MUSCATINE CITY COUNCIL
IN-DEPTH MEETING
Thursday, February 9, 2023

Brad Bark, Mayor

Dennis Froelich, 1st Ward
Jeff Osborne, 2nd Ward
Peggy Gordon, 3rd Ward
Nadine Brockert, 4th Ward
John Jindrich, 5th Ward

Angie Lewis, At Large
DeWayne Hopkins, At Large
Carol Webb, City Administrator
Cinda Hilger, Admin. Professional
Brent Hinders, City Attorney

City Council meetings are held on the 1st and 3rd Thursday of each month, In-depth sessions on the 2nd Thursday of each month. All meetings are available for review on the City of Muscatine YouTube page.
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Please join my meeting from your computer, tablet or smartphone.
https://www.gotomeet.me/CityofMuscatine/city-council-meeting

You can also dial in using your phone.
United States: 1-669-224-3412

Access Code: 971-499-597

AGENDA

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **COUNCIL DISCUSSION ITEMS**
   A. Request by Musco Lighting for Tax Increment Financing Assistance for the Expansion of Production Space at Musco's Muscatine Facility in the 1900 block of Stewart Road.

B. Request by Kent Pet Group, Inc. for Tax Increment Financing Assistance for Business Expansion

C. Discussion of Proposed Updates to the Building Code Regulations

5. MAYOR AND COUNCIL REPORTS

6. ADJOURNMENT

City of Muscatine

ITEM NUMBER 2023-0047

IN-DEPTH ITEM - CITY COUNCIL

DATE: 2/9/2023

STAFF

Carol Webb, City Administrator
Nancy Lueck, Finance Director
Andrew Fangman, Assistant Community Development Director

SUBJECT FOR DISCUSSION

Request by Musco Lighting for Tax Increment Financing Assistance for the Expansion of Production Space at Musco's Muscatine Facility in the 1900 block of Stewart Road.

EXECUTIVE SUMMARY

Musco Lighting is planning an expansion at its Muscatine Facility and is requesting Tax Increment Financing (TIF) Assistance. Musco plans to add 22,000 square feet to their pole fabrication area in 2023 and 90,000 square feet of additional aluminum fabrication production space in 2025. The expansion site is located in the 1900 block of Stewart Road on property that directly adjoins the north side of their current operation. Musco is requesting TIF assistance for this project consisting of a 50% tax increment rebate for a period of 10 years.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does City Council support Musco Lighting's request for TIF assistance?

BACKGROUND/DISCUSSION

Due to rapid business growth, an expansion of production space is needed at Musco's Muscatine facility. Musco plans to add 22,000 square feet to their pole fabrication area in 2023. They also have a need for additional aluminum fabrication production space. In 2025, a 90,000 sf facility will be constructed to meet this demand at the Muscatine site. The expansion site is located in the 1900 block of Stewart Road on property that directly adjoins the north side of their current operation.

Musco is requesting TIF assistance consisting of a 50% tax increment rebate for a period of 10 years, which is the standard incentive outlined in the City's TIF Policy. Musco's project qualifies for TIF because the project:

1. aligns with the City's comprehensive plan and zoning ordinances (the 17.4 acre property was recently rezoned from M-2 General Industrial and R-3 single family to M-2 General Industrial);
2. promotes quality development of industrial property;

3. adds high quality jobs (50 new jobs expected over a 3-5 year period with a wage rate of $17+/hour);

4. improves overall economic conditions through employment opportunities and economic growth; and
5. increases the taxable valuation of property in the City of Muscatine (the estimated financial investment in the project is $11.2 million).

Musco's ability to construct this project relies in part on City TIF assistance and assistance from the Iowa Economic Development Authority (IEDA) High Quality Jobs Program. Should the Council support this request for TIF assistance, a request to support Musco's application for assistance from the High Quality Jobs Program will be considered at the February 16 regular City Council meeting.

A copy of the City's TIF policy, an aerial map of the project location, and the project master plan is attached.

ATTACHMENTS

1. TIF Policy
2. Musco TIF Parcel
3. Musco Project Master Plan

City of Muscatine Tax Increment Financing (TIF) Policy

The City of Muscatine is committed to creating a positive environment for economic development in the Muscatine community. The City offers economic development programs that promote a broad mix of housing and business programs to ensure a vibrant community where residents and businesses thrive. The City utilizes Tax Increment Financing to support residential, commercial, and industrial growth within the Muscatine Community.

The goals of Muscatine's TIF program include:

- Ensure that the City provides economic support to strategic projects that accomplish a public purpose.
- Support City goals as outlined in the City's Strategic Plan through new construction and rehabilitation of existing properties in strategic locations throughout the community.
- Promote quality development of residential, commercial, and industrial properties and add or retain high quality jobs.
- Improve overall economic conditions and meet community housing needs.
- Continue to increase the taxable valuation of properties in the City of Muscatine.
- Drive future development through strategic public infrastructure projects in lieu of increasing general obligation debt.
- Provide a guide to developers seeking economic incentives from the City.
- Where applicable, alleviating conditions of blight and deterioration in the City and/or preventing the spread of such conditions.

The City of Muscatine developed this policy to document the goals of the TIF program and to establish structure and objectivity for evaluating economic development projects. Establishing a policy framework for TIF incentives ensures that the City's financial resources are used as efficiently and effectively as possible while accomplishing key City goals.

TIF Program Policies

The following are the policies for Muscatine's TIF program:

1. The City may provide TIF funds for projects that meet City goals, align with the City's comprehensive plan, and comply with the City's development standards and zoning ordinances.
2. The City may provide TIF funds for projects that are in the best interests of the overall community and do not deter from quality of life or environment.
3. The City may provide TIF funds for projects that improve property designated as "blighted" in the City's Urban Renewal Plan.

