

**ORDINANCE NO. 1061 (2024/2025)**

**AN ORDINANCE AMENDING CHAPTER 165, SECTION 08 (USE TYPES) OF THE CITY CODE BY ADDING LANGUAGE PERTAINING TO BREWERIES AND AMENDING TABLE 165.09-2 (PERMITTED USES)**

**BE IT ENACTED** by the City Council of the City of Nevada, Iowa, as follows:

**SECTION 1. SECTION MODIFIED.** Chapter 165, Section 08 (Use Types) is hereby amended by inserting the following underlined language and deleting the ~~striketrough~~ language:

7. Commercial Use Types. Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

...

*EE. Brewery, micro—establishments that engage primarily in the brewing of beers, ales, and/or similar beverages on-site for distribution, retail or wholesale, on or off-premises and produces no more than 10,000 barrels of beer or ale annually. A microbrewery may include a tasting room for consumption on-premises.*

**SECTION 2. TABLE MODIFIED.** Table 165.09-2 (Permitted Uses by Zoning Districts) is hereby amended by inserting the following underlined language and deleting the ~~striketrough~~ language:

Table 165.09-2 Permitted Uses by Zoning Districts

Use Types	AR	RR	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BPL	LI	GI	COS	Additional Regulation
Commercial Uses																	165.16 (6) (A & B)
Cocktail Lounge								<u>S-P</u>		S	<u>S-P</u>	P	S	P	P		
<u>Brewery, micro</u>								<u>P</u>		<u>S</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>		

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 REPEALER.** All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4. 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 1<sup>st</sup> Reading on this 14<sup>th</sup> day of October, 2024.  
Passed and approved 2<sup>nd</sup> Reading on this 28<sup>th</sup> day of October, 2024.  
Passed and approved 3<sup>rd</sup> and Final Reading on this 12<sup>th</sup> day of November, 2024. Enacted upon  
publication

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Brett Barker, Mayor

ATTEST:

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Kerin Wright, City Clerk

1<sup>st</sup> Reading – October 14, 2024

Motion by Council Member Sandy Ehrig, seconded by Council Member Melissa Muschick, to adopt the first reading of Ordinance No. 1061 (2024/2025).

AYES: Ehrig, Muschick, Neelson, Sampson

NAYS: None

ABSENT: Corbin, Skaggs

2<sup>nd</sup> Reading – October 28, 2024

Motion by Council Member Dane Neelson, seconded Council Member by Melissa Muschick, to adopt the second reading of Ordinance No. 1061 (2024/2025).

AYES: Neelson, Muschick, Corbin, Sampson, Skaggs, Ehrig

NAYS: None

ABSENT: None

3<sup>rd</sup> Reading – November 12, 2024

Motion by Council Member Dane Neelson, seconded by Council Member Melissa Muschick, to adopt the third and final reading of Ordinance No. 1061 (2024/2025).

AYES: Neelson, Muschick, Corbin, Skaggs, Ehrig

NAYS: None

ABSENT: None

The Mayor declared Ordinance No. 1061 (2024/2025) adopted.

I certify that the foregoing was published as Ordinance No. 1061 (2024/2025) on the 12<sup>th</sup> day of November, 2024.

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Kerin Wright, City Clerk