

CITY OF MARSHALLTOWN
COUNCIL AGENDA
CITY HALL COUNCIL CHAMBERS
10 W STATE STREET
MARCH 28, 2022, 5:30 PM

A. **CALL TO ORDER**

NOTICE TO THE PUBLIC: The Mayor and City Council welcome comments from the public during discussion of any of the agenda items.

You are required to step to the microphone, state your name and address for the record and limit the time used to present your remarks to 3 minutes or less in order for others to be given the opportunity to speak. All speakers shall speak clearly and direct their comments to the Mayor and City Council and not to any Councilor specifically. It is at the discretion of the Mayor and Council to respond to specific questions and comments or to have staff respond during the meeting.

B. **PLEDGE OF ALLEGIANCE**

C. **ROLL CALL**

Hoop, Isom, Kell, Ladehoff, Schneider, Thompson, Walker

D. **MAYOR, COUNCIL AND ADMINISTRATOR COMMENTS**

1. Honoring Of Mayor Howard Stegmann

2. Years Of Service - March

Brad Meling - 5 years

E. **CONSENT AGENDA**

1. APPROVE MINUTES 03/14/22 MEETING AND BILL LIST
\$1,764,464.94

Documents:

[2022-03-14 SIGNED Council Minutes.pdf](#)
[2022-03-28_BILL LIST Summary.pdf](#)
[2022-03-28_BILL LIST Detail.pdf](#)

2. APPROVE CIVIL SERVICE PROMOTIONAL LIST-POLICE
SERGEANT AND CIVIL SERVICE HIRE LIST-SEWER
MAINTENANCE WORKER & STREET MAINTENANCE WORKER

Documents:

[2022-03-28_CONSENT_Police Sergeant Civil Service Promotional List.pdf](#)
[2022-03-28_CONSENT_Sewer Maintenance Worker Civil Service New Hire List.pdf](#)
[2022-03-28_CONSENT_Street Maintenance Worker Civil Service New Hire List.pdf](#)

3. February 2022 Monthly Financial Statements

Documents:

[February 2022 Financials Memo.pdf](#)
[February 2022 Financial Statements.pdf](#)

4. APPROVE LIQUOR LICENSE RENEWALS

- Dollar General #2019, 408 S 9th St
- Dollar General #4206, 2413 S Center St
- Mi Ranchito, 1010 W Lincoln Way (new ownership)
- Vaughn's Pub, 22 N 1st Ave
- Food & Gas Mart, 613 N 3rd Ave
- Kwik Star #706, 810 S 3rd Ave
- Hy-Vee Food & Drugstore, 802 S Center St (with ownership updates)
- Hy-Vee Party Room, 802 S Center St (with ownership updates)
- Hy-Vee Gas, 808 S Center St (with ownership updates)
- The 918, 918 N 4th Ave
- Marshalltown Speedway, 1308 E Olive St
- Yesway #1148, 1701 Iowa Avenue E

5. REAPPOINT TAMMIE ENGLE AND KELLISSA THURSTON TO THE BOARD OF ADJUSTMENT, TERM 4/1/22-3/31/27

6. RESOLUTION 2022-076 APPROVING \$5,000 TO THE MARSHALLTOWN 4TH OF JULY FIREWORKS CELEBRATION FOR THE PURCHASE OF FIREWORKS

Documents:

[2022-03-28 2022-076 Resolution Approving Allocation to](#)

7. RESOLUTION 2022-077 SUPPORTING AN AARP COMMUNITY CHALLENGE GRANT FOR DISPLAY CASES FOR THE VETERANS GALLERY AND COMMITTING LOCAL OPTION SALES TAX AS THE LOCAL MATCH

Documents:

[2022-03-28_2022-077_Resolution Supporting AARP Community Challenge Grant.pdf](#)
[2022-03-28_2022-077_Memo AARP Challenge Grant.pdf](#)
[Coliseum Cabinet Concept.pdf](#)

8. RESOLUTION 2022-078 APPROVING CONTRACT CHANGE ORDER #1 FOR THE CREEKSIDE ESTATES PROJECT #ECO21006, A DECREASE OF \$27,140.75

Documents:

[2022-03-28_2022-078_Resolution Approving ECO21006 Decrease CO.pdf](#)
[Memo_ECO 21-006_CO1_2022 03 28.pdf](#)
[ECO21-006CreeksideEstatesChangeOrder 1.pdf](#)

9. RESOLUTION 2022-079 APPROVING ARTICLE 20 OF THE AGREEMENT BETWEEN THE CITY OF MARSHALLTOWN AND THE MARSHALLTOWN ENGINEERING DIVISION, SEWER DIVISION, STREET DIVISION, AND UTILITY DIVISION OF THE PUBLIC WORKS DEPARTMENT; PUBLIC, PROFESSIONAL AND MAINTENANCE EMPLOYEES LOCAL NO. 2003, IUPAT

Documents:

[2022-03-28_2022-079_Resolution PPME Article 20.pdf](#)

10. RESOLUTION 2022-080 APPROVING THE PURCHASE OF 309 WEST BOONE STREET, MARSHALLTOWN, IOWA

Documents:

[2022-03-28_2022-080_Resolution to Purchase 309 W Boone St.pdf](#)
[309 W Boone Offer to Buy.pdf](#)

11. RESOLUTION 2022-081 AUTHORIZING THE CITY OF MARSHALLTOWN TO SUBMIT A GRANT APPLICATION TO THE STATE OF IOWA, GOVERNOR'S TRAFFIC SAFETY BUREAU, STATE AND COMMUNITY HIGHWAY SAFETY GRANT APPLICATION, CONTRACT PERIOD OCTOBER 1, 2022 – SEPTEMBER 30, 2023

Documents:

[2022-03-28 2022-081 RES Appv GTSB GRANT](#)

12. RESOLUTION 2022-082 ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A 2022 CASE 580SN BACKHOE FOR THE PRICE OF \$94,736.15 FROM TITAN MACHINERY FOR USE IN THE SEWER DEPARTMENT

Documents:

2022-03-28_2022-082_Resolution Accepting Bid Backhoe for Sewer Dept.pdf
Sewer Dept-Backhoe Mn State Bid.pdf
Memo_Sewer Dept - Backhoe Equip 2022 03 28 v2.pdf

13. RESOLUTION 2022-083 ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A VACTOR 2100I COMBINATION SEWER CLEANING MACHINE FOR THE PRICE OF \$459,378.69 FROM MACQUEEN EQUIPMENT FOR USE IN THE SEWER DEPARTMENT

Documents:

2022-03-28_2022-083_Resolution Accepting Bid JetVac for Sewer Dept.pdf
Memo_Sewer Dept - JetVac Equip 2022 03 28.pdf
Sewer Dept - JetVac Equip Proposal.pdf

14. RESOLUTION 2022-084 APPROVING A DEVELOPMENT AGREEMENT WITH JOSEPH AND JANELLE CARTER FOR A \$250,000 CATALYST BUILDING REMEDIATION GRANT FOR THE CREATION OF UPPER STORY HOUSING

Documents:

2022-03-28_2022-084_Resolution for Hopkins Upper Story Catalyst DA.pdf
2022-03-28_2022-084_Hopkins Upper Story Catalyst Agreement.pdf

15. RESOLUTION 2022-085 APPROVING A DEVELOPMENT AGREEMENT WITH JOSEPH AND JANELLE CARTER FOR A \$250,000 CATALYST BUILDING REMEDIATION GRANT FOR THE RENOVATION OF A FIRST FLOOR COMMERCIAL SPACE

Documents:

2022-03-28_2022-085_Resolution for Hopkins Commercial Catalyst DA.pdf
2022-03-28_2022-085_Hopkins Tornado Catalyst Agreement.pdf

16. RESOLUTION 2022-086 APPROVING EXTRA DUTY JOB FEE

FOR POLICE DEPARTMENT

Documents:

[2022-03-28_2022-Resolution Amending Extra-Duty Rate.pdf](#)
[Police Department Extra Duty Fees March 28 2022 Meeting.pdf](#)

17. RESOLUTION 2022-087 APPROVING CITY FEE SCHEDULE

Documents:

[2022-03-28_2022-087_Resolution Approving City Fee Schedule.pdf](#)
[2022-03-28_2022-087_Memo Approving City Fee Schedule.pdf](#)
[2022-03-28_2022-087_Memo Park and Rec Fee Changes.pdf](#)
[MASTER Fee Schedule 04-01-22.pdf](#)

18. RESOLUTION 2022-088 ACCEPTING BID AND AUTHORIZING THE PURCHASE OF ONE 2022 FORD INTERCEPTOR POLICE PACKAGE VEHICLE FROM JENSEN FORD FOR THE PRICE OF \$34,804 AND ONE 2022 FORD F150 POLICE PACKAGE VEHICLE FROM STIVERS FORD FOR THE PRICE OF \$48,460 FOR USE IN THE POLICE DEPARTMENT AS EMERGENCY RESPONSE VEHICLES AND DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF TO JENSEN FORD TWO 2017 FORD INTERCEPTOR POLICE PACKAGE VEHICLES FOR \$17,000

Documents:

[2022-03-28_2022-088_Resolution for Purchase of MPD Vehicles.pdf](#)
[MPD Vehicle Purchase FY 22 23.pdf](#)

F. REPORTS

1. MPACT Quarterly Update Report

G. RESOLUTIONS

1. RESOLUTION 2022-089 APPROVING AN AGREEMENT WITH THE MARSHALLTOWN AREA CHAMBER OF COMMERCE FOR TOURISM AND PROMOTIONAL SERVICES FOR A TWO-YEAR PERIOD BEGINNING JULY 1, 2022

Documents:

[2022-03-28_2022-089_Resolution for Tourism Promo Agreement Chamber FY23.24.pdf](#)
[2022-03-28_2022-089_Agreement with Chamber for Tourism.Promotion 2022.pdf](#)

2. RESOLUTION 2022-090 ACCEPTING BID AND AUTHORIZING THE AWARD OF CONTRACT FOR THE 2020 BOX CULVERT REPAIR PROJECT #SMW20003 IN THE CITY OF MARSHALLTOWN, IOWA IN THE AMOUNT OF \$269,169.70

Documents:

[2022-03-28_2022-090_Resolution SMW20003 Accept Bid.pdf](#)
[Memo_Box Culvert Repair 2022 03 28.pdf](#)
[SMW20003 2020 Box Culvert Repair _ Notice of Award.pdf](#)
[SMW20-003 Box Culvert Repair Bid Tabulation.pdf](#)

3. RESOLUTION 2022-091 ADDING A SEWER MAINTENANCE WORKER POSITION AND PROVIDING FUNDING FOR SAID POSITION IN THE CURRENT FISCAL YEAR

Documents:

[2022-03-28_2022-091_Resolution Approving Full Time Sewer Maintenance Position.pdf](#)
[2022-03-28_2022-091_Memo_Sewer Dept - Sewer Maintenance Position Add 2022 03 28.pdf](#)
[2022-03-28_2022-091_Tabulation of Proposals_Sewer Cleaning Contract.pdf](#)

4. RESOLUTION 2022-092 EXPRESSING INTENT TO ENTER INTO A DEVELOPMENT AGREEMENT AND TO PROVIDE TAX INCREMENT FINANCING SUPPORT TO MARSHALLTOWN COMPANY

Documents:

[2022-03-28_2022-092_Resolution of Intent \(Marshalltown Company\) \(Marshalltown 46 2022\)-v1.pdf](#)

5. PUBLIC HEARING AND RESOLUTION 2022-093 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE 18TH AVENUE BRIDGE SLAB PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. STR20004

Documents:

[2022-03-28_2022-093_STR20004 Res Approve Plans, Specs.pdf](#)
[STR20-004 18th Ave Bridge Appr Repair_Memo 22 03 28.pdf](#)
[STR20-004 Official Notice of Hearing and Letting v2.pdf](#)
[STR20-004 Engineers Estimate.pdf](#)
[STR20-004 18th Ave Bridge Appr Slab Repair Proj Manual v2.pdf](#)
[STR20-004 18th Ave Bridge Appr Slab Plans.pdf](#)

H. ORDINANCES

1. ORDINANCE 15039 AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 156, ENTITLED ZONING, AND ENACTING AND ADOPTING A NEW CHAPTER 156, ENTITLED ZONING, INCLUDING THE ZONING MAP, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THERE WITH

- March 28, 2022 - 2nd Reading
- April 11, 2022 - 3rd Reading and Public Hearing

Documents:

[2022-03-28_ORD 15039_MEMO Zoning Ordinance.pdf](#)
[2022-03-28_ORD 15039_Zoning Ordinance.pdf](#)
[2022-03-28_ORD 15039_Chapter 156 - Zoning.pdf](#)
[2022-03-28_ORD 15039_Zoning Map_Council_031422.pdf](#)
[2022-03-28_ORD 15039_Zoning Presentation_Summary.pdf](#)
[2022-03-28_ORD 15039_Zoning Amendments Discussed_PZ_031022.pdf](#)
[2022-03-28_ORD 15039_Zoning Amendments Discussed_Tables_PZ_031022.pdf](#)

I. **DISCUSSION**

1. DISCUSSION - MPACT Training Request & YSS Contract Amendment

Documents:

[MPACT 2022 Training Request.pdf](#)

2. DISCUSSION - CHAPTER 118 PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

Documents:

[2022-03-28_DISCUSSION2_Memo Chapter 118 Peddler, Solicitor, Transient Permits.pdf](#)
[2022-03-28_DISCUSSION2_Chapter 118 Revision.docx](#)

3. DISCUSSION - CHAPTER 130 PUBLIC USE AND SPECIAL EVENT PERMITS

Documents:

[2022-03-28_DISCUSSION3_Memo Public Use Permits.pdf](#)
[2022-03-28_DISCUSSION3_Chapter 130 Revision.docx](#)

4. Urban Tree Fee, Compost Fee & Chapter 58 Tree Ordinance Amendments

Documents:

[Urban Tree Fee Memo.pdf](#)

[Chapter 58 Tree Ordinance Amendment 2022.pdf](#)

J. PUBLIC COMMENT

Members of the public may make comments on any item which was not on the agenda during this time. The speaker shall approach the microphone, and state his or her name and address. Comments shall be limited to three minutes, unless a longer comment is authorized by the Mayor. The speaker shall direct comments to the Mayor and to the Council as a whole. The Mayor and Councilors shall not engage in discussion or debate on items raised by members of the public, and no action may be taken on items raised in public comments in order to comply with open meetings laws.

K. ADJOURNMENT

MISSION STATEMENT

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.

Please visit the City's website for the complete agenda packet and to subscribe to agenda notices and department news. www.marshalltown-ia.gov

COUNCIL PROCEEDINGS
MARCH 14, 2022

Mayor Greer called the meeting to order at 5:30 PM, March 14, 2022, at the City Hall Council Chambers, 10 W State Street, and led the pledge of allegiance. Roll call–Present: Hoop, Isom (via Go-To-Meeting), Kell, Ladehoff, Schneider, Thompson, Walker. Mayor Greer read a proclamation declaring March 15, 2022, as Veteran’s Memorial Coliseum Day.

CONSENT AGENDA

Motion by Thompson, second by Ladehoff to adopt the consent agenda: APPROVE MINUTES 02/28/22 MEETING AND BILL LIST \$999,266.80; APPROVE LIQUOR LICENSE RENEWALS – WANDERING CREEK, 2436 233RD ST, HAMPTON INN & SUITES MARSHALLTOWN, 20 W IOWA AVE W, AMERICAN LEGION, FRANK LEWIS GLICK POST #46, 1301 S 6TH ST, CASEY’S GENERAL STORE #1441, 1402 S 12TH AVE, CASEY’S GENERAL STORE #1303, 111 N 3RD AVE (INCLUDING OWNERSHIP UPDATES); RECEIPT OF BUILDING PERMIT REPORT-FEB 2022; APPOINT RAQUEL BOTELLO TO THE BOARD OF ADJUSTMENT, TERM ENDING 3/31/24; APPOINT KEVIN PINK TO THE LIBRARY BOARD, TERM ENDING 06/30/25; RESOLUTION 2022-059 TO APPROVE THE FAÇADE GRANT APPLICATION FOR 26 E. MAIN STREET, MARSHALLTOWN, IOWA; RESOLUTION 2022-060 TO APPROVE THE CODE BUILDING UPGRADE GRANT APPLICATION FOR 26 E. MAIN STREET, MARSHALLTOWN, IOWA; RESOLUTION 2022-061 TO APPROVE THE CLOSING OF BANK ACCOUNTS AT UNITED BANK & TRUST FOR THE GENERAL ACCOUNT AND GREAT WESTERN BANK FOR THE COLISEUM ACCOUNT; RESOLUTION 2022-062 APPROVING THE PURCHASE OF 132 EAST STATE STREET AT A COST OF \$35,000; RESOLUTION 2022-063 APPROVING AMENDMENT 1 TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE IEDA DOWNTOWN REVITALIZATION GRANT (DTR), WITH RDG IA INC, IN THE AMOUNT OF \$5,375.00; RESOLUTION 2022-064 TO APPROVE THE REGION 6 TRANSPORTATION ALTERNATIVES PROGRAM APPLICATION FOR THE IOWA RIVER’S EDGE TRAIL; RESOLUTION 2022-065 AUTHORIZING THE EMERGENCY DEMOLITION OF THREE CITY-OWNED PROPERTIES; RESOLUTION 2022-066 ORDERING CONSTRUCTION OF THE 18TH AVENUE BRIDGE SLAB REPAIR PROJECT STR20004, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS. Motion carried 7-0.

MOTIONS

Motion by Ladehoff, second by Thompson to APPROVE MIDNIGHT BALLROOM'S 5-DAY LIQUOR LICENSE FOR A RODEO AT THE CENTRAL IOWA FAIRGROUNDS 4/13-4/17. Motion carried 6-1, Hoop dissenting.

RESOLUTIONS

Motion by Kell, second by Schneider to adopt RESOLUTION 2022-067 AUTHORIZING A \$2,000.00 HIRING INCENTIVE FOR NON-CERTIFIED POLICE OFFICER APPLICANTS. Motion carried 7-0.

Motion by Thompson, second by Schneider to adopt RESOLUTION 2022-068 APPROVING 28E AGREEMENT BETWEEN THE CITY OF MARSHALLTOWN AND THE MARSHALLTOWN COMMUNITY SCHOOL DISTRICT TO SUPPORT A LIAISON POLICE

OFFICER AT MARSHALLTOWN HIGH SCHOOL FOR FISCAL YEARS 2023-2025. Motion carried 7-0.

Motion by Schneider, second by Kell to adopt RESOLUTION 2022-069 AWARDING THE BID FOR THE DEMOLITION OF THE 2022 RESIDENTIAL DEMOLITION- PHASE 1 TO LANSING BROTHERS CONSTRUCTION INC. FOR A COST OF \$48,800. Jessica Kinser, City Administrator advised this is for the demolition of 308 S 7th Ave and 105 W Webster St. Motion carried 7-0.

Motion by Schneider, second by Ladehoff to adopt RESOLUTION 2022-070 ACCEPTING BID AND AUTHORIZING THE AWARD OF CONTRACT FOR THE BOONE STREET IMPROVEMENTS PROJECT #SMW21002 IN THE CITY OF MARSHALLTOWN, IOWA IN THE AMOUNT OF \$171,198.70. Heather Thomas, Public Works Director advised the low bidder was Boulder Contracting, LLC. Motion carried 7-0.