4. Any applicant seeking TIF funds must demonstrate the extent and importance of requested TIF funding relative to the timing, scope and feasibility of the proposed project. The greater the demonstrated importance of TIF funding, the greater the likelihood of approval.

5. The City may provide TIF funding to residential, commercial and/or industrial projects.

6. The amount and structure of TIF funding is dependent on whether the project meets certain goals such as meeting affordable housing needs, whether there is a need for public infrastructure to serve the project, or if the project is located within strategic areas of the City.

7. Meeting policy guidelines or other criteria does not guarantee the award of financial assistance. City Council may also consider other factors not listed in this policy when determining if a project will receive TIF funding.

8. Situationally, the City may request all manner of private participation from the applicant as a condition to any award of TIF funding, including, but not limited to, sharing in initiation and set up fees, minimum assessment agreements, guarantees or other sureties, claw-back rights, mortgages and other securities.

TIF Funding Calculations and Definitions

TIF funding is exclusively sourced from incremental property tax revenues to be received by the City. Incremental property tax revenues are derived from new property taxes generated from valuation increases on real estate resulting from constructed improvements to the private property. The increased property valuations are multiplied by each year's TIF tax rate which is determined by subtracting any protected levies (e.g. the debt service levies) from the consolidated tax rate of the property. This calculation determines the amount of TIF funding available to a project.

Property valuations are independently determined by the Muscatine County Assessor unless otherwise fixed by a minimum assessment agreement.

Funding Mechanism

TIF rebates are the City's standard mechanism for providing TIF funding support. These rebates are provided under a contract between the City and the business/developer, called a Development Agreement. The Development Agreement will set forth the situationally required (subject to negotiation) performance measures of both the business/developer and the City. TIF rebate payments are routinely made subject to business/developer compliance with the terms of the Development Agreement and to annual appropriation determinations by the City Council under these development agreements, and will not be guaranteed. In a typical scenario, the developer/business constructs the improvements to the property and makes their annual property tax payments when they are due. The City receives much of the property tax payment as TIF revenues and then (subject to annual appropriation) rebates a portion of the TIF revenues back to the developer/business. The amount of rebate and the number of years for the rebate is established in a Development Agreement approved by the City Council and the developer/business prior to the start of construction.

The City may situationally consider other TIF funding mechanisms, such as direct provision of infrastructure improvements to support projects, if warranted under the facts and circumstances.

Standard TIF Program

In order to maintain appropriate and consistent tax revenues for all taxing entities, TIF rebates will generally not exceed 50% of the available TIF increment created by the TIF property for a maximum of 10 years. This limitation is set to realize the needs and obligations of the general fund, the County and school districts and to ensure that the utilization of TIF will have minimal impact to their ongoing operations.

A project may be eligible for standard TIF funding if it can be demonstrated to align with the TIF program goals and policies outlined above.

Expanded TIF Program

The City may consider TIF rebates larger than 50% and up to a maximum of 20 years if the project provides significant urban renewal benefits as determined by the City. Criteria the City may consider for expanded TIF assistance include:

1. The degree to which a project alleviates blight by rehabilitating existing properties and/or buildings or adapting current buildings for a new use.
2. Projects that fill a critical unmet need in the community (e.g. housing, retail, etc.).
3. Projects that provide for a significant expansion of the City's property tax base.
4. Projects that create a significant number of new, quality jobs.
5. Any other considerations as determined by City Council.

TIF Application Process

The following is the general process for projects requesting TIF Assistance:

1. **Consultation Meeting**

   The City Administrator and Finance Director will schedule a consultation meeting to discuss the potential project upon request of the applicant and to determine if the project may be eligible for TIF. The applicant must submit a written request for TIF funding assistance demonstrating the amount of assistance being asked for and the reason why such assistance is needed under the circumstances.

2. **Information Gathering**

   If the project is determined to be eligible, City staff will gather information from the applicant regarding the project and discuss key development agreement terms to be brought before City Council for an endorsement of the project concept.

3. **City Council Concept Endorsement**

   City Council may/may not endorse a project concept based on the recommended development agreement terms. If Council supports the project, it may proceed to the next step.

4. **Amendments to the Urban Renewal Area, the Urban Renewal Plan, and/or creation of a Tax Increment District (if needed)**

   Any TIF project must be located within the City's Urban Renewal Area (the City limits), be included in the City's Urban Renewal Plan and be in a new or existing Tax Increment District. Staff will assist you in ensuring these criteria are met. The process to meet these criteria includes public notices, public hearings, and consideration by City Council at several meetings and can take several months depending on the steps required.

