



TENTATIVE AGENDA
OTTUMWA CITY COUNCIL

SPECIAL WORK SESSION NO. 21
Bridge View Center, 102 Church St.

June 11, 2024
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Member Hoffman, McAntire, Caviness, Bossou, Galloway and Mayor Johnson.

APPROVAL OF AGENDA

1. Continued discussion regarding City's Fire Protection and Prevention Code; Amendments to the 2021 International Fire code.

RECOMMENDATION: Council Direction for Staff.

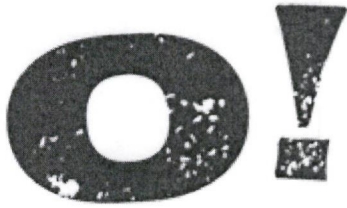
2. Legalizing the Use of Golf Carts on City Streets – as identified in Chapters 23 & 26 of City of Ottumwa Code – Ordinance No. 3211-2023 – Establishing Regulations Applicable to the Use of Utility Terrain Vehicles.

RECOMMENDATION: Discussion.

All items on this agenda are subject to discussion and/or action.

ADJOURN

***** It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. *****



[CITY OF]

OTTUMWA

FAX COVER SHEET

City of Ottumwa

DATE: 6/7/2024 TIME: 9:30 AM NO. OF PAGES 2
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Special City Council Work Session #21 to be held on 6/11/2024 at 5:30 P.M. at the Bridge View Center, 102 Church Street.

 FAX MULTI TX REPORT

JOB NO. 4880
 DEPT. ID 4717
 PGS. 2

TX INCOMPLETE -----
 TRANSACTION OK 916606271885
 916416823269
 ERROR 916416847834
 916416828482

KTVO
 Ottumwa Waterworks
 Ottumwa Courier
 Tom FM



FAX COVER SHEET

City of Ottumwa

DATE: 6/7/2024 TIME: 9:30 AM NO. OF PAGES 2
 (Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Special City Council Work Session #21 to be held on 6/11/2024 at 5:30 P.M. at the Bridge View Center, 102 Church Street.

TX REPORT

JOB NO. 4880
DEPT. ID 4717
ST. TIME 06/07 09:43
SHEETS 2
FILE NAME

TX INCOMPLETE	-----	
TRANSACTION OK	916606271885	KTVO
	916416823269	Ottumwa Waterworks
ERROR	916416847834	Ottumwa Courier
	916416828482	Tom FM



FAX COVER SHEET

City of Ottumwa

DATE: 6/7/2024 TIME: 9:30 AM NO. OF PAGES 2
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Special City Council Work Session #21 to be held on 6/11/2024 at 5:30 P.M. at the Bridge View Center, 102 Church Street.



April 16, 2025

TO: City Council
City Clerk
FROM: Director of Community Development
RE: Special Work Session on Fire Code/Fire Sprinklers in Mixed-Use Buildings

For the special work session, please refer to the prepared draft language below for options on the fire sprinklers:

Option 1: No Change

Option 2: Current Building Code/Previous Fire Amendment

Group R, shall be amended to read as follows: An automatic sprinkler system installed in accordance with Section 903.3. shall be provided throughout all buildings with a group R fire area except Group R-2 occupancies no more than two stories in height above grade plane or having 16 or fewer dwelling units.

Option 3: More Restrictive Amendment

Group R, shall be amended to read as follows: An automatic sprinkler system installed in accordance with Section 903.3. shall be provided throughout all buildings with a group R fire area except Group R-2 occupancies no more than two stories in height above grade plane or having 3 or fewer dwelling units, where all dwelling units are separated by a two-hour rated fire barrier and where any penetrations to adjoining buildings use two-hour rated fire doors which comply with NFPA 80 and use self-closing devices, smoke seals and fire-rated hinges.

Zach Simonson
Director of Community Development

Date: 4/16/24

CITY OF OTTUMWA

STAFF Summary

****Action Item****

2022 AUG 31 PM 12: 6

Council Meeting: September 06, 2022

Fire
Department

Tony Miller
Prepared by
Tony Miller
Department Head

City Administrator Approval

Agenda Title: Ordinance No. 3204-2022, an Ordinance Amending the City of Ottumwa's Fire Protection and Prevention Code by Amending Chapter 14 of the City of Ottumwa Municipal Code to Adopt the 2021 Edition of the International Fire Code.

.....
Recommendation: Pass the third and final consideration, and adopt Ordinance No. 3204-2022.

Discussion: The first consideration to adopt the 2021 International Fire Code was discussed and passed at the August 2, 2022 council meeting. The second consideration was passed at the August 16, 2022 council meeting. Pass the third and final consideration and adopt ordinance 3204-2022. I have not received any questions or concerns from the public about the possible changes to the International Fire Code/City Fire Code.

Proposed amendments and changes to the 2021 International Fire Code, included are changes from the 2015 to the 2021. ISO requires a department not be more than two code cycles out from current, code cycles are three years each.

Section 307.3 Delete the section and replace with: Extinguishment authority. The fire code official, a member of the Ottumwa Fire Department, member of the Ottumwa Police Department or City of Ottumwa Building and Code Enforcement official is authorized to order the extinguishment by the responsible person or the fire department, of any burning that creates or adds to a hazardous or objectionable situation, or open burning that is objectionable because of smoke or odor emissions, or a required permit for open burning has not been obtained, or conditions of permit are not being followed.

This section is amended to allow a member of those listed to have the authority to extinguish a fire that they deem meets the criteria of the code.

Delete section 307.4.2 and replace with 307.4.2 Recreational Fires - No permit shall be required for recreational fires. Recreational fires shall be limited to manufactured fire pit appliances, above or below ground fire pits protected by metal, stone, or concrete. Recreational fires shall be located at least 15 feet from any structure or combustible material. Recreational fires shall be limited to 3 feet or less in diameter and 2 feet or less in height. Burning material shall be limited to clean dry wood or commercial fireplace logs. Recreational fires shall be limited to between the hours of 11:00 am and 11:00 pm.

This section puts a time limit on when a recreational fire may be burning. The fire department responds to many fires late at night when the air changes and doesn't allow the smoke to rise creating a nuisance.

Add section 307.4.4 Leaves - Leaves are defined as leaves and twigs smaller than one inch in diameter and two feet in length. Open burning of leaves shall be permitted on Wednesdays and Saturdays between 10:00 a.m. and 9:00 p.m., April 1 through April 30 and November 1 through November 30. A permit is not required for burning of leaves.

Leaf fires create objectionable smoke due to people tend to try and burn a pile to large or when they are too wet which creates a smoldering fire which create a large amount of smoke due to incomplete combustion.

Add section 307.4.5 Outdoor wood fired boilers - Outdoor wood fired boilers are defined as a variant of the classic wood stove adapted for set-up outdoors while still transferring the heat to interior buildings. These appliances shall be used in accordance with the manufacturer's instructions and the following:

1. Only fire wood that is dry can be used.
2. Must not be operated within 15 feet of a structure or combustible material
3. Must not emit objectionable smoke that may be considered a nuisance.

Outdoor wood fired boilers are used to heat structures. When the boiler is not properly installed to the manufacturers instruction this creates a safety hazard. When they are used in a populated

area it is difficult for the smoke to rise and dissipate. Therefore the requirement for dry fire wood is added. The requirement for greater than 15 feet was added due to these devices are used when unattended, so they need to be installed a safe distance from combustibles so radiant and convective heat cannot transfer.

Section 503.2.9 Add a new section to read as follows: Designation - The Fire Code Official may designate fire lanes on private and public property as deemed necessary for the protection of life and property.

