

ORDINANCE NO. 2020-0119

**AN ORDINANCE AMENDING THE RENTAL HOUSING CODE
AND RELOCATING THE RENTAL HOUSING CODE AND
OTHER SPECIFIC SECTIONS OF CITY CODE RELATING TO
THE REGULATION OF PROPERTY MAINTENANCE TO A
NEWLY CREATED TITLE WITHIN CITY CODE, TITLE 16 –
RENTAL HOUSING AND PROPERTY MAINTENANCE
REGULATIONS**

WHEREAS, an update to the City of Muscatine Rental Housing Code, which establishes minimum standards for rented dwelling units and an inspection and licensing system to ensure that said standards are being complied with, has been prepared; and

WHEREAS, the intent of this update to the Rental Housing Code is to; update rental inspection standards; make regulatory language easier to understand; streamline rental licensing, registration, and inspection process; and centralize all City Code provisions relating to rental housing into one single chapter; and

WHEREAS, in order to create a single and easy to find location within City Code for the Rental Housing Code and other regulations relating to property maintenance, Title 16 - Rental Housing and Property Maintenance Regulations is being added to City Code; and

WHEREAS, in addition to being the location within City Code for the Rental Housing Code, other existing portions of City Code related to substandard buildings and property maintenance, specifically Sections 8-5-1(D), 8-5-9, 8-5-10, 8-5-11, 8-5-12, 8-5-13, 8-5-14, and 9-3-15 are being relocated to the new Title 16.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA:**

SECTION 1. Title 16 - Rental Housing and Property Maintenance Regulations, attached hereto as Exhibit A, is adopted as part of the City Code of Muscatine, Iowa, the entire City Code, and Exhibit A is available in the City Clerk's Office or online at www.muscatineiowa.gov.

SECTION 2. Chapter 5 of Title 8 is hereby deleted and is replaced with the following text "Chapter 5 – Reserved"

SECTION 3. Section 15 of Chapter 3 of Title 9 is hereby deleted.

SECTION 4. 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 5. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

SECTION 6. This ordinance shall be in effect from and after the passage and approval and publication of this ordinance, as provided by law

PASSED, APPROVED AND ADOPTED this 2nd day of April, 2020.

Attest



Greg Jenkins
Interim City Clerk

By the City Council of the City of
Muscatine, Iowa

Diana L. Broderson, Mayor

First Reading: 4-2-2020
Second Reading: 4-9-2020
Third Reading:
Publication: 4-16-2020



COMMUNITY DEVELOPMENT DEPARTMENT

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Planning • Zoning • Building Safety • Construction Inspection Services • Public Health • Housing Inspections • Code Enforcement

MEMORANDUM

To: Mayor and City Council Members

Cc: Greg Jenkins, Interim City Administrator
Jodi Royal-Godwin, Community Development Director

From: Andrew Fangman, Assistant Community Development

Date: April 2, 2020

Re: An Ordinance Amending the Rental Housing Code and Relocating the Rental Housing Code and Other Specific Sections of City Code Relating to the Regulation of Property Maintenance to a Newly Created Title Within City Code, Title 16 – Rental Housing and Property Maintenance Regulations

The attached ordinance is the culmination of a nearly year long process to update the City's rental housing regulations. As directed by a consensus of City Council at the March 12th in depth meeting, this ordinance adopts the draft of the rental housing code that was presented to City Council. In addition to adopting the updated rental housing code, this ordinance will relocate, to a new title, within City Code the rental housing code and certain other property maintenance regulations.

Currently rental housing regulations are located within Chapter 5 of Title 8 of City Code. To better organize and to make City Code easier to use, the changes made by ordinance would limit the topics covered by Title 8 to regulations related to construction and renovation activities. The remaining chapters of Title 8 would adopt the Building Code, Electrical Code, Plumbing Code, Mechanical Code, Fuel Gas Code, and the Residential Building Code; additional it will regulation the demolition and the moving of building, as well as the assigning of addresses.

This ordinance adds a new title to City Code, Title 16 – Rental Housing and Property Maintenance Regulations. The intent of this new Title is to create a single space in City Code for regulations relating to required maintenance, upkeep, and conditions of property, and the process by which these regulations are implemented. The update rental housing code is to be added as a chapter in this new title.

In addition to the rental housing regulations, Chapter 5 of Title 8 also contains regulations relating to substandard buildings, and also the process by which appeals relating to rental housing regulations or substandard buildings are heard. These portion of Chapter 5 of Title 8 (Section 8-5-9 through 8-5-14) will be relocated to the new Title 16, with no changes made, other than location within City Code.

The proposed Title 16 is also structured in a way to accommodate the possible future adoption of a property maintenance code. Council has previously indicated a desire to adopt more comprehensive regulations of the minimum maintenance standards for all properties, and not just rental properties. With the completion of the process to update the rental housing code, bringing several options for property maintenance regulations for City Council consideration, will be a top priority of staff.