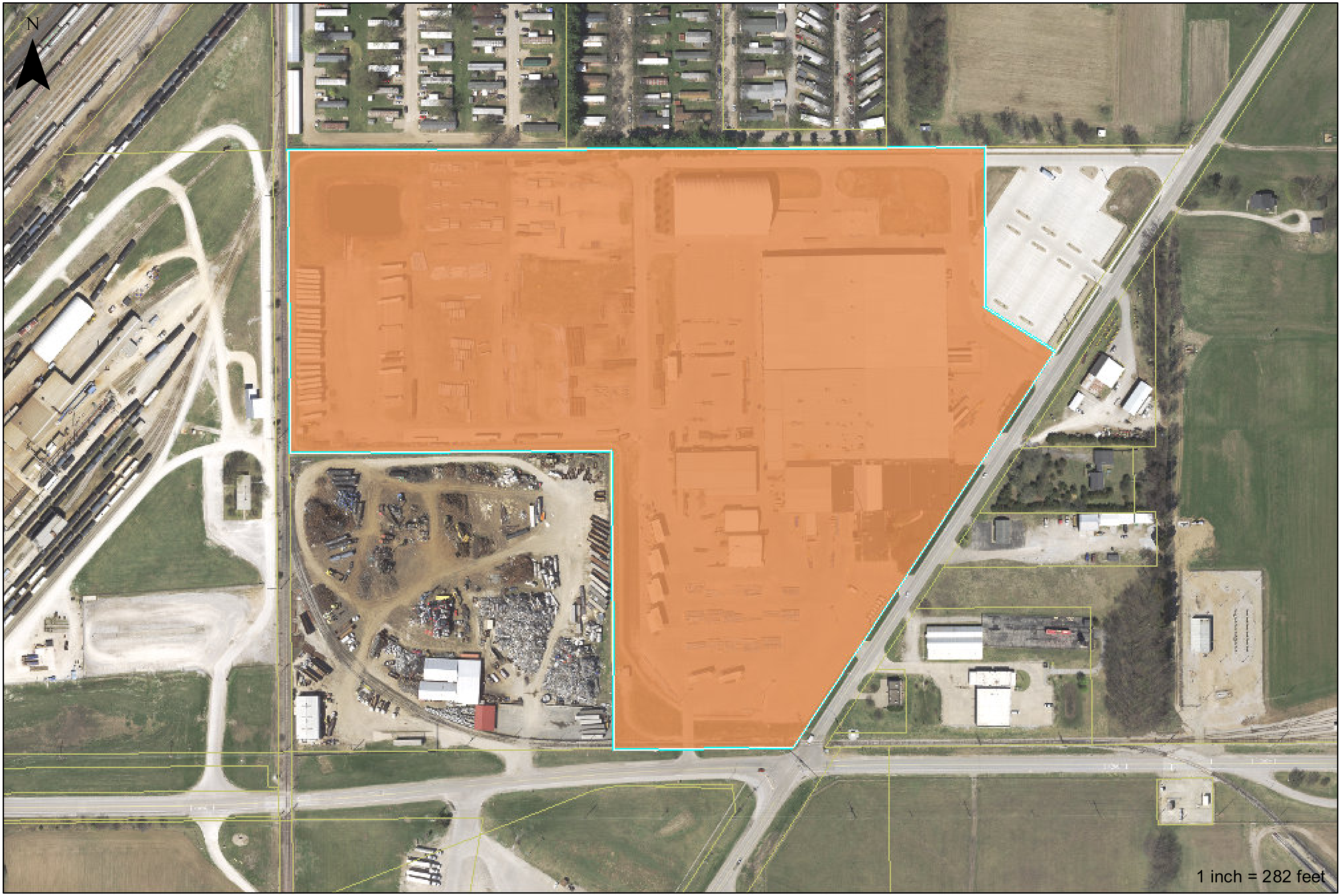
5. **Development Agreement –** the Development Agreement is the formal document outlining the TIF funding mechanism and timeline as well as any other key terms associated with the development. A public hearing is required prior to approval by the City Council and must also be signed by the applicant. The Development agreement is prepared by the City's bond counsel based on information provided by City staff and the developer.

6. **Development Review Process**

   Once a development agreement has been approved, the project may proceed through the City's standard development review process.

Other Economic Development Programs

Other funding alternatives may be available through the City, including tax abatement and Small Business Forgivable Loans. The City provides general information about these programs on the City's website.