503.3 (Marking) is repealed and there is adopted in lieu thereof the following:

Section 503.3 to read as follows: Signs and markings - Wherever a fire lane has been designated, the Code Official shall cause appropriate signs and markings to be placed identifying such fire lanes. Signs or markings shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. Fire lanes may be established or relocated at the time of plan review, pre-construction site inspection, and/or post construction site inspection, as well as any time during the life of the occupancy as needed to provide and maintain emergency vehicle access. All designated fire lanes shall be clearly marked in the following manner:

(1) Vertical curbs shall be painted red on the top and side, extending the length of the designated fire lane. Rolled curbs or surfaces without curbs shall have a red [six] (6) inch wide stripe painted the length of the designated fire lane. One of the following identification lettering methods shall be utilized:

a. The words "NO PARKING — FIRE LANE" shall be stenciled with three (3) inch white letters and a minimum three-quarter ($\frac{3}{4}$) inch stroke on the face of the curbing, or in the absence of vertical curbing, on the red stripe, and spaced at fifty (50) foot intervals or portions thereof, or

(2) Signage identifying fire lanes shall conform to the following: Fire lane signs shall be 18 inches tall \times 12 inches wide with red letters on a white reflective background to read "Fire Lane No Parking Except For Emergency Vehicles" or similar verbiage as approved by the code official. Fire lane signs shall be placed 2—4 feet from the edge of the Fire Lane. The bottom of fire lane signs shall be between five (5) and seven (7) feet from the ground. Intermediate fire lane signs shall be set every one hundred (100) feet in a continuous fire lane. The BEGINS sign shall mark the beginning of a fire lane and shall be mounted below the first fire lane sign. The ENDS sign shall mark the ending of a fire lane and shall be mounted below the last fire lane sign. The BEGINS and ENDS signage may be omitted by the Code Official due to the location of the fire lane. Signs may be placed on a building when approved by the Fire Code Official.

503.3.1 Add a new section to read as follows: Maintenance - The owner, manager, or person in charge of any property upon which designated fire lanes have been established shall provide marking as required above and, shall maintain fire lanes at their expense as often as needed to clearly identify the designated area as being a fire lane.

503.3.2 - Add a new section to read as follows: Property Owner Responsibility -The owner, manager or person in charge of any property upon which designated fire lanes have been established shall be responsible for, and not allow, vehicles or other objects to park in such fire lanes.

503.4.1 Add a new section to read as follows: Penalty for violations - The obstruction of a designated fire lane by a parked vehicle or any other object is prohibited and shall constitute a fire hazard and be an immediate hazard to life and property. Any person who obstructs or allows the obstruction of a designated fire lane is guilty of a simple misdemeanor. The maximum penalty for parking a vehicle in or obstructing a designated fire lane shall be not more than a fine of \$150.00. Each day or part of a day during which the unlawful act or violation occurs shall constitute a separate offense. Any vehicle or object obstructing a designated fire lane is hereby declared a fire hazard and may be immediately impounded without prior notification to its owner. The owner shall be held responsible for all impound fees.

This section addresses fire lanes on private property and gives the City of Ottumwa the authority per code to cite and remove vehicles if warranted from designated fire lanes. This code spells out how a fire lane is to be designated and the code is to be enforced.

Section 5601.2.4 Financial responsibility is repealed and there is adopted in lieu thereof the following: Section 3301.2.4 Financial Responsibility: Fireworks: Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property that arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

AN ORDINANCE AMENDING THE CITY OF OTTUMWA'S FIRE PROTECTION AND PREVENTION CODE BY AMENDING CHAPTER 14 OF THE CITY OF OTTUMWA MUNICIPAL CODE TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE

WHEREAS, the City Council of the City of Ottumwa, Iowa has determined that the City should adopt the 2021 edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Ottumwa.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Ottumwa, Iowa that:

SECTION 1. Section 14-29 of the municipal code of the City of Ottumwa is hereby amended by repealing Section 14-29 in its entirety and enacting the following in lieu thereof:

Sec. 14-29. Adoption of fire prevention code.

Pursuant to published notice and public hearing, as required by law, the city hereby adopts in full and incorporated by reference, except such portions as are hereinafter deleted, modified or added in section 14-31, the International Fire Code, 2021 edition, including all appendix chapters, published by the International Code Council, Inc. which is adopted periodically by the state. Said provisions thereof shall be controlling within the limits of the city; that an official copy of the said International Fire Code, 2021 edition, and a certified copy of this article (Ordinance No. _____), certifying the adoption of same and the effective date, is on file at the office of the city clerk and shall be kept available for public inspection and may be purchased from said city at the current price of said code as established by the publisher.

SECTION 2. Section 14-31 of the municipal code of the City of Ottumwa is hereby amended by repealing Section 14-31 in its entirety and enacting the following in lieu thereof:

Sec. 14-31. Amendments, modifications, additions and deletions.

The following amendments, modifications, additions and deletions to the International Fire Code are hereby made:

1. The following sections are deleted: 105.5.10, 105.5.12, 105.5.13, 105.5.15, 105.5.17, 105.5.19, 105.5.21, 105.5.25, 105.5.26, 105.5.27, 105.5.35, 105.5.36, 105.5.38, 105.5.39, 105.5.45, and 105.5.49.
2. A new Section 108.2.3 is added, as follows:

Section 108.2.3 – *Opening, expansion or relocation inspections*. A fire inspection is required before any new business can open for business or any existing business can open at or in a new location, expanded or enlarged location.

3. Section 112.4 is revised to read as follows:

Section 112.4 - *Violation penalties*. Any person who shall violate any of the provisions of this article or fail to comply with an order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate of permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by chief of the bureau of fire prevention or by a court of competent jurisdiction within the time fixed herein, shall severally and for each and every such violation of non-compliance, respectively, be guilty of a misdemeanor, punishable by a fine not exceeding \$750.00. 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 and defects within a reasonable time; and when not otherwise specified, each ten days that prohibitive conditions are maintained shall constitute a separate offense.

4. Section 113.4 is revised to read as follows:

Section 113.4 - *Failure to comply*. A [Any] person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to removed a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$750.00.

5. Section 307.1 is revised to add the following additional Exception:

Outdoor Cooking Fires - Outdoor cooking fires are defined as the burning of materials where fuel being burned is contained in manufactured outdoor fireplaces or grills used for food preparation and in accordance with this section. A permit is not required for outdoor cooking fires. Outdoor cooking fires shall be conducted within safe distances from buildings, structures and combustible materials. Fuel shall be limited to clean lumber, logs, propane, natural gas or charcoal.

6. Section 307.2 is deleted in its entirety and replaced with the following:

Section 307.2 - *Permit required*. A permit shall be obtained from the fire code official in accordance with section 105.6 prior to kindling a fire for recognized silvicultural, range or wildlife management practices, prevention or control of disease or pests, bonfire, construction clearing, disaster or storm damage removal by city request, other open burning permits allowed by adopted fire code. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled, or company hired to conduct such open burning.

7. Section 307.3 is deleted in its entirety and replaced with the following:

Section 307.3 - *Extinguishment authority*. The fire code official, a member of the Ottumwa Fire Department, member of the Ottumwa Police Department or City of Ottumwa Building and Code Enforcement official is authorized to order the extinguishment by the responsible person or the fire department, of any burning that creates or adds to a hazardous or objectionable situation, or open burning that is objectionable because of smoke or odor emissions, or a required permit for open burning has not been obtained, or conditions of permit are not being followed.

8. Section 307.4.2 is deleted in its entirety and replaced with the following:

Section 307.4.2 - *Recreational Fires*. No permit shall be required for recreational fires. Recreational fires shall be limited to manufactured fire pit appliances, above or below ground fire pits protected by metal, stone, or concrete. Recreational fires shall be located at least 25 feet from any structure or combustible material. Recreational fires shall be limited to 3 feet or less in diameter and 2 feet or less in height. Burning material shall be limited to clean dry wood or commercial fireplace logs. Recreational fires shall be limited to between the hours of 11:00 am and 11:00 pm.

9. Section 307.4.3 is deleted in its entirety and replaced with the following:

Section 307.4.3 - *Portable or approved by fire code official permanent outdoor fireplaces*. Portable or permanent outdoor fireplaces shall be used in accordance with the manufacturer's instructions and the following:

1. Only fire wood that is dry can be used.
2. Constantly attended by an adult.
3. An approved method of extinguishment is present during use.
4. Must not be operated within 15 feet of a structure or combustible material

10. Section 307.4.4 is revised to read as follows:

Section 307.4.4 - *Leaves*. Leaves are defined as leaves and twigs smaller than one inch in diameter and two feet in length. Open burning of leaves shall be permitted on Wednesdays and Saturdays between 10:00 a.m. and 9:00 p.m., April 1 through April 30 and November 1 through November 30. A permit is not required for burning of leaves.

