

**TITLE 14 - FRANCHISES AND OTHER SERVICES**  
**CHAPTER 1 – GAS FRANCHISE**

SECTIONS:

14-1-1 Granting of Franchise

14-1-2 Non-Exclusive

**14-1-1 Franchise Granted.** INTERSTATE POWER & LIGHT COMPANY (hereinafter called the "Company"), its successors and assigns are hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years<sup>1</sup> from and after the adoption and approval of the ordinance codified by this Chapter, as provided by law, to lay down, maintain and operate the necessary pipes, mains and other conductors and appliances in, along and under the streets, avenues, alleys and public places in the City of Muscatine, Muscatine County, Iowa as now or hereafter constituted, for the purpose of distributing, supplying and selling gas to said City and the residents thereof and to persons and corporations beyond the limits thereof; also the right of eminent domain as provided in **Section 364.2 of the Code of Iowa.**

**14-1-2 Non-exclusive.** The franchise granted by this Ordinance shall not be exclusive.

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<sup>1</sup> Ordinance No. 91191-0410, adopting a natural gas franchise for the City, was passed and adopted on the 15<sup>th</sup> day of April, 2010.

**TITLE 14 - FRANCHISES AND OTHER SERVICES**  
**CHAPTER 2 – CABLE TELEVISION SYSTEMS**

**14-2-1 Board of Trustee.** The management of the City's Cable Telecommunications Utility is the responsibility of the Utility Water, Electric, and Communications Board of Trustees established and operated as described in **Title 2, Chapter 8 of this Code of Ordinances.**

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 1 - FIRE DEPARTMENT**

SECTIONS:

- 15-1-1 Establishment and Purpose
- 15-1-2 Organization
- 15-1-3 Duties
- 15-1-4 Departmental Authority
- 15-1-5 False Information
- 15-1-6 Outside City Limits
- 15-1-7 Priorities
- 15-1-8 Fire in Public Places; Notice
- 15-1-9 Required Training

**15-1-1 Establishment and Purpose.** A Fire and Rescue Department is hereby established to prevent and extinguish fires and to protect lives and property against fires, to promote fire prevention and fire safety, to answer all emergency calls for which there is no other established agency, and to provide emergency rescue and ambulance service resulting from fire, accident or illness; and to undertake all other duties imposed upon said Fire and Rescue Department either by the Council or the laws of the State.

*(Code of Iowa, Sec. 364.16).*

**15-1-2 Organization.** The Department consists of the Fire Chief and such other officers and personnel as may be authorized by the Council.

*(Code of Iowa, Sec. 372.13[4])*

**15-1-3 Duties.**

- A. The Fire Chief, or other authorized officer of the Fire Department, shall perform all duties required by law or ordinance, including but not limited to the following:

*(Code of Iowa, Sec. 372.13[4])*

1. Command. The Chief of the Fire Department shall be the executive head of the Fire Department and shall be charged with the duty of maintaining the efficiency, discipline, and control of the Fire Department. The members of the Fire Department shall, at all times be subject to the direction of the Fire Chief.
2. Investigation. The Chief of the Fire Department or the Chief's designee shall investigate into the cause, origin and circumstances of every fire occurring in the City by which property has been destroyed or damaged or which results in bodily injury to a person, and determine whether the fire was the result of natural causes, negligence or design.

*(Code of Iowa, Section 100.2)*

3. Notification. When death, serious bodily injury, or property damage in excess of two hundred thousand dollars (\$200,000) has occurred as a result of a fire, or if arson is suspected, the fire official required by **Section 100.2 of the Code of Iowa** to make fire investigations, shall notify the state fire marshal's division immediately. For all other fires causing an estimated damage of fifty dollars

(\$50.00) or more or emergency responses by the fire service, the fire official required by **Section 100.2** to investigate shall file a report with the fire marshal's division within ten (10) days following the end of the month. The report shall indicate all fire incidents occurring which have an estimated damage of fifty dollars (\$50.00) or more and state for each incident the name of the owners and occupants of the property at the time of the fire, the value of the property, the estimated total loss to the property, the origin of the fire as determined by investigation, and other facts, statistics, and circumstances concerning the fire incident. The report on each emergency response shall include the nature of the incident and other facts, statistics and circumstances concerning the emergency response.

*(Code of Iowa, Section 100.3)*

4. Duty to Order Corrections. The Fire Chief or an authorized subordinate who conducts an inspection under **Section 100.12 of the Code of Iowa** shall order the correction of a condition found to be in violation of any state, county or City fire safety ordinance.

*(Code of Iowa, Section 100.12)*

5. Duty at Fires. No member of the Fire Department shall resign at the time of an emergency or shall willfully fail or neglect to discharge his/her duty at such time.
6. Maintenance of Records. The Fire Chief shall keep a record of all emergency calls and all the facts concerning the same, including statistics, as to the circumstances surrounding such emergencies and the injuries or damage caused thereby.
7. Maintenance and Control of Property. The Fire Chief shall have exclusive supervision and control of engines, machinery, or apparatus used by the Fire Department. It shall be the duty of the Fire Chief to make inspections as often as deemed necessary, to carefully examine the condition of all such property, including buildings, and see that the same is at all times in good repair and condition, and to report to the City Administrator any major defect in the same, or any major repairs, attention, alterations, or additions required, and shall, with the consent of the Mayor and Council, cause all such major repairs to be made without delay.

#### **15-1-4 Departmental Authority.**

The Fire Chief or other authorized officer of the Fire Department shall have all authority granted by law or ordinance, including but not limited to the following:

*(Code of Iowa, Sec. 372.13[4])*

- A. Enforce Laws. The Fire Chief or other authorized officer of the Fire Department may enforce ordinances and laws regulating fire prevention and the investigation of the cause, origin and circumstances of fires.
- B. Technical Assistance. The Fire Chief is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire-safety specialty organization acceptable to the Fire Chief and the owner and shall analyze the fire-safety properties

of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes.

- C. Authority at Fires. The Fire Chief or other authorized officer of the Fire Department in charge of a fire scene which involves the protection of life or property, may direct an operation as necessary to extinguish or control a fire, perform a rescue operation, investigate the existence of a suspected or reported fire, gas leak, or other hazardous condition, or take any other action as deemed necessary in the reasonable performance of the Department's duties.

*(Code of Iowa, Section 102.2)*

- D. Control of Fire Scene. The Fire Chief or other authorized officer of the Fire Department in charge of a fire scene which involves the protection of life or property, may prohibit an individual, vehicle, or vessel from approaching a fire scene and may remove from the scene any object, vehicle, vessel, or individual that may impede or interfere with the operations of the Fire Department.

*(Code of Iowa, Section 102.2)*

- E. Barricade. The Fire Chief or other authorized officer of the Fire Department may place or erect ropes, guards, barricades, or other obstructions across a street, alley, right-of-way, or private property near the location of the fire or emergency so as to prevent accidents or interference with the fire fighting efforts of the Fire Department, to control the scene until any required investigation is complete, or to preserve evidence related to the fire or other emergency.

*(Code of Iowa, Section 102.3)*

- F. Demolition of Buildings. The Fire Chief or designated Officer in Charge shall have the power to tear down, demolish, destroy, or otherwise remove any building or erection of any kind or to order the same to be done whenever, in his/her opinion and judgment, it is necessary to do so in order to arrest the progress of or to extinguish any conflagration.

- G. Control of Evidence. If any fire results in loss or injury to life or destruction or damage to property and appears of suspicious origin, the Fire Department is authorized to take immediate charge of all physical evidence relating to the cause of the fire.

- H. Investigation of Release of Hazardous Material. The Chief, Officer in Charge, or designated representative is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials.

- I. Authority to Inspect. The Fire Chief or an authorized subordinate who is trained in fire prevention safety standards may enter a building or premises at a reasonable hour to examine the building or premises and its contents.

*(Code of Iowa, Section 100.12)*

- J. Fire Prevention Rules. The Chief, with the approval of the City Administrator, is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of all local fire prevention laws and ordinances.

**15-1-5 False Information.** No person shall, without reasonable cause therefore, for the purpose of either misleading or deceiving, give any alarm of fire, or give or circulate false information as to the location of any bomb, explosive, or other hazardous device or dangerous instrument upon the premises of any building or property or permit said false alarm or information to be given verbally or through any alarm or communication system.