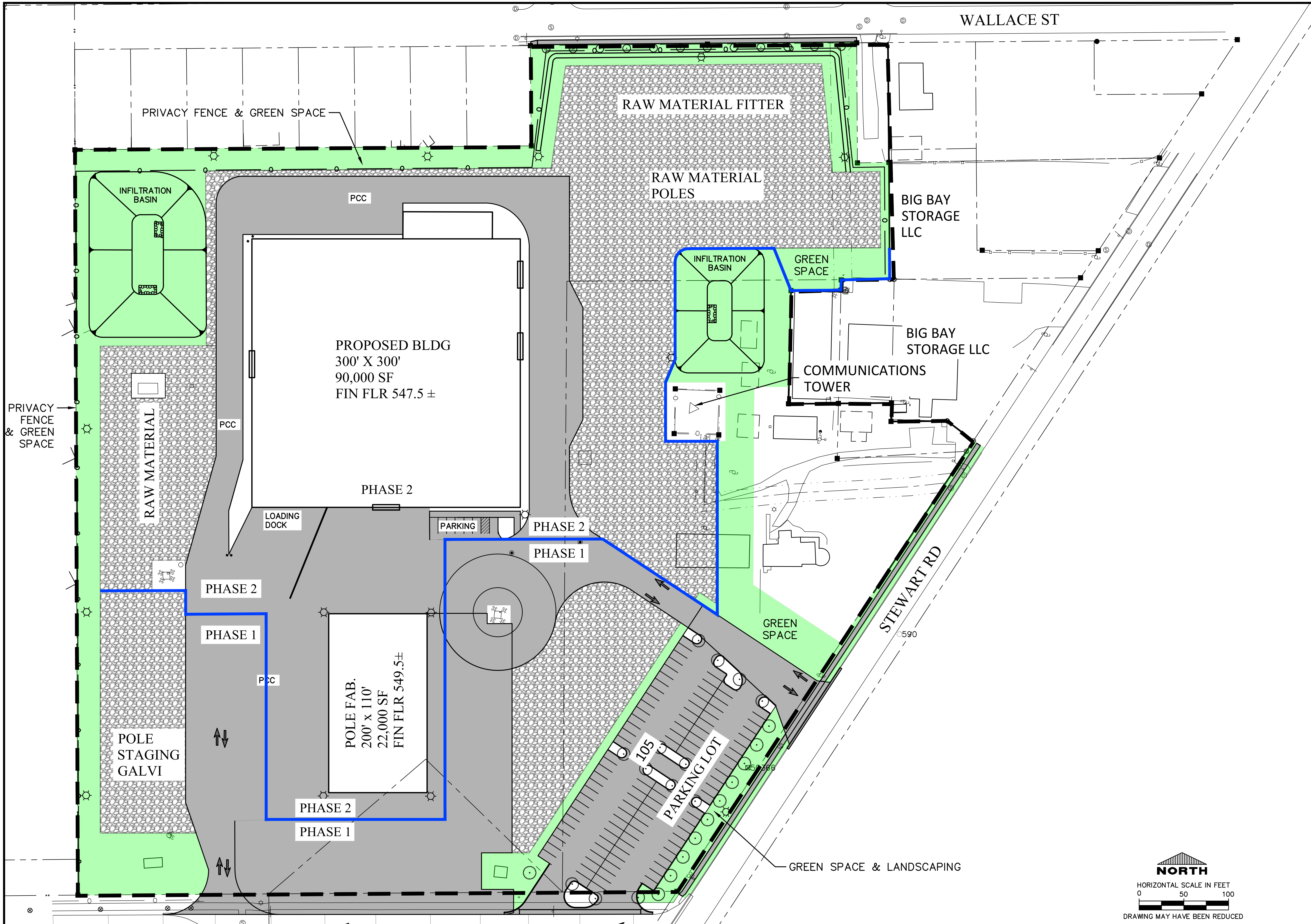


City of Muscatine Print

This map is a print product of the City of Muscatine Information Viewer. All data is displayed in Iowa State Plane South Coordinate System.

Author:

Date: 12/29/2022



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Project Description

MASTER PLAN
KEMPER SITE DEVELOPMENT

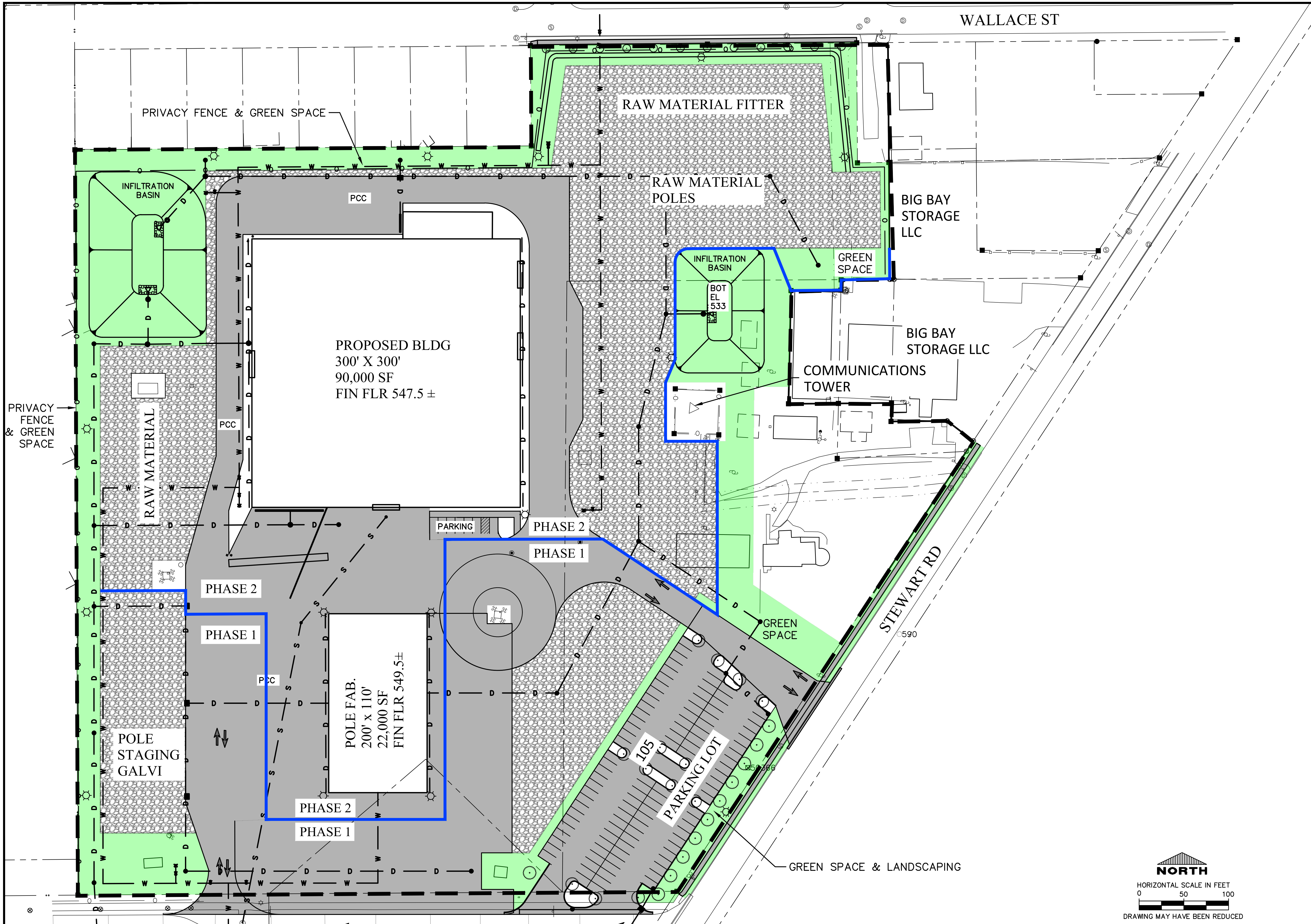
KEMPER SITE DEVELOPMENT
MUSCATINE, IOWA
2022