11. A new Section 307.4.5 is added, as follows:

Section 307.4.5 - *Outdoor wood fired boilers*. Outdoor wood fired boilers are defined as a variant of the classic wood stove adapted for set-up outdoors while still transferring the heat to interior buildings. These appliances shall be used in accordance with the manufacturer's instructions and the following:

1. Only fire wood that is dry can be used.

2. Must not be operated within 15 feet of a structure or combustible material
3. Must not emit objectionable smoke that may be considered a nuisance.

12. A new Section 405.2.6 is added, as follows:

Section 405.2.6 - *Fire and severe weather drills*. Fire and severe weather drills shall be in accordance with Iowa Code Section 100.31.

13. A new Section 503.2.9 is added, as follows:

Section 503.2.9 – *Designation*. The Fire Code Official may designate fire lanes on private and public property as deemed necessary for the protection of life and property.

14. Section 503.3 is deleted in its entirety and replaced with the following:

Section 503.3 - *Signs and markings*. Wherever a fire lane has been designated, the Code Official shall cause appropriate signs and markings to be placed identifying such fire lanes. Signs or markings shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. Fire lanes may be established or relocated at the time of plan review, pre-construction site inspection, and/or post construction site inspection, as well as any time during the life of the occupancy as needed to provide and maintain emergency vehicle access. All designated fire lanes shall be clearly marked in the following manner:

1. Vertical curbs shall be painted red on the top and side, extending the length of the designated fire lane. Rolled curbs or surfaces without curbs shall have a red [six] (6) inch wide stripe painted the length of the designated fire lane. The words "NO PARKING — FIRE LANE" shall be stenciled with three (3) inch white letters and a minimum three-quarter ($\frac{3}{4}$) inch stroke on the face of the curbing, or in the absence of vertical curbing, on the red stripe, and spaced at fifty (50) foot intervals or portions thereof.
2. Signage identifying fire lanes shall conform to the following: Fire lane signs shall be 18 inches tall \times 12 inches wide with red letters on a white reflective background to read "Fire Lane No Parking Except For Emergency Vehicles" or similar verbiage as approved by the Code Official. Fire lane signs shall be placed 2 - 4 feet from the edge of the Fire Lane. The bottom of fire lane signs shall be between five (5) and seven (7) feet from the ground. Intermediate fire lane signs shall be set every one hundred (100) feet in a continuous fire lane. The BEGINS sign shall mark the beginning of a fire lane and shall be mounted below the first fire lane sign. The ENDS sign shall mark the ending of a fire lane and shall be mounted below the last fire lane sign. The BEGINS and ENDS signage may be omitted by the Code Official due to the location of the fire lane. Signs may be placed on a building when approved by the Fire Code Official.

15. A new Section 503.3.1 is added, as follows:

Section 503.3.1 – *Maintenance*. The owner, manager, or person in charge of any property upon which designated fire lanes have been established shall provide marking as required above and, shall maintain fire lanes at their expense as often as needed to clearly identify the designated area as being a fire lane.

16. A new Section 503.3.2 is added, as follows:

Section 503.3.2 - *Property Owner Responsibility*. The owner, manager or person in charge of any property upon which designated fire lanes have been established shall be responsible for, and not allow, vehicles or other objects to park in such fire lanes.

17. A new Section 503.4.1 is added, as follows:

Section 503.4.1 - *Penalty for violations*. The obstruction of a designated fire lane by a parked vehicle or any other object is prohibited and shall constitute a fire hazard and be an immediate hazard to life and property. Any person who obstructs or allows the obstruction of a designated fire lane is guilty of a simple misdemeanor. The maximum penalty for parking a vehicle in or obstructing a designated fire lane shall be not more than a fine of \$150.00. Each day or part of a day during which the unlawful act or violation occurs shall constitute a separate offense. Any vehicle or object obstructing a designated fire lane is hereby declared a fire hazard and may be immediately impounded without prior notification to its owner. The owner shall be held responsible for all impound fees.

18. A new Section 507.5.7 is added, as follows:

Section 507.5.7 - *Fire Hydrant Installation*. Fire hydrants under the AHJ of the Ottumwa Fire Department shall be installed per 507.5.7.1 through 507.5.7.3.

19. A new Section 507.5.7.1 is added, as follows:

Section 507.5.7.1 - *Fire hydrant height*: Fire hydrants shall be installed a minimum of eighteen (18) inches from the nominal ground level to the center of the lowest water outlet.

20. A new Section 507.5.7.2 is added, as follows:

Section 507.5.7.2 - *Fire hydrant outlet direction*. All fire hydrants shall be positioned so that the four (4) inch Storz or 4 ½” male connection is facing the street or, if provided, the fire access road accessible to fire department apparatus.

21. A new Section 507.5.7.3 is added, as follows:

Section 507.5.7.3 - *Fire hydrants threads*. All new fire hydrants shall have National Standard Threads (NST) on the two and one-half (2 1/2) inch connections, a four (4) inch Storz connection with a cable or chain connected

to the cover or a 4 ½" male with cable or chain connected cover.

22. A new Section 901.5.2 is added, as follows:

Section 901.5.2 - *Inspection Record Submission*. Contractors who perform installation, inspection, testing and/or maintenance services on fire and life safety systems are required to electronically submit all installation and compliant & non-compliant inspection reports to the Fire Department via a method approved by the fire code official within 30 calendar days of the installation/inspection date. Reports submitted after 30 calendar days may incur late fees.

23. A new Section 901.7.3 is added, as follows:

Section 901.7.3. Additional signs shall be located throughout the building as required by the fire code official, the sign and location shall be approved by the fire code official.

24. A new Section 907.2.1.3 is added, as follows:

Section 907.2.1.3. Group A occupancies shall on activation of a fire alarm system or Fire Sprinkler system shall additionally cause:

- a. All conflicting or confusing sounds and visual distraction to automatically stop.
- b. Illumination of all the, means of exit egress components to not less than 10 foot-candles at the walking surface level.

25. A new Section 907.4.2.7 is added, as follows:

Section 907.4.2.7 - *Location of Manual Fire Alarm Boxes*. Where in the opinion of the fire code official manual fire alarm boxes may be used to cause false fire alarms, the fire code official is authorized to modify the requirements for manual fire alarm boxes.

26. A new Section 912.8 is added, as follows:

Section 912.8 - *Fire Department Connection Height*. The fire department connection shall be located not less than 18 inches from the bottom of the cap(s) and not more than 42 inches from the top of the cap(s) above the level of the adjacent grade or access level. Deviation from this height may be granted by the fire code official for just cause.

27. A new Section 912.9 is added, as follows:

Section 912.9 - *Size*. Minimum fire department connection size shall be a 4 inch Storz connection with a 30° elbow towards the ground. For more water flow additional connections may be necessary. Deviation from this size may be granted

by the fire code official for just cause.

28. A new Section 1003.8 is added, as follows:

Section 1003.8 - *Frost protection*. Exterior landings at doors shall be provided with frost protection.

29. Section 1011.5.2, "Riser height and tread depth," shall be modified by replacing the term "7 inches" with "7.25 inches".

30. A new Section 1013.6.4 is added, as follows:

Section 1013.6.4 - *Exit Signs and Emergency Lights*. Exit signs and/or emergency lights shall be on dedicated electrical circuits for the purpose of conducted monthly and yearly testing requirements.

31. A new Section 1013.6.5 is added, as follows:

Section 1013.6.5 - *Additional Exit Signs*. Exit signs may be required at the discretion of the fire code official to clarify an exit or exit access.

32. Section 5601.2.4 is deleted in its entirety and replaced with the following:

Section 5601.2.4 - *Financial Responsibility: Fireworks*. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property that arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Any further amendments, modifications, additions and deletions to the International Fire Code may be made by city council resolution.

SECTION 5. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION 7. This ordinance shall be in full force and effect, from and after the later of: (i) its passage, adoption, and approval and publication as required by law, or (ii) July 1, 2022.

SECTION 8. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

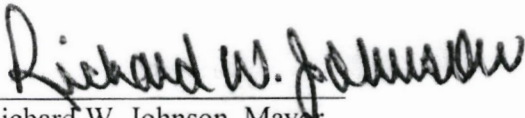
Passed on its first consideration on the 2nd day of August, 2022.