**15-1-6 Outside City Limits.** The fire fighting equipment owned by the City shall not leave the Corporate Limits of the City except under the following conditions:

- A. In response to calls where specified fire or Haz Mat (Hazardous Materials) agreements have been approved by the City Council.
- B. In response to a call for properties owned by the City outside the City limits.
- C. In case of emergencies other than buildings, Fire Department trucks and equipment may respond if deemed advisable by the Fire Chief, or his/her designated representative; provided, however, that there is no present demand from within the City.
- D. Where mutual-aid auto-aid agreements exist with other governmental units, a City truck may respond to that call; provided, however, that there is no present demand from within the City and the response will not substantially reduce the availability of the equipment and manpower needed for adequate protection within City limits.
- E. In response to calls from Lock and Dam No. 16.
- F. For special events or activities as may be approved by the City Administrator and City Council.

*(Code of Iowa, Sec. 364.4 [2 & 3])*

**15-1-7 Priorities.** For the purpose of clarification, the priority of calls shall be as follows:

- A. Calls within the Corporate Limits of the City.
- B. Calls listed in Subsections (A) through (G) of Section 15-1-6 of this Chapter, as prioritized by the Fire Chief.

**15-1-8 Fire in Public Places; Notice.**

- A. No person, by smoking or attempting to light or to smoke cigarettes, cigars, pipes, or tobacco in any manner, in which lighters or matches are employed, shall in a careless, reckless, or negligent manner whatsoever, whether willfully or wantonly or not, set fire to any bedding, furniture, curtains, drapes, or any household fittings in any sleeping room, lodging house, or room of any hotel, rooming house, or other place of public abode, so as to endanger life or property in any way or to any extent.

- B. In each sleeping room of all hotels, rooming houses, lodging houses, and other places of public abode, a plainly printed notice shall be posted in a conspicuous place advising tenants of the provisions of this Section.

**15-1-9 Required Training.** All members of the Fire Department shall have completed the training required by law prior to engaging in structural fire fighting. Any member of the Fire Department who serves in a capacity other than structural fire fighting at an emergency incident shall have received training based on the duties the member might perform at an emergency incident as required by law. All members of the Fire Department shall also meet the minimum annual in-service training as required by law.

*(IAC, 661-251.101(100B), 661-251.102(100B), and 661-251.10(100B))*

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 2 – FIRE PREVENTION CODES**

SECTIONS:

- 15-2-1 Adoption of Fire Prevention Codes
- 15-2-2 Establishment and Duties of Bureau of Fire Prevention
- 15-2-3 Definitions
- 15-2-4 Amendments Made in the International Fire Code
- 15-2-5 Appeals
- 15-2-6 Penalties
- 15-2-7 Hazardous Materials

**15-2-1 Adoption of Fire Prevention Codes.** Pursuant to published notice and public hearing as required by the Code of Iowa, the document entitled “International Fire Code”, 2015 Edition, as amended and published by the International Code Council, is hereby adopted by reference as the Fire Code for the City of Muscatine, Iowa, and is made a part hereof as if fully set out in this Ordinance. An official copy of said Code is on file in the office of the City Clerk.

**15-2-2 Enforcement.** The fire prevention codes adopted by the City Council shall be enforced by the Fire Chief or the Fire Chief’s designated representative in the Fire Department of the City of Muscatine, Iowa.

**15-2-3 Definitions.** Wherever the word “jurisdiction” is used in any of the fire prevention codes, it is the City of Muscatine, and all properties outside the corporate City limits which are owned by, or have signed contracts for the provision of Fire Department Services with, the City of Muscatine.

**15-2-4 Amendments Made to the International Fire Code.** The International Fire Code is amended and changed in the following respects:

- A. Delete Section 5601.1.3 (fireworks)
- B. Delete Section 5602.1 definition of fireworks Delete Section 307 in its entirety (open burning) Delete Section 401 in its entirety (false reporting)

**15-2-5 Appeals.** Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of a provision of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Council within 30 days from the date of the decision.

### **15-2-6 Penalties.**

- A. No person shall violate any of the provisions of this Code or standards hereby adopted or fail to comply therewith, or shall violate or fail to comply with any order made thereunder, or shall operate or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or shall fail to comply with such an order of the Fire Chief as affirmed by the City Council or by a court of competent jurisdiction, within the time fixed therein, or shall severally for each and every such violation and noncompliance, respectively, be guilty, and subject to penalties as provided in **Title 1** of this Code of Ordinances. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

### **15-2-7 Hazardous Materials.**

- A. Definitions of terms pertaining to the prevention, control and mitigation of dangerous conditions related to the storage, dispensing, use, handling, and transportation of hazardous materials shall be as defined in Chapter 50, Section 5001.2.2.1 and 5001.2.2.2 of the International Fire Code, as adopted in **Section 1** of this Chapter.
- B. The person, firm, or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the Fire Chief, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge.
- C. Costs associated with the response of the City of Muscatine to any unauthorized discharge shall be borne by the owner, operator or other person responsible for the unauthorized discharge.
- D. In the absence of an assignment of responsibility for costs to an owner, operator or other responsible person, the costs associated with cleanup or response shall be borne by the owner of the hazardous material.

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 3 – FIRE INSPECTIONS**

SECTIONS:

- 15-3-1 Inspections
- 15-3-2 Fees
- 15-3-3 Notice of Violation
- 15-3-4 Nationally Recognized Standards
- 15-3-5 Alternate Materials and Methods
- 15-3-6 Technical Assistance
- 15-3-7 Liability
- 15-3-8 Knox Box; Requirements, Definition, and Costs
- 15-3-9 Validity

**15-3-1 Inspections.** The Fire Department shall inspect, as often as the Fire Chief deems necessary, buildings and premises, including such other hazards or appliances as the Fire Chief may designate for the purpose of ascertaining and causing to be corrected any conditions or violations of provisions of this Code or of any other law or standard affecting fire safety.

**15-3-2 Fees.** The inspection fees shall be in the amount as set by resolution of City Council and are set out in the [Schedule of Fees and Charges](#) in Appendix C to this Code of Ordinances. Fees shall be remitted to the City of Muscatine Fire Department no later than 30 days following the date of inspection. Failure to pay the inspection fee within 30 days of the inspection shall be deemed a violation of this Code of Ordinances and is punishable as provided in [15-3-3](#).

**15-3-3 Notice of Violation.** When the Fire Chief finds that inspection fees have not been paid within 30 days of the inspection, the Fire Chief is authorized to prepare a written notice of violation describing the facts constituting violation of this Chapter. If a recipient of a notice of violation does not pay the inspection by the due date set out in such notice, or request a trial before a judge or magistrate, a municipal infraction citation will be issued to the recipient by certified mail from the Fire Department. Said municipal infraction citation will result in a mandatory court appearance by the recipient as well as imposition of state mandated court costs if a finding of guilty is made by the court.

**15-3-4 Nationally Recognized Standards.** Where no applicable standards or requirements are set forth or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire-safety standards as are approved by the Fire Chief shall be deemed as prima facie evidence of compliance with the intent of this Ordinance. Nothing contained in this Title shall derogate from the power of the Fire Chief to determine compliance with codes or standards for those activities or installations within the Fire Chief's jurisdiction or responsibility.

**15-3-5 Alternate Materials and Methods.**

- A. **Practical Difficulties.** The Fire Chief is authorized to modify any of the provisions of local fire prevention laws and ordinances upon application in writing by the owner, a lessee or a duly authorized representative where there are practical difficulties in the way of carrying out the provisions of said law or ordinance, provided that the spirit of the law or ordinance shall be complied with, public safety secured and substantial justice done. The particulars of such modification and the decision of the Fire Chief shall be entered

upon the records of the department and a signed copy shall be furnished to the applicant.

- B. Alternate Materials. The Fire Chief, with the concurrence of the Building Official, is authorized to approve alternate materials or methods, provided that the Fire Chief finds that the proposed design, use or operation satisfactorily complies with the intent of the local law or ordinance and that the material, method of work performed or operation is, for the purpose intended, at least equivalent to that prescribed in quality, strength, effectiveness, fire resistance, durability and safety. Approvals under the authority herein contained shall be subject to the approval of the Building Official whenever the alternate material or method involves matters regulated by the Building Code.
- C. Proof of Compliance. The Fire Chief is authorized to require tests as proof of compliance with the intent of this Code. Such tests shall be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.

**15-3-6 Technical Assistance.** To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the Department, the Fire Chief is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory, or fire-safety specialty organization acceptable to the Fire Chief and the owner and shall analyze the fire-safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes.