P:\21\084\DRAWINGS\CIVIL\21084 Z2-01 G MASTER PLAN.DWG 3/2/2022 4:21 PM CODY KELCHEN

Drawing Issue Information
Project Mgr.:
Issued For Bidding:
Drawn By: CJK
Issued For Construction:

Rev	Description	Date	By
	Kemper Site Development Concept Plan	02-16-2022	JHL

Sheet No:
MP 1
Project No: 21084



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Project Description

MASTER PLAN WITH UTILITIES
KEMPER SITE DEVELOPMENT

KEMPER SITE DEVELOPMENT
MUSCATINE, IOWA
2022

P:\21\084\DRAWINGS\CIVIL\21084 Z2-01 G MASTER PLAN.DWG 3/2/2022 4:21 PM CODY KELCHEN

Drawing Issue Information

Project Mgr.:
Issued For Bidding:
Drawn By: CJK
Issued For Construction:

Rev	Description	Date	By
	Kemper Site Development Concept Plan	02-16-2022	JHL

Sheet No:

MP 2

Project No: 21084

City of Muscatine

ITEM NUMBER 2023-0048

IN-DEPTH ITEM - CITY COUNCIL

DATE: 2/9/2023

STAFF

Carol Webb, City Administrator
Nancy Lueck, Finance Director
Andrew Fangman, Assistant Community Development Director

SUBJECT FOR DISCUSSION

Request by Kent Pet Group, Inc. for Tax Increment Financing Assistance for Business Expansion

EXECUTIVE SUMMARY

Kent Pet Group, Inc. is planning an expansion of its Muscatine facilities and is requesting Tax Increment Financing (TIF) Assistance. Kent Corp plans to expand their World's Best Cat Litter production facility, which has grown beyond its current footprint. The expansion site is located at 4315 W. 55th Avenue.

Kent Corporation is requesting enhanced TIF assistance for this project consisting of a 75% tax increment rebate for five (5) years and a 50% rebate for an additional five (5) years (for a total of ten (10) years).

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does City Council support Kent Pet Group, Inc.'s request for TIF assistance?

BACKGROUND/DISCUSSION

Kent Pet Group, Inc. plans to expand their World's Best Cat Litter production facilities because their current production area has grown beyond its footprint. The cat litter, made from a byproduct of corn (which was invented and patented in Muscatine), is a natural and sustainable product. The planned production facility will be located on a 72 acre parcel at 4315 W. 5th Avenue. This property is adjacent to Kent Corps' distribution center (see attached map).

Kent Corp is requesting enhanced TIF assistance consisting of a 75% tax increment rebate for five (5) years and a 50% rebate for an additional five (5) years (for a total of ten (10) years). The planned project qualifies for enhanced TIF because the project:

1. promotes quality development of industrial property;

2. adds and retains high quality jobs (28 new jobs with a wage rate of $26.90/hour and 42 retained jobs with a wage rate of $29.77/hour);
3. improves overall economic conditions in Muscatine through employment opportunities and economic growth;
4. increases the taxable valuation of property in the City of Muscatine with a significant financial investment (the estimated financial investment in the project is $75-80 million); and
5. will manufacture natural and sustainable cat litter, made from a byproduct of corn. The Company sources various raw materials locally, which helps support the local/regional economy.

Kent Pet Group's ability to construct this project in Muscatine relies in part on City TIF assistance and assistance from the Iowa Economic Development Authority (IEDA) High Quality Jobs Program. Should the Council support this request for TIF assistance, a request to support Kent Pet Group's application for assistance from the High Quality Jobs Program will be considered at the February 16 regular City Council meeting.

A copy of the City's TIF policy and an aerial map of the project location is attached.

ATTACHMENTS

1. TIF Policy
2. Kent expansion site

City of Muscatine Tax Increment Financing (TIF) Policy

The City of Muscatine is committed to creating a positive environment for economic development in the Muscatine community. The City offers economic development programs that promote a broad mix of housing and business programs to ensure a vibrant community where residents and businesses thrive. The City utilizes Tax Increment Financing to support residential, commercial, and industrial growth within the Muscatine Community.

The goals of Muscatine's TIF program include:

- Ensure that the City provides economic support to strategic projects that accomplish a public purpose.
- Support City goals as outlined in the City's Strategic Plan through new construction and rehabilitation of existing properties in strategic locations throughout the community.
- Promote quality development of residential, commercial, and industrial properties and add or retain high quality jobs.
- Improve overall economic conditions and meet community housing needs.
- Continue to increase the taxable valuation of properties in the City of Muscatine.
- Drive future development through strategic public infrastructure projects in lieu of increasing general obligation debt.
- Provide a guide to developers seeking economic incentives from the City.
- Where applicable, alleviating conditions of blight and deterioration in the City and/or preventing the spread of such conditions.

The City of Muscatine developed this policy to document the goals of the TIF program and to establish structure and objectivity for evaluating economic development projects. Establishing a policy framework for TIF incentives ensures that the City's financial resources are used as efficiently and effectively as possible while accomplishing key City goals.

TIF Program Policies

The following are the policies for Muscatine's TIF program:

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2. The City may provide TIF funds for projects that are in the best interests of the overall community and do not deter from quality of life or environment.
3. The City may provide TIF funds for projects that improve property designated as "blighted" in the City's Urban Renewal Plan.

4. Any applicant seeking TIF funds must demonstrate the extent and importance of requested TIF funding relative to the timing, scope and feasibility of the proposed project. The greater the demonstrated importance of TIF funding, the greater the likelihood of approval.