Passed on its second consideration on the 16th day of August, 2022.

Requirement of consideration and vote at two prior council meetings suspended on the _____ day of _____, 2022.

Final passage and adoption on the 6th day of September, 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

_____ No action taken by the Mayor

_____ Vetoed this _____ day of _____, 2022.

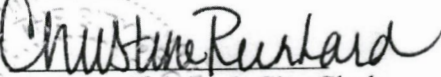
Richard W. Johnson, Mayor

_____ Repassed and adopted over the veto this _____ day of _____, 2022.

_____ Veto affirmed this _____ day of _____, 2022 by failure of vote taken to repass.

_____ Veto affirmed, no timely vote taken to repass over veto.

ATTEST:



Christina Reinhard, City Clerk

02063514-2\10981-1000

Cost of an Empty Building

In Main Street communities of every size, an annual priority is to fill empty storefronts. This is not just doing the current building owner a favor. A building sitting empty for one year has a significant negative impact on the local economy.

As an example, let's look at an empty building that could hold a midsize business. Let's say a potential business tenant sells \$250,000 in goods annually, pays typical rents in a Main Street Iowa community and has typical local expenditures. For every year the building does not hold that business or a similar-sized enterprise, it costs the community \$222,340. Buildings that stand empty lose money — not just for the building owner, but for local and state governments, utility companies, banks, suppliers and services, media and workers.

Costs to the Community

Building Owner	\$8,400 in rents \$5,040 in property value
Local Government	\$100 in property tax \$5,000 in sales tax
State Government	\$15,000 in sales tax
Utility Companies	\$4,700 for utilities, telephone and internet
Banks	\$39,500 in loan demand \$2,200 in bank fees and interest \$17,000 in deposits
Suppliers	\$1,300 in maintenance and repairs \$500 in printing and copying \$900 in supplies
Professional Services	\$2,700 in insurance premiums \$900 in legal and accounting fees \$500 in property management fees
Media	\$6,200 in advertising, marketing and PR expenditures
Workers	\$56,800 as employees of that business \$31,500 in business owner's compensation and profit \$24,100 workers elsewhere in the community

SOURCE: Estimates of the cost of an empty building were based, in part, on RMA® Annual Statement Studies.



Living on Main Street

Many historic buildings in Main Street districts were constructed with a store on the first floor and a residence for the proprietor's family upstairs. In most Iowa communities, much of that second-floor space has sat empty for a generation or is used as storage space for the business below. But following a national pattern in downtown revitalization, Main Street communities in Iowa began encouraging property owners to return that space to the residential use for which it was originally constructed.

While many property owners (and their bankers) were skeptical at first, some were willing to take a chance. And taking that chance proved to be a good investment. There are now hundreds of upper-floor housing units in Main Street Iowa communities of every size. The majority rent for between \$500 and \$1,000 per month and the units are often the most highly-prized rental housing in town.

But the biggest economic beneficiary of upper-floor housing isn't the person who collects the rent—it's the entire downtown. For a downtown that has the goods and services available, here's the impact on the downtown of that upper floor unit.

Annual Benefit to a Downtown Economy from an Upper-Floor Housing Unit Rented to a Couple for Between \$500 and \$1,000/month

Food at home	\$1,898 – \$3,795
Food & Drink out	\$807 – \$1,613
Rent	\$6,000 – \$12,000
Other housing costs, including utilities, maintenance, insurance, and upkeep	\$4,606 – \$9,213
Furniture, equipment and electronics	\$560 – \$1,121
Apparel and apparel services	\$655 – \$1,310
Vehicular and transportation-related	\$1,909 – \$3,819
Health-related	\$789 – \$1,577
Entertainment	\$934 – \$1,868
Personal services	\$314 – \$629
All others	\$997 – \$1,994
Total Annual Downtown Economic Impact of an Upper-Floor Apartment	\$19,469 – \$38,939



PROPOSED CHANGES - 2021 *INTERNATIONAL EXISTING BUILDING CODE*, HISTORIC BUILDINGS

Association for Preservation Technology, Technical Committee Codes & Standards
 Co-chairs (preparers): Mike Jackson, Marilyn Kaplan

1-19-22

This package describes proposed changes to the Historic Building Chapter (chapter 12) of the *International Existing Building Code* (IEBC) for submission January 10, 2022. If accepted, these changes will become part of the 2024 IEBC. The IEBC, published by the International Code Council (ICC), is the model code available for adoption at jurisdiction throughout the US.

These proposed changes have been developed by a team of architects and engineers engaged in historic buildings nationwide and committed to code improvements to remove barriers in the existing code for historic buildings. This includes code officials interested in encouraging building rehabilitation in older cities, and the Technical Committee's Main Street subcommittee, architects and program staff working on Main Street programs across the US.

The proposed changes are organized into 6 specific proposals, following the format required by the ICC. In summary, these proposals are intended to:

- Increase the useability of the IEBC for historic buildings by clarifying procedures and aligning these with historic preservation practice
- Support the use of historic house museums and redevelopment of small (Main Street) buildings
- Increase consistency of application across the optional code compliance paths

Table 1 summarizes the six proposed code development changes

Table 2 compares the existing (2021) format with the proposed (2024)

Table 3 summarizes the source of proposed changes, where based in the 2021 IEBC

Table 1
HISTORIC BUILDING, CHAPTER 12 PROPOSED CODE CHANGES

#	Working Title	Proposal #	Summary	Rationale
1	Scoping	7939	All historic buildings directed to Chapter 12 regardless of compliance path (some limitations) Adds consideration of preservation as an intent Clarifies path for accessibility	Code useability and clarity (Ch. 12 previously improperly used beyond Work Area Method)
2	Historic Building Allowances	7917	Combines existing provisions currently separated for Alteration and Change of Occupancy Adds definition of 'character-defining feature'. Clarifies content of historic building report	Sections were inconsistent; concept of less stringency for Alterations incorrect and outdated. 'Character-defining' is an accepted state/federal preservation term and will permit removal of inconstant language in many provisions.
3	Special Occupancy - Museums	8166	Clarifies that allowance is 3000 sf/floor.	For specialized museums, consistency with other code provisions that indicate "per floor" for smaller buildings.
4	Historic Tolerances	7970	Permits minor dimensional and rating noncompliant conditions to be retained.	Permission to maintain existing historic conditions when alteration would achieve no significant loss or gain in safety relieves projects of unnecessary costs and permits retention of historic materials.
5	Small Building Automatic Sprinkler System Equivalencies	8167	Provides accepted and specific fire safety equivalencies for small (ex., Main Street) buildings	Codify commonly accepted solutions, including those derived from Performance Compliance.
6	Distinct Hazard	8165	Adds definition	Code useability and consistency. Term currently undefined

**Table 2
PROPOSED (2024) AND EXISTING (2021) FORMAT**

Notes:

1. Numbering refers to individual proposed code changes (and not to numbering should all 6 proposals be accepted). Numbering in this table and throughout subject to change.
2. Items in black indicate no change.
3. Key:

Proposal 1	Proposal 4
Proposal 2	Proposal 5
Proposal 3	Proposal 6

PROPOSED 2024 IEBC, Ch 12	EXISTING 2021 IEBC, Ch 12
DEFINITIONS	
Character-Defining Feature	
Distinct Hazard	
SECTION 1201 GENERAL	SECTION 1201 GENERAL
1201.1 Intent	1201.1 Scope
1201.2 Scope	1201.2 Report
1201.3 Special occupancy exceptions—museums	1201.3 Special occupancy exceptions—museums
1201.4 Flood hazard areas	1201.4 Flood hazard areas
1201.5 Tolerances	1201.5 Unsafe Conditions
1201.6 Accessibility	
1201.7 Historic Building Report	
SECTION 1202 REPAIRS	SECTION 1202 REPAIRS
1202.1 General	1202.1 General
1202.2 Replacement	1202.2 Replacement
SECTION 1203 GENERAL SAFETY	SECTION 1203 FIRE SAFETY
1203.1 Scope	1203.1 Scope
1203.2 Automatic fire extinguishing system	1203.2 General
1203.3 Means of egress	1203.3 Means of egress
1203.4 Transoms	1203.4 Transoms
1203.5 Interior finishes	1203.5 Interior finishes
1203.6 Flame Spread Index	1203.6 Stairway enclosure
1203.7 Stairway enclosure	1203.7 One-hour fire-resistant assemblies
1203.8 One-hour fire-resistant assemblies	1203.8 Glazing in fire-resistance-rated systems
1203.9 Glazing in fire-resistance-rated systems	1203.9 Stairway railings
1203.10 Stairways	1203.10 Guards
1203.12 Guards and handrails	1203.11 Exit Signs
1203.13 Exit signs	1203.12 Automatic Fire Extinguishing Systems
1203.14 Door swing	SECTION 1204 CHANGE OF OCCUPANCY
1203.14 Roof covering	1204.1 General
1203.15 Building area	1204.2 Building Area
1201.7 Exterior ratings	1204.3 Location on Property.
1201.8 Natural light	1204.4 Occupancy Separation
	1204.5 Roof covering
	1204.6 Means of Egress
	1204.7 Door swing
	1204.8 Transoms
	1204.9 Interior finishes
	1204.10 One- hour fire-resistant assemblies
	1204.11 Stairways and guards
	1204.12 Exit signs