Mayor Greer opened a public hearing at 5:45 pm for APPROVING THE LEASE OF CITY-OWNED PROPERTY TO THE IOWA RIVER OHV CLUB THROUGH APRIL 25, 2025. Jessica Kinser, City Administrator advised the lease would add 5 acres to install a skills course. Mayor Greer closed the public hearing at 5:49 pm. Motion by Ladehoff, second by Walker to adopt RESOLUTION 2022-071 APPROVING THE LEASE OF CITY-OWNED PROPERTY TO THE IOWA RIVER OHV CLUB THROUGH APRIL 25, 2025. Motion carried 7-0.

Mayor Greer opened a public hearing at 5:50 pm for APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE 2020 BOX CULVERT REPAIR PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. SMW20003. Heather Thomas, Public Works Director advised the engineer's estimate is \$265,057.55 and bids are due 3/22. Mayor Greer closed the public hearing at 5:51 pm. Motion by Schneider, second by Kell to adopt RESOLUTION 2022-072 APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST FOR THE 2020 BOX CULVERT REPAIR PROJECT, IN THE CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. SMW20003. Motion carried 7-0.

Mayor Greer opened a public hearing at 5:52 pm for ADOPTING THE BUDGET AND CERTIFYING TAXES FOR THE FISCAL YEAR ENDING JUNE 30, 2023 AND APPROVING RELATED TRANSFERS BETWEEN FUNDS. Mayor Greer closed the public hearing at 5:53 pm. Motion by Schneider, second by Ladehoff to adopt RESOLUTION 2022-073 ADOPTING THE BUDGET AND CERTIFYING TAXES FOR THE FISCAL YEAR ENDING JUNE 30, 2023 AND APPROVING RELATED TRANSFERS BETWEEN FUNDS. Motion carried 7-0.

Mayor Greer opened a public hearing at 5:53 pm for ADOPTING THE FY2022 BUDGET AMENDMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2022 AND THE TRANSFERS BETWEEN FUNDS. Mayor Greer closed the public hearing at 5:55 pm. Motion by Kell, second by Schneider to adopt RESOLUTION 2022-074 ADOPTING THE FY2022 BUDGET AMENDMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2022 AND THE TRANSFERS BETWEEN FUNDS. Motion carried 7-0.

Mayor Greer opened a public hearing at 5:55 pm for APPROVING THE FY2022-FY2026 CAPITAL IMPROVEMENT PLAN. Mayor Greer closed the public hearing at 5:56 pm. Motion by Schneider, second by Walker to adopt RESOLUTION 2022-075 APPROVING THE FY2022-FY2026 CAPITAL IMPROVEMENT PLAN. Motion carried 7-0.

ORDINANCES

Motion by Ladehoff, second by Schneider to adopt the first reading of ORDINANCE 15039 AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 156, ENTITLED ZONING, AND ENACTING AND ADOPTING A NEW CHAPTER 156, ENTITLED ZONING, INCLUDING THE ZONING MAP, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THERE WITH. Michelle Spohnheimer, Housing & Community Development Director, gave an overview of the new ordinance which is available on the city website. Councilor Thompson would like councilors to review sign recommendations to discuss at the public hearing on 4/11. Motion carried 7-0.

DISCUSSION

Luisa Ortega, a volunteer for the 4th of July fireworks, requested the council designate \$5,000 for the display. Costs have increased 30% so the fundraising goal is \$18,200. Motion by Walker, second by Kell to approve \$5,000 for the fireworks. Motion carried 7-0.

Michael Tupper, Police Chief proposed increasing the extra-duty from \$55 to \$80 per hour. Officers would be compensated \$70 per hour instead of an overtime rate. The rate would be effective 7/1. Motion by Thompson, second by Ladehoff to bring forward a resolution to increase the police department's extra-duty job hourly rate to \$80 per hour. Motion carried 7-0.

David Rierson, Fire Chief proposed changes to the fee schedule for hazardous materials response fees, occupancy permit fees, and re-inspection fees. Motion by Schneider, second by Kell to bring forward a resolution approving the changes to the fee schedule. Motion carried 7-0.

PUBLIC COMMENT

Mayor Greer commented he is looking into the Sister Cities relationship with Ukraine and Russia.

The meeting adjourned at 6:56 pm.

Respectfully Submitted,



Alicia Hunter, City Clerk

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

BILL LIST 03/28/22

Buildings/Improvements

Adland.Engrvg/1	2,464.70
Diamond Vogel/1	8.53
Menards/3	9.48
Thompsons True/1	14.56

Consulting & Professional Fees

Bolton&Menk.Inc/1	10,145.00
Eide.Bailly.LLP/1	1,300.00
FOX Strand/1	1,097.50
Fox.Engrg.Assc/4	73,695.00
Hawkeye Poly/1	300.00
Health.Partners/1	12,554.52
Lynch.Dallas.PC/4	1,968.00

Contracts

Advance.Garage./1	949.50
Bjelland.Plmbg/2	17,039.71
Chamber.Commerc/1	65,880.08
Ciox Health/1	7.50
City.Laundrying/1	103.38
Construct/3	54,545.25
Controlled.Acce/2	79.00
IALand&Building/1	14,565.00
Impact.7G.Inc/2	1,587.50
KELTEK.INC/2	30,014.78
KMJ Enterprise/1	12,550.00
Koch.Office/2	60.18
Marsh.Co.Landfi/6	272.70
O.C.L.C.Inc/1	957.93
Premier.Equip/1	220.13
Schendel.Pest.C/3	179.31
Servicemaster/1	1,847.00
Sje.Rhombus/1	1,250.00
Stone.Sanit/1	115.56
Xerox.Corp/1	27.36
Zero9.Holsters/1	44.95

Equipment

Premier Real/1	500.00
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Library Books

Baker.Taylor/36	2,146.23
Book Farm LLC/2	4,677.39
BRODART.CO/6	1,276.82
Cengage.Learng/12	772.32
CenterPoint.Prn/2	180.11
Diamond.Lake/1	194.55
MicroMarketing./5	380.95
OVERDRIVE,INC./1	255.89

Medical

Health.Partners/5	143,909.68
Hunter Lane LLC/2	130.30
McFarland.CI/6	578.64
Unity Point-Occ/2	84.00

Payroll.Deductions

IA.Treasurer/1	42.00
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Payroll.Net

Payroll/1	295,259.77
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Refund/Reimbursed

Baker.Taylor/11	228.13
BRODART.CO/4	676.30
Cengage.Learng/2	106.85
CenterPoint.Prn/1	45.54
Cerna, Angel/1	12.99
DC Brown Rental/1	2,236.09
Diamond.Lake/1	111.80
IA.Treasurer/1	7.00
Pebbles Prop/1	255.02
Workman, Connie/1	30.21

Rents/Leases

Steelsmith,G/1	354.00
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Service/Repairs

Advance.Garage./1	292.50
AIR MACH INC/1	1,175.00
Arnold.Motor.Su/1	29.40
Century.Link/30	597.79
Centurylink.ld/5	9.78
DM.Botanical.Ct/1	150.00
Fexsteve Ltd Co/2	18,750.00
Garling.Constr/1	324,627.30
Global Paymt/1	523.07
I.C.A.P./1	378,855.00
IA.Pump.Works/1	1,010.00
IA.Treasurer/2	13,951.00
IMFOA/1	50.00
Kapaun.Brown/1	562.98
Lynch.Dallas.PC/1	155.00
M.Co.Recorder/1	72.00
Macqueen.Equip/2	1,513.05
Marsh.Co.Treas/4	1,525.00
McAtee.Tire/2	330.00
Raven Creek/3	450.00
Strands/1	474.13
T.S.Y.S./2	239.25
United.Rentals/10	859.64
VanMaanen.Elect/1	15,105.71
Wilson,K/1	195.00
Ziegler/1	1,068.30

Supplies/Parts

Advance.AutoPts/1	22.49
Advance.Garage./2	2,107.00
Air.Clean.Tech/1	397.50
Amr.Red.Cross/1	504.00
Appliance.Dr/2	1,000.00
Arnold.Motor.Su/21	2,081.62
Atcher, Larry/1	28.78
Baker.Taylor/10	390.47
Bound.Tree.Medi/1	971.89
Bowermaster,D/2	93.74
Carrico.Aq.Rs/1	722.07
City.Laundrying/6	298.65
Clemons.Inc./1	589.50
Consolidated.Wa/1	1,420.80

BILL LIST 03/28/22

DEMCO.INCORP./1	91.66
Diamond Vogel/1	30,811.00
Findaway.World/1	292.72
Galls.LLC/5	1,111.09
Gervich.Sons/3	241.00
Gillig.LLC/1	50.42
Grimes.Asphalt/1	2,165.18
IA Recycling/1	525.00
IA.History.Jrnl/1	35.95
Inteconnex/1	945.00
Interstate Batt/4	799.75
Jensen.Inc/1	9.09
Macqueen.Equip/2	1,819.91
McAtee.Tire/2	832.68
McMaster.Carr/1	24.53
Menards/15	5,027.85
Midland.Scienti/8	1,079.81
MW Motor Supply/1	47.50
Northern.Lights/1	53.62
Office.Express/2	390.96
Oreilly.Automot/1	45.28
Products.Inc./1	1,632.00
Racom.Corp/1	43.00
Raven Creek/2	715.28
SE.Jones.Indust/3	1,418.75
ShoBiz,Minutema/5	216.64
Sign.Creations/1	43.50
Star.Equipmt/2	431.25
STATE.HYGIENIC/1	1,162.00
Streichers.Inc/2	760.00
Thiesens.Supply/14	1,490.62
Thompsons True/2	32.46
Vajgrt.R/1	183.18
Vanwall Equip/1	367.00
Villa, Jesus/1	48.14
WW.Grainger/1	1,710.20
Ziegler/2	347.61
Travel/Training	
Atcher, Larry/1	10.00
Utilities	
Alliant.Energy/62	47,835.10
Consumr.Energy/2	403.16
Mtwn.Wtrwrks/24	230.40
WoodRiver.Enrgy/3	3,690.57
Wage Assignment	
American.Educa./1	64.41
Collection.Svs./1	1,441.11
Colonial.Life/2	496.09
Family Sup Pay/1	152.31
Fidelity.Securt/2	465.82
I.R.S./6	80,194.12
IA.Treasurer/2	16,750.46
ICMA457Mission/11	15,017.72
Total Admin.Serv/5	7,205.94
Total/509	1,764,464.94

BILL LIST 03/28/22

Account Number	Vendor Name	Description (Item)	Amount
60	Payroll	Payroll #6	\$ 295,259.77
001.1010.5132.000	GALLS LLC	Sergeant chevrons	\$ 22.44
001.1010.5132.000	GALLS LLC	PD sheaths	\$ 83.09
001.1010.5132.000	GALLS LLC	PD Duty holsters	\$ 752.85
001.1010.5132.000	GALLS LLC	PD employee clothing	\$ 55.25
001.1010.5230.000	Hawkeye Polygraph	polygraph services	\$ 300.00
001.1010.5342.000	Ciox Heath	Basic fee	\$ 7.50
001.1010.5410.000	MCATEE TIRE SALES & SERVICE INC	PD #510 repairs	\$ 150.00
001.1010.5410.000	MCATEE TIRE SALES & SERVICE INC	PD Ford Edge	\$ 180.00
001.1010.5410.000	United Rentals	Bldg Div scissor lift repair	\$ 83.18
001.1010.5410.000	United Rentals	Bldg Div Scissor Lift annual inspect & maint	\$ 45.75
001.1010.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 67.04
001.1010.5565.000	ARNOLD MOTOR SUPPLY LLP	PD oil filters	\$ 36.22
001.1010.5565.000	ARNOLD MOTOR SUPPLY LLP	PD Edge complete strut assy	\$ 284.85
001.1010.5565.000	Interstate Batteries of Upper Iowa	Batteries- Street, Parks, Police	\$ 107.95
001.1010.5565.000	MCATEE TIRE SALES & SERVICE INC	PD #510 repairs	\$ 567.84
001.1010.5565.000	MCATEE TIRE SALES & SERVICE INC	PD Ford Edge repairs	\$ 264.84
001.1010.5570.000	BOWERMASTER, DANE M	Case TF22-00013	\$ 42.82
001.1010.5570.000	BOWERMASTER, DANE M	Case TF22-00005	\$ 50.92
001.1010.5600.000	MENARDS	PD al-purpose cleaner, primer, PVC pipe	\$ 125.65
001.1010.5600.000	MENARDS	PD PVC pipe	\$ 13.46
001.1010.5600.000	OFFICE EXPRESS	PD Al- purpose cleaner	\$ 84.96
001.1010.5600.000	RACOM CORPORATION	PD ear pieces	\$ 43.00
001.1030.5481.000	ALLIANT ENERGY	2801 S 12th St EMG Sirens	\$ 20.94
001.1030.5481.000	ALLIANT ENERGY	25 N Center St Civil Defense Sirens	\$ 100.00
001.1030.5481.000	ALLIANT ENERGY	Tornado siren	\$ 20.84
001.1050.5132.000	GALLS LLC	Fire dept employee insignias	\$ 197.46
001.1050.5344.000	Advance Garage Doors Inc	FD garage door serviced	\$ 949.50
001.1050.5413.000	AIR CLEANING TECHNOLOGIES, INC	PD Vehicle repairs	\$ 397.50
001.1050.5413.000	SIGN CREATIONS	FD reflective decals	\$ 43.50
001.1050.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 24.38
001.1050.5460.000	AMERICAN RED CROSS	basic life support training	\$ 504.00
001.1050.5565.000	ADVANCE AUTO PARTS	air filter replacement	\$ 22.49
001.1050.5565.000	ARNOLD MOTOR SUPPLY LLP	oil and filters, impact wrench	\$ 120.72
001.1050.5565.000	JENSEN INC	o-ring for radiator hose	\$ 9.09
001.1050.5600.000	ARNOLD MOTOR SUPPLY LLP	FD oil dry	\$ 105.84
001.1050.5600.000	MENARDS	FD car wash, ZEP cleaners	\$ 79.22
001.1070.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 6.09
001.1071.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 6.09
001.1075.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 6.09
001.1075.5485.000	MARSHALLTOWN WATER WORKS	512 E Main St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	702 Swayze St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	708 Lee St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	612 Bromley St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	308 S 7th Ave storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	101 E Ferner St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	5103 Bromley St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	908 S 6th Ave storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	510 E Main St storm sewer	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	506 E Boone St	\$ 8.00
001.1075.5485.000	MARSHALLTOWN WATER WORKS	310 Bromley St storm sewer	\$ 8.00
001.1099.5450.000	CENTURYLINK long distance	Long distance lines	\$ 2.54
001.1099.5450.000	CENTURYLINK long distance	Long distance lines	\$ 0.89
001.1099.5611.000	Inteconnex	PD/FD bldg camera service work	\$ 945.00
001.2080.5718.000	WW GRAINGER	air compressor for Airport	\$ 1,710.20
001.4010.5215.000	TSYS	-36 Library credit card transaction fees	\$ 59.37
001.4010.5342.000	SCHENDEL PEST CONTROL INC	Library bi monthly service	\$ 64.86
001.4010.5342.000	SERVICEMASTER OF M'TOWN INC	March janitorial services	\$ 1,847.00
001.4010.5342.000	STONE SANITATION	Library - 105 W Boone St	\$ 115.56
001.4010.5343.000	DES MOINES BOTANICAL CENTER	Adventure pass renewal	\$ 150.00
001.4010.5343.000	Wilson, Kathy	90 minute program	\$ 195.00
001.4010.5344.000	OCLC, INC	cataloging and metadata subscription	\$ 957.93
001.4010.5344.000	PREMIER OFFICE EQUIPMENT	contract copies 1/30-2/27	\$ 220.13
001.4010.5410.000	STRAND'S INC	blinds for Sarahs office	\$ 474.13

001.4010.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	12.19
001.4010.5450.000	CENTURYLINK	Library Analog Backup Lines	\$	79.36
001.4010.5450.000	CENTURYLINK long distance	Long distance lines	\$	1.27
001.4010.5481.000	ALLIANT ENERGY	Library - 105 W Boone St	\$	2,770.64
001.4010.5482.000	WoodRiver Energy LLC	Library gas #7078	\$	1,557.89
001.4010.5600.000	DEMCO INCORP	book jacket covers and labels	\$	91.66
001.4010.5600.000	FINDAWAY WORLD LLC	audio book supplies	\$	292.72
001.4010.5600.000	MENARDS	Library- glass cleaner and Tide	\$	21.08
001.4010.5601.000	Sho Biz Inc dba Minuteman	Ammericans and the Holocaust prints	\$	84.00
001.4010.5730.000	BAKER & TAYLOR INCORP	reference books	\$	23.99
001.4010.5730.000	BAKER & TAYLOR INCORP	reference book	\$	16.79
001.4010.5730.000	BAKER & TAYLOR INCORP	reference books	\$	27.75
001.4010.5730.000	BAKER & TAYLOR INCORP	reference book	\$	8.99
001.4010.5730.000	BAKER & TAYLOR INCORP	reference books	\$	87.55
001.4010.5730.000	BAKER & TAYLOR INCORP	reference books	\$	27.23
001.4010.5730.000	BAKER & TAYLOR INCORP	refeence book	\$	11.99
001.4010.5730.000	BAKER & TAYLOR INCORP	reference books	\$	39.87
001.4010.5730.000	BAKER & TAYLOR INCORP	reference book	\$	17.99
001.4010.5730.000	BAKER & TAYLOR INCORP	reference books	\$	128.32
001.4010.5731.000	IOWA HISTORY JOURNAL	2 year renewal	\$	35.95
001.4010.5732.000	BAKER & TAYLOR INCORP	snow damaged book returned	\$	(41.52)
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	175.89
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	7.77
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	30.77
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	110.91
001.4010.5732.000	BAKER & TAYLOR INCORP	adult graphic novel	\$	8.99
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	13.79
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	117.55
001.4010.5732.000	BAKER & TAYLOR INCORP	DVD	\$	27.98
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	62.97
001.4010.5732.000	BAKER & TAYLOR INCORP	DVD	\$	12.59
001.4010.5732.000	BAKER & TAYLOR INCORP	DVD	\$	20.99
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	10.20
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	152.81
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	17.40
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	10.19
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	127.36
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	78.66
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	34.96
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	305.71
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	108.39
001.4010.5732.000	BAKER & TAYLOR INCORP	adult graphic novels	\$	10.79
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	9.60
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	31.34
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	66.37
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	15.96
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	90.47
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	174.44
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	35.67
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	24.98
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	15.96
001.4010.5732.000	BAKER & TAYLOR INCORP	Adult non fiction or fiction books	\$	27.92
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	9.79
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	169.31
001.4010.5732.000	BAKER & TAYLOR INCORP	DVD	\$	34.99
001.4010.5732.000	BAKER & TAYLOR INCORP	DVDs	\$	34.28
001.4010.5732.000	Book Farm LLC	juvenile books	\$	332.11
001.4010.5732.000	Book Farm LLC	juvenile books	\$	4,345.28
001.4010.5732.000	BRODART CO	juvenile books	\$	142.55
001.4010.5732.000	BRODART CO	juvenile books	\$	370.63
001.4010.5732.000	BRODART CO	juvenile books	\$	74.68
001.4010.5732.000	BRODART CO	juvenile books	\$	194.52
001.4010.5732.000	BRODART CO	juvenile books	\$	64.52
001.4010.5732.000	BRODART CO	Spanish, memorial and lost/replaced books	\$	429.92
001.4010.5732.000	DIAMOND LAKE BOOK CO	juvenile books	\$	194.55
001.4010.5732.000	MICROMARKETING LLC	audio book	\$	35.00
001.4010.5732.000	MICROMARKETING LLC	audio books	\$	53.98
001.4010.5732.000	MICROMARKETING LLC	audio books	\$	176.98

