

ORDINANCE NO. 2020-0119

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

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

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

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

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

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

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

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

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

SECTION 4. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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 Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

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

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

Attest



A handwritten signature in black ink, appearing to read "Greg Jenkins", is written over a horizontal line.

Greg Jenkins
Interim City Clerk

By the City Council of the City of
Muscatine, Iowa

A handwritten signature in blue ink, appearing to read "Diana L. Broderson", is written over a horizontal line.

Diana L. Broderson, Mayor

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



COMMUNITY DEVELOPMENT DEPARTMENT

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

MEMORANDUM

To: Mayor and City Council Members

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

From: Andrew Fangman, Assistant Community Development

Date: April 2, 2020

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

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

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

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

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

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