5. The City may provide TIF funding to residential, commercial and/or industrial projects.

6. The amount and structure of TIF funding is dependent on whether the project meets certain goals such as meeting affordable housing needs, whether there is a need for public infrastructure to serve the project, or if the project is located within strategic areas of the City.

7. Meeting policy guidelines or other criteria does not guarantee the award of financial assistance. City Council may also consider other factors not listed in this policy when determining if a project will receive TIF funding.

8. Situationally, the City may request all manner of private participation from the applicant as a condition to any award of TIF funding, including, but not limited to, sharing in initiation and set up fees, minimum assessment agreements, guarantees or other sureties, claw-back rights, mortgages and other securities.

TIF Funding Calculations and Definitions

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Property valuations are independently determined by the Muscatine County Assessor unless otherwise fixed by a minimum assessment agreement.

Funding Mechanism

TIF rebates are the City's standard mechanism for providing TIF funding support. These rebates are provided under a contract between the City and the business/developer, called a Development Agreement. The Development Agreement will set forth the situationally required (subject to negotiation) performance measures of both the business/developer and the City. TIF rebate payments are routinely made subject to business/developer compliance with the terms of the Development Agreement and to annual appropriation determinations by the City Council under these development agreements, and will not be guaranteed. In a typical scenario, the developer/business constructs the improvements to the property and makes their annual property tax payments when they are due. The City receives much of the property tax payment as TIF revenues and then (subject to annual appropriation) rebates a portion of the TIF revenues back to the developer/business. The amount of rebate and the number of years for the rebate is established in a Development Agreement approved by the City Council and the developer/business prior to the start of construction.

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Standard TIF Program

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A project may be eligible for standard TIF funding if it can be demonstrated to align with the TIF program goals and policies outlined above.

Expanded TIF Program

The City may consider TIF rebates larger than 50% and up to a maximum of 20 years if the project provides significant urban renewal benefits as determined by the City. Criteria the City may consider for expanded TIF assistance include:

1. The degree to which a project alleviates blight by rehabilitating existing properties and/or buildings or adapting current buildings for a new use.
2. Projects that fill a critical unmet need in the community (e.g. housing, retail, etc.).
3. Projects that provide for a significant expansion of the City's property tax base.
4. Projects that create a significant number of new, quality jobs.
5. Any other considerations as determined by City Council.

TIF Application Process

The following is the general process for projects requesting TIF Assistance:

1. **Consultation Meeting**

   The City Administrator and Finance Director will schedule a consultation meeting to discuss the potential project upon request of the applicant and to determine if the project may be eligible for TIF. The applicant must submit a written request for TIF funding assistance demonstrating the amount of assistance being asked for and the reason why such assistance is needed under the circumstances.

2. **Information Gathering**

   If the project is determined to be eligible, City staff will gather information from the applicant regarding the project and discuss key development agreement terms to be brought before City Council for an endorsement of the project concept.

3. **City Council Concept Endorsement**

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5. **Development Agreement –** the Development Agreement is the formal document outlining the TIF funding mechanism and timeline as well as any other key terms associated with the development. A public hearing is required prior to approval by the City Council and must also be signed by the applicant. The Development agreement is prepared by the City's bond counsel based on information provided by City staff and the developer.

6. **Development Review Process**

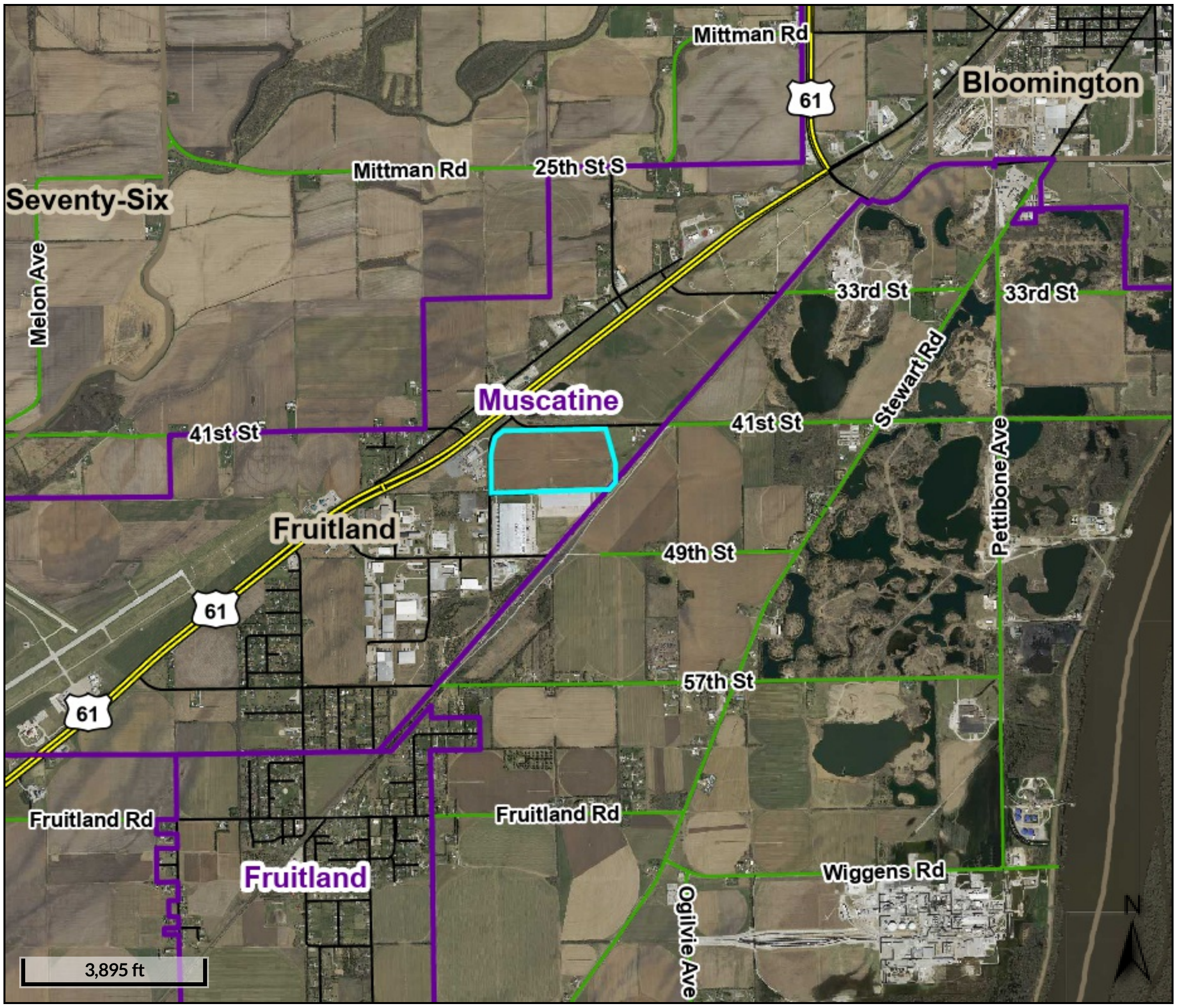
   Once a development agreement has been approved, the project may proceed through the City's standard development review process.