**15-3-7 Liability.** The Fire Chief and other individuals charged by the Fire Chief with the control or extinguishments of any fire, the enforcement of this Chapter, any fire prevention law or ordinance, or any other official duties, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of their duties. Any suit brought against the Fire Chief or such individuals because of such act or omission performed in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this Chapter or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This Chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this Chapter or any permits or certificates issued.

**15-3-8 Knox Box; Requirements, Definition, and Costs.**

- A. Knox Box Required. A Knox Box must be installed in commercial or industrial buildings which have fire detection, fire alarm, or fire suppression systems and are not occupied 24 hours a day 7 days week when access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life saving

or firefighting purposes or as required by the Fire Chief or his designee. A Knox Box is also required for residential property consisting of six (6) or more residential dwelling units.

- B. Definition. A Knox Box is a key box placed on the exterior of a commercial or industrial building for rapid entry use by fire department personnel.
- C. Costs. The cost of purchase and installation of each Knox Box shall be paid by the building owner.

**15-3-9 Validity.** If any provision of any chapter of this Title or the application thereof to any person or circumstance is held invalid, the remainder of City Code and the application of such provision to other persons or circumstances shall not be affected hereby.

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 4 - EXPLOSIVES**

SECTIONS:

15-4-1 Explosives

15-4-2 Storage Requirements, Explosive Gunpowder

15-4-3 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited

**15-4-1 Explosives.** Retail sales, storage, handling, and display of sporting gunpowders, primers, percussion caps and ammunition shall be in accordance with the provisions of the International Fire Code, Article 56. A permit from the Fire Department is required for storage, handling, display and sales of such explosives.

**15-4-2 Storage Requirements, Explosive Gunpowders.** Other than as provided for Retail Sales in Section 15-4-1, no person shall be permitted to keep more than twenty-five (25) pounds of gunpowder or five (5) pounds of black powder in any building. Powder shall be kept in closed kegs or metallic canisters in a place secure from fire, and where it can easily and safely be removed in case of fire. Nothing in this Section shall be so construed as to prevent persons from keeping powder in smaller quantities for common hunting purposes, or the legal transportation thereof, as permitted by State or Federal authorities.

**15-4-3 Establishments of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited.** The limits referred to in the International Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as the corporate City limits of the City of Muscatine, except as specifically allowed by the Fire Chief, such as, but not limited to, what is permitted in 6-4-2[1], Fireworks Defined. The City Council shall have power to adopt reasonable rules and regulations for granting of permits for use of explosives.

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 5 – OPEN BURNING**

SECTIONS:

15-5-1 No Open Burning; Permit Required

15-5-2 Open Burning Permit Purposes

15-5-3 Permit Fees

15-5-4 Hours Open Burning Permitted

15-5-5 Open Burning Restrictions

**15-5-1 No Open Burning; Permit Required.** There will be no open burning within the corporate City Limits without a permit having been issued by a representative of the Fire Department or by special exception of City Council. Non-permitted burning may be allowed in disaster situations as declared by the Fire Chief or Mayor. Disaster burning will require notification of the Fire Department and may include an onsite review prior to burning.

**15-5-2 Open Burning Permit Purposes.** Permits for open burning may be issued for the following purposes:

- A. Bon fires by organizations such as the Muscatine High School, Boy Scouts, Girl Scouts, churches, etc., with the purpose of these bon fires being directed towards raising school spirit, ceremonial events and so on.
- B. Wiener roasts or cooking fires, which would be limited to the actual purpose of cooking food and not for the intent of burning large quantities of brush or other combustible material.
- C. Burning of actual prairie grass fields.
- D. Individuals who have property of one acre or more be issued permits to burn landscape waste, which commonly consists of leaves, organic matter, brush and trees gathered from that property. Building materials shall not be burned under this permit. Prior to the permit being issued, the Fire Department representative will attempt to insure the fire poses no problem with relation to smoke obscuring roadways, creating a nuisance or of the fire spreading beyond the control of the responsible individual. Such burning shall be done in piles that are easily controlled and extinguishable. Large piles cannot be used for open burning purposes.
- E. Fire Department training activities including fires in structures and small fires started for fire extinguisher classes. Verbal approval of the burn may be obtained in lieu of a written permit for this purpose only. Any training fire that involves the destruction of a structure shall be in accordance to **Iowa Code Chapter 23**, and all required paperwork and forms will be completed and submitted prior to such a burn.
- F. Outdoor fireplaces, including fire pits, fire rings, chimneys, and permanent outdoor campfire like structures. Liquefied petroleum gas fueled decorative devices are exempt from the permit requirement.
- G. Commercial burning of organic materials gathered on site, for clearing, grubbing and construction operations. Any such burning shall be limited to areas located at least one-fourth of a mile from any building inhabited by other than the landowner or tenant

conducting the burning. The controlled burning of any demolished building shall be in accordance with [Iowa Code 23.2\(3\)j](#).

**15-5-3 Permit Fees.** The fee for the issuance of a permit under this Chapter shall be set by resolution of the City Council and is listed in the [Schedule of Permit and Other Licensing Requirements](#) in Appendix B of this Code of Ordinances.

**15-5-4 Hours Open Burning Permitted.** Open burning, when permitted by [Section 15-5-2\(D\)](#), shall be done only between the hours of 7:00 a.m. and 9:00 p.m. on the days stipulated on the permit. Fires shall not be allowed to burn or smolder outside that time period. Permits issued in accordance to [15-5-2\(F\)](#) allow for burning of materials between the hours of 7:00 a.m. and 12:00 midnight on the days stipulated on the permit.

**15-5-5 Open Burning Restrictions.**

- A. Open burning permitted by [15-5-2\(D\)](#) shall not be conducted within 50 feet (50') of any structure or other combustible material. Conditions which could cause the fire to spread to within 50 feet (50') of a structure shall be eliminated prior to ignition.
- B. Permits issued in accordance with [15-5-2\(F\)](#) shall not be conducted within 10 feet (10') of any structure or other combustible material. Conditions which could cause the fire to spread to within 10 feet (10') of a structure shall be eliminated prior to ignition.
- C. A hose connected to an adequate water supply or other approved fire-extinguishing equipment shall be readily available for use at open burning sites.
- D. Burning material shall be constantly attended by a person knowledgeable of the permit limitations which restrict open burning. An attendant shall supervise the burning material until the fire has been extinguished. Supervision means the burning is within eyesight of the knowledgeable person. It is not permissible for a fire to be supervised from within a structure.
- E. Open burning permitted by [15-5-2\(D\)](#) may be for approved purposes to burn leaves, organic matter, brush, and trees gathered from that property but not for building construction materials, trash, decomposing organic material (including composting material), or other refuse.
- F. Outdoor fireplaces will burn only natural wood or charcoal – no construction materials (including dimensional lumber), trash, leaves, grass, or other organic materials are allowed to be burned.
- G. The Fire Chief or designee is authorized to require that permitted burning be immediately discontinued if they determine that smoke emissions are offensive to occupants of surrounding property or if the open burning is determined to constitute a hazardous condition.
- H. Open burning on any street or alley within the City is prohibited.
- I. All permits will be on file with the dispatch agency, Muscatine Joint Communications (MUSCOM). Permit holders, under [15-5-2\(D\)](#), shall call MUSCOM and report that they are burning prior to beginning such activity.

- J. Failure to adhere to all rules may result in revocation of permits and denial of future permits for open burning or outdoor fireplace, and/or a municipal citation.
- K. The burning of residential waste is not allowed, including the burning of residential waste in an outdoor fireplace. At no time are tires allowed to be burned.
- L. All open burning must meet applicable State and Federal codes and regulations, as applicable.

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 6 – SMOKE DETECTORS**

SECTIONS:

15-6-1 Detectors Required

15-6-2 General Requirements

15-6-3 Non-compliance

**15-6-1 Detectors Required.** All residential buildings shall be equipped with operating smoke detectors.

**15-6-2 General requirements.** Smoke detectors used to meet the requirements of this Chapter shall meet or exceed the requirements of **Iowa Code 661-210.3(100)**.

**15-6-3 Non-compliance.** Any violation of this Chapter shall be considered a simple misdemeanor or municipal infraction as provided for in **Title 1** of this Code.

