

ORDINANCE No. 26-03

AN ORDINANCE REPEALING BREMER COUNTY ORDINANCE 23-02 (AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE BREMER COUNTY ZONING ORDINANCE 22-07 FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE)

WHEREAS, the United States Court of Appeal for the 8th Circuit has ruled in Couser, et al. v. Shelby County, et al., Nos. 23-3758 & 23-3760 (June 5, 2025), and

WHEREAS, Bremer County Ordinance 23-02 contains provisions substantially similar to one of the ordinances pre-empted by that ruling, and

WHEREAS, Bremer County has deep concerns with the impact of the ruling, but recognizes that the ruling is likely dispositive of issues raised in similar litigation against Bremer County.

NOW THEREFORE, BE IT ENACTED BY THE SUPERVISORS OF BREMER COUNTY, IOWA:

The Bremer County Board of Supervisors repeals ordinance 23-02.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

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.

EFFECTIVE DATE: This Ordinance repealing Ordinance 23-02, as adopted, shall take effect upon publication.

The Bremer County Planning and Zoning Commission, after a public hearing, recommended this Ordinance for approval on 2-24-26.

The Bremer County Board of Supervisors took the following actions:

Public Hearing and First Consideration: 3-1-26.

Second Consideration: Waived.

Third Consideration: Waived.

Passed and adopted this 10th day of March, 2026.



Chairperson

Bremer County Board of Supervisors

ATTEST:



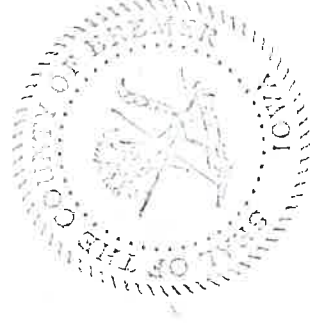
Shelley Wolf, Auditor

AUDITOR'S CERTIFICATE

Ordinance No. 26-3 was published in the Waverly Newspaper on the 17th Day of March, 2026



Shelley Wolf - Auditor



STATE OF IOWA

ss:

Bremner County,

CERTIFICATION OF PUBLICATION

I, Carrie Wright being duly sworn depose

and say that I am Office Assistant / designer of

THE WAVERLY NEWS-PAPERS, a weekly newspaper published at

Waverly, Bremner County, Iowa, and I further state that the annexed and
subjoined notice was duly published in said paper, as often as once in

each week for 1 week(s), commencing on the 17 day of

March, 2026, and ending on the 17 day of

March, 2026.

Carrie Wright

Subscribed and sworn to before me this

17

day of

March

, 2026.

Notary Public in and for Bremner County, Iowa

Michelle Marie Buzynski

Printer's Fee, \$ 45.58 *

*Charge for additional certificates