PROPOSED 2024 IEBC, Ch 12	EXISTING 2021 IEBC, Ch 12
	1204.13 Exit stair live load
	1204.14 Natural light
SECTION 1205 AUTOMATIC SPRINKLER SYSTEM EQUIVALENCIES	
1204.1 General	
1204.2 Mixed-use buildings	
1204.3 Fire alarm	
1204.4 Automatic sprinkler systems	
SECTION 1205 STRUCTURAL	SECTION 1205 STRUCTURAL
1205.1 General	1205.1 General
1205.2 Dangerous conditions	1205.2 Dangerous conditions
1205.3 Exit stair live load	
1205.4 Structural evaluation	
SECTION 1206. RELOCATED BUILDINGS	SECTION 1206. RELOCATED BUILDINGS
1206.1 Relocated Buildings	1206.1 Relocated Buildings

**Table 3
PROPOSED 2024 IEBC, CODE CHANGE AND SOURCE**

PROPOSED 2024 IEBC, CH 12	DESCRIPTION	CODE CHANGE #	SOURCE (21 IEBC)
DEFINITIONS			
Distinct Hazard	New	6	
Character-Defining Feature	New	2	
SECTION 1201 GENERAL			
1201.1 Intent	New	1	
1201.2 Scope	New	1	
1201.3 Special occupancy exceptions—museums	Edit	3	1201.3
1201.4 Flood hazard areas	NC		
1201.5 Tolerances	New	4	
1201.6 Accessibility	Redirection/no change	1	
1201.7 Historic Building Report	Edit	2	1201.2
SECTION 1202 REPAIRS			
1202.1 General	NC		
1202.2 Replacement	NC		
SECTION 1203 GENERAL SAFETY			
1203.1 Scope	Clarify	2	1203.1
1203.2 Automatic fire extinguishing system	Rename/edit	2	1203.2, 1203.12
1203.3 Means of egress	Edit/combine	2	1203.3, 1204.6
1203.4 Transoms	Edit/combine/renumber	2	1203.4, 1204.8
1203.5 Interior finishes	Edit/combine	2	1203.5
1203.6 Flame Spread Index	Edit/combine/renumber	2	1204.9
1203.7 Stairway enclosure	Edit/combine/renumber	2	1204.11
1203.8 One-hour fire-resistant assemblies	Edit/combine/renumber	2	1203.7, 1204.4, 1204.10
1203.9 Glazing in fire-resistance-rated systems	Edit/combine/renumber	2	1203.8
1203.10 Stairways	Edit/combine/renumber	2	1204.11
1203.12 Guards and handrails	Edit/combine/renumber	2	1203.9, 1203.10
1203.13 Exit signs	Edit/combine/renumber	2	1203.11, 1204.12
1203.14 Door swing	Edit/combine/renumber	2	1204.7
1203.14 Roof covering	Edit/combine/renumber	2	1204.5
1203.15 Building area	Edit/combine/renumber	2	1204.2
1201.7 Exterior ratings	Relocated	2	1204.3
1201.8 Natural light	Relocated	2	1204.14
SECTION 1204 SMALL BUILDING AUTOMATIC SPRINKLER SYSTEM EQUIVALENCIES			
1204.1 Sprinkler system alternatives	New	5	
1204.2 Group A-2, M or R-2 occupancies	New	5	
1204.3 Other than Group A-2, M or R-2 occupancies	New	5	
1204.4 Automatic sprinkler system type	New	5	
SECTION 1205 STRUCTURAL			
1205.1 General	NC		
1205.2 Dangerous conditions	NC		
1205.3 Exit stair live load	Relocate	2	1204.13
1205.4 Structural evaluation	Relocate	2	1201.2
SECTION 1206. RELOCATED BUILDINGS			
1206.1 Relocated Buildings	NC		

Section 4
CHAPTER 12, ALL PROPOSALS ADOPTED

PROPOSED DEFINITIONS (CHAPTER 2)

Character-Defining Features. Those visual aspects and physical elements and spaces that comprise the appearance of an historic building and that are significant to the historical, architectural and cultural values, including the overall shape of the historic building or property, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment.

Distinct Hazard. Any clear and evident condition that exists as an immediate danger to the safety of the occupants or public right of way. Conditions that do not meet the requirements of current regular codes and ordinances do not, of themselves, constitute a distinct hazard.

SECTION 1201 GENERAL

1201.1 Intent. The intent of this chapter is to preserve the integrity and character-defining features of historic buildings while maintaining a reasonable degree of protection of life, health and safety for its occupants.

1201.2 Scope. Historic buildings shall comply with Chapter 3 and the provisions of this chapter for Repair, Alteration, Relocation and Change of Occupancy regardless of compliance path, except as limited by this chapter.

1201.3 Special occupancy exceptions—museums. Where a building in Group R-3 is used for Group A, B or M purposes such as museum tours, exhibits, and other public assembly activities, or for museums less than 3,000 square feet (279 m²) per floor, the occupancy shall be classified as Group B where life safety conditions are approved by the code official in accordance with Section 1201.2. Adequate means of egress in such buildings, which may include a means of maintaining doors in an unlocked position to permit egress, a limit on building occupancy to an occupant load permitted by the means of egress capacity, a limit on occupancy of certain areas or floors, or supervision by a person knowledgeable in the emergency exiting procedures, shall be provided.

1201.4 Flood hazard areas. In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with Section 1612 of the International Building Code, or Section R322 of the International Residential Code, as applicable.

Exception: If a historic building will continue to be a historic building after the proposed work is completed, then the proposed work is not considered a substantial improvement. For the purposes of this exception, a historic building is any of the following:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.
2. Determined by the Secretary of the U.S. Department of Interior to contribute to the historical significance of a registered historic district or a district preliminarily determined to qualify as a historic district.
3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

1201.5 Tolerances. The code official is authorized to accept a tolerance where there are practical physical impediments to achieving a required dimension or performance rating, or where that compliance would threaten, degrade, or destroy a character-defining feature. The approved solution should be as close as possible to the required dimension or rating. Tolerances shall be documented in the report as required by Section 1201.2.

1201.5 Accessibility. Accessibility of historic structures shall comply with Section 306, as applicable.

1201.6 Historic Building Report. A Historic Building Report shall be prepared by a registered design professional and filed with the code official by a registered design professional where such a report is

necessary in the opinion of the code official. Such report shall be in accordance with Chapter 1 and shall include the following:

1. Documentation that the building meets the definition of historic building.
2. Identification, description and photograph of provisions of character-defining features able to be preserved using the provisions of this Section.
3. For each character-defining to be retained using the provisions of this Section, identification of the historic building provision permitting its preservation.
4. For each character-defining feature where preservation cannot occur using the historic building provisions in this Section, description of how the intent of these provisions will be met. The code official is authorized to accept any reasonably equivalent alternative.

SECTION 1202 REPAIRS

1202.1 General. Repairs to any portion of a historic building or structure shall be permitted with original or like materials and original methods of construction, subject to the provisions of this chapter. Hazardous materials, such as asbestos and lead-based paint, shall not be used where the code for new construction would not permit their use in buildings of similar occupancy, purpose and location.