001.4010.5732.000	MICROMARKETING LLC	audio book	\$	39.99
001.4010.5732.000	MICROMARKETING LLC	audio books	\$	75.00
001.4010.5732.000	OVERDRIVE,INC.	electronic books	\$	255.89
001.4010.5734.000	BAKER & TAYLOR INCORP	lost and replaced book	\$	20.98
001.4010.5734.000	BRODART CO	lost and replaced juvenile books	\$	238.00
001.4010.5734.000	BRODART CO	lost and replaced juvenile books	\$	126.22
001.4010.5734.000	BRODART CO	Spanish, memorial and lost/replaced books	\$	304.29
001.4010.5980.000	Cerna, Angel	returned lost book	\$	12.99
001.4030.5215.000	Globalpayments	Park & Rec credit card fee	\$	523.07
001.4030.5339.000	MCFARLAND CLINIC PC	drug and alcohol testing	\$	36.08
001.4030.5339.000	Unity Point- Occupational Medicine	drug and alcohol testing	\$	42.00
001.4030.5342.000	MARSHALL COUNTY LANDFILL	Parks services	\$	66.70
001.4030.5342.000	MARSHALL COUNTY LANDFILL	Parks services	\$	45.25
001.4030.5342.000	MARSHALL COUNTY LANDFILL	construction debris	\$	70.20
001.4030.5342.000	MARSHALL COUNTY LANDFILL	Parks services	\$	39.45
001.4030.5342.000	MARSHALL COUNTY LANDFILL	construction debris	\$	26.10
001.4030.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.4030.5481.000	ALLIANT ENERGY	N 13th St	\$	47.45
001.4030.5481.000	ALLIANT ENERGY	RIVERVIEW PARK EAST SIDE	\$	120.63
001.4030.5481.000	ALLIANT ENERGY	402 Woodland St BATH HOUSE	\$	107.02
001.4030.5481.000	ALLIANT ENERGY	801 WOODLAND ST SHOP	\$	26.33
001.4030.5481.000	ALLIANT ENERGY	602 W Merle Hibbs Blvd	\$	18.41
001.4030.5481.000	ALLIANT ENERGY	802 S 3rd St Skate Park	\$	17.91
001.4030.5481.000	ALLIANT ENERGY	108 N 2nd Ave Alley - Farmers Market	\$	22.76
001.4030.5482.000	ALLIANT ENERGY	402 Woodland St BATH HOUSE	\$	31.30
001.4030.5482.000	ALLIANT ENERGY	LOG CABIN	\$	80.15
001.4030.5482.000	ALLIANT ENERGY	905 E MAIN ST PARK SHOP	\$	159.95
001.4030.5482.000	ALLIANT ENERGY	402 WOODLAND ST COMM BLDG	\$	104.59
001.4030.5565.000	ARNOLD MOTOR SUPPLY LLP	Parks bearing protectors	\$	51.37
001.4030.5565.000	ARNOLD MOTOR SUPPLY LLP	Parks oil filters	\$	20.07
001.4030.5565.000	Interstate Batteries of Upper Iowa	Batteries- Street, Parks, Police	\$	133.95
001.4030.5611.000	MENARDS	Parks - caulk and tape	\$	5.22
001.4040.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.4045.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	12.19
001.4045.5607.000	Carrico Aquatic Resources Inc	pool chemicals	\$	722.07
001.4065.5342.000	SCHENDEL PEST CONTROL INC	Coliseum	\$	49.05
001.4065.5410.000	United Rentals	Bldg Div scissor lift repair	\$	221.86
001.4065.5410.000	United Rentals	Bldg Div Scissor Lift annual inspect & maint	\$	122.00
001.4065.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.4065.5450.000	CENTURYLINK	Coliseum Backup Analog Lines	\$	79.36
001.4065.5481.000	ALLIANT ENERGY	Coliseum	\$	3,386.37
001.4065.5482.000	ALLIANT ENERGY	Coliseum	\$	883.65
001.4066.5613.000	NORTHERN LIGHTS DISTRIBUTING	resale products	\$	53.62
001.5900.5331.000	MARSHALLTOWN CHAMBER OF COMMERCE	Tourism & Promo services paid with hotel/motel tax	\$	65,880.08
001.6010.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.6012.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.6020.5250.000	MARSHALL COUNTY RECORDER	deed and affidavits	\$	72.00
001.6020.5280.000	IMFOA	Hunter- Benefitted membership	\$	50.00
001.6020.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.6021.5215.000	TSYS	Finance credit card transaction fees	\$	179.88
001.6021.5344.000	KOCH Office Group	Finance contract copies 12/26/21-3/25/22	\$	25.23
001.6021.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	24.45
001.6025.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
001.6040.5234.000	LYNCH DALLAS PC	General matters	\$	436.50
001.6040.5234.000	LYNCH DALLAS PC	Zoning	\$	496.00
001.6050.5342.000	SCHENDEL PEST CONTROL INC	City Hall	\$	65.40
001.6050.5410.000	KAPAUN & BROWN INC	YSS/ City Hall elevator-drip pan repair	\$	562.98
001.6050.5410.000	United Rentals	Bldg Div scissor lift repair	\$	83.20
001.6050.5410.000	United Rentals	Bldg Div Scissor Lift annual inspect & maint	\$	45.75
001.6050.5450.000	CENTURYLINK long distance	Long distance lines	\$	2.54
001.6050.5481.000	ALLIANT ENERGY	24 N Center St Municipal Bldg	\$	95.68
001.6051.5481.000	ALLIANT ENERGY	Carnegie Bldg	\$	1,485.50
001.6051.5482.000	ALLIANT ENERGY	Carnegie Bldg	\$	700.84
001.6900.5290.000	ICAP	Annual premium 4/1/22-3/31/23	\$	378,855.00
001.6900.5600.000	OFFICE EXPRESS	8 cases 8.5x11 copy paper	\$	306.00
030.1010.5718.000	STREICHER'S INC	Bullet proof vests	\$	380.00
030.1010.5750.000	Keltek Inc	Car 531- New Vehicle Equipment and Installation	\$	14,916.47
030.1010.5750.000	Keltek Inc	Car 503- New Vehicle Equipment and Installation	\$	15,098.31

031.6050.5776.000	DIAMOND VOGEL INC	wood sealant for Finance dept remodel	\$	8.53
031.6050.5776.000	MENARDS	Finance remodel	\$	9.48
031.6050.5776.000	MENARDS	Finance remodel - electrical	\$	41.98
031.6050.5776.000	MENARDS	Finance remodel- electrical	\$	(41.98)
031.6050.5776.000	Thompsons True Value	Finance remodel-wood work cleaner and foam brushes	\$	14.56
110.2010.5132.000	CITY LAUNDERING COMPANY	Street dept uniform cleaning	\$	66.12
110.2010.5132.000	CITY LAUNDERING COMPANY	Street dept uniform cleaning	\$	135.47
110.2010.5132.000	THEISENS SUPPLY INC	Street dept employee clothing	\$	246.97
110.2010.5132.000	THEISENS SUPPLY INC	Street dept employee clothing	\$	238.87
110.2010.5132.000	THEISENS SUPPLY INC	Street dept employee clothing	\$	447.93
110.2010.5342.000	CITY LAUNDERING COMPANY	Street dept first aid supplies	\$	103.38
110.2010.5342.000	MARSHALL COUNTY LANDFILL	Street dept - car tires	\$	25.00
110.2010.5410.000	ARNOLD MOTOR SUPPLY LLP	hydraulic hose and labor	\$	29.40
110.2010.5410.000	MACQUEEN EQUIPMENT	Street #74 inspection and repairs	\$	990.00
110.2010.5410.000	MACQUEEN EQUIPMENT	Street #73 inspection and repairs	\$	523.05
110.2010.5410.000	Raven Creek Repair	Forklift tire repair	\$	100.00
110.2010.5410.000	Raven Creek Repair	Loader #64 tire repairs	\$	250.00
110.2010.5410.000	Raven Creek Repair	Street truck #37 tires	\$	100.00
110.2010.5410.000	United Rentals	Bldg Div scissor lift repair	\$	83.20
110.2010.5410.000	United Rentals	Bldg Div Scissor Lift annual inspect & maint	\$	45.75
110.2010.5410.000	ZIEGLER INC	Street #146 repair sensor	\$	1,068.30
110.2010.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
110.2010.5450.000	CENTURYLINK	PW Analog 752-4388	\$	47.62
110.2010.5460.000	Iowa Recycling Assoc	One Day Compost operator recertification course	\$	525.00
110.2010.5481.000	ALLIANT ENERGY	1600 S Center St irrigation system	\$	19.83
110.2010.5481.000	ALLIANT ENERGY	905 E Main PW Bldg	\$	900.90
110.2010.5481.000	ALLIANT ENERGY	2107 S Center St irrigation system	\$	19.20
110.2010.5482.000	WoodRiver Energy LLC	905 E Main St	\$	1,279.61
110.2010.5565.000	ARNOLD MOTOR SUPPLY LLP	hydraulic hose and labor	\$	236.12
110.2010.5565.000	ARNOLD MOTOR SUPPLY LLP	hydraulic hose connectors	\$	7.90
110.2010.5565.000	ARNOLD MOTOR SUPPLY LLP	engine oil filter	\$	6.79
110.2010.5565.000	ARNOLD MOTOR SUPPLY LLP	engine oil filter	\$	6.28
110.2010.5565.000	ARNOLD MOTOR SUPPLY LLP	Engine oil filter	\$	6.28
110.2010.5565.000	CLEMONS INC	left tail light lense for Trk #4	\$	589.50
110.2010.5565.000	Interstate Batteries of Upper Iowa	Batteries- Street, Parks, Police	\$	69.95
110.2010.5565.000	MACQUEEN EQUIPMENT	Street #74 inspection and repairs	\$	848.37
110.2010.5565.000	OREILLY AUTOMOTIVE INC	Street oil filters	\$	45.28
110.2010.5565.000	Raven Creek Repair	Loader #64 tire repairs	\$	20.00
110.2010.5565.000	Raven Creek Repair	Street truck #37 tires	\$	695.28
110.2010.5565.000	THEISENS SUPPLY INC	part for hydraulic tool	\$	49.98
110.2010.5565.000	VANWALL EQUIPMENT INC	mower blades	\$	367.00
110.2010.5565.000	ZIEGLER INC	Street #146 repair sensor	\$	301.64
110.2010.5600.000	ARNOLD MOTOR SUPPLY LLP	vinyl electric tape	\$	61.05
110.2010.5600.000	ARNOLD MOTOR SUPPLY LLP	lithium batteries and spray paint	\$	35.76
110.2010.5600.000	ARNOLD MOTOR SUPPLY LLP	engine oil	\$	111.48
110.2010.5600.000	ARNOLD MOTOR SUPPLY LLP	Street #2 Mobile oil	\$	85.79
110.2010.5600.000	GERVICH & SONS INC	restock metal rack in weld shop	\$	55.00
110.2010.5600.000	GERVICH & SONS INC	stock for weld shop	\$	113.00
110.2010.5600.000	GERVICH & SONS INC	metal rack restack	\$	73.00
110.2010.5600.000	MCMASTER-CARR SUPPLY COMPANY	quick disconnect oil change rack	\$	24.53
110.2010.5600.000	MENARDS	marking paint, measuring wheel, flag stakes	\$	20.71
110.2010.5600.000	MENARDS	cable ties	\$	16.99
110.2010.5600.000	MENARDS	alum angle iron, gate pull	\$	32.95
110.2010.5600.000	Midwest Motor Supply Co	Street dept materials	\$	47.50
110.2010.5600.000	THEISENS SUPPLY INC	hitch and D-rings	\$	51.92
110.2010.5600.000	THEISENS SUPPLY INC	welding gloves, 4wire plug, pen light, batteries	\$	272.95
110.2010.5600.000	THEISENS SUPPLY INC	Street- nylon rope, liquid sealer, o-rings	\$	32.40
110.2010.5600.000	THEISENS SUPPLY INC	hydraulic fittings	\$	9.58
110.2010.5600.000	Thompsons True Value	snap rings	\$	1.98
110.2010.5600.000	Vajgrt, Roger	100lb propane	\$	183.18
110.2010.5600.000	ZIEGLER INC	Street #146 repair sensor	\$	45.97
110.2010.5611.000	Advance Garage Doors Inc	PW Bldg door repairs	\$	1,404.67
110.2010.5618.000	GRIMES ASPHALT AND PAVING CORP.	cold mix	\$	2,165.18
110.2010.5628.000	DIAMOND VOGEL INC	Street pavement markings	\$	30,811.00
110.2010.5718.000	ARNOLD MOTOR SUPPLY LLP	oil and filters, impact wrench	\$	37.60
110.2010.5718.000	ARNOLD MOTOR SUPPLY LLP	24G used fluid drum	\$	801.63
110.2010.5718.000	MENARDS	marking paint, measuring wheel, flag stakes	\$	82.87
110.2010.5718.000	SE Jones Industries Inc	Street- tools	\$	992.50

110.2010.5718.000	SE Jones Industries Inc	automotive compression set	\$	313.25
110.2010.5718.000	SE Jones Industries Inc	swivel joint ball & lock button pwr ext	\$	113.00
110.2030.5481.000	ALLIANT ENERGY	N 18th Ave Bridge	\$	29.33
110.2030.5481.000	ALLIANT ENERGY	HWY 14 & HWY 30 STREET LIGHTS	\$	83.45
110.2030.5481.000	ALLIANT ENERGY	211 S 9TH ST FRONT TERRACE	\$	18.57
110.2030.5481.000	ALLIANT ENERGY	407 Player St Bridge Light	\$	86.47
110.2030.5481.000	ALLIANT ENERGY	17 N Center St metered	\$	26.03
110.2030.5481.000	ALLIANT ENERGY	220 E MAIN ST ALLEY	\$	45.20
110.2030.5481.000	ALLIANT ENERGY	404 1/2 S Center St Viaduct	\$	86.67
110.2030.5481.000	ALLIANT ENERGY	36 E Main St Alley	\$	44.42
110.2030.5481.000	ALLIANT ENERGY	120 E MAIN ST ALLEY	\$	46.13
110.2030.5481.000	ALLIANT ENERGY	MARKET ST BRIDGE LIGHTS	\$	56.76
110.2030.5481.000	CONSUMERS ENERGY CO-OP	City of Marshalltown	\$	334.21
110.2040.5132.000	CITY LAUNDERING COMPANY	uniform cleaning Utility Dept.	\$	16.92
110.2040.5132.000	CITY LAUNDERING COMPANY	uniform cleaning Utility Dept.	\$	16.92
110.2040.5132.000	Villa, Jesus	clothing reimbursement - high visable sweatshirt	\$	48.14
110.2040.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
110.2040.5481.000	ALLIANT ENERGY	S CENTER ST CNR OLIVE	\$	39.58
110.2040.5481.000	ALLIANT ENERGY	N 3rd Ave Cnr State	\$	103.22
110.2040.5481.000	ALLIANT ENERGY	N 18TH AVE & E MAIN	\$	26.33
110.2040.5481.000	ALLIANT ENERGY	S 12TH AVE E OLIVE ST	\$	33.27
110.2040.5481.000	ALLIANT ENERGY	W Southridge Rd Cnr Center	\$	34.06
110.2040.5481.000	ALLIANT ENERGY	RIVERSIDE DR CNR 3RD AVE	\$	28.51
110.2040.5481.000	ALLIANT ENERGY	502 E SOUTHRIDGE RD	\$	18.57
110.2040.5481.000	ALLIANT ENERGY	S CENTER ST & W BERLE	\$	35.18
110.2040.5481.000	ALLIANT ENERGY	S CENTER ST N OF MALL	\$	42.15
110.2040.5481.000	ALLIANT ENERGY	S Center St Cnr Hibbs	\$	38.68
110.2040.5481.000	ALLIANT ENERGY	13 S 13TH ST CNR MAIN	\$	33.11
110.2040.5481.000	ALLIANT ENERGY	219 Westwood flashing lights	\$	20.50
110.2040.5481.000	ALLIANT ENERGY	E Anson St cnr 4th Ave	\$	20.50
110.2040.5481.000	ALLIANT ENERGY	5 N 5th St cnr State St	\$	20.50
110.2040.5481.000	ALLIANT ENERGY	S CENTER ST CNR BOONE	\$	44.58
110.2040.5481.000	ALLIANT ENERGY	S CENTER ST CNR LINN	\$	34.43
110.2040.5481.000	CONSUMERS ENERGY CO-OP	City of Marshalltown	\$	68.95
110.2060.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$	6.09
110.2060.5462.000	Atcher, Larry	Conference meal	\$	10.00
110.2060.5565.000	Atcher, Larry	PW Vehicle cleaning supplies	\$	28.78
110.2060.5605.000	Sho Biz Inc dba Minuteman	glue, mechanical penci and mouse pad	\$	8.49
110.2060.5718.000	Thompsons True Value	tape measures - for Larry	\$	30.48
110.2070.5565.000	MACQUEEN EQUIPMENT	Street #73 inspection and repairs	\$	971.54
121.4030.5233.000	Bolton & Menk Inc	Riverview Park Concept Master Plan	\$	10,145.00
130.1010.5600.000	MENARDS	K9 Equipment	\$	4,452.62
133.2900.5342.000	Impact 7G Inc	Brownfields Assistance Contract	\$	1,077.50
148.1050.5630.000	Bound Tree Medical LLC	FD COVID supplies	\$	971.89
151.1010.5718.000	STREICHER'S INC	Bullet proof vests	\$	380.00
153.1010.5321.000	Zero9 Holsters	PD K-9 door popper	\$	44.95
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	89.21
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	50.23
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	88.46
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	59.37
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	80.96
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant book	\$	23.24
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	190.43
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant book	\$	29.24
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant book	\$	23.24
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant book	\$	23.24
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant books	\$	89.21
170.4010.5732.000	CENGAGE LEARNING INC	Tye grant and Fiscus memorial books	\$	25.49
170.4010.5732.000	CENTER POINT LARGE PRINT	Memorial and Tye grant books	\$	70.11
170.4010.5732.000	CENTER POINT LARGE PRINT	Tye grant books	\$	110.00
170.4010.5734.000	BAKER & TAYLOR INCORP	Day memorial book	\$	34.17
170.4010.5734.000	BAKER & TAYLOR INCORP	memorial books	\$	10.19
170.4010.5734.000	BAKER & TAYLOR INCORP	Memorial book	\$	18.59
170.4010.5734.000	BAKER & TAYLOR INCORP	memorial book	\$	17.67
170.4010.5734.000	BAKER & TAYLOR INCORP	memorial book	\$	16.52
170.4010.5734.000	BAKER & TAYLOR INCORP	memorial book	\$	17.10
170.4010.5734.000	BAKER & TAYLOR INCORP	memorial book	\$	34.20
170.4010.5734.000	BAKER & TAYLOR INCORP	memorial book	\$	15.39