**TITLE 15 – FIRE REGULATIONS  
CHAPTER 7 – PRIVATE HYDRANTS**

SECTIONS:

- 15-7-1 Purpose
- 15-7-2 Inspections
- 15-7-3 Winterization
- 15-7-4 Penalty Provision

**15-7-1 Purpose.** It is hereby determined and declared to be necessary and proper for the regulation of the public health, safety and welfare to regulate the maintenance of those fire hydrants on private property which are connected to water lines that are connected to the City of Muscatine water lines.

**15-7-2 Inspections.** The City of Muscatine through its utility, water, and fire departments may inspect each fire hydrant annually, to determine if it is in proper working condition. Any qualified employee of the Department shall at all reasonable hours have the right to enter the premises where such hydrants are installed for the purpose of testing, removing, or inspection the same. No person shall hinder, obstruct, or interfere with such employee in the lawful discharge of his or her duties in relation to the care and maintenance of such fire hydrants. If the hydrant needs repair, the City of Muscatine will notify the owner of the property in writing by certified mail requesting that the hydrant be fixed within ten (10) days of receipt of the letter. If the hydrant is not repaired within ten (10) days, the City of Muscatine will fix the hydrant and bill the owner of the property for the cost of the labor and materials necessary to put the hydrant back in proper working condition.

**15-7-3 Winterization.** The owner of the property that has fire hydrants that require winterization shall perform maintenance during the month of October. The property owner may do this themselves or hire it done by a reputable firm knowledgeable in the winterizing of fire hydrants.

**15-7-4 Penalty Provision.** The violation of any provision of this Ordinance shall be deemed a municipal infraction and deemed to be a nuisance. Each and every day during which any section hereof is violated shall be deemed a separate offence. At the request of the Fire Chief, the City may institute an injunction, mandamus, abatement, or other appropriate action or actions, proceeding or proceedings to prevent, enjoin, abate, or remove an unlawful violation of this Ordinance. The rights and remedies herein are cumulative and in addition to all other remedies prescribed by law.

**APPENDIX A**  
**Schedule of Penalties**

**I. Municipal Infractions**

**A. Standard Civil Penalties:**

1. First Offense: Not to exceed \$500
2. Each Repeat Offense: Not to exceed \$750

**B. Specified Civil Penalties:**

<b>Code Section No.</b>	<b>Offense</b>	<b>First Offense</b>	<b>Repeat Offenses</b>
5-3-9	Sale of Tobacco to Minors, penalties as provided in Iowa Code 453A.22	\$300 + 14 day suspension of permit	2 <sup>nd</sup> : \$1,500 + 30 day suspension 3 <sup>rd</sup> : \$1,500 + 30 day suspension 4 <sup>th</sup> : \$1,500 + 60 day suspension 5 <sup>th</sup> : Revocation.
5-2-5 [P] and 5-2-12	Amateur fighting and boxing	\$750	\$1,000
5-2-6	Amateur fighting and boxing	\$750	\$1,000
5-10	Violation of Peddlers, Solicitors, and Transient Merchant Ordinance	Not to Exceed \$100	Not to Exceed \$100
5-11-3[C] and 5-11-5	Residential sales - signs placed on public way	\$10	Second: \$25 Third and Subsequent: Not more than \$50 not less than \$75
6-2-32	More than 4 False Alarms in 12 month period	5 False Alarms: \$50	6-8 False Alarms \$100  9 and more: Suspension of Alarm permit
6-2-32	Violation of Alarm Ordinance Generally	\$100	\$200
6-6	Parental Responsibility Violation	\$50	Second: \$100 Third and Subsequent: \$200
6-9	Failure to Comply with Pit Bull Requirements	\$300	\$300
13-6-10.6	Administrative fine; Failure to Comply with Sewer Use Regulations	Not to Exceed \$1,000	Not to Exceed \$1,000

<b>Code Section No.</b>	<b>Offense</b>	<b>First Offense</b>	<b>Repeat Offenses</b>
13-6-11.2	Failure to Comply with Sewer Use Regulations	Not to Exceed \$1,000	Not to Exceed \$1,000

## II. Notice of Fine/Violation

<b>Code Section No.</b>	<b>Offense</b>	<b>First Offense</b>	<b>Repeat Offenses</b>
7-1 et seq.	Parking violations generally.	\$10 first 20 citations	\$25 after 20 citations have been issued.
	Over time parking and expired meter violations.	\$10 first 20 citations. If not paid within 30 days, \$5 increase.	\$25 after 20 citations have been issued. If not paid within 30 days, \$5 increase.
	Snow route parking violations.	\$35. If not paid within 30 days, \$5 increase.	\$35. If not paid within 30 days, \$5 increase.
	Junk or Obsolete violations.	\$20. If not paid within 30 days, \$5 increase.	\$20. If not paid within 30 days, \$5 increase.
	Improper use of a persons with disabilities parking permit	\$200	\$200
7-5	ATE: Over speed limit 1 through 10 mph	\$0	Same as first offense
	ATE: Over speed limit 11 through 20 mph	\$75, \$35 late fee if not paid within \$30 days	Same as first offense
	ATE: Over speed limit 21 through 25 mph	\$100, \$35 late fee if not paid within \$30 days	Same as first offense
	ATE: Over speed limit 26 through 30 mph	\$250, \$35 late fee if not paid within \$30 days	Same as first offense
	ATE: Over speed limit more than 30 mph	\$350, \$35 late fee if not paid within \$30 days	Same as first offense
7-12-3	Storing Vehicles on City Streets	\$10	Same as first offense
7-12-6	Junked Vehicles	\$20	Same as first offense

### III. Simple Misdemeanor

#### A. Standard Penalty:

A person convicted of a simple misdemeanor under this Code of Ordinances shall be subject to a fine of no less than \$65.00 and no more than \$625.00. The court may also order imprisonment not to exceed thirty (30) days in lieu of a fine or in addition to a fine.

#### B. Specified Penalties:

CODE SECTION NO.	OFFENSE	FIRST OFFENSE	REPEAT OFFENSES
3-8	Failure to Comply with Levees Ordinance	\$100	\$100
3-9-2	Failure to Comply with Notice to Trim	\$100	\$100
5-2-8 [c]	Violation of Persons Under legal age punishable as provided in Iowa Code Section 123.47.	Not to Exceed \$100	Not to Exceed \$100
5-10	Violation of Peddlers, Solicitors, and Transient Merchant Ordinance	Not to Exceed \$100	Not to Exceed \$100
5-15-7	Failure to License; salvage or junk yard or refuse or garbage collector	Not to Exceed \$100	Not to Exceed \$100
6-3	Violations of Chapter 6.3 are punishable as provided in Iowa Code Section, 903.1(a)		
6-5	Violations of Chapter 6-5 are punishable as provided in Iowa Code Section, 903.1(a).		
6-8	Failure to Comply with Animal Regulations	\$65	\$100, unless animal is altered within 30 days, then \$35 shall be waived.
6-11	Violations of Noise Regulations	Not to Exceed \$100	Not to Exceed \$100

<b>Code Section No.</b>	<b>Offense</b>	<b>First Offense</b>	<b>Repeat Offenses</b>
Title 7.1 et seq.	All State of Iowa Traffic Violations that are incorporated by reference in the City Code shall be prosecuted as criminal offenses and all State Code scheduled fines shall apply		
Title 7.1 et seq.	Speed regulations shall be prosecuted as simple misdemeanors with scheduled fines adopted from State Code		
7-11	Violation of Load and Weight Restrictions	\$65	Second: \$75 Third and subsequent: \$100
13.6.11.3[A]	Willful or negligent violation of Sewer Use Regulations	Not to Exceed \$100	Not more than \$100
13.6.11.3[B]	Willful or negligent Introduction of substance into POTW	No less than \$100	Not more than \$100
13.6.11.3[C]	False Statements or representation	Not More than \$100	Not more than \$100

**Appendix B - Schedule of Permit and Licensing Requirements**  
**(See Appendix D for Building-Related Permit Requirements)**