1202.2 Replacement. Replacement of existing or missing features using original materials shall be permitted. Partial replacement for repairs that match the original in configuration, height, and size shall be permitted. Replacement glazing in hazardous locations shall comply with the safety glazing requirements of Chapter 24 of the International Building Code.

Exception: Glass block walls, louvered windows, and jalousies repaired with like materials.

SECTION 1203 GENERAL SAFETY

1203.1 Scope. Historic buildings using the prescriptive or work area compliance methods undergoing Alterations, Changes of Occupancy, or Relocation shall comply with Section 1203.

1203.2 Automatic Fire Extinguishing System. Every historic building that does not conform to the construction requirements required by the *International Building Code* or this code for the occupancy or use and that constitutes a distinct fire hazard as defined herein shall be provided with an automatic fire-extinguishing system or as approved by the code official. However, an automatic fire extinguishing system shall not be used to substitute for, or act as an alternative to, the required number of exits from any facility.

1203.3 Means of egress. Existing door openings and corridor and stairway widths shall be approved, provided that, in the opinion of the code official, there is sufficient width and height for a person to pass through the opening or traverse the means of egress. The capacity of the means of egress shall be adequate for the occupant load, or as approved by operational controls to limit occupancy.

1203.4 Transoms. In corridor walls required by these provisions to be fire-resistance rated, existing transoms in corridors and other fire-resistance-rated walls may be maintained if fixed in the closed position. Buildings with an automatic sprinkler system shall have a sprinkler installed on each side of the transom. In non-sprinklered buildings, transoms shall be protected with fixed wired glass or other approved glazing set in a steel frame and installed on one side of the transom.

1203.5 Interior finishes. Existing character-defining interior finishes shall be accepted.

1203.6 Flame Spread Index. Where interior finish materials are required to comply with the fire test requirements of Section 803.1 of the International Building Code existing nonconforming materials shall be permitted to be surfaced with an approved fire-retardant coating to achieve the required classification. Compliance with this section shall be demonstrated by testing the fire-retardant coating on the same material and achieving the required fire classification. Where the same material is not available, it shall be permitted to test on a similar material.

Exception: Existing nonconforming materials need not be surfaced with an approved fire-retardant coating where the building is equipped throughout with an automatic sprinkler system installed in

accordance with the International Building Code and the nonconforming materials are character defining features. can be substantiated as being historic in character.

1203.7 Stairway Enclosure. In buildings of three stories or less, exit enclosure construction shall limit the spread of smoke by the use of tight-fitting doors and solid elements. Such elements are not required to have a fire-resistance rating.

1203.8 One-hour fire-resistant assemblies. Where 1-hour fire-resistance-rated construction is required by these provisions, it need not be provided, regardless of construction or occupancy, where the existing wall and ceiling finish is wood lath or metal lath and plaster.

1203.9 Glazing in fire-resistance-rated systems. Character-defining glazing materials are permitted in interior walls required to have a 1-hour fire-resistance rating where the opening is provided with approved smoke seals and the area affected is provided with an automatic sprinkler system. In non-sprinklered buildings, glazing shall be protected with fixed wired glass or other approved glazing set in a steel frame and installed on one side of the glazing.

1203.10 Stairways. Existing stairway geometry and configuration shall be accepted provided they are not structurally dangerous or unsafe.

1203.11 Guards and Handrails. The retention of guards and handrails, including retention of existing heights and spacings of elements, shall be permitted provided the existing guards are identified as character-defining features and no unsafe conditions are created. Where more than 50% of new materials is required, restored guards and handrails shall meet the structural loading conditions of other codes, as applicable.

Exception. Where an existing stair is replaced with construction of materials, dimensions and aesthetic features documented to match existing, the handrail may be omitted where there is documentation that a handrail did not originally exist, and no unsafe conditions are created.

1203.12 Exit signs. Where exit sign or egress path marking location would damage character defining features, alternative exit signs and locations are permitted with approval of the code official. Alternative signs shall identify the exits and egress path.

1203.13 Door Swing. Where approved by the code official, existing front doors need not swing in the direction of exit travel, provided that other approved exits having sufficient capacity to serve the total occupant load are provided.

1203.14 Roof covering. Regardless of occupancy or use group, roof-covering materials not less than Class C, where tested in accordance with ASTM E108 or UL 790, shall be permitted where a fire-retardant roof covering is required.

1203.15 Building area. The allowable floor area for historic buildings undergoing a change of occupancy shall be permitted to exceed by 20 percent the allowable areas specified in Chapter 5 of the International Building Code.

1203.16 Exterior Ratings. Historic structures undergoing a change of use to a higher-hazard category in accordance with Section 1011.7 may use alternative methods to comply with the fire-resistance and exterior opening protective requirements. Such alternatives shall apply to character-defining features and comply with Section 1201.2.

1203.17 Natural Light. Where it is determined by the code official that compliance with the natural light requirements of Section 1010.1 will lead to loss or damage to character-defining features, the existing level of natural light shall be considered to be acceptable.

SECTION 1204 AUTOMATIC SPRINKLER SYSTEM EQUIVALENCIES

1204.1 General. The following alternatives shall be permitted in lieu of full compliance with the Prescriptive Compliance Method or Work Area Method when undergoing alterations or a change of occupancy.

1204.2 Group A-2, M or R-2 Occupancies. Group A-2, M, or R-2 occupancies can be rehabilitated without an automatic sprinkler system provided the following conditions are met:

1. Building is less than 4 stories in height above grade plane and less than 3000 sqft per floor.

2. Group A-2 and M occupancies shall be located on the first floor. Group R-2 shall be located on upper floors.
3. Type IIIB construction.
4. Two exits per floor.
5. Vertical openings have 2-hour fire-resistance rating.
6. Fire-resistance rated separations in accordance with the *International Building Code*.
7. Compliance with Section 907 of the *International Building Code* and Item 4 of Section 1205.1.2.

1204.3 Other than Group A-2, M or R-2 Occupancies. In other than A-2, M, R-2 occupancies, where an automatic fire sprinkler system is required, a fire alarm system compliant with Section 907 of the *International Building Code* shall be accepted in lieu of the automatic fire extinguishing suppression provided that:

1. Buildings are less than 4 stories in height above grade plane and less than 300 sqft per floor.
2. The required number of exits are provided.
3. Carbon monoxide detection is in accordance with Section 915 of the *International Building Code*.
4. The fire alarm system contains the following components and capabilities:
 - 4.1 Manual pull stations.
 - 4.2 Full coverage smoke detection in accordance with NFPA 72.
 - 4.3 Occupant notification in accordance with Section 907.5 of the *International Building Code*.
 - 4.4 Emergency lighting in accordance with Section 1008 of the *International Building Code*.

1204.4 Automatic sprinkler system type. Where an automatic fire sprinkler system is not required but will be used as an alternative to other provisions of this code, the following systems are acceptable:

1. Buildings of four stories or less: NFPA 13R
2. Buildings five stories above grade plane or greater: NFPA 13
3. Free standing buildings or with property line separation, two floors above grade plane or less and limited to 1500 sqft per floor: NFPA 13D
4. An alternative life-safety system as approved by the code official.

1205 STRUCTURAL

1205.1 General. Historic buildings shall comply with the applicable structural provisions of Chapter 4 or 5.

Exceptions:

1. The code official shall be authorized to accept existing floors and existing live loads and to approve operational controls that limit the live load on any floor.
2. Repair of substantial structural damage is not required to comply with Sections 405.2.3 and 405.2.4. Substantial structural damage shall be repaired in accordance with Section 405.2.1.

1205.2 Dangerous conditions. Conditions determined by the code official to be unsafe shall be remedied. Work shall not be required beyond what is required to remedy the unsafe conditions.

1205.3 Exit stair live load. Existing historic stairways in buildings changed to a Group R-1 or R-2 occupancy shall be accepted where it can be shown that the stairway can support a 75-pounds-per-square-foot (366 kg/m²) live load.

1205.4. Structural Evaluation. For buildings assigned to Seismic Design Category D, E, or F, a structural evaluation describing, at a minimum, the vertical and horizontal elements of the lateral force-resisting system and any strengths or weaknesses therein shall be prepared in accordance with Section 1205.2.

