

ORDINANCE NO. 2019-0160

**AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF CITY CODE,
STORM SHELTER REQUIREMENTS**

WHEREAS, Section 1 of Chapter 1 of Title 8 of City Code adopts the document entitled “International Building Code”, 2015 Edition, as amended and published by the International Code Council, and as further amended by Section 4 of Chapter 1 of Title 8 of City Code, as the Building Code for the City of Muscatine, Iowa; and

WHEREAS, Section 423 of the 2015 edition of the International Building Code (IBC) requires the construction of a storm shelter for group E occupancies and critical services; and

WHEREAS, The City of Muscatine recognizes nonlife-safety components of ICC-500, a component of the IBC, triggered by Section 423 of the 2015 edition of the IBC impacts the feasibility of projects without providing additional safety benefits to occupants of the storm shelters mandated by this section; and

WHEREAS, The nonlife-safety components of ICC-500, can be removed without lessening the safety of the occupants of the storm shelter and that doing so makes it easier to build in Muscatine without sacrifice building quality or safety.

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

SECTION 1.

Title 8, Chapter 1, Section 4 of the City Code: Building Regulations, Building Code, Amendments

Section 4 of Chapter 1 of Title 8, is hereby amended to add a new Subsection C. The text of Subsection C is as follows:

C. Storm Shelters

Section 423 shall be amended follows:

Section 423.4 is amended to read as follows: “Group E occupancies. In areas where the shelter design wind speed for tornados is 250 MPH in accordance with Figure 304.2(1) of ICC 500, all Group E occupancies with an aggregate occupant load of 50 or more, as established under the International Building Code formula, shall have a storm shelter constructed in accordance with ICC 500. The shelter of the Group E occupancy shall have an occupant load of either of the applicable: (1) the total occupant load of the entire structure when the structure is a new structure, or (2) the calculated occupant load of the square footage added to an existing structure.

1. Exceptions: 1. Group E day care facilities; 2. Group E occupancies accessory to places of religious worship; 3. buildings meeting the requirements for shelter design in ICC 500.
2. "ICC 500" as referenced and incorporated by Section 423 be amended as follows:
 - a. Deletion of Section 702.2, Sanitation Facilities
 - b. Section 702.3 is amended to read as follows: "702.3 Emergency lighting. Community tornado shelters shall be provided with an emergency lighting system. The emergency lighting system shall provide an average of 1 foot-candle (11 lux) of illumination in occupied shelter areas, occupant support areas, required corridors, passageways and means of egress. Personal-use flashlights shall be permitted for the emergency lighting system requirement for tornado shelters when provided at a quantity not less than one (1) flashlight per 10 occupants. Personal-use flash-lights shall be a minimum of two "D" cell size or equivalent light output, and readily accessible from within the occupied shelter areas or immediately adjacent occupant support areas."

SECTION 2. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

SECTION 3. This ordinance shall be in effect from and after the passage, approval and publication of this ordinance, as provided by law.

PASSED, APPROVED AND ADOPTED this 6th day of June, 2019.

By the City Council of the City of Muscatine, Iowa

Diana L. Broderson, Mayor

Attest:

Jerry Ewers, Acting City Clerk

First Reading: June 6, 2019

Second Reading: June 20, 2019

Third Reading: July 3, 2019

Publication:



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COMMUNITY DEVELOPMENT

MEMORANDUM

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

To: Mayor and City Council Members
From: Jodi Royal-Goodwin, Community Development Director
Andrew Fangman, Assistant Community Development Director
Cc: Gregg Mandsager, City Administrator
Date: June 6, 2019
Re: **Code Amendment Related to Storm Shelter Requirements**

In 2017, City Council approved the adoption of the International Building Code (IBC), 2015 edition, as amended. The IBC establishes a standard to protect the life, safety and welfare of people by creating safe buildings and communities. The IBC is revised in three year cycles with the input of thousands of professionals, and revisions to the model code consider developments in building technology and changes to environmental conditions.

As previously discussed at Council meetings, Section 423 of the IBC requires the inclusion of storm shelters in the construction of or addition to critical emergency operations buildings and most Group E (educational) structures with an occupancy load of 50 or more. Per IBC shelter construction must meet the structural requirements of ICC-500, 2014, the consensus standards and codes for the construction and design of storm safe rooms for tornadoes and hurricanes.

Recently the first projects to trigger this requirement were submitted for permits, which initiated a review of the requirements. In addition, the Muscatine Community School District submitted a request for the City to consider amending the requirement out of Code similar to the State Fire Marshall's Office. While, the IBC does allow for administrative provisions to exempt projects from nonlife-safety items, the complete removal of the requirement is not in the community's best interest. Adherence to the Code protects life and property and lessens potential liability of the City by setting and ensuring a minimum level of safety in the built environment.

Staff reviewed the requirements and looked at options to maintain the safety aspects of the Code and assist developers with compliance, while minimizing costs. As a result it was determined there are 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 proposed Amendment to the Storm Shelter Requirements also amends the occupancy load to be addressed to be that of an entire structure for a new facility or that of the addition.

"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain

Recommendation: Approve the proposed storm shelter requirements ordinance.