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review	
Sidewalk (P)	3-1-2	Community Development	\$ 20.00						GL 100,000 BI; 25,000 P.D. (100,000 CSL); Property Owners Exempt	Current Code has no fee, but has bond and insurance requirements; added bond and insurance here for discussion.	Per review with Gregg deleted \$5,000 bond	To \$20 3/24	General Liability; \$100,000 Bodily Injury & Property Damage - Each Occurrence; \$100,000 Personal Injury & Advertising Injury Per Occurrence; \$200,000 General Aggregate on above \$200,000 Products & Completed Operations General Aggregate
Commercial Use of City Property in Commercial Zone (P)	3-1-5	Finance/Clerk	Application required								OK		
Curb Cuts (P)	3-2-28	Community Development	\$ 20.00					\$5,000	GL 100,000 BI; 25,000 P.D. (100,000 CSL)	Was \$10 fee in current Code; see what correct fee should be	Per review with Gregg to \$20 fee		General Liability; \$100,000 Bodily Injury & Property Damage - Each Occurrence; \$100,000 Personal Injury & Advertising Injury Per Occurrence; \$200,000 General Aggregate on above \$200,000 Products & Completed Operations General Aggregate
Excavation (P)	3-2-2	Community Development	\$ 20.00					\$5,000	GL 100,000 BI; 25,000 P.D. (100,000 CSL)	Appears \$10 is current fee; should this be increased?	Per review with Gregg increased fee from \$10 to \$100	To \$20 3/24	General Liability; \$100,000 Bodily Injury & Property Damage - Each Occurrence; \$100,000 Personal Injury & Advertising Injury Per Occurrence; \$200,000 General Aggregate on above \$200,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident
Outdoor Restaurant Seating (L)	3-1-6	Community Development					\$ 20.00		GL \$_____ on City sidewalks and \$1,000,000 on City streets; dram shop liability and workers compensation statutory	Code section 3-1-6 (A)5 references insurance requirements; are we requiring? Verify we are charging the \$10 annual fee	Andrew will review updated requirements at March In Depth		General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 - Work Comp Benefits - Statutory Part 2 Employers Liability Limits: \$100,000 Bodily Injury Each Accident; \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury by Disease Each Employee Dram Shop Liability - if applicable \$1,000,000 Each Common Cause Limit

**Appendix B - Schedule of Permit and Licensing Requirements  
(See Appendix D for Building-Related Permit Requirements)**

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
Parade (P)	3-3-3	Finance/Clerk	\$30.00 (Non-Profit Exempt from Fee)						GL 1,000,000 BI; 100,000 P.D. (1,000,000 CSL)	Current insurance requirements are \$500,000 BI and \$50,000 P.D.	Increased to \$1 M BI; \$100,000 P.D.	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate
Public Assemblies (P)	3-3-3	Finance/Clerk	Application required								OK	
Public Demonstration/Picketing (P)	3-4-2	Finance/Clerk	Application required								OK	
Amusements in Parks (P)	3-5-5	Parks	Application required					Bond, if any, dependent on scope of event	Insurance requirement, if any, dependent on scope of event	Code section 3-5-7 states a bond "may" be required but also states "indemnify against public liability" which would be insurance	OK	
Assemblies in Parks (P)	3-5-6	Parks	Application required					Bond, if any, dependent on scope of event	Insurance requirement, if any, dependent on scope of event	Code section 3-5-7 states a bond "may" be required but also states "indemnify against public liability" which would be insurance	OK	
Use of Levees (P)	3-8-1	Community Development	Application required; fee dependent on use							Code section 5-8-3 references a fee; but it does not appear we have set a fee	OK	
Tree Removal Business (L)	3-9-5	Finance/Clerk					\$ 75.00	\$5,000	GL 100,000 BI; 100,000 P.D. (100,000 CSL); Auto 250,000/500,000 BI; 50,000 PD (500,000 CSL); Workers Comp Statutory	Current insurance requirements; verify insurance amounts are still appropriate	Increased fee from \$55 to \$75	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident
Street Tree Removal, Existing (P)	3-9-8	Parks	Application required								OK	
Street Tree Planting, New (P)	3-9-9	Parks	Application required								OK	
Liquor/Wine/Beer Permits and Licenses	5-2-1	Finance/Clerk	Per State Code						Per State Code		OK	



**Appendix B - Schedule of Permit and Licensing Requirements**  
(See Appendix D for Building-Related Permit Requirements)

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
<b>Amusement License:</b>												
Roller Skating Rink (L)	5-4-2	Finance/Clerk					\$ 125.00			Current fees; any change?	Increased from \$110 to \$125	
Shooting Gallery (L)	5-4-2	Finance/Clerk					\$ 125.00			Current fees; any change?	Increased from \$110 to \$125	
Theatre (L)	5-4-2	Finance/Clerk					\$ 125.00			Current fees; any change?	Increased from \$110 to \$125	
Pinball Machines/Video Games (L)	5-4-2	Finance/Clerk					\$30.00 each device			Current fees; any change?	OK	
Juke Boxes (L)	5-4-2	Finance/Clerk					\$30.00 each device			Current fees; any change?	Increased from \$25 to \$30	
Billiards/Pocket Billiards	5-5-1	Finance/Clerk					\$25.00 each table			Current fees; any change?	Increased from \$17 to \$25	
Bowling Alley (L)	5-5-1	Finance/Clerk					\$15.00 per lane				Increased from \$11/lane to \$15	
Outdoor Commercial Entertainment (P)	5-6-1	Finance/Clerk					\$ 20.00				OK	
Bill Posting (P)	5-7-2	Finance/Clerk		\$ 5.00	\$ 10.00	\$ 25.00	\$ 100.00				OK	
Circus (L)	5-8-2	Finance/Clerk	\$250.00 (non-profit sponsor \$125)					\$ 5,000	GL 1,000,000 BI; 100,000 P.D. (1,000,000 CSL); Auto 250,000/500,000 BI; 100,000; P.D. (500,000 CSL); Workers Comp Statutory	Current license fee	Increased from \$220 to \$250 regular and from \$110 to \$125 non-profit	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident

**Appendix B - Schedule of Permit and Licensing Requirements  
(See Appendix D for Building-Related Permit Requirements)**

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
Carnival (L)	5-8-4	Finance/Clerk	\$250.00 (non-profit sponsor \$125)					\$ 5,000	GL 1,000,000 BI; 100,000 P.D. (1,000,000 CSL); Auto 250,000/500,000 BI; 100,000; P.D. (500,000 CSL); Workers Comp Statutory	Current license fee	Increased from \$220 to \$250 regular and added \$125 non-profit	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident
Pawnbroker (L)	5-9-1	Finance/Clerk					\$ 100.00	\$ 5,000.00		Need to review Chapter 9 to see if a bond is required; then determine bond amount; also see if we want to continue fee at current rate	Increased from \$55 to \$100; added \$5,000 bond	
Peddler (L)	5-10-2	Finance/Clerk		\$ 25.00	\$ 50.00	\$ 100.00	\$ 250.00	\$ 5,000	\$2,000,000 BI and P.D. if sell on City property	Current fees and bond requirements	Was \$15, \$30, \$40, and \$110; increased bond from \$1,000 to \$5,000; added insurance	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident

**Appendix B - Schedule of Permit and Licensing Requirements**  
**(See Appendix D for Building-Related Permit Requirements)**

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
Solicitor (L)	5-10-2	Finance/Clerk	\$15.00 (non-profit exempt)					\$ 5,000	\$2,000,000 BI and P.D. if solicit on City property	Current fee and bond requirements	Increased from \$15 to \$25; bond from \$1,000 to \$5,000; added insurance	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident
Transient Merchant (L)	5-10-2	Finance/Clerk		\$ 25.00	\$ 50.00	\$ 100.00	\$ 250.00	\$ 5,000	\$2,000,000 BI and P.D. if sell on City property	Current fee; no bond required	Was \$15, \$30, \$40, and \$110; added bond for \$5,000 and insurance	General Liability; \$1,000,000 Bodily Injury & Property Damage - Each Occurrence; \$1,000,000 Personal Injury & Advertising Injury Per Occurrence; \$2,000,000 General Aggregate on above \$2,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident
Massage Business (L)	5-13-4	Finance/Clerk					\$100.00 (3 rooms or less); \$150.00 (more than 3 rooms)			Current fees (no licenses issued)	OK	
Massage Technician (L)	5-13-6	Finance/Clerk					\$ 25.00			Current fees (no licenses issued)	OK	

**Appendix B - Schedule of Permit and Licensing Requirements  
(See Appendix D for Building-Related Permit Requirements)**