Other Economic Development Programs

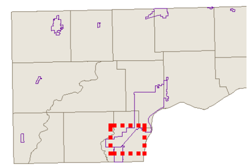
Other funding alternatives may be available through the City, including tax abatement and Small Business Forgivable Loans. The City provides general information about these programs on the City's website.

Beacon™

Muscatine Area Geographic Information Consortium (MAGIC)



Overview



Legend

- Corporate Limits
- Political Township

Roads

- Airport Runway
- City Street
- County Road
- Neighbor County
- Private Drive
- State Highway
- Treadway
- US Highway
- US Hwy - Divided
- <all other values>

Parcel ID	1320126002	**Alternate ID**	RMXMUU-1320126002	**Owner Address**	KENT PET GROUP INC
Sec/Twp/Rng	20-76-2W	**Class**	A		2905 N HWY 61
Property Address	4315 W 55TH AVE MUSCATINE	**Acreage**	71.68		MUSCATINE, IA 52761-5809

District MXMUU

Brief Tax Description 20-76-2W PARCEL D NE NW & NW NE 2015-02960

(Note: Not to be used on legal documents)

Date created: 2/5/2023
Last Data Uploaded: 2/4/2023 1:11:29 AM

Developed by Schneider GEOSPATIAL

City of Muscatine

ITEM NUMBER 2023-0049

IN-DEPTH ITEM - CITY COUNCIL

DATE: 2/9/2023

STAFF

Andrew Fangman, Assistant Community Development Director

SUBJECT FOR DISCUSSION

Discussion of Proposed Updates to the Building Code Regulations

EXECUTIVE SUMMARY

City Code adopts by reference the 2015 versions of the following codes published by the International Code Council: the International Building Code *(non-residential buildings), the* International Residential Code *(residential buildings),* International Plumbing Code; and the International Mechanical Code, 2018 edition *(heating, ventilation, and air conditioning systems).* The International Code Council revises its codes by publishing an updated version every three years. Staff is now recommending that the Council begin the process to adopt the 2021 versions of these codes.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does City Council have any feedback on the information presented?

Does City Council support moving forward on adopting the 2021 building codes, including any local amendments?

BACKGROUND/DISCUSSION

Building regulations are found in Title 8 of City Code. Separate chapters in Title 8 establish regulations for residential buildings and non-residential buildings, as well as electrical, plumbing, fuel gas and mechanical work. All construction occurring in the City must comply with the standards set in these regulations. These building regulations are set by the adoption of model building codes by reference. Included with the adoption by reference are specific amendments made to make codes better fit local conditions. Model codes are building codes developed and maintained by a standards organization, such as the International Code Council, and then which are adopted as a base code standard by communities nationwide.

The intent of adopting model codes is to create consistent performance-based regulations that are effective, efficient and meet government, industry and public needs, in creating a quality built environment that is safe for those occupying it. Adopting a code that is used by thousands of other communities makes it easier for designers and builders to work across multiple jurisdictions.

Title 8 currently adopts the 2015 versions of the following codes published by the International Code Council: the International Building Code *(non-residential buildings), the* International Residential Code *(residential buildings),* International Plumbing Code; and the International Mechanical Code, 2018 edition *(heating, ventilation, and air conditioning systems).* Title 8 also adopts the currently published edition of the National Electric Code and the National Fuel Gas Code.

The International Code Council revises its codes by publishing an updated version every three years, with the input of thousands of professionals, and revisions to the model code consider developments in building technology and changes to environmental conditions.The 2021 versions are the most current versions. It is the recommendation of Staff that the 2021 versions of the building, residential, and mechanical codes be adopted, and the 2021 version of the 2021 of the Uniform Plumbing Code be adopted.

This recommendation is based on the following consideration. New versions of the model codes will be more effective in creating a safe and high-quality built environment. Which versions of building codes that a community has adopted is a factor in determining the premiums charged for property insurance. Adopting a more recent versions leads to lower premiums. The majority of differences between the 2015 and 2021 versions of the codes are changes that provide clarifications, flexibility, and increased methods to achieve code compliance. Other area communities have already adopted or are in the process of adopting the 2021 codes. Making a change to 2021 codes is ultimately necessary to be as consistent as possible with nearby communities in which contractors working in Muscatine might also work.