170.4010.5734.000	BAKER & TAYLOR INCORP	Day Memorial book	\$ 25.65
170.4010.5734.000	BAKER & TAYLOR INCORP	Fiscus memorial book	\$ 17.67
170.4010.5734.000	BRODART CO	Spanish, memorial and lost/replaced books	\$ 7.79
170.4010.5734.000	CENGAGE LEARNING INC	Tye grant and Fiscus memorial books	\$ 28.49
170.4010.5734.000	CENGAGE LEARNING INC	Wagner memorial book	\$ 78.36
170.4010.5734.000	CENTER POINT LARGE PRINT	Memorial and Tye grant books	\$ 45.54
170.4010.5734.000	DIAMOND LAKE BOOK CO	Morial books	\$ 111.80
184.5030.5232.000	EIDEBAILLY LLP	Audit REAC submission FY21	\$ 1,300.00
184.5030.5242.000	STEELSMITH, GREG	rent assistance	\$ 354.00
184.5030.5344.000	KOCH Office Group	Housing contract copies	\$ 34.95
184.5030.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 12.19
184.5030.5605.000	Sho Biz Inc dba Minuteman	Housing business cards	\$ 94.85
189.3040.5342.000	Impact 7G Inc	125 Homes LI/RA and HHA	\$ 510.00
189.3040.5410.000	FEXSTEVE LIMITED CO	910 S 12TH STREET	\$ 17,500.00
189.3040.5415.000	FEXSTEVE LIMITED CO	910 S 12TH STREET	\$ 1,250.00
189.3040.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 6.09
311.2012.5782.000	Iowa Land and Building	Parcel for N 8th Ave connection to Marion St	\$ 14,565.00
312.2080.5348.000	Garling Construction Inc	APR19001 Airport Hangar repair	\$ 324,627.30
312.2080.5348.000	VanMaanen Electric Inc	APR19003 Airport Vault Repair	\$ 15,105.71
355.1075.5230.000	LYNCH DALLAS PC	Nuisance/ Enforcement	\$ 61.00
355.1075.5234.000	LYNCH DALLAS PC	Nuisance/ Enforcement	\$ 974.50
355.1075.5250.000	LYNCH DALLAS PC	Nuisance/ Enforcement	\$ 155.00
355.1075.5342.000	BJELLAND PLUMBING INC	15 S 1st St cap off water	\$ 7,320.20
355.1075.5342.000	BJELLAND PLUMBING INC	102 & 110 W Main St cap water services	\$ 9,719.51
355.1075.5440.000	MARSHALL COUNTY TREASURER	412 N 3rd St	\$ 650.00
355.1075.5440.000	MARSHALL COUNTY TREASURER	610 W Nevada St	\$ 65.00
355.1075.5440.000	MARSHALL COUNTY TREASURER	908 S 6th Ave	\$ 564.00
355.1075.5440.000	MARSHALL COUNTY TREASURER	1001 S 10th Ave	\$ 246.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	328 S 3rd Ave storm sewer	\$ 20.80
355.1075.5485.000	MARSHALLTOWN WATER WORKS	500 Lee St storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	610 W Nevada St storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	330 S 3rd Ave storm sewer	\$ 31.20
355.1075.5485.000	MARSHALLTOWN WATER WORKS	1001 S 10th Ave	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	102-104 W Main St storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	101 W Main St	\$ 10.40
355.1075.5485.000	MARSHALLTOWN WATER WORKS	15 S 1st St storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	606 E Boone St storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	112 N 2nd Ave storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	10 W Main St storm sewer	\$ 8.00
355.1075.5485.000	MARSHALLTOWN WATER WORKS	105 N 2nd Ave storm sewer	\$ 8.00
360.4030.5785.000	Premier Real Estate Inc	Earnest money for 132 E State St	\$ 500.00
383.4065.5776.000	ADLAND ENGRAVING CO INC	Coliseum bronze tablet 18x24	\$ 2,464.70
610.8015.5233.000	FOX ENGINEERING ASSOCIATES INC	WPCP20001 WPCP Clarifier Rehab	\$ 2,650.00
610.8015.5233.000	FOX Strand	engineering fees- JBS expansion consultation	\$ 1,097.50
610.8015.5344.000	Controlled Access	lft master monthly subscription - March 2022	\$ 39.50
610.8015.5344.000	SJE-RHOMBUS	service flex - level 3 Qtr 2	\$ 1,250.00
610.8015.5344.000	XEROX CORPORATION	February 2022 Xerox & Copies	\$ 27.36
610.8015.5410.000	AIR MACH INC	Service call - air compressor #1	\$ 1,175.00
610.8015.5410.000	IOWA PUMP WORKS, INC.	digester feed pump #1 laser alignment	\$ 1,010.00
610.8015.5441.000	TREASURER ST OF IOWA	Iowa sales/ use tax	\$ 1,993.00
610.8015.5441.000	TREASURER ST OF IOWA	Iowa sales/ use tax	\$ 11,958.00
610.8015.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 18.28
610.8015.5450.000	CENTURYLINK	WPCP Backup Analog 752-9779	\$ 79.36
610.8015.5450.000	CENTURYLINK long distance	Long distance lines	\$ 2.54
610.8015.5481.000	ALLIANT ENERGY	N 3rd Ave River Sign	\$ 23.16
610.8015.5481.000	ALLIANT ENERGY	RIVERVIEW PARK LIFTSTATION	\$ 18.41
610.8015.5481.000	ALLIANT ENERGY	1001 Woodland St Water Pollution	\$ 23,939.29
610.8015.5481.000	ALLIANT ENERGY	JBS 402 N 10TH AVE	\$ 18.41
610.8015.5482.000	ALLIANT ENERGY	1001 WOODLAND ST DISP PLANT	\$ 9,672.05
610.8015.5600.000	CONSOLIDATED WATER SOLUTIONS	ploymer for DAF - 55 gal	\$ 1,420.80
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies- hydrogen peroxide	\$ 114.10
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies- powder pillows	\$ 94.74
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies - stir bars	\$ 26.15
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies- sitr bars	\$ 43.28
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies- latx gloves, pipet	\$ 608.05
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies- sodium phosphate	\$ 48.88
610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies- HN cartridge	\$ 113.69

610.8015.5603.000	MIDLAND SCIENTIFIC INC	lab supplies - molydenum AA	\$ 30.92
610.8015.5603.000	State Hygienic Lab	lab analysis-NPDES & EPA analysis cyanide & voliti	\$ 1,162.00
610.8015.5718.000	Products Incorporated	DAF booster pump replacement	\$ 1,632.00
610.8015.5750.000	KMJ Enterprise LLC	Pallet Racking - Shelving	\$ 12,550.00
610.8015.5980.000	DC Brown Rentals	sewer refund 2022- water pipe break	\$ 2,236.09
610.8015.5980.000	Pebbles Properties LLC	Sewer refund 2022- pipe break	\$ 255.02
610.8015.5980.000	Workman, Connie	Sewer refund 2022- sewer line repair	\$ 30.21
610.8016.5233.000	FOX ENGINEERING ASSOCIATES INC	SAN21001 Sanitary CIPP	\$ 15,591.25
610.8016.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 7.31
610.8016.5481.000	ALLIANT ENERGY	608 Turner St Pump Station	\$ 232.14
610.8016.5481.000	ALLIANT ENERGY	S 12TH AVE CNR E MAIN	\$ 94.36
610.8016.5481.000	ALLIANT ENERGY	Marion St - WPCP	\$ 152.28
610.8016.5481.000	ALLIANT ENERGY	1511 Rolling Meadows Rd	\$ 102.13
610.8016.5482.000	ALLIANT ENERGY	1001 Woodland St Shed	\$ 269.88
610.8016.5565.000	STAR EQUIPMENT LTD	moisture trap Atlas Copco aire compressor	\$ 258.75
610.8016.5600.000	MENARDS	garage door lube	\$ 5.99
610.8016.5600.000	THEISENS SUPPLY INC	Sewer dept - glue	\$ 5.09
610.8016.5600.000	THEISENS SUPPLY INC	shop supplies for jet/vac fill hose stations	\$ 17.91
610.8016.5600.000	THEISENS SUPPLY INC	form screws and small engine fuel	\$ 61.01
610.8016.5718.000	APPLIANCE DOCTOR	Sewer dept washing machine for employee clothes	\$ 600.00
615.8015.5233.000	FOX ENGINEERING ASSOCIATES INC	WPC21001 WPCP Headworks & Digestor Improv	\$ 55,285.00
690.8050.5132.000	CITY LAUNDERING COMPANY	uniform cleaning-Transit dept	\$ 31.61
690.8050.5132.000	CITY LAUNDERING COMPANY	uniform cleaning-Transit dept	\$ 31.61
690.8050.5339.000	MCFARLAND CLINIC PC	drug and alcohol testing	\$ 36.96
690.8050.5410.000	Advance Garage Doors Inc	#2 Transit door service call	\$ 292.50
690.8050.5410.000	United Rentals	Bldg Div scissor lift repair	\$ 83.20
690.8050.5410.000	United Rentals	Bldg Div Scissor Lift annual inspect & maint	\$ 45.75
690.8050.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 6.09
690.8050.5450.000	CENTURYLINK	PW Analog 752-4388	\$ 31.74
690.8050.5481.000	ALLIANT ENERGY	905 E Main PW Bldg	\$ 600.60
690.8050.5482.000	WoodRiver Energy LLC	905 E Main St	\$ 853.07
690.8050.5565.000	ARNOLD MOTOR SUPPLY LLP	Transit LED lamp	\$ 77.88
690.8050.5565.000	ARNOLD MOTOR SUPPLY LLP	returned LED square lamp	\$ (79.47)
690.8050.5565.000	GILLIG LLC	turn signal lamps	\$ 50.42
690.8050.5565.000	Interstate Batteries of Upper Iowa	Transit bus batteries	\$ 487.90
690.8050.5600.000	MENARDS	Duster, wipes, face masks, cleaner	\$ 72.21
690.8050.5600.000	MENARDS	Transit- 3 ply masks	\$ 89.90
690.8050.5605.000	Sho Biz Inc dba Minuteman	ink cartridge	\$ 10.77
690.8050.5611.000	Advance Garage Doors Inc	PW Bldg door repairs	\$ 702.33
690.8050.5718.000	MENARDS	rubber caster	\$ 4.99
740.8065.5233.000	FOX ENGINEERING ASSOCIATES INC	2021 Sponsered Project Application	\$ 168.75
740.8065.5342.000	CONSTRUCT INC	increase	\$ 1,956.00
740.8065.5342.000	CONSTRUCT INC	SMW21001 Derecho Stream Channel Clearing	\$ 14,847.50
740.8065.5342.000	CONSTRUCT INC	increase	\$ 37,741.75
740.8065.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 4.88
740.8065.5481.000	ALLIANT ENERGY	301 N 18TH AVE LIFTSTATION	\$ 363.99
740.8065.5565.000	STAR EQUIPMENT LTD	moisture trap Atlas Copco aire compressor	\$ 172.50
740.8065.5600.000	MENARDS	garage door lube	\$ 3.99
740.8065.5600.000	THEISENS SUPPLY INC	Sewer dept - glue	\$ 3.39
740.8065.5600.000	THEISENS SUPPLY INC	shop supplies for jet/vac fill hose stations	\$ 11.94
740.8065.5600.000	THEISENS SUPPLY INC	form screws and small engine fuel	\$ 40.68
740.8065.5605.000	Sho Biz Inc dba Minuteman	glue, mechanical pencil and mouse pad	\$ 18.53
740.8065.5718.000	APPLIANCE DOCTOR	Sewer dept washing machine for employee clothes	\$ 400.00
750.8070.5344.000	Controlled Access	lft master monthly subscription - March 2022	\$ 39.50
750.8070.5450.000	CENTURYLINK	Non published direct dial lines fees 9853	\$ 6.09
750.8070.5481.000	ALLIANT ENERGY	COMPOST PILE	\$ 111.31
750.8070.5565.000	ARNOLD MOTOR SUPPLY LLP	engine oil filter	\$ 4.53
750.8070.5565.000	ARNOLD MOTOR SUPPLY LLP	compost turner parts	\$ 62.93
881.1010.5339.000	Hunter Lane LLC	3/1-3/15 paid medical claims	\$ 32.49
881.1010.5339.000	MCFARLAND CLINIC PC	drug and alcohol testing	\$ 92.00
881.1010.5339.000	MCFARLAND CLINIC PC	drug and alcohol testing	\$ 88.00
881.1050.5339.000	Hunter Lane LLC	3/1-3/15 paid medical claims	\$ 97.81
881.1050.5339.000	MCFARLAND CLINIC PC	drug and alcohol testing	\$ 162.80
881.1050.5339.000	MCFARLAND CLINIC PC	drug and alcohol screenings	\$ 162.80
884.7010.5230.000	Health Partners	Monthly fees and premiums	\$ 12,554.52
884.7010.5337.000	Health Partners	Monthly fees and premiums	\$ 24,414.05
884.7010.5339.000	Health Partners	Dental claims 2/17-2/23	\$ 3,397.37
884.7010.5339.000	Health Partners	Health claims 2/17-2/23	\$ 39,445.62

884.7010.5339.000	Health Partners	Dental claims 02/24-03/02	\$ 4,339.33
884.7010.5339.000	Health Partners	Health claims 02/24-03/02	\$ 72,313.31
886.2010.5339.000	Unity Point- Occupational Medicine	drug and alcohol testing	\$ 42.00
951.1520.010	TREASURER ST OF IOWA	Iowa sales/ use tax	\$ 42.00
951.1520.020	TREASURER ST OF IOWA	Iowa sales/ use tax	\$ 7.00
999.1101.000	INTERNAL REVENUE SERVICE	Bi-Weekly Federal Taxes	\$ 25,724.01
999.1101.000	INTERNAL REVENUE SERVICE	Bi-Weekly Federal Taxes	\$ 12,445.83
999.1102.000	TREASURER STATE OF IOWA	Bi-Weekly Payroll SIT	\$ 11,602.46
999.1102.000	TREASURER STATE OF IOWA	Bi-Weekly Payroll SIT	\$ 5,148.00
999.1103.000	INTERNAL REVENUE SERVICE	Bi-Weekly Payroll Social Security	\$ 25,823.92
999.1103.000	INTERNAL REVENUE SERVICE	Bi-Weekly Payroll Social Security	\$ 3,945.30
999.1107.000	INTERNAL REVENUE SERVICE	Bi-Weekly Payroll Medicare	\$ 8,377.04
999.1107.000	INTERNAL REVENUE SERVICE	Bi-Weekly Payroll Medicare	\$ 3,878.02
999.1121.000	American Education Services	PR WITHHOLDING	\$ 64.41
999.1121.000	COLLECTION SERVICES CENTER	CHILD SUPPORT	\$ 1,441.11
999.1121.000	Family Support Payment Center	CHILD SUPPORT	\$ 152.31
999.1125.000	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	\$ 348.29
999.1125.000	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	\$ 117.53
999.1128.000	TOTAL ADMINISTRATIVE SERVICE CORP.	FLEX HEALTH BENEFITS	\$ 5,122.01
999.1128.000	TOTAL ADMINISTRATIVE SERVICE CORP.	FLEX HEALTH BENEFITS	\$ 891.63
999.1128.000	TOTAL ADMINISTRATIVE SERVICE CORP.	ROUNDING	\$ (0.20)
999.1129.000	TOTAL ADMINISTRATIVE SERVICE CORP.	FLEX DEP CARE BENEFITS	\$ 915.83
999.1129.000	TOTAL ADMINISTRATIVE SERVICE CORP.	FLEX DEP CARE BENEFITS	\$ 276.67
999.1131.000	ICMA 457-Mission Square Retirement	ICMA DEF COMP	\$ 758.48
999.1131.000	ICMA 457-Mission Square Retirement	ICMA DEF COMP	\$ 4,928.23
999.1131.000	ICMA 457-Mission Square Retirement	ICMA DEFERRED COMP	\$ 935.10
999.1131.000	ICMA 457-Mission Square Retirement	ICMA LOAN REPAYMENT	\$ 352.68
999.1131.000	ICMA 457-Mission Square Retirement	ICMA DEF COMP	\$ 230.76
999.1131.000	ICMA 457-Mission Square Retirement	ROTH < 50	\$ 1,589.23
999.1131.000	ICMA 457-Mission Square Retirement	ROTH > 50	\$ 2,661.73
999.1131.000	ICMA 457-Mission Square Retirement	ICMA DEF COMP	\$ 1,075.00
999.1131.000	ICMA 457-Mission Square Retirement	ICMA DEF COMP	\$ 269.23
999.1131.000	ICMA 457-Mission Square Retirement	ROTH < 50	\$ 1,342.28
999.1131.000	ICMA 457-Mission Square Retirement	ROTH > 50	\$ 875.00
999.1133.000	COLONIAL LIFE	COLONIAL LIFE INSURANCE	\$ 466.83
999.1133.000	COLONIAL LIFE	COLONIAL LIFE INSURANCE	\$ 29.26
TOTAL			\$ 1,764,464.94



POLICE DEPARTMENT

Joel Greer, Mayor
Jessica Kinser, City Administrator
Michael W. Tupper, Chief of Police
909 South 2nd Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5725
Fax - (641) 752-1211

To: Civil Service Commission

From: Michael Tupper, Police Chief
Jill Petermeier, Human Resource Director

Re: Police Sergeant Promotional List

After reviewing all applicants and their qualifications, the following persons were tested and considered to best meet the qualifications for the above listed position and are ranked as follows:

Rank	Name	Score (Actual/Total Possible)
1	Juan Tejada	265.9/330
2	Dane Bowermaster	264.6/330
3	Christopher Roush	262/330
4	Paul Heitman	257/330
5	Justin Allen	253.9/330

This list shall be valid for a period not to exceed March 22, 2023.

Certified by Civil Service Commission on March 22, 2022.

Nancy Harris, Civil Service Commission Chair

Attest:

Alicia Hunter, Clerk of the Commission

CITY COUNCIL

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



Jill Petermeier
Human Resource Director
24 North Center Street
Marshalltown, IA 50158
Tel (641) 754-5704 Fax (641) 844-1899
jpetermeier@marshalltown-ia.gov

To: Civil Service Commission

From: Troy McGahuey , Street Superintendent
Heather Thomas, Public Works Director

Re: Sewer Maintenance Worker- New Hire List

After reviewing all applicants and their qualifications, the following persons were tested and considered to best meet the qualifications for the above listed position:

Dylan Gill (277)
Jacob Smith (241)

This list shall be valid for a period not to exceed March 22, 2023

Certified by Civil Service Commission on March 22, 2022



Nancy Harris, Civil Service Commission Chair

Attest:



Alicia Hunter, Clerk of the Commission



Jill Petermeier
Human Resource Director
24 North Center Street
Marshalltown, IA 50158
Tel (641) 754-5704 Fax (641) 844-1899
jpetermeier@marshalltown-ia.gov

To: Civil Service Commission

From: Rick Legg, Street Superintendent
Heather Thomas, Public Works Director

Re: Street Maintenance Worker II

After reviewing all applicants and their qualifications, the following person was tested and considered to best meet the qualifications for the above listed position:

Coltyn Miller (233)
Dylan Gill (216)
Roy Schweinebart (204)
James Gavagan (202)
Clinton Bane (200)

This list shall be valid for a period not to exceed March 22, 2023.

Date List Certified by Civil Service Commission:

March 22, 2022

A handwritten signature in blue ink, appearing to read "Nancy Harris", is written over a horizontal line.

Nancy Harris, Civil Service Commission Chair

Attest:

A handwritten signature in blue ink, appearing to read "Alicia Hunter", is written over a horizontal line.

Alicia Hunter, Clerk of the Commission

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
Jessica Kinser, Administrator
Diana Steiner, Finance Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5760 Ext. 2100

FINANCE DEPARTMENT

March 23, 2022

To: Mayor Joel Greer
Members of the City Council

From: Diana Steiner, Finance Director

Re: February Monthly Financial Statements

Policy Issue: N/A.

Recommendation: Staff recommends approving the February 2022 monthly financial statements.

