

## ORDINANCE NO. 02-O-2021-2022

ORDINANCE AMENDING CHAPTERS 6 AND 12 OF TITLE II OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TO PERMIT CERTAIN NONRESIDENTS OF THE CITY TO BE APPOINTED TO, AND SERVE ON, THE AIRPORT COMMISSION AND TO CLARIFY QUALIFICATIONS FOR THE AIRPORT COMMISSION AND OTHER CITY COMMISSIONS, BOARDS, AND AGENCIES

WHEREAS, Chapters 2-6 and 2-12 of the City Code of the City of Storm Lake, Iowa has heretofore required that all five members of the Airport Commission be “resident voters” of the City;

WHEREAS, the City Council of the City of Storm Lake, Iowa, has determined that Section 2-6-1 of Chapter 6 and Section 2-12-2 of Chapter 12, all in Title II of the City Code of the City of Storm Lake, Iowa, should be amended to permit no more than two persons of the five-person Airport Commission to be appointed to such Commission who are not residents of the City of Storm Lake but who are residents of Buena Vista County, Iowa and who own, directly or indirectly as set forth below, real estate situated in the City of Storm Lake, Iowa upon which real estate taxes are levied; and

WHEREAS, while amending such sections, certain qualifications set forth in those sections pertaining to persons who may be appointed to the Airport Commission as well as to other City commissions, boards, and agencies should be clarified.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, as follows:

Section 1. Section 2-6-1, captioned, “Organization” in Title II of the City Code of the City of Storm Lake, Iowa, is hereby deleted and the following new Section 2-6-1, captioned, “Organization” is substituted therefor:

### **Section 2-6-1 Organization**

The Airport Commission shall consist of five (5) members at least three of whom shall be residents of the City of Storm Lake registered to vote in the City of Storm Lake and no more than two of whom may be residents of Buena Vista County outside the city limits of the City of Storm Lake, provided that any such nonresident of the City to be appointed to such commission:

- a) owns,
- b) has a twenty-five percent (25%) or greater interest in an entity that owns, or
- c) is the grantor and a beneficiary of a trust that owns an interest in nonexempt real estate situated in the City of Storm Lake, Iowa upon which interest real estate taxes are levied. The members of the Airport

Commission shall be appointed by the Mayor, such appointments to be approved by the Council and each appointment shall be for a term of three (3) years. Vacancies shall be filled as original appointments are made. The Commission shall elect from its own members a chairperson and a secretary who shall serve for such terms as the Commission shall determine; provided, however, that a nonresident of the City shall not be elected or serve as chairperson of the Commission.

Section 2. Section 2-12-2, captioned, "Qualification" in Title II of the City Code of the City of Storm Lake, Iowa, is hereby deleted and the following new Section 2-12-2, captioned, "Qualification" is substituted therefor:

**Section 2-12-2 Qualification**

No person may be appointed to any Board, Commission, or Agency designated in Section 2-12-1 unless that person shall be an eligible elector in the State of Iowa, a domiciliary of the State of Iowa, a resident of the City of Storm Lake and at least eighteen years of age, with the exception that a person appointed to the Airport Commission need not be a resident of the City of Storm Lake if such person otherwise qualifies to be appointed a member of the Airport Commission under the provisions of Section 2-6-1.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

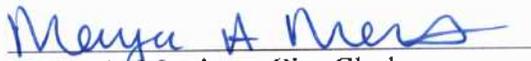
Section 4. This ordinance shall be in effect following its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 7<sup>th</sup> DAY of SEPTEMBER, 2021.



Michael Porsch, Mayor

ATTEST:

  
Mayra A. Martinez, City Clerk