

TITLE VI PHYSICAL ENVIRONMENT

CHAPTER 9 VACATION AND DISPOSAL

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6-9-1 **POWER TO VACATE.** When, in the judgement of the Council, it would be in the best interest of the City to vacate a street or alley or portion thereof, they may do so in accordance with the provisions of this chapter.

6-9-2 **PLAN COMMISSION.** Any proposal to vacate a street or alley shall be referred by the Council to the planning commission for its study and recommendation prior to further consideration by the Council. The planning commission shall submit a written report including recommendations to the Council within thirty (30) days of the date proposed vacation was referred to it.

6-9-3 **NOTICE OF VACATION HEARING.** The Council shall cause to be published a notice of public hearing at which time the proposal to vacate shall be considered.

6-9-4 **FINDINGS REQUIRED.** No street or alley, or portion thereof, shall be vacated unless the Council finds that:

1. **Public Use.** The street or alley proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.

2. **Abutting Property.** The proposed vacation will not deny owners or property abutting on the street or alley reasonable access to their property.

6-9-5 **DISPOSAL OF STREETS OR ALLEYS.** When in the judgement of the Council it would be in the best interest of the City to dispose of a vacated street or alley, or portion thereof, they may do so by resolution following notice and hearing.

6-9-6 **DISPOSAL BY GIFT LIMITED.** The City may not dispose of a vacated street or alley, or portion thereof, by gift except to a governmental body for a public purpose.