Background: The Finance department has prepared and reconciled the February 2022 financial statements for your review. The attached reports include the following:

- Fund Balance Report, which includes the beginning balance at 6/30/21, the year-to-date revenues and expenses for 8 months and the ending fund cash balance.
- Cash & Investments Report, which includes current balances and interest rates for all city investments.
- Monthly Budget Report, which reflects monthly and year-to-date revenues and expenses by each fund and then in summary. If the YTD Activity amount is less than the YTD Budget amount, it will show as unfavorable for revenues and favorable for expenses. (Note: The budget is still the original adopted budget as the budget amendment will not go into effect until March).

Items of interest this month:

- *Fund 130 includes \$146,517.59 Airport metal building repairs from the Derecho damage
- *Fund 145 includes \$137,950.69 of FEMA/State funds received for the tornado street project
- *Fund 312 includes \$180,635.98 of expenditures for the Airport hangar/terminal/vault project.
- *Fund 740 includes \$241,428 of expenditures for the Derecho Stream Channel Clearing

Budget Impact: N/A

Attachment: February 2022 Financial Statements

cc: Jessica Kinser, City Administrator



**FUND BALANCE REPORT
AS OF 02/28/22**

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
001 - GENERAL FUND	3,567,795.12	8,817,452.74	10,397,810.25	1,987,437.61
010 - CASH FLOW RESERVE FUND	2,476,383.21	15,360.19	-	2,491,743.40
030 - CAPITAL RESERVE	-	266,594.83	277,729.22	(11,134.39)
031 - CAPITAL RSRV-BLDG MAINT	341,534.20	2,062.47	12,244.16	331,352.51
032 - CIP LARGE VEHICLE/EQUIPMENT	(110,377.15)	117,494.37	7,117.22	-
110 - ROAD USE TAX	5,601,593.86	2,585,878.46	1,942,794.59	6,244,677.73
112 - EMPLOYEE BENEFITS FUND	3,176,821.36	1,612,610.51	1,291,258.53	3,498,173.34
117 - POLICE/FIRE RETIREMENT	542,719.16	726,935.80	609,894.49	659,760.47
119 - EMERGENCY FUND	-	142,210.70	139,602.97	2,607.73
121 - LOCAL OPTION SALES TAX	5,487,716.86	3,297,550.22	2,687,130.36	6,098,136.72
125 - TAX INCREMENT FINANCING	303,191.51	548,556.58	258,245.71	593,502.38
126 - TIF-LMI	27,806.10	152.00	27,044.99	913.11
130 - CITY TORT LIABILITY	659,947.57	311,225.06	731,699.70	239,472.93
132 - GRANTS-STATE/LOCAL AGENCIES	(5,036.79)	157,125.00	370,596.78	(218,508.57)
133 - UNDESIGNATED FEDERAL GRANTS	-	-	6,482.71	(6,482.71)
140 - PARK & REC DONATION FUND	127,747.45	66,011.83	9,755.01	184,004.27
141 - MTOWN TENNIS ASSOC	2,794.99	17.34	-	2,812.33
142 - SOFTBALL ASSOCIATION FUND	7,846.47	300.96	18,555.14	(10,407.71)
144 - LIVE HEALTHY IOWA	5,086.09	1,022.65	-	6,108.74
145 - TORNADO GENERAL	46,043.33	137,951.68	-	183,995.01
146 - FEMA VALOR	(55,164.71)	-	-	(55,164.71)
147 - FEMA DEMO	(16,074.93)	-	-	(16,074.93)
148 - FEMA-COVID19	(15,258.99)	10,556.73	4,988.80	(9,691.06)
149 - FEMA - WINDS	(4,340,242.96)	18,096.25	357,473.56	(4,679,620.27)
150 - LOCAL PD GRANTS	-	23,249.31	49,088.06	(25,838.75)
151 - DEPT OF JUSTICE GRANTS	(8,719.91)	15,146.51	22,478.44	(16,051.84)
152 - POLICE UNDESIGNATED GRANTS	(17,735.98)	76,901.30	82,521.85	(23,356.53)
153 - POLICE DEPT DONATION FUND	91,808.70	5,031.81	30,594.60	66,245.91
156 - FIRE DEPT DONATION FUND	97,948.53	3,491.58	38,300.62	63,139.49
157 - FIRE DEPT GRANTS	4,924.79	30.55	-	4,955.34
160 - ECONOMIC DEVELOPMENT GIFT	53,156.38	329.71	-	53,486.09
161 - SURETY DEPOSITS/SUBDIVIDER	11,089.79	68.80	-	11,158.59
170 - LIBRARY DONATION FUND	112,894.69	23,920.18	12,386.17	124,428.70
177 - SEIZED ASSETS (POLICE)	36,257.32	6,666.71	12,263.55	30,660.48
179 - OTHER COMM AND ECON DEVELOPMENT	79,157.96	491.00	-	79,648.96
180 - HOUSING GRANTS	27,833.65	172.64	-	28,006.29
183 - FY 08 EDI (ECON DEV INCENTIVE)	(13,389.25)	-	-	(13,389.25)
184 - VOUCHERS - 002, 003	131,098.97	828,224.20	815,250.85	144,072.32
189 - #6 HUD LEAD GRANT	(13,016.78)	340,982.45	366,627.84	(38,662.17)

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
200 - GO BONDS DEBT FUND	125,335.52	2,657,728.21	408,192.00	2,374,871.73
300 - CIP COLLECTION FUND	455,875.42	358,701.35	306,320.35	508,256.42
310 - FEDERAL STREET GRANTS	40,092.42	(30.42)	40,062.00	-
311 - RISE STREET GRANTS	-	166,394.64	197,643.64	(31,249.00)
312 - AIRPORT PROJECT FUND	1,707,289.39	695,440.27	2,082,414.24	320,315.42
320 - SPECIAL ASSESSMENT PROJECTS	(15,047.95)	537.00	-	(14,510.95)
340 - BIKE PATH PROJECT FUND	(132,190.44)	-	53,608.62	(185,799.06)
341 - TREES FOREVER PROJECT	22,727.03	22,400.80	19,444.40	25,683.43
350 - GO BONDS CAPITAL PROJECTS	9,034.46	56.04	-	9,090.50
354 - POLICE & FIRE STATIONS	604,756.91	3,716.07	5,650.00	602,822.98
355 - 2015 GO BONDS (D&D)	13,404.73	251,761.86	381,016.09	(115,849.50)
360 - 2019 GO BONDS & PROJECTS	3,189,664.60	12,564.40	1,783,154.15	1,419,074.85
361 - LIBRARY BUILDING ADDITION	1,572.80	9.77	-	1,582.57
362 - 2020 GO BONDS	1,126,310.11	413,000.83	816,709.76	722,601.18
363 - 2021 GO BONDS	-	9,551,722.50	334,038.93	9,217,683.57
381 - 2019 CY STREET, SIDEWALK, PARKING PROJECT	746,755.34	544,395.73	1,074,053.59	217,097.48
383 - COLISEUM REMODEL	-	29,947.49	29,847.49	100.00
389 - AMERICAN RESCUE PLAN	-	1,993,589.42	-	1,993,589.42
392 - TIF DISTRICT III CAP PROJECTS	7,140.12	44.29	-	7,184.41
395 - ECONOMIC DEVELOPMENT PROJECT FUND	-	1,204,679.11	1,217,510.91	(12,831.80)
610 - WATER POLLUTION CONTROL	2,465.14	3,612,999.23	3,612,981.23	2,483.14
611 - WPCP REVENUE	18,204,827.68	5,499,533.74	3,737,821.67	19,966,539.75
612 - WPCP REVENUE BOND FUND	(3,837.86)	659,029.96	660,192.10	(5,000.00)
613 - SEWER I/I PROJECT	-	-	-	-
614 - WPCP CAPITAL IMPROVEMENT RSRV	1,083,798.98	6,722.46	-	1,090,521.44
615 - WPCP PLANT & IMPROVEMENTS	-	125,005.50	155,770.50	(30,765.00)
616 - SANITARY SEWER REHAB PROJECT	-	-	775.00	(775.00)
617 - SANITARY SEWER NEW CONSTRUCTN	142,643.84	4,412.00	2,900.00	144,155.84
618 - TORNADO-WPCP	(580.97)	-	-	(580.97)
690 - TRANSIT OPERATING	483,353.76	664,545.11	515,420.75	632,478.12
740 - STORM SEWER UTILITY	2,259,467.96	917,723.18	1,686,006.10	1,491,185.04
741 - 2016 GO STORM WATER PROJ	3,009,646.81	11,341.53	1,685,141.21	1,335,847.13
742 - TORNADO - STORM/SEWER	(898.25)	-	-	(898.25)
750 - COMPOSTING FACILITY	100,150.95	69,802.71	50,055.57	119,898.09
760 - P&R CONCESSIONS ENTERPRISE	(17,546.78)	20,123.32	32,636.85	(30,060.31)
881 - OCCUPATIONAL INSURANCE ESCROW	32,652.43	97,561.65	80,762.75	49,451.33
884 - GROUP HEALTH INSURANCE ESCROW	1,547,599.17	1,858,393.89	2,348,477.04	1,057,516.02
886 - WORKMAN'S COMP DEDUCTIBLE FUND	36,513.15	224.56	637.24	36,100.47
910 - POLICE PENSION - T & A	-	6,136.27	7,889.49	(1,753.22)
913 - 911 COMMISION	(78,883.05)	678,176.40	673,841.92	(74,548.57)
951 - SALES TAX REIMBURSEMENT	(1,672.84)	2,845.59	5,719.26	(4,546.51)
952 - SURETY BONDS/DEPOSITS	4,002.87	218.36	-	4,221.23
	53,132,604.06	52,301,327.94	44,586,631.02	60,847,300.98

Account	Name	Ending Balance	Interest Rate
BalObject: 0110 - P&R Deposits			
999.0110.100	GWB P&R Deposits	65,216.06	1.00
	Total BalObject: 0110 - P&R Deposits :	65,216.06	
BalObject: 0111 - Operating			
999.0111.000	UB&T Operating	13,922.12	0.00
999.0111.100	GWB Operating	893,363.01	1.00
	Total BalObject: 0111 - Operating:	907,285.13	
BalObject: 0112 - COLISEUM			
999.0112.100	GWB COLISEUM	0.11	0.00
	Total BalObject: 0112 - COLISEUM:	0.11	
BalObject: 0113 - Payroll			
999.0113.100	GWB Payroll	350,268.50	1.00
	Total BalObject: 0113 - Payroll:	350,268.50	
BalObject: 0114 - Dev Inspections			
999.0114.100	GWB Dev Inspections	32,921.75	1.00
	Total BalObject: 0114 - Dev Inspections:	32,921.75	
BalObject: 0115 - HUD Admin			
999.0115.100	GWB HUD Admin	135,883.00	1.00
	Total BalObject: 0115 - HUD Admin:	135,883.00	
BalObject: 0116 - HUD HAP			
999.0116.100	GWB HUD HAP	5,356.05	1.00
	Total BalObject: 0116 - HUD HAP:	5,356.05	
BalObject: 0117 - Police			
999.0117.100	GWB Police	42,924.03	1.00
	Total BalObject: 0117 - Police:	42,924.03	
BalObject: 0120 - PETTY CASH			
001.0120.000	PETTY CASH - RECORDS	100.00	0.00
750.0120.000	PETTY CASH	300.00	0.00
	Total BalObject: 0120 - PETTY CASH:	400.00	
BalObject: 0122 - PETTY CASH-CITY CLERK			
001.0122.000	PETTY CASH-CITY CLERK	200.00	0.00
	Total BalObject: 0122 - PETTY CASH-CITY CLERK:	200.00	
BalObject: 0123 - PETTY CASH-LIBRARY			
001.0123.000	PETTY CASH-LIBRARY	100.00	0.00
	Total BalObject: 0123 - PETTY CASH-LIBRARY:	100.00	
BalObject: 0125 - PETTY CASH-PARK			
001.0125.000	PETTY CASH-PARK	225.00	0.00
	Total BalObject: 0125 - PETTY CASH-PARK:	225.00	
BalObject: 0130 - CASH HELD BY INSUR ADMIN			
885.0130.000	CASH HELD BY INSUR ADMI	1.00	0.00
	Total BalObject: 0130 - CASH HELD BY INSUR ADMI	1.00	
BalObject: 0216 - GREAT WESTERN BANK MM			
999.0216.000	GREAT WESTERN BANK MM	59,286,997.96	1.00
	Total BalObject: 0216 - GREAT WESTERN BANK MM	59,286,997.96	
BalObject: 0999 - POOLED CASH			
999.0999.000	POOLED CASH	19,522.39	0.00
	Total BalObject: 0999 - POOLED CASH:	19,522.39	
		60,847,300.98	



City of Marshalltown, IA

Monthly Budget Report - Marshalltown

Group Summary

For Fiscal: Current Period Ending: 02/28/2022

Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 001 - GENERAL FUND					
Revenue	137,973.69	10,916,603.20	8,817,452.74	-2,099,150.46	16,375,558.00
Expense	1,107,497.13	11,004,863.28	10,397,810.25	607,053.03	16,512,751.46
Total Fund: 001 - GENERAL FUND:	-969,523.44	-88,260.08	-1,580,357.51	-1,492,097.43	-137,193.46
Fund: 010 - CASH FLOW RESERVE FUND					
Revenue	1,823.41	96,015.28	15,360.19	-80,655.09	144,023.00
Total Fund: 010 - CASH FLOW RESERVE FUND:	1,823.41	96,015.28	15,360.19	-80,655.09	144,023.00
Fund: 030 - CAPITAL RESERVE					
Revenue	0.00	485,261.28	266,594.83	-218,666.45	727,892.00
Expense	2,718.00	485,130.16	277,729.22	207,400.94	727,892.00
Total Fund: 030 - CAPITAL RESERVE:	-2,718.00	131.12	-11,134.39	-11,265.51	0.00
Fund: 031 - CAPITAL RSRV-BLDG MAINT					
Revenue	242.48	1,000.00	2,062.47	1,062.47	1,500.00
Expense	0.00	119,118.96	12,244.16	106,874.80	178,750.00
Total Fund: 031 - CAPITAL RSRV-BLDG MAINT:	242.48	-118,118.96	-10,181.69	107,937.27	-177,250.00
Fund: 032 - CIP LARGE VEHICLE/EQUIPMENT					
Revenue	0.00	72,047.12	117,494.37	45,447.25	108,114.00
Expense	0.00	0.00	7,117.22	-7,117.22	0.00
Total Fund: 032 - CIP LARGE VEHICLE/EQUIPMENT:	0.00	72,047.12	110,377.15	38,330.03	108,114.00
Fund: 110 - ROAD USE TAX					
Revenue	303,598.07	2,266,666.64	2,585,878.46	319,211.82	3,400,000.00
Expense	42,033.77	3,176,769.60	1,942,794.59	1,233,975.01	4,765,927.03
Total Fund: 110 - ROAD USE TAX:	261,564.30	-910,102.96	643,083.87	1,553,186.83	-1,365,927.03
Fund: 112 - EMPLOYEE BENEFITS FUND					
Revenue	15,326.71	1,894,793.84	1,612,610.51	-282,183.33	2,842,191.00
Expense	0.00	1,846,754.00	1,291,258.53	555,495.47	2,770,131.00
Total Fund: 112 - EMPLOYEE BENEFITS FUND:	15,326.71	48,039.84	321,351.98	273,312.14	72,060.00
Fund: 117 - POLICE/FIRE RETIREMENT					
Revenue	7,368.71	867,183.20	726,935.80	-140,247.40	1,300,775.00
Expense	0.00	849,023.28	609,894.49	239,128.79	1,273,535.00
Total Fund: 117 - POLICE/FIRE RETIREMENT:	7,368.71	18,159.92	117,041.31	98,881.39	27,240.00
Fund: 119 - EMERGENCY FUND					
Revenue	1,351.87	167,780.56	142,210.70	-25,569.86	251,671.00

Monthly Budget Report - Marshalltown

For Fiscal: Current Period Ending: 02/28/2022

Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Expense	0.00	167,780.64	139,602.97	28,177.67	251,671.00
Total Fund: 119 - EMERGENCY FUND:	1,351.87	-0.08	2,607.73	2,607.81	0.00
Fund: 121 - LOCAL OPTION SALES TAX					
Revenue	4,462.51	2,483,333.28	3,297,550.22	814,216.94	3,725,000.00
Expense	9,600.00	3,255,588.08	2,687,130.36	568,457.72	4,883,444.00
Total Fund: 121 - LOCAL OPTION SALES TAX:	-5,137.49	-772,254.80	610,419.86	1,382,674.66	-1,158,444.00
Fund: 125 - TAX INCREMENT FINANCING					
Revenue	7,392.19	611,093.92	548,556.58	-62,537.34	916,641.00
Expense	37,009.13	477,113.92	258,245.71	218,868.21	715,671.00
Total Fund: 125 - TAX INCREMENT FINANCING:	-29,616.94	133,980.00	290,310.87	156,330.87	200,970.00
Fund: 126 - TIF-LMI					
Revenue	0.00	6.64	152.00	145.36	10.00
Expense	27,044.99	0.00	27,044.99	-27,044.99	0.00
Total Fund: 126 - TIF-LMI:	-27,044.99	6.64	-26,892.99	-26,899.63	10.00
Fund: 130 - CITY TORT LIABILITY					
Revenue	31,181.55	20,666.64	311,225.06	290,558.42	31,000.00
Expense	205,941.09	134,290.24	731,699.70	-597,409.46	201,500.00
Total Fund: 130 - CITY TORT LIABILITY:	-174,759.54	-113,623.60	-420,474.64	-306,851.04	-170,500.00
Fund: 132 - GRANTS-STATE/LOCAL AGENCIES					
Revenue	117,249.00	804,399.28	157,125.00	-647,274.28	1,206,599.00
Expense	0.00	765,374.96	370,596.78	394,778.18	1,148,062.50
Total Fund: 132 - GRANTS-STATE/LOCAL AGENCIES:	117,249.00	39,024.32	-213,471.78	-252,496.10	58,536.50
Fund: 133 - UNDESIGNATED FEDERAL GRANTS					
Expense	1,123.07	0.00	6,482.71	-6,482.71	0.00
Total Fund: 133 - UNDESIGNATED FEDERAL GRANTS:	1,123.07	0.00	6,482.71	-6,482.71	0.00
Fund: 140 - PARK & REC DONATION FUND					
Revenue	1,893.53	33,933.28	66,011.83	32,078.55	50,900.00
Expense	2,842.80	36,599.84	9,755.01	26,844.83	54,900.00
Total Fund: 140 - PARK & REC DONATION FUND:	-949.27	-2,666.56	56,256.82	58,923.38	-4,000.00
Fund: 141 - MTOWN TENNIS ASSOC					
Revenue	2.06	13.28	17.34	4.06	20.00
Total Fund: 141 - MTOWN TENNIS ASSOC:	2.06	13.28	17.34	4.06	20.00
Fund: 142 - SOFTBALL ASSOCIATION FUND					
Revenue	0.00	20,629.28	300.96	-20,328.32	30,944.11
Expense	81.22	20,576.64	18,555.14	2,021.50	30,894.11
Total Fund: 142 - SOFTBALL ASSOCIATION FUND:	-81.22	52.64	-18,254.18	-18,306.82	50.00
Fund: 144 - LIVE HEALTHY IOWA					
Revenue	4.47	4,998.00	1,022.65	-3,975.35	7,500.00
Expense	0.00	4,900.24	0.00	4,900.24	7,351.12