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
Taxicab (L)	5-14-3	Finance/Clerk					\$50 per vehicle	\$ 5,000	GL 100,000 BI; 25,000; P.D. (100,000 CSL); Auto 250,000/500,000 BI; 100,000 P.D (500,000 CSL)	Current fee, bond, and insurance requirements	Increased from \$30/vehicle to \$50	General Liability; \$500,000 Bodily Injury & Property Damage - Each Occurrence; \$500,000 Personal Injury & Advertising Injury Per Occurrence; \$1,000,000 General Aggregate on above \$1,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident
Salvage, Junk Dealers, and Refuse Haulers/Collection Vehicles (L)	5-15-3 and 5-15-5	Finance/Clerk					\$100.00 (business) plus \$25.00/truck		GL 100,000 BI; 25,000 PD (100,000 CSL); Auto 250,000/500,000 BI; 50,000 PD (500,000 CSL); Workers Comp Statutory	Current fees and insurance; we are not currently enforcing these	Increased from \$50 to \$100 for business and from \$10 to 25 per vehicle	
Ambulance (L)	5-16-2	Finance/Clerk					\$ 250.00		\$1,000,000 legal liability for personal injury or death for each ambulance; \$3,000,000 for all persons receiving personal injury per accident; \$300,000 property damage	Code section 6-3-2 (C) requires bond OR insurance; Jerry to get me amounts reviewed by Matt Brick; also verify fee	Prel. amount was \$100; increased to \$250; insurance per City Atty	Automobile Liability - owned, non-owned hired Vehicles 3,000,000 CSL - limit can be met with an umbrella or excess policy EMT Professional Liability 1,000,000 Per Occurrence/2,000,000 Aggregate Workers Compensation - part 1 Statutory Benefits Part 2 - Employers Liability Limit 100,000 Bodily Injury Each Disease/300,000 Bodily Injury Policy Limit/100,000 Bodily Injury Each Employee
Alarm Business (L)	6-2-5	Police					\$ 100.00			Proposed change from Finance to Police; verify fee and that it is annual; need to change language in Code for transfer to PD	OK	
Alarm Agent (L)	6-2-6	Police	\$25.00; one-time fee							Proposed change from Finance to Police; verify fee and that one-time fee; need to change language in Code for transfer to PD	OK	
Alarm System (P)	6-2-7	Police	\$25.00; one-time fee							Proposed change from Finance to Police; verify fee and that one-time fee; need to change language in Code for transfer to PD	OK	

**Appendix B - Schedule of Permit and Licensing Requirements**  
(See Appendix D for Building-Related Permit Requirements)

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
Central Station System (L)	6-2-8	Police					\$ 100.00			Proposed change from Finance to Police; verify fee and that it is annual; need to change language in Code for transfer to PD	OK	
Modified Central Station (L)	6-2-9	Police					\$ 100.00			Proposed change from Finance to Police; verify fee and that it is annual; need to change language in Code for transfer to PD	OK	
Telephone Answering Service (L)	6-2-10	Police					\$ 100.00			Proposed change from Finance to Police; verify fee and that it is annual; need to change language in Code for transfer to PD	OK	
Fireworks (P)	6-3-2 & 15-4-1	Fire	\$ 200.00					\$5,000 if on City property	\$1,000,000 BI and P.D.	Section 6-3-2 © requires bond OR insurance; need to determine amount; it doesn't appear we are currently requiring proof of insurance	Added \$1,000,000 insurance and \$5,000 bond if on City property	
Animal Registration/Licenses (L):												
Altered	6-8-3(A)	Finance/Clerk					\$ 5.00				Fee OK for now	
Unaltered	6-8-3(A)	Finance/Clerk					\$ 25.00				Fee OK for now	
Senior Owner 65 or over (Altered)	6-8-3(A)	Finance/Clerk					\$ 3.00				Fee OK for now	
Senior Owner 65 or over (Unaltered)	6-8-3(A)	Finance/Clerk					\$ 15.00				Fee OK for now	
Commercial Breeders (L)	6-8-4	Finance/Clerk					\$ 40.00				Fee OK for now	
Keeping of Pit Bull Dogs (L)	6-9-9	Finance/Clerk	Prohibited after July 1, 2003								OK	
Right-of-Way Parking Request (P)	7-7-4	Community Development	\$50.00 Application fee plus annual lease amount							Current annual lease amounts vary	OK	
Bicycle License	7-14-1	Police	\$1.00 one-time fee							Current is \$1.00 one-time for license; should we increase?	OK	
Building Regulations Permits (P)	Title 8; All Chapters	Community Development	See Appendix D for all Title 8 permits and fees							Separate Appendix D to follow	OK	
Hauled Wastewater (P)	13-6-3.6	Water Pollution Control					\$ 100.00				OK	

**Appendix B - Schedule of Permit and Licensing Requirements  
(See Appendix D for Building-Related Permit Requirements)**

Permits (P)/Licenses (L)	Code Section	Location	Each	Daily	Weekly	Fees Monthly	Annually	Bond	Insurance	Temporary Notes	GM Review	Holmes Murphy Review
Industrial Wastewater Discharge (P)	13-6-4.2	Water Pollution Control					\$300.00 (for each permit period)				OK	
Grease Discharge Permit (P)	13-6-16.2 (D)	Community Development					\$ 50.00 (Less than \$50,000 annual gross sales)				OK	
							\$ 85.00 (\$50,000 to less than \$100,000)				OK	
							\$ 175.00 (\$100,000 to less than \$250,000)				OK	
							\$ 200.00 (\$250,000 to less than \$500,000)				OK	
							\$ 225.00 (\$500,000 or more)				OK	
Open Burning (P)	15-5-3	Fire					\$25.00 for calendar year				OK	
Outdoor Fireplace, Fire Pits, etc. (P)	15-5-3	Fire					Annual calendar year permit required; no fee				OK	
Commercial Burning (Contractor) (P)	15-5-3	Fire					\$200.00 for 30-day period				OK	

**Appendix C**  
**Schedule of Fees and Charges Approved by Resolution of City Council**

**Title 13, Chapter 3 – GARBAGE AND RECYCLING**

**13-3-11 Collection Fees.**

**Resolution 91540-0211** dated February 17, 2011 established the following monthly fees for Class I and III domestic refuse collection services effective April 1, 2011:

- (A) Class I and III. Twenty dollars and no cents (\$20.00) per month for each single-family dwelling, except persons sixty-five (65) years of age and over shall be charged fifteen dollars and no cents (\$15.00) per month for each single-family dwelling. However, yard waste fees shall be charged on a per bag basis.
- (B) Class I and III. Twenty dollars and no cents (\$20.00) per month for each dwelling unit or apartment unit in a multi-family dwelling or apartment building with up to five (5) units, except persons sixty-five (65) years of age and over shall be charged fifteen dollars and no cents (\$15.00) per month for each dwelling unit in a multi-family dwelling or apartment building with up to five (5) units. However, yard waste fees shall be charged on a per bag basis.

**Title 13, Chapter 4 – SOLID WASTE DISPOSAL LANDFILL AND TRANSFER STATION**

**13-4-11 Disposal Charges.**

**Resolution 90772-0409** dated April 16, 2009 established the following fees effective July 1, 2009:

- (A) Refuse disposal fees shall be changed to sixty dollars (\$60.00) per ton effective July 1, 2009. Of the refuse disposal fee, forty dollars (\$40.00) per ton will be paid from the Transfer Station Fund to the Landfill Fund for the material deposited in the Landfill. This landfill rate includes the surcharge required by the Iowa Department of Natural Resources.
- (B) Tires to be disposed of at the Transfer Station shall be at a rate of:
  - (1) Two dollars (\$2.00) per tire for automobile tires;
  - (2) Two dollars fifty-cents (\$2.50) per tire for light truck and implement tires;
  - (3) Seven dollars (\$7.00) per tire for truck tires;
  - (4) Twelve dollars (\$12.00) per tire for tractor tires.
- (C) Solid waste which needs special hauling, or where refuse or waste is being disposed of under a special handling permit issued by the Iowa Department of Natural Resources, shall be charged a fee of sixty-two dollars (\$62.00) per ton.

**Appendix C**  
**Schedule of Fees and Charges Approved by Resolution of City Council**

**Title 13, Chapter 5 – SEWER RATE SYSTEM**

**13-5-4 Collection and Drainage.**

- A. From September 1, 2013 through June 30, 2014, \$11.20 per bill.
- B. From July 1, 2014 through June 30, 2015, \$11.45 per bill.
- C. From July 1, 2015 through June 30, 2016, \$11.70 per bill.
- D. From July 1, 2016 through June 30, 2017, \$11.90 per bill
- E. From July 1, 2017 through June 30, 2018, \$12.15 per bill.