SECTION 1206 RELOCATED BUILDINGS

1206.1 Relocated buildings. Foundations of relocated historic buildings and structures shall comply with the *International Building Code*. Relocated historic buildings shall otherwise be considered a historic building for the purposes of this code. Relocated historic buildings and structures shall be sited so that exterior wall and opening requirements comply with the *International Building Code* or with the compliance alternatives of this code.

321.247 Golf cart operation on city streets.

Incorporated areas may, upon approval of their governing body, allow the operation of golf carts on city streets by persons possessing a valid driver's license. However, a golf cart shall not be operated upon a city street which is a primary road extension through the city but shall be allowed to cross a city street which is a primary road extension through the city. The golf carts shall be equipped with a slow moving vehicle sign and a bicycle safety flag and operate on the streets only from sunrise to sunset. Golf carts operated on city streets shall be equipped with adequate brakes and shall meet any other safety requirements imposed by the governing body. Golf carts are not subject to the registration provisions of [this chapter](#).

A person convicted of a violation of [this section](#) is guilty of a simple misdemeanor punishable as a scheduled violation under [section 805.8A, subsection 3](#), paragraph "f".

[82 Acts, ch 1041, §1]

90 Acts, ch 1230, §66; 98 Acts, ch 1073, §9; 2000 Acts, ch 1203, §10; 2001 Acts, ch 137, §5

Referred to in [§331.362, 805.8A](#)

Golf Cart, Snowmobile and ATV Regulations



Updated on June 29, 2022



Posted on May 13, 2019

State Regulation of Golf Carts

Under *Code of Iowa* Section 321.247 golf carts:

- Are not required to be registered or licensed by the Iowa Department of Transportation (DOT). Can operate on city streets only if allowed to do so by the city council.
- Are not allowed to operate on a city street which is a primary road extension through the city but are allowed to cross a primary road extension.
- Can operate on city streets only from sunrise to sunset.
- Must be equipped with adequate brakes, a slow moving vehicle sign and a bicycle safety flag.
- Must meet such other safety requirements as the city may impose.

Under *Code* Section 321.174 it is unlawful for anyone to operate a “motor vehicle”, including a golf cart, upon streets and highways unless the operator has a valid driver’s license.

Under Section 321.20B golf carts cannot be operated on highways or city streets unless financial liability coverage (insurance) is in effect for the vehicle and the driver has proof of insurance in his/her possession.

City Regulation of Golf Carts

Many city ordinances simply mirror the basic requirements found in Section 321.247 of the Code, while other cities have chosen to more closely regulate or be more innovative in regulating the use of their streets by golf carts.

City Permit Required

Several cities require that before a golf cart can be operated on city streets, the owner must obtain a permit from the city and pay a permit fee. As a condition for issuance of a permit some cities require one or more of the following:

- That the golf cart be inspected.
- That the owner show proof of financial liability coverage.

- That the operator has a valid Iowa driver's license.

Some cities also require either that the permit be carried on the golf cart when it is operated on city streets or that the permit sticker be displayed on the golf cart.

Areas Where Golf Cart Operation is Allowed

Cities that regulate golf carts typically regulate where golf carts are allowed to operate, repeating the state law prohibition against golf carts operating on city streets that are also state highways and listing one or more additional streets where golf cart operation is either authorized or prohibited. Some cities allow golf cart operation on restricted streets by community and civic organizations for community events including parades.

Additional Limitations on Operation of Golf Carts

Cities have also imposed additional prohibitions on the operation of golf carts, including prohibition of:

- Operation on public sidewalks, the area between the sidewalk and the curb line and in cemeteries.
- Operation on private property without the consent of the property owner.
- Operation on city streets during inclement weather.
- Operation in a careless, reckless or negligent manner.
- Operation while under the influence of intoxicating liquor, narcotics or habit forming drugs.
- Carrying more than two riders in the front seat, or more than two riders in the back seat if a back seat is provided.
- Towing of any item by a golf cart.
- Modification of a golf cart for increased speed.

State Regulation of ATVs and Snowmobiles

The state legislature has enacted two very similar statutes, Chapter 321I regulating ATVs and Chapter 321G regulating snowmobiles.

Under the provisions of Chapter 321I, an ATV is required to be registered with the Iowa Department of Natural Resources (IDNR) and the registration and non-resident user permit decals must be displayed on the machine. The state code details several requirements of ATV operators:

- Must have a user permit from the IDNR (including non-resident users). Must possess a valid driver's license in order to operate an ATV on streets and highways.
- Who is 12 years old but less than 18 must have and display an education certificate issued by the DNR.

- Can operate only on those city streets which have been designated for such use by the city council.
- Is not allowed to carry a passenger unless the ATV is designed to carry passengers.
- Is not allowed to operate on a city street which is a primary highway and can only cross a city street that is a state highway with the permission of the DOT.

Under the provisions of Chapter 321G a snowmobile is required to be registered in the name of the owner with the DNR and be issued a user permit, and the registration and permit decals must be displayed on the machine. According to the Code, snowmobile operators must:

- Must have a user permit from the IDNR.
- Age 16 and above, who possess a valid driver's license and an education certificate, may operate on their own.
- Ages 12 through 17 must have and display an education certificate.
- Ages 12 through 15 must be under direct supervision of an adult.
- Under age 12 must be accompanied on the same machine by a licensed adult.
- Can operate only on those city streets which have been designated for such use by the city council.
- Are not allowed to operate on a city street which is a primary highway but are allowed to cross a primary highway.

Under Section 321.20B, ATVs and snowmobiles cannot be operated on highways or city streets unless financial liability coverage (insurance) is in effect for the vehicle and the driver has proof of insurance in his/her possession. Also, state law allows cities to adopt ordinances relating to the operation or equipping of ATVs and snowmobiles, provided that such ordinances are not inconsistent with those chapters of the Code or with the implementing administrative rules adopted by the IDNR.

City Regulation of ATVs and Snowmobiles

Who May Operate an ATV or Snowmobile within the City

Some cities require that ATV and snowmobile operators must possess a valid Iowa driver's license, and/or have a permit of some sort for local operation. It is important to note that the state legislature approved a bill in 2022 that prohibits a city government from charging a fee in relation to ATV/UTV operation. Any cities that have such a charge will need to repeal that and discontinue any related fees (effective July 1, 2022). The legislation does not impact the existing ability for a city to regulate ATV/UTV operation on city streets or to continue requiring registration (without a fee).

Areas Where Operation of ATVs and Snowmobiles is Allowed

- A number of cities have adopted very similar provisions allowing ATVs and snowmobiles to:
- Be operated on such streets as may be designated by resolution of the council.
- Be operated within the right-of-way of an operating railroad.
- Cross a railroad right-of-way, but only at an established crossing and using the improved portion of the crossing after yielding to all oncoming traffic.

Those ordinances also typically prohibit the operation of ATVs and snowmobiles:

- In any park, playground or upon any other city-owned property without the express permission of the city.
- On public sidewalks, in the area between the sidewalk and the curb line, and in cemeteries.
- On any prohibited street except during emergencies (e.g. during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical and unsafe) or when plowing snow.

- On private property without the consent of the property owner.

Some cities also prohibit the operation of ATVs and snowmobiles:

- At a speed in excess of 25 miles per hour.
- In a careless, reckless or negligent manner.
- While under the influence of intoxicating liquor, narcotics or habit forming drugs.
- In the area surrounding a hospital.
- In the area surrounding any school from one hour before to one hour after the time school is in session.
- In the area surrounding any church from one-half hour before to one-half hour after any church services.

City officials are encouraged to consult with their city attorney to develop city code provisions regulating the operation of these vehicles and to engage with their citizens throughout the process to ensure the community is aware of regulations being adopted.

Street Address

500 SW 7th Street, Suite 101
Des Moines, IA 50309-4506

Remit Payments to

PO Box 8296
Des Moines, IA 50301
Phone (515) 244-7282
Fax (978) 367-9733

ORDINANCE NO. 3211-2023

**AN ORDINANCE ESTABLISHING REGULATIONS APPLICABLE TO
THE USE OF UTILITY TERRAIN VEHICLES AND AMENDING
CHAPTERS 23 AND 26 OF THE CODE OF ORDINANCES OF THE CITY
OF OTTUMWA**

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

SECTION ONE. Chapter 23 is hereby amended by adopting Article XV, entitled, "Utility Terrain Vehicles", as follows:

23-516. – Purpose. The purpose of this chapter is to regulate the operation of utility terrain vehicles within the City.