Monthly Budget Report - Marshalltown

For Fiscal: Current Period Ending: 02/28/2022

Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Total Fund: 144 - LIVE HEALTHY IOWA :	4.47	97.76	1,022.65	924.89	148.88
Fund: 145 - TORNADO GENERAL					
Revenue	137,950.69	0.00	137,951.68	137,951.68	0.00
Total Fund: 145 - TORNADO GENERAL:	137,950.69	0.00	137,951.68	137,951.68	0.00
Fund: 147 - FEMA DEMO					
Revenue	0.00	2,350,726.00	0.00	-2,350,726.00	3,527,500.00
Expense	0.00	2,765,560.00	0.00	2,765,560.00	4,150,000.00
Total Fund: 147 - FEMA DEMO:	0.00	-414,834.00	0.00	414,834.00	-622,500.00
Fund: 148 - FEMA-COVID19					
Revenue	0.00	0.00	10,556.73	10,556.73	0.00
Expense	414.99	0.00	4,988.80	-4,988.80	0.00
Total Fund: 148 - FEMA-COVID19:	-414.99	0.00	5,567.93	5,567.93	0.00
Fund: 149 - FEMA - WINDS					
Revenue	0.00	6,126,424.96	18,096.25	-6,108,328.71	9,193,255.00
Expense	2,832.20	4,052,428.32	357,473.56	3,694,954.76	6,078,995.00
Total Fund: 149 - FEMA - WINDS:	-2,832.20	2,073,996.64	-339,377.31	-2,413,373.95	3,114,260.00
Fund: 150 - LOCAL PD GRANTS					
Revenue	8,685.72	36,652.00	23,249.31	-13,402.69	55,000.00
Expense	8,542.72	35,855.04	49,088.06	-13,233.02	53,804.24
Total Fund: 150 - LOCAL PD GRANTS:	143.00	796.96	-25,838.75	-26,635.71	1,195.76
Fund: 151 - DEPT OF JUSTICE GRANTS					
Revenue	0.00	69,314.56	15,146.51	-54,168.05	103,972.00
Expense	2,427.50	69,310.96	22,478.44	46,832.52	103,972.00
Total Fund: 151 - DEPT OF JUSTICE GRANTS:	-2,427.50	3.60	-7,331.93	-7,335.53	0.00
Fund: 152 - POLICE UNDESIGNATED GRANTS					
Revenue	12,376.52	61,010.88	76,901.30	15,890.42	91,553.00
Expense	6,184.46	55,081.76	82,521.85	-27,440.09	82,653.00
Total Fund: 152 - POLICE UNDESIGNATED GRANTS:	6,192.06	5,929.12	-5,620.55	-11,549.67	8,900.00
Fund: 153 - POLICE DEPT DONATION FUND					
Revenue	48.48	1,799.92	5,031.81	3,231.89	2,700.00
Expense	436.68	18,959.76	30,594.60	-11,634.84	28,450.00
Total Fund: 153 - POLICE DEPT DONATION FUND:	-388.20	-17,159.84	-25,562.79	-8,402.95	-25,750.00
Fund: 156 - FIRE DEPT DONATION FUND					
Revenue	46.20	1,333.28	3,491.58	2,158.30	2,000.00
Expense	0.00	8,933.28	38,300.62	-29,367.34	13,400.00
Total Fund: 156 - FIRE DEPT DONATION FUND:	46.20	-7,600.00	-34,809.04	-27,209.04	-11,400.00

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Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 157 - FIRE DEPT GRANTS					
Revenue	3.63	40.00	30.55	-9.45	60.00
Total Fund: 157 - FIRE DEPT GRANTS:	3.63	40.00	30.55	-9.45	60.00
Fund: 160 - ECONOMIC DEVELOPMENT GIFT					
Revenue	39.14	233.28	329.71	96.43	350.00
Total Fund: 160 - ECONOMIC DEVELOPMENT GIFT:	39.14	233.28	329.71	96.43	350.00
Fund: 161 - SURETY DEPOSITS/SUBDIVIDER					
Revenue	8.17	123.28	68.80	-54.48	185.00
Total Fund: 161 - SURETY DEPOSITS/SUBDIVIDER:	8.17	123.28	68.80	-54.48	185.00
Fund: 170 - LIBRARY DONATION FUND					
Revenue	1,342.23	54,849.92	23,920.18	-30,929.74	82,275.00
Expense	767.41	63,143.76	12,386.17	50,757.59	94,740.00
Total Fund: 170 - LIBRARY DONATION FUND:	574.82	-8,293.84	11,534.01	19,827.85	-12,465.00
Fund: 177 - SEIZED ASSETS (POLICE)					
Revenue	32.90	2,165.84	6,666.71	4,500.87	3,250.00
Expense	0.00	2,665.84	12,263.55	-9,597.71	4,000.00
Total Fund: 177 - SEIZED ASSETS (POLICE):	32.90	-500.00	-5,596.84	-5,096.84	-750.00
Fund: 179 - OTHER COMM AND ECON DEVELOPMENT					
Revenue	58.29	0.00	491.00	491.00	0.00
Total Fund: 179 - OTHER COMM AND ECON DEVELOPMENT:	58.29	0.00	491.00	491.00	0.00
Fund: 180 - HOUSING GRANTS					
Revenue	20.49	200.00	172.64	-27.36	300.00
Total Fund: 180 - HOUSING GRANTS:	20.49	200.00	172.64	-27.36	300.00
Fund: 184 - VOUCHERS - 002, 003					
Revenue	107,555.71	719,511.92	828,224.20	108,712.28	1,079,630.00
Expense	102,629.81	723,866.88	815,250.85	-91,383.97	1,086,217.45
Total Fund: 184 - VOUCHERS - 002, 003:	4,925.90	-4,354.96	12,973.35	17,328.31	-6,587.45
Fund: 189 - #6 HUD LEAD GRANT					
Revenue	100.00	1,070,361.28	340,982.45	-729,378.83	1,605,541.99
Expense	19,150.67	1,069,973.28	366,627.84	703,345.44	1,605,541.99
Total Fund: 189 - #6 HUD LEAD GRANT:	-19,050.67	388.00	-25,645.39	-26,033.39	0.00
Fund: 200 - GO BONDS DEBT FUND					
Revenue	7,189.81	2,851,255.20	2,657,728.21	-193,526.99	4,276,883.00
Expense	0.00	2,830,995.28	408,192.00	2,422,803.28	4,246,493.00
Total Fund: 200 - GO BONDS DEBT FUND:	7,189.81	20,259.92	2,249,536.21	2,229,276.29	30,390.00
Fund: 300 - CIP COLLECTION FUND					
Revenue	3,751.59	420,220.56	358,701.35	-61,519.21	630,331.00
Expense	0.00	484,594.64	306,320.35	178,274.29	726,892.00

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Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Total Fund: 300 - CIP COLLECTION FUND:	3,751.59	-64,374.08	52,381.00	116,755.08	-96,561.00
Fund: 310 - FEDERAL STREET GRANTS					
Revenue	0.00	0.00	-30.42	-30.42	0.00
Expense	0.00	0.00	40,062.00	-40,062.00	0.00
Total Fund: 310 - FEDERAL STREET GRANTS:	0.00	0.00	-40,092.42	-40,092.42	0.00
Fund: 311 - RISE STREET GRANTS					
Revenue	0.00	3,447,381.04	166,394.64	-3,280,986.40	5,173,141.00
Expense	0.00	3,448,760.64	197,643.64	3,251,117.00	5,173,141.00
Total Fund: 311 - RISE STREET GRANTS:	0.00	-1,379.60	-31,249.00	-29,869.40	0.00
Fund: 312 - AIRPORT PROJECT FUND					
Revenue	234.40	948,746.64	695,440.27	-253,306.37	1,423,120.00
Expense	180,635.98	1,798,120.00	2,082,414.24	-284,294.24	2,697,180.00
Total Fund: 312 - AIRPORT PROJECT FUND:	-180,401.58	-849,373.36	-1,386,973.97	-537,600.61	-1,274,060.00
Fund: 320 - SPECIAL ASSESSMENT PROJECTS					
Revenue	0.00	3,333.28	537.00	-2,796.28	5,000.00
Total Fund: 320 - SPECIAL ASSESSMENT PROJECTS:	0.00	3,333.28	537.00	-2,796.28	5,000.00
Fund: 340 - BIKE PATH PROJECT FUND					
Revenue	0.00	633,333.28	0.00	-633,333.28	950,000.00
Expense	465.60	635,026.56	53,608.62	581,417.94	952,540.00
Total Fund: 340 - BIKE PATH PROJECT FUND:	-465.60	-1,693.28	-53,608.62	-51,915.34	-2,540.00
Fund: 341 - TREES FOREVER PROJECT					
Revenue	8,018.79	6,666.64	22,400.80	15,734.16	10,000.00
Expense	0.00	6,666.64	19,444.40	-12,777.76	10,000.00
Total Fund: 341 - TREES FOREVER PROJECT:	8,018.79	0.00	2,956.40	2,956.40	0.00
Fund: 350 - GO BONDS CAPITAL PROJECTS					
Revenue	6.65	0.00	56.04	56.04	0.00
Total Fund: 350 - GO BONDS CAPITAL PROJECTS:	6.65	0.00	56.04	56.04	0.00
Fund: 354 - POLICE & FIRE STATIONS					
Revenue	441.14	0.00	3,716.07	3,716.07	0.00
Expense	0.00	0.00	5,650.00	-5,650.00	0.00
Total Fund: 354 - POLICE & FIRE STATIONS:	441.14	0.00	-1,933.93	-1,933.93	0.00
Fund: 355 - 2015 GO BONDS (D&D)					
Revenue	0.00	14,666.56	251,761.86	237,095.30	22,000.00
Expense	35,393.00	79,999.12	381,016.09	-301,016.97	120,000.00
Total Fund: 355 - 2015 GO BONDS (D&D):	-35,393.00	-65,332.56	-129,254.23	-63,921.67	-98,000.00
Fund: 360 - 2019 GO BONDS & PROJECTS					
Revenue	1,038.45	6,664.00	12,564.40	5,900.40	10,000.00
Expense	0.00	249,900.00	1,783,154.15	-1,533,254.15	375,000.00

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Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Total Fund: 360 - 2019 GO BONDS & PROJECTS:	1,038.45	-243,236.00	-1,770,589.75	-1,527,353.75	-365,000.00
Fund: 361 - LIBRARY BUILDING ADDITION					
Revenue	1.16	0.00	9.77	9.77	0.00
Total Fund: 361 - LIBRARY BUILDING ADDITION:	1.16	0.00	9.77	9.77	0.00
Fund: 362 - 2020 GO BONDS					
Revenue	528.79	0.00	413,000.83	413,000.83	0.00
Expense	56,960.00	331,333.28	816,709.76	-485,376.48	497,000.00
Total Fund: 362 - 2020 GO BONDS:	-56,431.21	-331,333.28	-403,708.93	-72,375.65	-497,000.00
Fund: 363 - 2021 GO BONDS					
Revenue	6,745.34	0.00	9,551,722.50	9,551,722.50	0.00
Expense	59,695.50	0.00	334,038.93	-334,038.93	0.00
Total Fund: 363 - 2021 GO BONDS:	-52,950.16	0.00	9,217,683.57	9,217,683.57	0.00
Fund: 381 - 2019 CY STREET,SIDEWALK,PARKING PROJECTS					
Revenue	158.87	0.00	544,395.73	544,395.73	0.00
Expense	3,080.06	0.00	1,074,053.59	-1,074,053.59	0.00
Total Fund: 381 - 2019 CY STREET,SIDEWALK,PARKING PROJECTS:	-2,921.19	0.00	-529,657.86	-529,657.86	0.00
Fund: 383 - COLISEUM REMODEL					
Revenue	0.00	0.00	29,947.49	29,947.49	0.00
Expense	0.00	0.00	29,847.49	-29,847.49	0.00
Total Fund: 383 - COLISEUM REMODEL:	0.00	0.00	100.00	100.00	0.00
Fund: 389 - AMERICAN RESCUE PLAN					
Revenue	0.00	0.00	1,993,589.42	1,993,589.42	0.00
Total Fund: 389 - AMERICAN RESCUE PLAN:	0.00	0.00	1,993,589.42	1,993,589.42	0.00
Fund: 392 - TIF DISTRICT III CAP PROJECTS					
Revenue	5.26	0.00	44.29	44.29	0.00
Total Fund: 392 - TIF DISTRICT III CAP PROJECTS:	5.26	0.00	44.29	44.29	0.00
Fund: 395 - ECONOMIC DEVELOPMENT PROJECT FUND					
Revenue	0.00	0.00	1,204,679.11	1,204,679.11	0.00
Expense	5,274.50	0.00	1,217,510.91	-1,217,510.91	0.00
Total Fund: 395 - ECONOMIC DEVELOPMENT PROJECT FUND:	-5,274.50	0.00	-12,831.80	-12,831.80	0.00
Fund: 610 - WATER POLLUTION CONTROL					
Revenue	211,376.65	4,920,171.92	3,612,999.23	-1,307,172.69	7,380,257.88
Expense	195,012.65	4,919,682.56	3,612,981.23	1,306,701.33	7,380,257.88
Total Fund: 610 - WATER POLLUTION CONTROL:	16,364.00	489.36	18.00	-471.36	0.00
Fund: 611 - WPCP REVENUE					
Revenue	692,674.38	5,188,197.12	5,499,533.74	311,336.62	7,782,296.00
Expense	211,376.65	5,020,131.92	3,737,821.67	1,282,310.25	7,530,257.88
Total Fund: 611 - WPCP REVENUE:	481,297.73	168,065.20	1,761,712.07	1,593,646.87	252,038.12

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Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 612 - WPCP REVENUE BOND FUND					
Revenue	0.00	99,960.00	659,029.96	559,069.96	150,000.00
Expense	0.00	100,000.00	660,192.10	-560,192.10	150,000.00
Total Fund: 612 - WPCP REVENUE BOND FUND:	0.00	-40.00	-1,162.14	-1,122.14	0.00
Fund: 614 - WPCP CAPITAL IMPROVEMENT RSRV					
Revenue	798.02	16,666.64	6,722.46	-9,944.18	25,000.00
Total Fund: 614 - WPCP CAPITAL IMPROVEMENT RSRV:	798.02	16,666.64	6,722.46	-9,944.18	25,000.00
Fund: 615 - WPCP PLANT & IMPROVEMENTS					
Revenue	0.00	0.00	125,005.50	125,005.50	0.00
Expense	0.00	0.00	155,770.50	-155,770.50	0.00
Total Fund: 615 - WPCP PLANT & IMPROVEMENTS:	0.00	0.00	-30,765.00	-30,765.00	0.00
Fund: 616 - SANITARY SEWER REHAB PROJECT					
Expense	0.00	0.00	775.00	-775.00	0.00
Total Fund: 616 - SANITARY SEWER REHAB PROJECT:	0.00	0.00	775.00	-775.00	0.00
Fund: 617 - SANITARY SEWER NEW CONSTRUCTN					
Revenue	115.00	10,333.28	4,412.00	-5,921.28	15,500.00
Expense	0.00	0.00	2,900.00	-2,900.00	0.00
Total Fund: 617 - SANITARY SEWER NEW CONSTRUCTN:	115.00	10,333.28	1,512.00	-8,821.28	15,500.00
Fund: 690 - TRANSIT OPERATING					
Revenue	145,979.80	563,094.32	664,545.11	101,450.79	844,662.00
Expense	67,159.35	580,574.80	515,420.75	65,154.05	871,123.80
Total Fund: 690 - TRANSIT OPERATING:	78,820.45	-17,480.48	149,124.36	166,604.84	-26,461.80
Fund: 740 - STORM SEWER UTILITY					
Revenue	102,503.88	991,333.28	917,723.18	-73,610.10	1,487,000.00
Expense	270,264.45	1,702,085.92	1,686,006.10	16,079.82	2,553,291.15
Total Fund: 740 - STORM SEWER UTILITY:	-167,760.57	-710,752.64	-768,282.92	-57,530.28	-1,066,291.15
Fund: 741 - 2016 GO STORM WATER PROJ					
Revenue	977.55	842,863.60	11,341.53	-831,522.07	1,264,295.51
Expense	0.00	2,902,300.00	1,685,141.21	1,217,158.79	4,353,450.00
Total Fund: 741 - 2016 GO STORM WATER PROJ:	977.55	-2,059,436.40	-1,673,799.68	385,636.72	-3,089,154.49
Fund: 750 - COMPOSTING FACILITY					
Revenue	87.52	40,033.04	69,802.71	29,769.67	60,050.00
Expense	66.35	42,697.12	50,055.57	-7,358.45	64,071.99
Total Fund: 750 - COMPOSTING FACILITY:	21.17	-2,664.08	19,747.14	22,411.22	-4,021.99
Fund: 760 - P&R CONCESSIONS ENTERPRISE					
Revenue	0.00	27,333.28	20,123.32	-7,209.96	41,000.00
Expense	0.00	23,720.64	32,636.85	-8,916.21	35,586.65
Total Fund: 760 - P&R CONCESSIONS ENTERPRISE:	0.00	3,612.64	-12,513.53	-16,126.17	5,413.35

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Account Typ...	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
Fund: 881 - OCCUPATIONAL INSURANCE ESCROW					
Revenue	11,334.76	0.00	97,561.65	97,561.65	0.00
Expense	14,264.06	0.00	80,762.75	-80,762.75	0.00
Total Fund: 881 - OCCUPATIONAL INSURANCE ESCROW:	-2,929.30	0.00	16,798.90	16,798.90	0.00
Fund: 884 - GROUP HEALTH INSURANCE ESCROW					
Revenue	241,409.12	0.00	1,858,393.89	1,858,393.89	0.00
Expense	204,887.63	0.00	2,348,477.04	-2,348,477.04	0.00
Total Fund: 884 - GROUP HEALTH INSURANCE ESCROW:	36,521.49	0.00	-490,083.15	-490,083.15	0.00
Fund: 886 - WORKMAN'S COMP DEDUCTIBLE FUND					
Revenue	26.42	0.00	224.56	224.56	0.00
Expense	0.00	0.00	637.24	-637.24	0.00
Total Fund: 886 - WORKMAN'S COMP DEDUCTIBLE FUND:	26.42	0.00	-412.68	-412.68	0.00
Fund: 910 - POLICE PENSION - T & A					
Revenue	0.00	0.00	6,136.27	6,136.27	0.00
Expense	876.61	0.00	7,889.49	-7,889.49	0.00
Total Fund: 910 - POLICE PENSION - T & A:	-876.61	0.00	-1,753.22	-1,753.22	0.00
Fund: 913 - 911 COMMISION					
Revenue	82,039.91	0.00	678,176.40	678,176.40	0.00
Expense	69,929.17	0.00	673,841.92	-673,841.92	0.00
Total Fund: 913 - 911 COMMISION:	12,110.74	0.00	4,334.48	4,334.48	0.00
Report Total:	-539,037.52	-4,092,826.32	7,717,352.23	11,810,178.55	-6,142,092.76