***** Proof of Publication *****

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE MUSCATINE JOURNAL, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE MUSCATINE JOURNAL, on the dates listed below.

CITY OF MUSCATINE- Legals account

215 Sycamore Street
MUSCATINE, IA 52761

ORDER NUMBER 68295

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Helen Cooper

Section: Notices & Legals
Category: 2635 Legal Ordinance
PUBLISHED ON: 04/23/2020

TOTAL AD COST: 67.72
FILED ON: 4/23/2020

Subscribed and sworn to before me by said affiant this 23 day of April 2020.

Danine Glascock

Notary Public in and for Scott County, Iowa



*** Proof of Publication ***

NOTICE

ORDINANCE NO. 2020-0119

AN ORDINANCE AMENDING THE RENTAL HOUSING CODE AND RELOCATING THE RENTAL HOUSING CODE AND OTHER SPECIFIC SECTIONS OF CITY CODE RELATING TO THE REGULATION OF PROPERTY MAINTENANCE TO A NEWLY CREATED TITLE WITHIN CITY CODE, TITLE 16 - RENTAL HOUSING AND PROPERTY MAINTENANCE REGULATIONS

WHEREAS, an update to the City of Muscatine Rental Housing Code, which establishes minimum standards for rented dwelling units and an inspection and licensing system to ensure that said standards are being complied with, has been prepared; and

WHEREAS, the intent of this update to the Rental Housing Code is to: update rental inspection standards; make regulatory language easier to understand; streamline rental licensing, registration, and inspection process; and centralize all City Code provisions relating to rental housing into one single chapter; and

WHEREAS, in order to create a single and easy to find location within City Code for the Rental Housing Code and other regulations relating to property maintenance, Title 16 - Rental Housing and Property Maintenance Regulations is being added to City Code; and

WHEREAS, in addition to being the location within City Code for the Rental Housing Code, other existing portions of City Code related to substandard buildings and property maintenance, specifically Sections 8-5-1(D), 8-5-9, 8-5-10, 8-5-11, 8-5-12, 8-5-13, 8-5-14, and 8-5-15 are being relocated to the new Title 16.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA:

SECTION 1. Title 16 - Rental Housing and Property Maintenance Regulations, attached hereto as Exhibit A, is adopted as part of the City Code of Muscatine, Iowa, the entire City Code, and Exhibit A is available in the City Clerk's Office or online at www.muscatineiowa.gov.

SECTION 2. Chapter 5 of Title 8 is hereby deleted and is replaced with the following text "Chapter 5 - Reserved"

SECTION 3. Section 15 of Chapter 3 of Title 9 is hereby deleted.

SECTION 4. 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 5. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

SECTION 6. This ordinance shall be in effect from and after the passage and approval a publication of this ordinance, as provided by law

PASSED, APPROVED AND ADOPTED this 2nd day of April, 2020.

Attest

By the City Council of the City of Muscatine, Iowa

Diana L. Broderson, Mayor

Greg Jenkins

Interim City Clerk

First Reading: April 2, 2020

Second Reading: April 9, 2020

Third Reading: April 16, 2020

Following is a summary of the changes made by this ordinance to Code. Full text of these changes can be found in the City Clerk's Office or online at www.muscatineiowa.gov.

The rental housing code been updated to achieve the following goals: simplification of the rental licensing process, making applicable standards easier to understand, to update standards, and to improve customer satisfaction with the process.

In order to streamline the rental licensing, registration, and inspection process the following changes were made: the requirement for annual registration and self-inspections was removed; rental facility licenses will be valid for 3 years; property owners must keep all pertinent information current with the City; and the City may now assess overdue fees against the property. For rental facilities with an expiring license the City will now automatically schedule the required inspection 60 prior to the expiration of the current license. The City will send the property owner an invoice for the inspection fees along with the notice of inspection.

All rental facilities must meet the standards found in Section 16-4-7 These standards intended to provide minimum standards, safeguarding life or limb, health, property and public welfare by regulating and controlling the use, occupancy and maintenance of all residential rental buildings. Estimated in

*** Proof of Publication ***

residential rental buildings. Following is an overview of the significant changes made to these standards.

Screens - one window per room must have a screen. Any type of screen may be used, so long as it can be installed in a manner that credibly keeps insects out.

Heating Facilities - A rental unit must be capable of being heated to 68 degrees.

GFCI Outlets - Requirements for the installation of GFCI outlets in all locations for which the current electrical code requires it. This standard is currently being enforced based on the adopted electrical code, this change provides additional clarity and notification about this requirement.

Smoke Detectors and Carbon Monoxide Alarms - Updated regulations to reflect what is already required under the Iowa Administrative Code.

In addition to adopting the updated rental housing code, this ordinance will relocate, to a new title, within City Code the rental housing code and certain other property maintenance regulations.

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The remaining chapters of Title 8 would adopt the Building Code, Electrical Code, Plumbing Code, Mechanical Code, Fuel Gas Code, and the Residential Building Code; additionally it will regulate the demolition and the moving of building, as well as the assigning of addresses.

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