**13-5-5 Sewage Rate Component.**

- A. The sewage rate system shall be determined on the basis of a monthly customer charge and a sewer user charge for a domestic strength wastewater customer (Class 1 customer). The sewage rate components shall be as follows:
  - 1. From September 1, 2013 through June 30, 2014:
    - a. Customer charge, \$7.06 per bill
    - b. Volume, \$2.42 per 100 cubic feet
  - 2. From July 1, 2014 through June 30, 2015:
    - a. Customer charge, \$7.27 per bill
    - b. Volume, \$2.49 per 100 cubic feet
  - 3. From July 1, 2015 through June 30, 2016:
    - a. Customer charge, \$7.49 per bill
    - b. Volume, \$2.57 per 100 cubic feet
  - 4. From July 1, 2016 through June 30, 2017:
    - a. Customer charge, \$7.71 per bill
    - b. Volume, \$2.64 per 100 cubic feet
  - 5. On and after July 1, 2018:
    - a. Customer charge, \$7.94 per bill
    - b. Volume, \$2.72 per 100 cubic feet
  - 6. The minimum charge for service shall be determined based on the customer charge and the unit rate for up to a minimum quantity of three hundred (300) cubic feet per month of normal domestic strength wastewater. The minimum charge for service for each month or fraction thereof shall be:
    - a. From September 1, 2013 through June 30, 2014, \$14.32
    - b. From July 1, 2014 through June 30, 2015, \$14.74
    - c. From July 1, 2015 through June 30, 2016, \$15.20
    - d. From July 1, 2016 through June 30, 2017, \$15.63
    - e. On and after July 1, 2017, \$16.10

## **Appendix C**

### **Schedule of Fees and Charges Approved by Resolution of City Council**

#### **Title 13, Chapter 5 – SEWER RATE SYSTEM (CONTINUED)**

The minimum charge for sewerage rates as set forth in this Section shall be in addition to the per bill charge for collection and drainage as set forth in Section 13-5-4.

See City Code section 15-5-5 (B) (2) for rate factors applied to the above domestic sewer rates based on wastewater strength of non-domestic customers.

#### **13-6-15.1 Pretreatment Charges and Fees.**

These fees and charges currently include:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications is \$300.
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing an industrial user's discharge, and reviewing monitoring reports submitted by industrial users shall be determined by frequency of service required and shall follow posted laboratory testing fees for each parameter as amended. Laboratory fees may be adjusted as needed to reflect cost variables as they arise. See separate laboratory rates below.
- C. Fees for reviewing and responding to accidental discharge procedures and construction will be based on \$50/hour plus any additional labor cost accrued by the City for work performed in responding to accidental discharges. Review of procedures shall be included in the permit application process.
- D. Fees for the filing and review of appeals shall be \$50/hour.
- E. Fees for the dumping of hauled wastewater will be \$0.03/gallon for standard domestic discharge and \$0.06/gallon for other wastes accepted at the treatment plant. Hazardous wastes or any wastes not accepted at the treatment plant will be charged fees as determined by the receiving party.
- F. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines and penalties chargeable by the City. These fees shall be determined by the cost of labor for work performed.

#### **13-5-3 (A) Sampling and Analytical Fees.**

The sampling and analytical services charges are listed in the following rate sheet.

**Appendix C**  
**Schedule of Fees and Charges Approved by Resolution of City Council**

<b>Muscatine WPCP Laboratory Billing Sheet</b>				
<b>Services or Analyses</b>		<b>Unit Cost</b>	<b>#</b>	<b>Total</b>
<b>Miscellaneous</b>	<b>Sampler Placement</b>	15.00		
	<b>Trip Charge</b>	20.00		
	<b>Sampler Rental</b>	47.00		
<b>Routine Analyses</b>	<b>% Solids</b>	12.00		
	<b>% Volatile Solids</b>	12.00		
	<b>Aldehydes</b>	30.00		
	<b>Alkalinity</b>	20.00		
	<b>Ammonia</b>	18.00		
	<b>BOD, CBOD</b>	20.00		
	<b>Chlorides</b>	20.00		
	<b>COD</b>	15.00		
	<b>Cyanide</b>	40.00		
	<b>E. coli / Coliform Testing</b>	18.00		
	<b>Fluoride</b>	20.00		
	<b>Hex. Chrome</b>	30.00		
	<b>O &amp; G, Total</b>	40.00		
	<b>Ortho-Phosphorus</b>	16.00		
	<b>Nitrites</b>	20.00		
	<b>Nitrates</b>	20.00		
	<b>pH</b>	5.00		
	<b>Phenols</b>	30.00		
	<b>Phosphorous</b>	27.00		
	<b>Settleable Solids</b>	5.00		
	<b>Sulfate</b>	20.00		
	<b>Sulfides</b>	54.00		
<b>Total Dissolved Solids</b>	12.00			
<b>Total Kjeldahl Nitrogen</b>	20.00			
<b>Total Suspended Solids</b>	12.00			
<b>Total Volatile Suspended Solids</b>	12.00			
<b>Volatile Organic Acids</b>	25.00			
<b>Metals Analysis ICP EPA 200.7</b>	<b>Metals Digestion</b>	4.00		
	<b>Copper</b>	12.00		
	<b>Lead</b>	12.00		
	<b>Nickel</b>	12.00		
	<b>Silver</b>	12.00		
	<b>Zinc</b>	12.00		
	<b>Chromium</b>	12.00		
	<b>Arsenic</b>	12.00		
	<b>Selenium</b>	12.00		
	<b>Molybdenum</b>	12.00		
	<b>Cadmium</b>	12.00		
	<b>Mercury</b>	12.00		
			<b>Total</b>	

## Appendix C

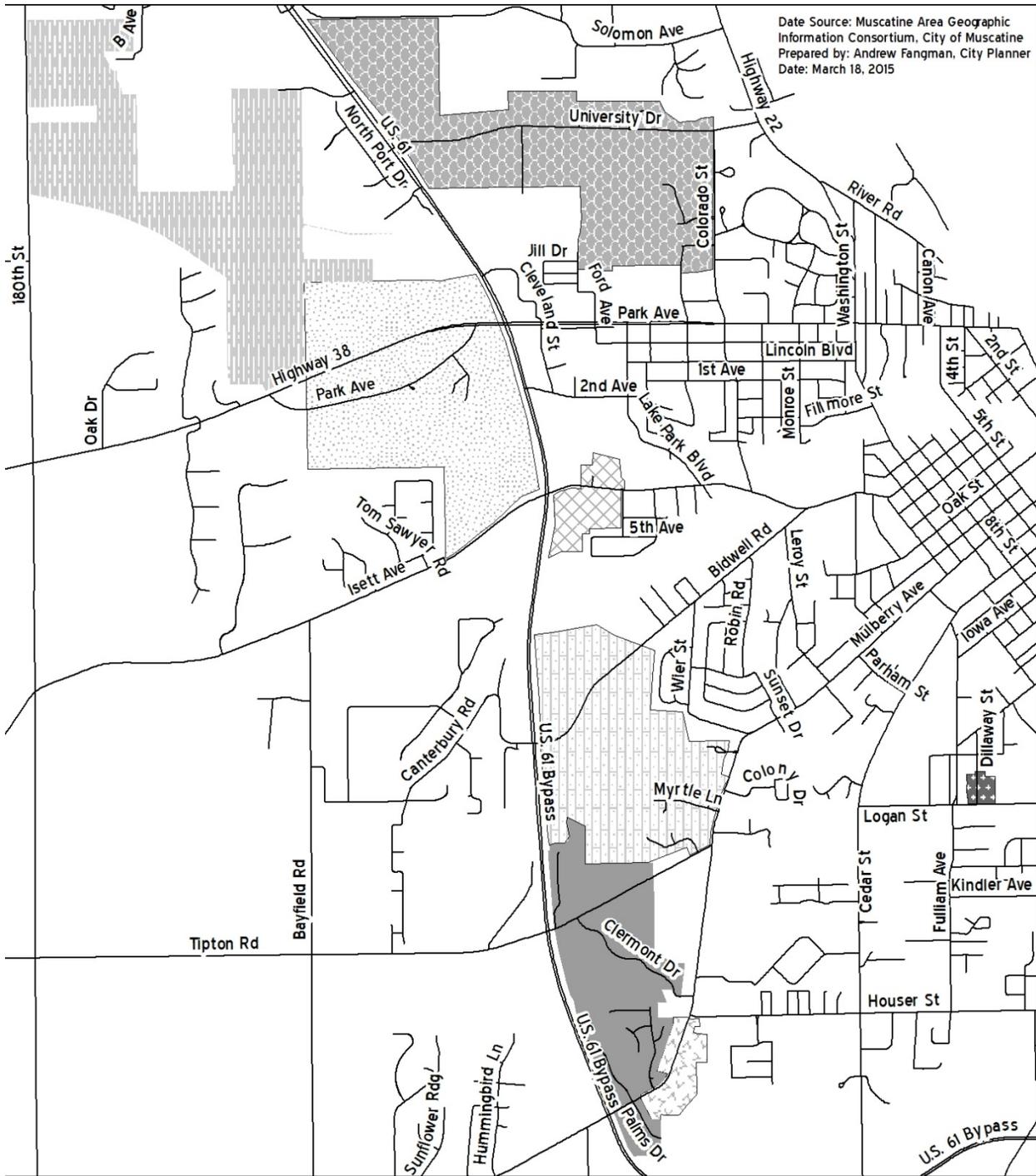
### Schedule of Fees and Charges Approved by Resolution of City Council

#### 13-6-2.1 (A)

See Appendix D for permits to make any connections with, or open into, use, alter, or disturb any public sewer sewer or appurtenance thereof.