Staff is proposing that the 2021 Uniform Plumbing Code be adopted as the plumbing code for the City of Muscatine, with an amendment allowing the acceptance of work completed in accordance with the 2021 International Plumbling Code. The State is now mandating the adoption of the Uniform Plumbing Code. However, it does allow for the establishment of acceptable compliance. Adopting the Uniform Plumbing Code, with the allowance for the alternate use of the International Plumbing Code, is beneficial because it allows for state requirements to be met, and would also allow for continued acceptance of the International Plumbing Code, which has long been used in Muscatine. The flexibility of creating additional paths to code compliance will be beneficial to plumbers working in Muscatine.

As with the 2015 International Residential Code, the 2021 version requires fire sprinklers in one or two family homes. The 2021 version includes expanded language that eliminates ambiguity in specific applications where code intends a higher level of fire safety, and closes loopholes relating to one and two family dwellings. When the 2015 International Residential Code was adopted, an amendment removing the requirement for residential sprinklers was included. Currently, all nearby Iowa communities likewise remove this requirement when they adopted the International Residential Code. If the Council choose to proceed with adopting

2021 International Residential Code, it will need to decide if it desires to continue to remove the requirement for fire sprinklers in single or two family homes.

The adoption of the 2015 version of the International Building Code included the requirement for storm shelters to be constructed within critical emergency operations buildings and schools. In 2019 City Council adopted an amendment that removed the requirement for storm shelters incident nonlife-safety items necessitated more in hurricane shelters that may require longer-term use than a typical tornado, including plumbing and toilets and back-up power; the amendment also specified that the construction of storm shelter triggered by an addition to an existing building only need be sized to accommodate the occupancy load of the building addition and not the entire structure. If the Council chooses to adopt the 2021 International Building Code, Council will also need to decide if it wishes to carry forward the amendment that was approved in 2019.

Staff also recommends the adoption of an amendment that would remove the requirement for engineering for smaller pole buildings. It is the opinion of staff that the potential hazard posed by these buildings makes requiring them to be engineered unnecessary.

If the consensus of Council is to proceed with the adoption of the 2021 codes, an ordinance adopting these codes with the desired amendments will be placed on an upcoming City Council agenda. Staff will also conduct outreach to educate contractors and designers about the change to the 2021 codes.

ATTACHMENTS

1. Code Updates NM Edits 2.3.23

Proposed Updates to Building Code Regulations

Date: February 9, 2023

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Agenda

1. What is the Purpose of the building codes
2. Benefits of adopting the 2021 codes
3. Significant code changes
4. Next steps

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Direction Sought

A consensus on adopting 2021 building codes, including local amendments.

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Background

Building Regulations in City Code

- Buildings regulations are found in Title 8 of City Code.
- All construction occurring with the City must comply with these regulations.
- Model building codes are adopted by reference, with specific amendments.
- Model codes are building codes developed and maintained by a standards organization, such as the International Code Council, and then which are adopted as a base code standard by communites nationwide.

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Background

Purpose of Building Codes

- Occupant safety – Fire, Storms, Floods
- Quality and durable buildings
- Uniform minimum safety standards
- Cross jurisdiction consistency of codes

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Background

Currently Adopted Codes

- Title 8 currently adopts the 2015 versions of the following codes published by the International Code Council
  - International Building Code *(non-residential buildings)*
  - International Residential Code *(residential buildings)*
  - International Plumbing Code
  - International Mechanical Code, 2018 edition *(heating, ventilation, and air conditioning systems)*

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Background

Adopting 2021 Versions of Building Code

- The International Code Council revises its codes by publishing an updated version every three years.
- The 2021 versions are the most current versions.
- It is the recommendation of Staff that the 2021 versions be adopted.

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Background

Reasons for Adopting 2021 Versions of Building Code

- Public safety
- Lower insurance rates for property owners
- The majority of differences between the 2015 and 2021 versions of the codes are changes that provide clarifications, flexibility, and increased methods to achieve code compliance.

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Background

Reasons for Adopting 2021 Versions of Building Code

- Consistency with surrounding communities.
- The following nearby communities have already adopted the 2021 versions:
  - Linn County
  - Burlington
  - Johnson County

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Background

Significant Differences Between the 2015 and 2021 Codes

- Adoption of the Uniform Plumbing Code
  - Intend to adopt the Uniform Plumbing Code to be compliant with state requirements.
  - Includes allowances for acceptable alternative methods of compliance.
  - Accept International Plumbing Code as alternative means of compliance.

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Background

Significant Differences Between the 2015 and 2021 Codes

- Residential Sprinkler
  - Currently amended out in city code for one and two family dwellings.
  - Changes expand language to eliminate ambiguity in specific applications where code intends a higher level of fire safety.
  - Updated to close loopholes in buildings other than one and two family dwellings.

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Background

Significant Differences Between the 2015 and 2021 Codes

- Pole building engineering clarification
  - Uniformity with surrounding communities.
  - Counts as an alternative method of construction not covered by code.
  - Currently requires engineering to be accepted as an alternative method of construction.
  - Propose to exempt post frame buildings of a certain size from engineering due to smaller risk.

Background

Significant Differences Between the 2015 and 2021 Codes

- Storm shelters
  - Currently amended in city code to lessen sizing and environmental requirements.
  - Considering adopting as written in 2021 International Building Code, while retaining environmental amendments.
  - City code amendments were based on code proposals that didn't make it through the code development process.

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Next Steps

1. Return with specific verbiage for proposed ordinance changes
2. Educating contractors about changes

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Direction Sought

A consensus on adopting 2021 building codes, including local amendments.

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