption by a retailer.

5. "Retailer" means every person who sells, distributes, or offers for sale for consumption, or possesses for the purpose of sale for consumption, cigarettes, alternative nicotine products, or vapor products, irrespective of the quantity or amount or the number of sales, or who engages in the business of selling tobacco, tobacco products, alternative nicotine products, or vapor products to ultimate consumers.

6. "Self-service display" means any manner of product display, placement, or storage from which a person purchasing the product may take possession of the product, prior to purchase, without assistance from the retailer or employee of the retailer, in removing the product from a restricted access location.

7. "Tobacco products" means the following: cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts or refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or for both chewing and smoking, but does not mean cigarettes.

8. "Vapor product" means any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance. "Vapor product" includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Vapor product" does not include a product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

121.02 PERMIT REQUIRED.

1. Retail Cigarette Permits. It is unlawful for any person, other than a holder of a retail permit, to sell cigarettes, alternative nicotine products, or vapor products at retail and no retailer shall distribute, sell, or solicit the sale of any cigarettes, alternative nicotine products, or vapor products within the City without a valid permit for each place of business. The permit shall, at all times, be publicly displayed at the place of business so as to be easily seen by the public and the persons authorized to inspect the place of business.

(Code of Iowa, Sec. 453A.13(1))

2. Retail Tobacco Permits. It is unlawful for any person to engage in the business of a retailer of tobacco, tobacco products, alternative nicotine products, or vapor products at any place of business without first having received a permit as a retailer for each place of business owned or operated by the retailer.

(Code of Iowa, Sec. 453A.47A(1))

A retailer who holds a retail cigarette permit is not required to also obtain a retail tobacco permit. However, if a retailer only holds a retail cigarette permit and that permit is suspended, revoked, or expired, the retailer shall not sell any tobacco, tobacco products, alternative nicotine products, or vapor products, during such time.

(Code of Iowa, Sec. 453A.47A(4))

121.03 APPLICATION. A retailer shall submit to the department an application on forms furnished by the department, accompanied by the required fees and adequate bond as provided in Section 453A.14, of the *Code of Iowa*. Applications, any supporting documentation, and the associated fees shall be submitted electronically to the department.

(Code of Iowa, Sec. 453A.13(5))

121.04 CITY APPROVAL. The City may approve retail permit applications for applicants with a place of business within the City limits. The City shall use the electronic portal of the department to process retail permit applications. Upon approval of a retail permit application by the City the department shall issue the permit to the applicant on behalf of the City.

(Code of Iowa, Sec. 453A.13(2))

121.05 FEES. The fee for a retail cigarette or tobacco permit shall be as follows:
(Code of Iowa, Sec. 453A.13(3)(b) and 453A.47A(7))

FOR PERMITS GRANTED DURING:	FEE:
July, August, or September	$ 75.00
October, November, or December	$ 56.25
January, February, or March	$ 37.50
April, May, or June	$ 18.75

121.06 ISSUANCE. Each permit issued shall describe clearly the place of business for which it is issued and shall be nonassignable.
(Code of Iowa, Sec. 453A.13(9))

121.07 EXPIRATION. All permits shall expire on June 30 of each year. A permit shall not be granted or issued until the applicant has paid the fees to the department for the next period ending on June 30.
(Code of Iowa, Sec. 453A.13(3)(a))

121.08 REFUNDS. A retailer may surrender an unrevoked permit and receive a refund from the City, except during April, May, or June, in accordance with the schedule of refunds as provided in Section 453A.13 or 453A.47A of the *Code of Iowa*.
(Code of Iowa, 453A.13(4) and 453A.47A(8))

121.09 PERSONS UNDER LEGAL AGE. A person shall not sell, give, or otherwise supply any tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes to any person under 21 years of age. The provision of this section includes prohibiting a person under 21 years of age from purchasing tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes from a vending machine. If a retailer or employee of a retailer violates the provisions of this section, the Council shall, after written notice and hearing, and in addition to the other penalties fixed for such violation, assess the following:

1. For a first violation, the retailer shall be assessed a civil penalty in the amount of $300.00. Failure to pay the civil penalty as ordered under this subsection shall result in automatic suspension of the permit for a period of 14 days.

2. For a second violation within a period of two years, the retailer shall be assessed a civil penalty in the amount of $1,500.00 or the retailer's permit shall be suspended for a period of 30 days. The retailer may select its preference in the penalty to be applied under this subsection.

3. For a third violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of $1,500.00 and the retailer's permit shall be suspended for a period of 30 days.

4. For a fourth violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of $1,500.00 and the retailer's permit shall be suspended for a period of 60 days.

5. For a fifth violation within a period of four years, the retailer's permit shall be revoked.

The Clerk shall give 10 days' written notice to the retailer by mailing a copy of the notice to the place of business as it appears on the application for a permit. The notice shall state the reason for the contemplated action and the time and place at which the retailer may appear and be heard.
(Code of Iowa, Sec. 453A.2, 453A.22, and 453A.36(6))

121.10 SELF-SERVICE SALES PROHIBITED. Except for the sale of cigarettes through a cigarette vending machine as provided in Section 453A.36(6) of the *Code of Iowa*, a retailer shall not sell or offer for sale tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes through the use of a self-service display.