23-517. – Definitions. For purposes of this Chapter, "Utility Terrain Vehicle" or "UTV" is defined to mean a motorized flotation-tire vehicle with not less than four and not more than eight low-pressure tires that is limited in engine displacement to less than one thousand five hundred cubic centimeters and in total dry weight to not more than one thousand eight hundred pounds and that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. "UTV" excludes dune buggies, golf carts, go carts, mini trucks, all-terrain vehicles (ATV), snowmobiles, and electric scooters.

This section is intended to be construed in the same manner as the definition provided by Iowa Code section 321I.1(17)(a) (2021), as may be amended from time to time.

23-518 Location and Manner of Operation

- (a) No person shall operate a UTV within the City in violation of the provisions of Chapter 321I of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources.
- (b) UTVs shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.
- (c) UTVs may be only operated on city streets that are subject to a speed limit of thirty-five (35) mph or less.
- (d) Exceptions. UTVs may be operated on prohibited streets only under the following circumstances:
 1. Municipal Use. Employees, agents or authorized invitees of the city shall be authorized to drive UTVs upon city streets when such operation is part of their official duties on behalf of the city.
 2. Snow removal. UTVs may be operated in the city limits for snow removal purposes on private driveways, sidewalks and private parking lots. The operation of the vehicle on city streets is strictly for transportation to and from the site of the snow removal. The vehicle shall be equipped with a functioning blade, or snow

blower, at all times, during operation. The UTV and driver of said vehicle shall meet all state requirements for legal operation of the vehicle.

3. Direct Crossing. UTVs may make a direct crossing of a prohibited street provided:
 - (a) The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
 - (b) The UTV is brought to a complete stop before crossing the street;
 - (c) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard;
 - (d) In crossing a divided street, the crossing is made only at an intersection of such street with another street; and
 - (e) The crossing is made from a street, roadway, or highway on which the UTV is authorized to operate to a street, roadway, or highway on which such vehicle is authorized to operate.
- (e) Railroad Right-of-way. UTVs shall not be operated on an operating railroad right-of-way. A UTV may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.
- (f) Trails. UTVs shall not be operated on recreational trails including the Ottumwa Trail System and snowmobile trails.
- (g) Parks and Other City Land. UTVs shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City Council.
- (h) Sidewalk or Parking. UTVs shall not be operated upon the public sidewalk except for purposes of crossing the same to a public street upon which operation is authorized by this Article.
- (i) No person shall operate a UTV in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

23-519 Liability.

- (a) The owner and operator of a UTV are liable for any injury or damage occasioned by the negligent operation of the UTV. The owner of a UTV shall be liable for any injury or damage only if the owner was the operator of the UTV at the time the injury or damage occurred or if the operator had the owner's consent to operate the UTV at the time the injury or damage occurred.
- (b) Whenever a UTV is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law.

23-520. License and liability coverage.

A person operating a UTV on city streets shall have a valid driver's license and operate the vehicle at speeds of thirty-five miles per hour or less. In addition, a person operating a UTV on city streets shall be at least eighteen years of age and have financial liability coverage in effect for the vehicle and carry proof of such financial liability coverage.

23-521. Violations. Violation of any provision of this Ordinance is a simple misdemeanor.

SECTION TWO. Section 26-20, subparts (a) and (b) are hereby repealed and replaced as follows:

- (a) Except as hereinafter provided, no person shall ride, drive or operate any vehicle in the parks of the city, except on the established roadways. The speed of operation shall be only at a moderate rate of speed and at no time at a rate of speed greater than 15 miles an hour except where otherwise posted. No vehicles shall be allowed on any other frozen waterways or ponds within the city limits. Violations of this article shall be deemed a trespass and subject the person to the penalties of a simple misdemeanor as provided for in chapter 1, article III.
- (b) No person other than employees, agents or authorized invitees of the city shall drive any vehicle upon any portion of any public park in the city not designated as a road or otherwise designated for use of vehicular traffic.

SECTION THREE. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION FOUR. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FIVE. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION SIX. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

PASSED on its first consideration the 7th day of February, 2023.

PASSED on its second consideration the 21st day of February, 2023.

Requirement of consideration and vote at two (2) prior Council meetings suspended the waived day of _____, 2023.

APPROVED this 21st day of February 2023.

CITY OF OTTUMWA, IOWA

By: Richard W. Johnson
Richard W. Johnson, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2023

Richard W. Johnson, Mayor

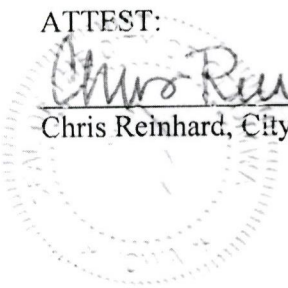
_____ Repassed and adopted over the veto this _____ day of _____, 2023.

_____ Veto affirmed this _____ day of _____, 2023 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Chris Reinhard
Chris Reinhard, City Clerk



CHAPTER 78

OPERATION OF GOLF CARTS AND SIMILAR CONVEYANCES ON CITY STREETS

78.01 Purpose

78.02 Definition

78.03 Requirements and Restrictions

78.04 Permits

78.05 Permit Issuance

78.06 Operation Prohibited in Certain Locations

78.07 Exceptions to Permit Requirement

78.08 Violations

78.01 PURPOSE. Iowa Code Section 321.247 grants authority to the City of Williamsburg to permit the operation of golf carts or similar vehicles on the roadways under the City's jurisdiction subject to certain restrictions contained herein. The City Council desires to authorize the use of golf carts but regulate them to enhance the health, safety and welfare of citizens with specialized needs.

78.02 DEFINITION. "Golf cart" is defined as a motorized vehicle with three or four wheels that is not designed to be operated at a speed of more than twenty-five miles per hour (25 m.p.h.), whose purpose can include, but is not limited to, the playing of golf and is generally designed to carry persons including the driver.

78.03 REQUIREMENTS AND RESTRICTIONS. The following use, operational requirements and restrictions are adopted by the City for golf carts:

1. A golf cart may be operated on a street by persons who are:
 - A. At least sixteen (16) years of age and possess a valid driver's license; and
 - B. Have obtained a permit from the Police Chief pursuant to Williamsburg Code Sections 78.04 and 78.05.
2. Individuals who are allowed by this chapter to operate golf carts on the City streets shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the traffic code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application.
3. The golf cart shall be equipped with a slow moving vehicle sign, a bicycle safety flag, and operating brakes.

78.04 PERMITS. In addition to any other requirements of this chapter, no golf cart shall be driven, operated or controlled on the roadways or shoulders of roadways under the jurisdiction of the City unless the driver, operator or person in control has in his or her actual physical possession a valid, current and unrevoked permit of the City for such driving, operation or control of a golf cart.

78.05 PERMIT ISSUANCE. Permits shall be issued by the Williamsburg Police Chief, or authorized designee, upon compliance with this section.

1. Application for an individual permit shall include the full name and address of the applicant; the applicant's date of birth; the state of issuance of the applicant's current driver's license, the number of the driver's license; the date of application and applicant's signature. The applicant must also submit a brief written statement explaining why the permit is necessary.

2. The Police Chief, or authorized designee, may deny the issuance of a permit for any or no reason.

3. The permit may be revoked by the Police Chief if there is any material misrepresentation made in the permit application, or if there is evidence that the permittee cannot safely operate the motorized golf cart. The Police Chief shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder or send the notice by certified mail to the address on the application. The revocation shall be in effect immediately after personal service or three (3) days after the mailing.

78.06 OPERATION PROHIBITED IN CERTAIN LOCATIONS. Golf carts may cross, but shall not be operated on, the following City roadways:

1. Highway 149
2. North Street
3. Welsh Street
4. East State Street

78.07 EXCEPTIONS TO PERMIT REQUIREMENT. A golf cart permit is not required if the operator operates the golf cart pursuant to all other requirements of this chapter, and the purpose of the operation is for obtaining general maintenance or repair to the golf cart.

78.08 VIOLATIONS. Any person violating any section in this chapter is guilty of a simple misdemeanor.