Additional sewer connection fees are required in the Sewer Extension Benefit Districts listed below and shown on the map which follows. More detailed descriptions of the benefit districts are available in the Community Development department.

1. North Crescent Sanitary Sewer (2013)  
Fee: \$913.00 per acre
2. Mad Creek Sanitary Sewer Connection (1979)  
Fee: \$556.00 per acre
3. Dillaway Street Sanitary Sewer Connection (1981)  
Fee: \$7.85 per lineal foot of lot adjacent to Dillaway
4. Champ De Reves – Tipton Road Sewer Connection (1992)  
Fee: \$600.00 per dwelling
5. Northeast Sanitary Sewer Connection (1996)  
Fee: \$357.00 per residential unit  
\$2,142.00 per acre non-residential (6 units per acre)
6. Northwest Sanitary Sewer Connection (2001)  
Fee: \$1,370.00 per residential unit  
\$6,302.00 per acre non-residential (4.6 units per acre)
7. Isett Avenue Sanitary Sewer Connection (1994)  
Fee: \$500.00 per dwelling
8. Shield Farm / Bethesda Foundation Sewer (1976)  
Fee: North side of Mulberry Avenue - \$300.00 per connection  
South side of Mulberry Avenue - \$600.00 per connection  
Collected by the City and distributed to original investors within 30 days



Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine  
 Prepared by: Andrew Fangman, City Planner  
 Date: March 18, 2015

# Sewer Extension Benefit Districts



- |  |   |
|--|---|
|  North Crescent Sanitary Extension Benefit Area |  Northeast Sanitary Sewer Connection       |
|  Mad Creek Sanitary Sewer                       |  Northwest Sanitary Sewer Benefit District |
|  Dillaway Street Sanitary Sewer                 |  Isett Avenue Sanitary Sewer Connection    |
|  Champ de Reves - Tipton Road Sewer Connection  |  Shield Farm/Bethesda Foundation Sewer     |



**Appendix C**  
**Schedule of Fees and Charges Approved by Resolution of City Council**

**13-6-2.2 Private Sewer Systems.**

See Appendix D for Septic Tank, Drain Field, and Private Sewer System permit fees also referenced in section 8-9-4.

**13-6-4.2 Industrial Wastewater Discharge Permits**

See Appendix B for permit fees.

**13-6-16.6 Grease Discharge Permits**

See Appendix B for permit fees.

**Title 15 – FIRE REGULATIONS**

**15-13-2 Fire Inspection Fees**

Fire Inspection and Non-Compliance Fees:

Occupancy Classification Group A, B, E, I, M, S, U

<u>Type</u>	<u>Fee</u>
Initial Inspection	\$45.00
1 <sup>st</sup> Reinspection	No Charge (Performed 30 days after initial inspection)
2 <sup>nd</sup> Reinspection	\$50.00
3 <sup>rd</sup> or More Reinspection	\$100.00

Occupancy Classification Group F, H

<u>Type</u>	<u>Fee</u>
Initial Inspection	\$75.00 per hour
1 <sup>st</sup> Reinspection	No Charge (Performed 30 days after initial inspection)
2 <sup>nd</sup> or More Reinspection	\$75.00 per hour

**Appendix D (1) - Schedule of Building-Related Permits and Other Requirements**

Permits	Code Section	Location	Each	Bond	Insurance
<b>Non-Residential Permits:</b>					
Building Permit	8-1-3	Community Development	See Schedule 1A		
Electrical Permit	8-3-4	Community Development	See Schedule 1A		
Mechanical Permit	8-7-4	Community Development	See Schedule 1A		
Plumbing Permit	8-9-4	Community Development	See Schedule 1A		
<b>Residential Permits:</b>					
<b>Building Permit</b>	8-1-3	Community Development	See Schedule 1A		
<b>Electrical:</b>					
Service	8-3-4	Community Development	\$ 25.00		
Temporary Service			\$ 15.00		
Rough-in Inspection			\$ 15.00		
Final Inspection			\$ 15.00		
Garage			\$ 15.00		
<b>Mechanical:</b>					
Furnace	8-7-4	Community Development	\$ 20.00		
Central Air			\$ 20.00		
Fireplace			\$ 20.00		
<b>Plumbing:</b>					
Opening	8-9-4	Community Development	\$ 5.00		
Sewer Connection	13-6-2.1	Community Development	\$ 25.00		
Septic Tank	13-6-2.2	Community Development	\$ 25.00		
Drain Field	13-6-2.2	Community Development	\$ 15.00		
Private Sewer	13-6-2.2	Community Development	Fee determined during site plan review		

**Appendix D (1) - Schedule of Building-Related Permits and Other Requirements**

Permits	Code Section	Location	Each	Bond	Insurance
<b>Rental Housing Registration, Inspection, and Related Fees:</b>					
<b>Rental Property or Unit Registration</b>	8-5-4 (A)	Community Development	\$30.00 per rental unit annually		
<b>Rental Property Certificate of Code Compliance:</b>	8-5-4 (D)	Community Development	3-Year Certificate (no additional fee)		
Inspection for Year 1 included in Registration Fee Self-Inspections Certified by Property Owners for Years 2 and 3					
<b>Reinspection Fees:</b>					
1st Reinspection	8-5-4 (E)		No Fee		
2nd Reinspection	8-5-4 (E)		\$ 60.00		
3rd Reinspection	8-5-4 (E)		\$ 120.00		
<b>Other Fees:</b>					
Failure to Show for Scheduled Inspection	8-5-4 (E)		\$ 60.00		
License Revocation Reinstatement Fee	8-5-4 (E)		\$ 200.00		
Citation for Non-Registered Unit - 1st Violation	8-5-4 (A) (1)		\$ 250.00		
Citation for Non-Registered Unit - 2nd Violation	8-5-4 (A) (1)		\$ 500.00		
Citation for Non-Registered Unit - 3rd Violation	8-5-4 (A) (1)		\$ 750.00		
Fees for Excessive Use of City Services	8-5-4 (E)		Based on cost of excessive services		

**Appendix D (1) - Schedule of Building-Related Permits and Other Requirements**

Permits	Code Section	Location	Each	Bond	Insurance
<b>Other Permits:</b>					
Moving Buildings	8-8-2	Community Development	Use Schedule 1A (Based on cost of moving)	\$ 5,000	General Liability; \$500,000 Bodily Injury & Property Damage - Each Occurrence; \$500,000 Personal Injury & Advertising Injury Per Occurrence; \$1,000,000 General Aggregate on above \$1,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non-owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident

**Appendix D (1) - Schedule of Building-Related Permits and Other Requirements**

Permits	Code Section	Location	Each	Bond	Insurance
Building Demolition	8-2-2 and 8-2-5	Community Development	Use Schedule 1A (Based on cost of demolition)	\$ 5,000	General Liability; \$500,000 Bodily Injury & Property Damage - Each Occurrence; \$500,000 Personal Injury & Advertising Injury Per Occurrence; \$1,000,000 General Aggregate on above \$1,000,000 Products & Completed Operations General Aggregate Workers Compensation Part 1 -Workers Compensation Benefits Part 2 Employers Liability Limits \$100,000 Bodily Injury Each Accident \$300,000 Bodily Injury by Disease Policy Limit \$100,000 Bodily Injury Disease Each Employee Business Automobile - owned, non- owned and hired automobiles \$1,000,000 Bodily Injury & Property Damage - Each Accident