Fund Summary

Fund	February Activity	YTD Budget	YTD Activity	Variance Favorable (Unfavorable)	Total Budget
001 - GENERAL FUND	-969,523.44	-88,260.08	-1,580,357.51	-1,492,097.43	-137,193.46
010 - CASH FLOW RESERVE FUND	1,823.41	96,015.28	15,360.19	-80,655.09	144,023.00
030 - CAPITAL RESERVE	-2,718.00	131.12	-11,134.39	-11,265.51	0.00
031 - CAPITAL RSRV-BLDG MAINT	242.48	-118,118.96	-10,181.69	107,937.27	-177,250.00
032 - CIP LARGE VEHICLE/EQUIPMI	0.00	72,047.12	110,377.15	38,330.03	108,114.00
110 - ROAD USE TAX	261,564.30	-910,102.96	643,083.87	1,553,186.83	-1,365,927.03
112 - EMPLOYEE BENEFITS FUND	15,326.71	48,039.84	321,351.98	273,312.14	72,060.00
117 - POLICE/FIRE RETIREMENT	7,368.71	18,159.92	117,041.31	98,881.39	27,240.00
119 - EMERGENCY FUND	1,351.87	-0.08	2,607.73	2,607.81	0.00
121 - LOCAL OPTION SALES TAX	-5,137.49	-772,254.80	610,419.86	1,382,674.66	-1,158,444.00
125 - TAX INCREMENT FINANCING	-29,616.94	133,980.00	290,310.87	156,330.87	200,970.00
126 - TIF-LMI	-27,044.99	6.64	-26,892.99	-26,899.63	10.00
130 - CITY TORT LIABILITY	-174,759.54	-113,623.60	-420,474.64	-306,851.04	-170,500.00
132 - GRANTS-STATE/LOCAL AGEN	117,249.00	39,024.32	-213,471.78	-252,496.10	58,536.50
133 - UNDESIGNATED FEDERAL GR	-1,123.07	0.00	-6,482.71	-6,482.71	0.00
140 - PARK & REC DONATION FUNI	-949.27	-2,666.56	56,256.82	58,923.38	-4,000.00
141 - MTOWN TENNIS ASSOC	2.06	13.28	17.34	4.06	20.00
142 - SOFTBALL ASSOCIATION FUN	-81.22	52.64	-18,254.18	-18,306.82	50.00
144 - LIVE HEALTHY IOWA	4.47	97.76	1,022.65	924.89	148.88
145 - TORNADO GENERAL	137,950.69	0.00	137,951.68	137,951.68	0.00
147 - FEMA DEMO	0.00	-414,834.00	0.00	414,834.00	-622,500.00
148 - FEMA-COVID19	-414.99	0.00	5,567.93	5,567.93	0.00
149 - FEMA - WINDS	-2,832.20	2,073,996.64	-339,377.31	-2,413,373.95	3,114,260.00
150 - LOCAL PD GRANTS	143.00	796.96	-25,838.75	-26,635.71	1,195.76
151 - DEPT OF JUSTICE GRANTS	-2,427.50	3.60	-7,331.93	-7,335.53	0.00
152 - POLICE UNDESIGNATED GRAI	6,192.06	5,929.12	-5,620.55	-11,549.67	8,900.00
153 - POLICE DEPT DONATION FUN	-388.20	-17,159.84	-25,562.79	-8,402.95	-25,750.00
156 - FIRE DEPT DONATION FUND	46.20	-7,600.00	-34,809.04	-27,209.04	-11,400.00
157 - FIRE DEPT GRANTS	3.63	40.00	30.55	-9.45	60.00
160 - ECONOMIC DEVELOPMENT C	39.14	233.28	329.71	96.43	350.00
161 - SURETY DEPOSITS/SUBDIVIDI	8.17	123.28	68.80	-54.48	185.00
170 - LIBRARY DONATION FUND	574.82	-8,293.84	11,534.01	19,827.85	-12,465.00
177 - SEIZED ASSETS (POLICE)	32.90	-500.00	-5,596.84	-5,096.84	-750.00
179 - OTHER COMM AND ECON DE	58.29	0.00	491.00	491.00	0.00
180 - HOUSING GRANTS	20.49	200.00	172.64	-27.36	300.00
184 - VOUCHERS - 002, 003	4,925.90	-4,354.96	12,973.35	17,328.31	-6,587.45
189 - #6 HUD LEAD GRANT	-19,050.67	388.00	-25,645.39	-26,033.39	0.00
200 - GO BONDS DEBT FUND	7,189.81	20,259.92	2,249,536.21	2,229,276.29	30,390.00
300 - CIP COLLECTION FUND	3,751.59	-64,374.08	52,381.00	116,755.08	-96,561.00
310 - FEDERAL STREET GRANTS	0.00	0.00	-40,092.42	-40,092.42	0.00

Monthly Budget Report - Marshalltown
For Fiscal: Current Period Ending: 02/28/2022

311 - RISE STREET GRANTS	0.00	-1,379.60	-31,249.00	-29,869.40	0.00
312 - AIRPORT PROJECT FUND	-180,401.58	-849,373.36	-1,386,973.97	-537,600.61	-1,274,060.00
320 - SPECIAL ASSESSMENT PROJEC	0.00	3,333.28	537.00	-2,796.28	5,000.00
340 - BIKE PATH PROJECT FUND	-465.60	-1,693.28	-53,608.62	-51,915.34	-2,540.00
341 - TREES FOREVER PROJECT	8,018.79	0.00	2,956.40	2,956.40	0.00
350 - GO BONDS CAPITAL PROJECT	6.65	0.00	56.04	56.04	0.00
354 - POLICE & FIRE STATIONS	441.14	0.00	-1,933.93	-1,933.93	0.00
355 - 2015 GO BONDS (D&D)	-35,393.00	-65,332.56	-129,254.23	-63,921.67	-98,000.00
360 - 2019 GO BONDS & PROJECTS	1,038.45	-243,236.00	-1,770,589.75	-1,527,353.75	-365,000.00
361 - LIBRARY BUILDING ADDITION	1.16	0.00	9.77	9.77	0.00
362 - 2020 GO BONDS	-56,431.21	-331,333.28	-403,708.93	-72,375.65	-497,000.00
363 - 2021 GO BONDS	-52,950.16	0.00	9,217,683.57	9,217,683.57	0.00
381 - 2019 CY STREET,SIDEWALK,P	-2,921.19	0.00	-529,657.86	-529,657.86	0.00
383 - COLISEUM REMODEL	0.00	0.00	100.00	100.00	0.00
389 - AMERICAN RESCUE PLAN	0.00	0.00	1,993,589.42	1,993,589.42	0.00
392 - TIF DISTRICT III CAP PROJECT	5.26	0.00	44.29	44.29	0.00
395 - ECONOMIC DEVELOPMENT P	-5,274.50	0.00	-12,831.80	-12,831.80	0.00
610 - WATER POLLUTION CONTROL	16,364.00	489.36	18.00	-471.36	0.00
611 - WPCP REVENUE	481,297.73	168,065.20	1,761,712.07	1,593,646.87	252,038.12
612 - WPCP REVENUE BOND FUND	0.00	-40.00	-1,162.14	-1,122.14	0.00
614 - WPCP CAPITAL IMPROVEMENT	798.02	16,666.64	6,722.46	-9,944.18	25,000.00
615 - WPCP PLANT & IMPROVEMENT	0.00	0.00	-30,765.00	-30,765.00	0.00
616 - SANITARY SEWER REHAB PRC	0.00	0.00	-775.00	-775.00	0.00
617 - SANITARY SEWER NEW CONS	115.00	10,333.28	1,512.00	-8,821.28	15,500.00
690 - TRANSIT OPERATING	78,820.45	-17,480.48	149,124.36	166,604.84	-26,461.80
740 - STORM SEWER UTILITY	-167,760.57	-710,752.64	-768,282.92	-57,530.28	-1,066,291.15
741 - 2016 GO STORM WATER PRC	977.55	-2,059,436.40	-1,673,799.68	385,636.72	-3,089,154.49
750 - COMPOSTING FACILITY	21.17	-2,664.08	19,747.14	22,411.22	-4,021.99
760 - P&R CONCESSIONS ENTERPR	0.00	3,612.64	-12,513.53	-16,126.17	5,413.35
881 - OCCUPATIONAL INSURANCE	-2,929.30	0.00	16,798.90	16,798.90	0.00
884 - GROUP HEALTH INSURANCE I	36,521.49	0.00	-490,083.15	-490,083.15	0.00
886 - WORKMAN'S COMP DEDUCT	26.42	0.00	-412.68	-412.68	0.00
910 - POLICE PENSION - T & A	-876.61	0.00	-1,753.22	-1,753.22	0.00
913 - 911 COMMISSION	12,110.74	0.00	4,334.48	4,334.48	0.00
Report Total:	-539,037.52	-4,092,826.32	7,717,352.23	11,810,178.55	-6,142,092.76

**RESOLUTION APPROVING \$5,000 TO THE MARSHALLTOWN 4TH OF JULY
FIREWORKS CELEBRATION FOR THE PURCHASE OF FIREWORKS**

WHEREAS, the Marshalltown hosts a 4th of July festival annually which provides fun, safe activities for the residents of Marshalltown and surrounding communities; and

WHEREAS, the 4th of July Fireworks Committee has requested the City of Marshalltown provide financial support for the annual fireworks display.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that \$5,000 in Council-Designated Local Option Sales Tax is hereby approved to support the purchase of fireworks for the annual 4th of July community celebration.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

**RESOLUTION SUPPORTING AN AARP COMMUNITY CHALLENGE GRANT FOR
DISPLAY CASES FOR THE VETERANS GALLERY AND COMMITTING LOCAL
OPTION SALES TAX AS THE LOCAL MATCH**

WHEREAS, AARP is taking grant applications for community projects which can be implemented in a matter of months as part of their Community Challenge Grant program; and

WHEREAS, the Veterans Gallery in the Veterans Memorial Coliseum has an open project to install five cabinets to display memorabilia and military-related items from the Marshall County Historical Society; and

WHEREAS, this project is estimated to cost \$44,000 for the purchase and installation of the cabinets.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, City staff is authorized to submit grant application to the AARP Community Challenge grant for \$25,000; and

BE IT FURTHER RESOLVED, that if awarded, the local match of \$19,000 is to be provided from Council-designated Local Option Sales Tax.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

MARSHALLTOWN

— I O W A —

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Jessica Kinser, City Administrator
Date: March 22, 2022
RE: AARP Challenge Grant

Policy Issue: Council is required to authorize all uses of Council-designated LOST

Recommendation: To approve the resolution

Background: The Veterans Gallery in the Coliseum remains unfinished, as there are five cabinets to be ordered and installed in the five nooks. The purpose of the cabinets will be to display military items and artifacts currently held by the Marshall County Historical Society on a rotating basis, focusing on equally representing the five branches of the military. Vic Hellberg and Steve Storjohann, the fundraising co-chairs have secured a quote for \$44,000 from a local carpenter to build five large (more than 9 feet tall and five feet wide) cabinets to display the materials.

The AARP Community Challenge grant is a grant to complete a project in a matter of 5 months that supports the 50 plus population. This project matches the grant requirements and can be completed in this amount of time. The AARP grant application is for \$25,000, meaning local funds of \$19,000 are needed to complete this project. The resolution is to dedicate the match from Council-designated Local Option Sales Tax.

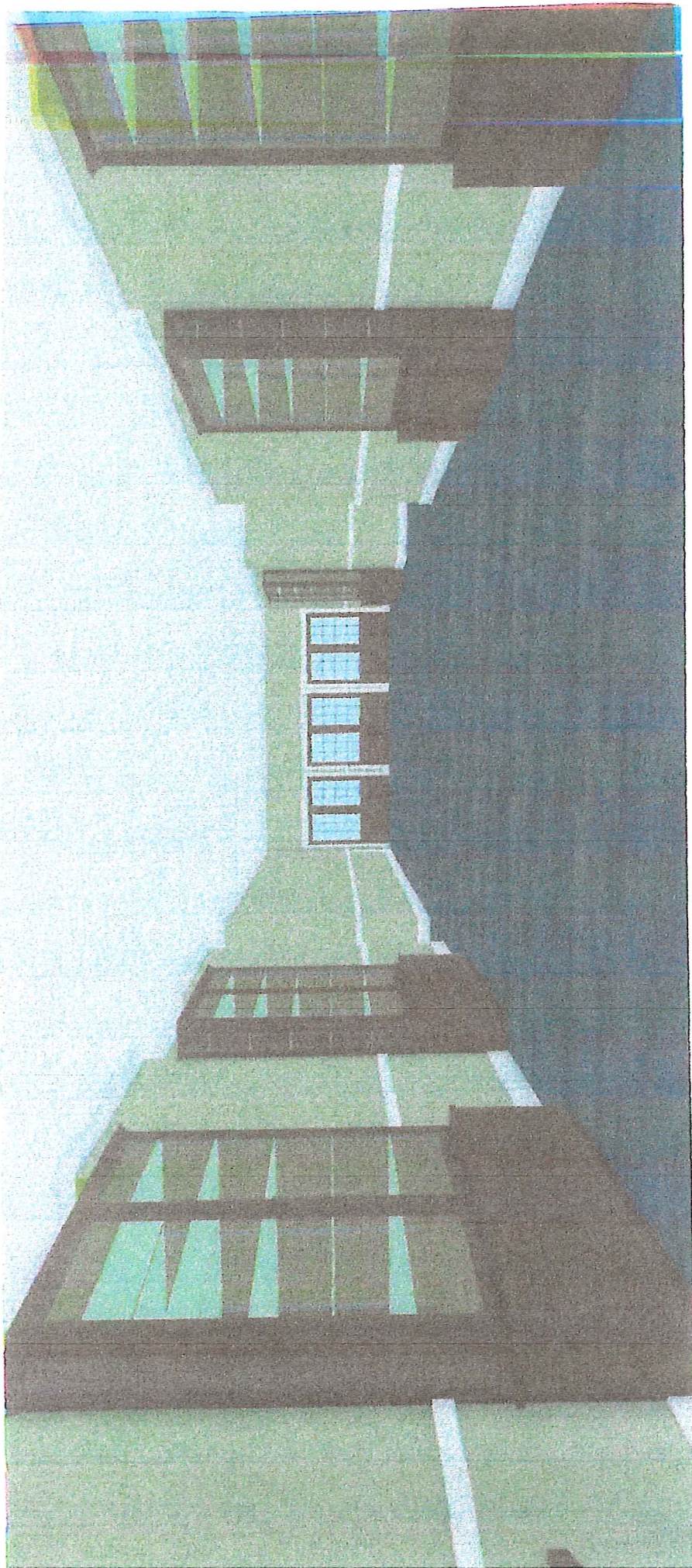
Budget Impact: If a \$25,000 grant is awarded, \$19,000 in local funds are needed to complete the project. If the grant is not awarded, the request for funding will come back as an item.

Attachment: Picture concept of cabinets

City Council

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker





VIEW FROM FRONT DOORS

**RESOLUTION APPROVING CONTRACT CHANGE ORDER #1 FOR THE
CREEKSIDE ESTATES PROJECT #ECO21006, A DECREASE OF \$27,140.75**

WHEREAS, the City of Marshalltown, Iowa, has heretofore entered into a contract with Con-Struct, Inc., for the labor and material for the Creekside Estates Project #ECO21006; and

WHEREAS, a decrease is requested for items to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the contract Change Order #1 for the Creekside Estates Project, in the decreased amount of \$27,140.75 is hereby accepted and approved.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701
Fax - (641) 754-5717

March 28, 2022

To: Mayor Joel Greer
Members of the City Council

From: Heather Thomas, P.E.
Public Works Director

Re: ECO 21-006, Creekside Estates Addition – Authorization for Change Order #1 in the amount of –\$27,140.75 (deduct).

Policy Issue: City purchasing policy requires City Council to approve change orders that exceed an aggregate amount of \$25,000 on all public improvement projects.

Recommendation: Staff recommends approving Change Order #1.

Background: Prime Development Group and the Legion ultimately did not come to an agreement for the storm water retention structure to be located on the Legion property, as bid. The Engineers (ISG) revised the design and will be providing on-site storm water detention to meet City requirements. This change order represents the quantity changes associated with that design revision. Most all of the decrease is out of the “Private” portion of the project, lessening the Developer’s cost.

<u>Project Cost Summary:</u>		<i>Public Share / Private Share</i>
Total (As Bid)	\$ 684,161.75	\$464,652.00 / \$219,509.75
CO#1 (Proposed)	\$ -27,140.75	\$ -1,777.25 / \$ -25,363.50
Revised Total	\$ 657,021.00	\$462,874.75 / \$194,146.25

Budget Impact: There is no increase in City funds associated with this Change Order.

Attachments: ECO 21-006 Change Order #1.

cc: Jessica Kinser, City Administrator

j:\prj\projects by year\2021\eco21006 creekside estates street construction\progress payments and change orders\memo_eco 21-006_co1_2022 03 28.docx

City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



CHANGE ORDER NO.: 1

Owner:	City of Marshalltown	Owner's Project No.:	ECO21-006
Engineer:	ISG Archirtektural and Engineering	Engineer's Project No.:	ECO21-006
Contractor:	ConStruct, Inc	Contractor's Project No.:	ECO21-006
Project:	Creeside Estates Addition		
Contract Name:	Altenate Bid Schedule		
Date Issued:	March 18, 2022	Effective Date of Change Order:	March 24, 2022

The Contract is modified as follows upon execution of this Change Order:

Description:

This change order addresses changes in the contract due to redesign to eliminate holding pond on golf course property. The change order has several price changes that have been prorated to reflect public participation. These items are detailed on the attached sheets.