(Code of Iowa, Sec. 453A.36A)

121.11 PERMIT REVOCATION. Following a written notice and an opportunity for a hearing, as provided by the *Code of Iowa*, the Council may also revoke a permit issued pursuant to this chapter for a violation of Division I of Chapter 453A of the *Code of Iowa* or any rule adopted thereunder. If a permit is revoked, a new permit shall not be issued to the permit holder for any place of business, or to any other person for the place of business at which the violation occurred, until one year has expired from the date of revocation, unless good cause to the contrary is shown to the Council. The Clerk shall report the revocation or suspension of a retail permit to the department within 30 days of the revocation or suspension.

(Code of Iowa, Sec. 453A.22)

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the _____ day of _____, _____, and approved this _____ day of _____, _____.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: March 2, 2026

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 864 on the _____ day of _____, 2026.

_____
City Clerk

ORDINANCE NO. 865

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGE CITY, IOWA, BY AMENDING PROVISIONS PERTAINING TO LIQUOR LICENSES AND WINE AND BEER PERMITS

Be It Enacted by the City Council of the City of Orange City, Iowa:

SECTION 1. SUBSECTION MODIFIED. Subsection 8 of Section 120.05 of the Code of Ordinances of the City of Orange City, Iowa, is repealed and the following adopted in lieu thereof:

> 8. Keep on premises covered by a retail alcohol license any alcoholic liquor in any container except the original package purchased from the State Department of Revenue and except mixed drinks or cocktails mixed on the premises for immediate consumption. However, mixed drinks or cocktails that are mixed on the premises and are not for immediate consumption may be consumed on the licensed premises, subject to Section 123.49, Subsection 2, Paragraph D, Subparagraphs (2), (3), and (4) of the *Code of Iowa*.
>
> *(Code of Iowa, Sec. 123.49(2)(d)(2), (3), and (4))*

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the _____ day of _____, _____, and approved this _____ day of _____, _____.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: March 2, 2026

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 865 on the _____ day of _____, 2026.

_____
City Clerk

ORDINANCE NO. 866

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGE CITY, IOWA, BY AMENDING PROVISIONS PERTAINING TO CONFLICT OF INTEREST

Be It Enacted by the City Council of the City of Orange City, Iowa:

SECTION 1. SUBSECTION MODIFIED. Subsection 1 of Section 5.07 of the Code of Ordinances of the City of Orange City, Iowa, is repealed and the following adopted in lieu thereof:

> 1. Compensation of Officers. The payment of lawful compensation of a City officer, volunteer firefighter as defined in Section 85.61 of the *Code of Iowa*, emergency medical care provider as defined in Section 147A.1 of the *Code of Iowa*, or employee holding more than one City office or position, the holding of which is not incompatible with another public office or is not prohibited by law. This subsection shall not be construed to prohibit nominal stipends, compensation, incentives, or benefits for volunteer firefighters or emergency medical care providers.
>
> *(Code of Iowa, Sec. 362.5(3)(a))*

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the _____ day of _____, _____, and approved this _____ day of _____, 2026.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: March 2, 2026

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 866 on the _____ day of _____, 2026.

_____
City Clerk

ORDINANCE NO. 867

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGE CITY, IOWA, BY AMENDING PROVISIONS PERTAINING TO PUBLIC HEARING REQUIREMENTS

Be It Enacted by the City Council of the City of Orange City, Iowa:

SECTION 1. SUBPARAGRAPH MODIFIED. Subparagraph (1) of Paragraph D of Subsection 4 of Section 7.05 of the Code of Ordinances of the City of Orange City, Iowa, is repealed and the following is adopted in lieu thereof:

> (1) Notice of the public hearing shall be published not less than four or more than 20 days in a newspaper published at least once weekly and having general circulation in the City. However, if the City has a population of 200 or less, publication may be made by posting in three public places in the City.
>
> *(Code of Iowa, Sec, 24.2A(4)(b)(2))*

SECTION 2. SUBSECTION MODIFIED. Subsection 6 of Section 7.05 of the Code of Ordinances of the City of Orange City, Iowa, is repealed and the following is adopted in lieu thereof:

> 6. Notice of Hearing. Following, and not until completion of requirements, of Subsection 4 of this section, the Council shall set a time and place for public hearing on the budget to be held before April 30 and shall publish notice of the hearing not less than four or more than 20 days before the hearing. A summary of the proposed budget and a description of the procedure for protesting the City budget under Section 384.19 of the *Code of Iowa*, in the form prescribed by the Director of the Department of Management, shall be included in the notice. Proof of publication of the notice under this subsection must be filed with the County Auditor.
>
> *(Code of Iowa, Sec. 384.16(3))*

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 by the Council on the _____ day of _____, _____, and approved this _____ day of _____, _____.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: March 2, 2026

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 867 on the _____ day of _____, 2026.

_____
City Clerk

ORDINANCE NO. 868

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGE CITY, IOWA, BY ADDING A NEW SECTION PROHIBITING FALSE REPRESENTATION OF SERVICE ANIMAL

Be It Enacted by the City Council of the City of Orange City, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Orange City, Iowa, is amended by adding a new Section 55.22, entitled FALSE REPRESENTATION OF SERVICE ANIMAL, which is hereby adopted to read as follows:

55.22 FALSE REPRESENTATION OF SERVICE ANIMAL. A person commits the offense of intentional misrepresentation of an animal as a service animal or a service-animal-in-training if, for the purpose of obtaining any of the rights or privileges set forth in State or federal law, the person intentionally misrepresents an animal in one's possession as one's service animal or service-animal-in-training or a person with a disability's service animal or service-animal-in-training whom the person is assisting by controlling.

(Code of Iowa, Section 216C.11(3)(B))

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the _____ day of _____, _____, and approved this _____ day of _____, _____.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: March 2, 2026

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 868 on the _____ day of _____, 2026.

_____
City Clerk