Attachments:

Change Order Summary

Change in Contract Price	Change in Contract Times [State Contract Times as either a specific date or a number of days]
Original Contract Price: \$ 684,161.75	Original Contract Times: Substantial Completion: October 1, 2022 Ready for final payment: November 1, 2022
Previous Change Order Prices: [Increase] [Decrease] from previously approved Change Orders No. 1 to No. 0: \$ 0.00	Previous Change Order Completion Changes: [Increase] [Decrease] from previously approved Change Orders No.1 to No.0: Substantial Completion: No Change Ready for final payment: No Change
Contract Price prior to this Change Order: \$ 684,161.75	Contract Times prior to this Change Order: Substantial Completion: October 1, 2022 Ready for final payment: November 1, 2022
[Increase] [Decrease] this Change Order: \$ (27,140.75)	[Increase] [Decrease] this Change Order: Substantial Completion: No Change Ready for final payment: No Change
Contract Price incorporating this Change Order: \$ 657,021.00	Contract Times with all approved Change Orders: Substantial Completion: October 1, 2022 Ready for final payment: November 1, 2022

Recommended by Engineer

By: Jay C. Koch
Title: Civil Engineer II
Date: 3/22/22

Authorized by Owner

By: _____
Title: Public Works Director
Date: _____

Accepted by Contractor

By: [Signature]
Title: U.P.
Date: 3/22/22

Approved by Funding Agency (if applicable)

By: _____
Title: _____
Date: _____

Owner: City of Marshalltown
Engineer: ISG Archirtectural and Engineering
Contractor: ConStruct, Inc
Project: Creekside Estates Addition
Contract: Altenate Bid Schedule
CHANGE ORDER NO.: 1

Owner's Project No.: ECO21-006
Engineer's Project No.: ECO21-006
Contractor's Project No.: ECO21-006

Bid Item Number, Description and Unit			Summary of Original Bid Quantities and Costs							Summary of Change Order Quantities and Costs							Value of Changes to Date		
Bid Item No.	Description	Units	Original Item Quantity Public	Original Item Quantity Private	Original Total Item Quantity	Original Unit Price	Original Total Public Costs	Original Total Private Costs	Original Total Costs of Bid Items	Item Quantity Public	Item Quantity Private	Total Item Quantity	Unit Price (\$)	Total Public Costs	Total Private Costs	Total Costs of Bid Item	Value of Public Work Changes to Date	Value of Private Work Changes to Date	Value of Work Changes to Date
1	SOIL QUALITY RESTORATION	AC	0.00	1.22	1.22	\$8,000.00	\$0.00	\$9,760.00	\$9,760.00	0.00	1.45	1.45	\$8,000.00	\$0.00	\$11,600.00	\$11,600.00	\$0.00	\$1,840.00	\$1,840.00
2	EXCAVATION, CLASS 10	CY	7000.00	9785.00	16785	\$3.75	\$26,250.00	\$36,693.75	\$62,943.75	7000.00	4413.00	11413	\$3.75	\$26,250.00	\$16,548.75	\$42,798.75	\$0.00	-\$20,145.00	-\$20,145.00
10	STORM SEWER, TRENCHED, RCP, 2000D, 24"	LF	156.00	0.00	156	\$85.00	\$13,260.00	\$0.00	\$13,260.00	135.00	0.00	135	\$85.00	\$11,475.00	\$0.00	\$11,475.00	-\$1,785.00	\$0.00	-\$1,785.00
29	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, TYPE 1 MIX	AC	0.57	4.56	5.13	\$4,200.00	\$2,394.00	\$19,152.00	\$21,546.00	0.532	4.208	4.74	\$4,500.00	\$2,394.00	\$18,936.00	\$21,330.00	\$0.00	-\$216.00	-\$216.00
30	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, DETENTION BASIN	AC	0.00	0.15	0.15	\$8,900.00	\$0.00	\$1,335.00	\$1,335.00	0.00	0.00	0.00	\$8,900.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$1,335.00	-\$1,335.00
31	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, NO MOW FESCUE	AC	0.00	0.36	0.36	\$4,000.00	\$0.00	\$1,440.00	\$1,440.00	0.00	0.00	0.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$1,440.00	-\$1,440.00
32	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, DRY SAND PRAIRE	AC	0.00	0.46	0.46	\$3,800.00	\$0.00	\$1,748.00	\$1,748.00	0.00	0.49	0.49	\$3,900.00	\$0.00	\$1,911.00	\$1,911.00	\$0.00	\$163.00	\$163.00
33	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, GOLF COURSE MIX	AC	0.00	0.25	0.25	\$8,900.00	\$0.00	\$2,225.00	\$2,225.00	0.00	0.02	0.02	\$100,000.00	\$0.00	\$2,000.00	\$2,000.00	\$0.00	-\$225.00	-\$225.00
35	ROLLED EROSION CONTROL PRODUCT	SY	1750.00	1970.00	3720	\$1.85	\$3,237.50	\$3,644.50	\$6,882.00	1620.00	1015.00	2635	\$2.00	\$3,240.00	\$2,030.00	\$5,270.00	\$2.50	-\$1,614.50	-\$1,612.00
36	WATTLES, STRAW 12"	LF	1145.00	160.00	1305	\$3.50	\$4,007.50	\$560.00	\$4,567.50	1069.00	206.00	1275	\$3.75	\$4,008.75	\$772.50	\$4,781.25	\$1.25	\$212.50	\$213.75
37	RIPRAP, CLASS E REVETMENT	TN	40.00	80.00	120	\$65.00	\$2,600.00	\$5,200.00	\$7,800.00	40.00	0.00	40	\$65.00	\$2,600.00	\$0.00	\$2,600.00	\$0.00	-\$5,200.00	-\$5,200.00
38	EROSION STONE	TN	0.00	325.00	325	\$60.00	\$0.00	\$19,500.00	\$19,500.00	0.00	90.00	90	\$60.00	\$0.00	\$5,400.00	\$5,400.00	\$0.00	-\$14,100.00	-\$14,100.00
39	SILT FENCE INSTALLATION	LF	400.00	781.00	1181	\$2.50	\$1,000.00	\$1,952.50	\$2,952.50	400.00	819.00	1219	\$2.50	\$1,000.00	\$2,047.50	\$3,047.50	\$0.00	\$95.00	\$95.00
40	SILT FENCE, CLEANOUT	LF	400.00	781.00	1181	\$1.00	\$400.00	\$781.00	\$1,181.00	400.00	819.00	1219	\$1.00	\$400.00	\$819.00	\$1,219.00	\$0.00	\$38.00	\$38.00
41	SILT FENCE, REMOVAL	LF	400.00	781.00	1181	\$1.00	\$400.00	\$781.00	\$1,181.00	400.00	819.00	1219	\$1.00	\$400.00	\$819.00	\$1,219.00	\$0.00	\$38.00	\$38.00
42	STABILIZED CONSTRUCTION ENTRANCE	TN	20.00	20.00	40	\$40.00	\$800.00	\$800.00	\$1,600.00	20.00	20.00	40	\$40.00	\$800.00	\$800.00	\$1,600.00	\$0.00	\$0.00	\$0.00
43	TURF REINFORCEMENT MAT	SY	61.00	47.00	108	\$131.00	\$7,991.00	\$6,157.00	\$14,148.00	53.30	27.70	81	\$150.00	\$7,995.00	\$4,155.00	\$12,150.00	\$4.00	-\$2,002.00	-\$1,998.00
44	INLET PROTECTION DEVICE	EA	5.00	0.00	5	\$450.00	\$2,250.00	\$0.00	\$2,250.00	5.00	0.00	5	\$450.00	\$2,250.00	\$0.00	\$2,250.00	\$0.00	\$0.00	\$0.00
45	TEMPORARY POND OUTLET DEVICE	LS	0.00	1.00	1	\$2,000.00	\$0.00	\$2,000.00	\$2,000.00	0.00	0.00	0	\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$2,000.00	-\$2,000.00
46	REMOVAL OF FENCE	LF	0.00	1140.00	1140	\$2.00	\$0.00	\$2,280.00	\$2,280.00	0.00	1100.00	1100	\$2.00	\$0.00	\$2,200.00	\$2,200.00	\$0.00	-\$80.00	-\$80.00
CO-51	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, BIOSWALE	AC								0.00	0.11	0	\$16,500.00	\$0.00	\$1,815.00	\$1,815.00	\$0.00	\$1,815.00	\$1,815.00
CO-52	SEEDING, FERTILIZING AND MULCHING, HYDRAULIC, SHORT DETENTION BASIN	AC								0.00	0.85	1	\$6,050.00	\$0.00	\$5,142.50	\$5,142.50	\$0.00	\$5,142.50	\$5,142.50
CO-53	STORM SEWER, TRENCHED, PVC OR HDPE	LF								0.00	43.00	43	\$50.00	\$0.00	\$2,150.00	\$2,150.00	\$0.00	\$2,150.00	\$2,150.00
CO-54	BIOSWALE	CY								0.00	115.00	115	\$100.00	\$0.00	\$11,500.00	\$11,500.00	\$0.00	\$11,500.00	\$11,500.00
			Total Alternate Bid W/O Change Order				\$464,652.00	\$219,509.75	\$684,161.75	Total Alternate Bid W/Change Order				\$462,874.75	\$194,146.25	\$657,021.00	-\$1,777.25	-\$25,363.50	-\$27,140.75

RESOLUTION APPROVING ARTICLE 20 OF THE AGREEMENT BETWEEN THE CITY OF MARSHALLTOWN AND THE MARSHALLTOWN ENGINEERING DIVISION, SEWER DIVISION, STREET DIVISION, AND UTILITY DIVISION OF THE PUBLIC WORKS DEPARTMENT; PUBLIC, PROFESSIONAL AND MAINTENANCE EMPLOYEES LOCAL NO. 2003, IUPAT

WHEREAS, the City of Marshalltown has negotiated Article 20 of an Employment Agreement with Local Union No. 2003, concerning July 1, 2022 wages; and

WHEREAS, the Council has fully examined the same and has found same to be in the best interests of the City of Marshalltown, Iowa, and that same should now be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. That the Agreement by and between the City of Marshalltown, Iowa and Marshalltown Engineering Division, Sewer Division, Street Division, and Utility Division of the Public Works Department Public, Professional and Maintenance Employees Local No. 2003, IUPAT for collective bargaining of Article 20, effective July 1, 2022 through June 30, 2023, is hereby approved in all respects and particulars and the Mayor and City Clerk are hereby authorized and directed to execute same for and on behalf of said City.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

**RESOLUTION APPROVING THE PURCHASE OF 309 WEST BOONE STREET,
MARSHALLTOWN, IOWA**

WHEREAS, the City of Marshalltown has established a Dangerous and Dilapidated Building Program to target properties that create safety and aesthetic issues for neighborhoods; and

WHEREAS, the residential structure at 309 West Boone Street experienced a fire in August 2021, which resulted in significant damage; and

WHEREAS, the owner of 309 West Boone Street is unable to repair or demolish the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, the Mayor, City Clerk and City Administrator are authorized to execute the documents necessary to complete the purchase of 309 West Boone Street; and

BE IT FURTHER RESOLVED, the funding for the purchase is to come from the Dangerous and Dilapidated Building Fund.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



OFFER TO BUY REAL ESTATE AND ACCEPTANCE

TO: Gaston B. Feras, (Sellers):

1. REAL ESTATE DESCRIPTION. The Buyers offer to buy real estate in Marshall County, Iowa, described as follows:

The East 60 feet of the West 120 feet of Lot 7 in Block 7 in Rice's Addition to Marshall, Marshall County, Iowa.

(locally known as 309 W. Boone Street, Marshalltown, Iowa)

with any easements and appurtenant servient estates, but subject to the following: a. any zoning and other ordinances; b. any covenants of record; c. any easements of record for public utilities, roads and highways; and d. (consider: liens, mineral rights; other easements; interests of others.) _____

designated the Real Estate; provided Buyers, on possession, are permitted to make the following use of the Real Estate: Any Lawful Use.

2. PRICE. The purchase price shall be \$2,000.00, payable at the time of closing as follows:
The entire purchase price shall be paid upon delivery of a Warranty Deed from Seller and spouse, if any, at time of closing.

3. REAL ESTATE TAXES. Sellers shall pay all real estate taxes which are due and payable in fiscal year July 01, 2021 through June 30, 2022, and any late payment penalties, and any unpaid real estate taxes payable in prior years. Buyers shall pay all subsequent real estate taxes. Any taxes required to be paid by the Seller may be deducted from the purchase price.

4. SPECIAL ASSESSMENTS.

A. Sellers shall pay all special assessments which are a lien on the Real Estate as of the date of acceptance of this offer.

~~B. IF A. IS STRICKEN, then Sellers shall pay all installments of special assessments which are a lien on the Real Estate and, if not paid, would become delinquent during the calendar year this offer is accepted, and all prior installments thereof.~~

C. All other special assessments shall be paid by Buyers.

5. RISK OF LOSS AND INSURANCE. Risk of loss prior to Seller's delivery of possession of the Real Estate to Buyers shall be as follows:

A. All risk of loss shall remain with Sellers until possession of the Real Estate shall be delivered to Buyers.

~~B. IF A. IS STRICKEN, Sellers shall maintain \$_____ of fire, windstorm and extended coverage insurance on the Real Estate until possession is given to~~

~~Buyers and shall promptly secure endorsements to the appropriate insurance policies naming Buyers as additional insureds as their interests may appear. Risk of loss from such insured hazards shall be on Buyers after Sellers have performed under this paragraph and notified Buyers of such performance. Buyers, if they desire, may obtain additional insurance to cover such risk.~~

6. CARE AND MAINTENANCE. The Real Estate shall be preserved in its present condition and delivered intact at the time possession is delivered to Buyers, provided, however, if there is loss or destruction of all or any part of the Real Estate from causes covered by the insurance maintained by Sellers, Buyers agree to accept such damaged or destroyed Real Estate together with such insurance proceeds, if any, and Sellers shall not be required to repair or replace same.
7. POSSESSION. If Buyers timely perform all obligations, possession of the Real Estate shall be delivered to Buyers on or before April 20, 2022.
8. FIXTURES. All property that integrally belongs to or is part of the Real Estate, whether attached or detached, such as light fixtures, shades, rods, blinds, awnings, windows, storm doors, screens, plumbing fixtures, water heaters, water softeners, automatic heating equipment, air conditioning equipment, wall to wall carpeting, built-in items and electrical service cable, outside television towers and antenna, fencing, gates and landscaping shall be considered a part of Real Estate and included in the sale except: (consider: rental items.)
NO EXCEPTIONS
9. USE OF PURCHASE PRICE. At time of settlement, funds of the purchase price may be used to pay taxes and other liens and to acquire outstanding interests, if any, of others.
10. ABSTRACT AND TITLE. Buyer, at its expense, may obtain a title search to determine merchantable title in Sellers in conformity with this agreement. Sellers shall pay the costs of any additional title work required to clear title.
11. DEED. Upon payment of the purchase price, SELLERS shall convey the Property to Buyers by Warranty Deed, free and clear of all liens, restrictions, and encumbrances except as provided in this Agreement. General warranties of title shall extend to the time of delivery of the deed excepting liens or encumbrances suffered or permitted by Buyers.
12. JOINT TENANCY IN PROCEEDS AND IN REAL ESTATE. If Sellers, immediately preceding acceptance of this offer, hold title to the Real Estate in joint tenancy with full right of survivorship, and the joint tenancy is not later destroyed by operation of law or by acts of the Sellers, then the proceeds of this sale, and any continuing or recaptured rights of Sellers in the Real Estate, shall belong to Sellers as joint tenants with full rights of survivorship and not as tenants in common; and Buyers, in the event of the death of either Seller, agree to pay any balance of the price due Sellers under this contract to the surviving Seller and to accept a deed from the surviving Seller consistent with paragraph 11.
13. JOINDER BY SELLER'S SPOUSE. Seller's spouse, if not a titleholder immediately preceding acceptance of this offer, executes this contract only for the purpose of relinquishing all rights of dower, homestead and distributive shares or in compliance with Section 561.13 of the Iowa Code and agrees to execute the deed or real estate contract for this purpose.
14. TIME IS OF THE ESSENCE. Time is of the essence in this contract.

15. REMEDIES OF THE PARTIES

A. If Buyers fail to timely perform this contract, Sellers may forfeit it as provided in the Iowa Code, and all payments made shall be forfeited or, at Seller's option, upon thirty days written notice of intention to accelerate the payment of the entire balance because of such failure (during which thirty days such failure is not corrected) Sellers may declare the entire balance immediately due and payable. Thereafter this contract may be foreclosed in equity and the Court may appoint a receiver.

B. If Sellers fail to timely perform this contract, Buyers have the right to have all payments made returned to them.

C. Buyers and Sellers also are entitled to utilize any and all other remedies or actions at law or in equity available to them and shall be entitled to obtain judgment for costs and attorney fees as permitted by law.

16. STATEMENT AS TO LIENS. If Buyers intend to assume or take subject to a lien on the Real Estate, Sellers shall furnish Buyers with a written statement from the holder of such lien, showing the correct balance due.

17. SUBSEQUENT CONTRACT. Any real estate contract executed in performance of this contract shall be on a form of the Iowa State Bar Association.

18. APPROVAL OF COURT. If the sale of the Real Estate is subject to Court approval, the fiduciary shall promptly submit this contract for such approval. If this contract is not so approved, it shall be void.

19. CONTRACT BINDING ON SUCCESSORS IN INTEREST. This contract shall apply to and bind the successors in interest of the parties.

20. CONSTRUCTION. Words and phrases shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

21. CERTIFICATION. Buyers and Sellers each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

22. TIME FOR ACCEPTANCE. If this offer is not accepted by Sellers on or before April 01, 2022, it shall become void and all payments shall be repaid to the Buyers.

23. INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM.

Seller represents and warrants to Buyer that the Property is not served by a private sewage disposal system, and there are no known private sewage disposal systems on the property.

24. OTHER PROVISIONS.

- A. This Offer is for sale "As-Is" without any warranties except as to title.
- B. This Offer is subject to the approval of the Marshalltown City Council.
- C. Buyer agrees to prepare the Warranty Deed.
- D. Seller shall provide Buyer a completed and signed W-9 Form with Seller's forwarding address or a completed 1099-S Affidavit showing no tax due.

Accepted _____, 2022
SELLERS

Dated _____, 2022
BUYERS:
CITY OF MARSHALLTOWN, IOWA

Gaston B. Feras
SS# _____

By: _____
Jessica Kinser,
City Administrator of City of
Marshalltown, Iowa

Address : 309 W. Boone Street,
Marshalltown, IA 50158

Address : 24 N. Center Street,
Marshalltown, IA 50158

Telephone: _____

Telephone: (641) 754-5799

**RESOLUTION AUTHORIZING THE CITY OF MARSHALLTOWN TO SUBMIT A
GRANT APPLICATION TO THE STATE OF IOWA, GOVERNOR'S TRAFFIC
SAFETY BUREAU, STATE AND COMMUNITY HIGHWAY SAFETY GRANT
APPLICATION, CONTRACT PERIOD OCTOBER 1, 2022 – SEPTEMBER 30, 2023**

WHEREAS the City of Marshalltown (hereinafter referred to as the “City”), State of Iowa, is a political subdivision organized and existing under the laws of the State of Iowa and the Constitution of the State of Iowa (the “State”); and

WHEREAS the STATE OF IOWA, GOVERNOR'S TRAFFIC SAFETY BUREAU, STATE AND COMMUNITY HIGHWAY SAFETY, is accepting grant applications for the contract period of October 1, 2022 – September 30, 2023; and

WHEREAS the City intends on applying for this grant; and

WHEREAS the Council has found it to be in the best interests of the City of Marshalltown, Iowa, as there is no financial commitment made by the application for grant funds and that grant applications should be made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Section 1. The City of Marshalltown, Iowa authorizes and directs City staff to apply for grant funding for State and Community Highway Safety activities.

Section 2. The appropriate Department Director or designated staff are authorized and directed to sign on behalf of the City of Marshalltown this application and other necessary documents to effectuate this resolution.

Section 3. The City of Marshalltown, if awarded the grant, accepts the grant from the State of Iowa.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



POLICE DEPARTMENT

Joel Greer, Mayor
Jessica Kinser, City Administrator
Michael W. Tupper, Chief of Police
909 South Second Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5725
Fax - (641) 752-1211

TO: Mayor Joel Greer
Members of the City Council
Jessica Kinser, City Administrator

FROM: Michael W. Tupper
Chief of Police

DATE: 22 March 2022

RE: 2022-2023 Governor's Traffic Safety Bureau LE Highway Safety Grant Application

Policy Issue: City policy requires governing body approval of agreements and state or federal grant applications or awards.

Recommendation: Staff recommends Council approve the attached FFY 2023 Governor's Traffic Safety Bureau (GTSB) Highway Safety Grant application and authorize the Chief of Police to sign and submit all necessary application documents to secure this funding.

Background: The police department has historically received GTSB funding to assist the department in purchasing traffic safety and enforcement equipment and to help offset overtime expenses during traffic enforcement operations. The police department is requesting \$10,000.00 in grant funding to offset overtime expenses in support of traffic safety education and enforcement operations.

Total grant funding requested from GTSB is \$10,000.00.

Budget Impact: If awarded, the City of Marshalltown will receive \$10,000.00 in funding for the aforementioned purposes. There are no match requirements.

Attachment: FFY 2023 Governor's Traffic Safety Bureau Highway Safety Grant application.

CITY COUNCIL

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



Application

447133 - 2023 GTSB LE Highway Safety Grants - Final Application

450874 - FFY2023 Grant Application for Marshalltown Police Department
Governor's Traffic Safety Bureau

Status:	Submitted	Original Submitted Date:	03/08/2022 10:44 AM	Submitted By:	Casee Diane Veren
		Last Submitted Date:	03/13/2022 8:35 AM	Last Submitted By:	Casee Diane Veren

Applicant Information

Primary Contact:

AnA User Id	BCVEREN@IOWAID		
First Name*	Casee First Name	Diane Middle Name	Veren Last Name
Title:			
Email:*	cveren@marshalltown-ia.gov		
Address:*	909 S. 2nd Street		

City*	Marshalltown City	Iowa State/Province	50158 Postal Code/Zip
Phone:*	641-754-5725 Phone	Ext.	
Program Area of Interest*	Governor's Traffic Safety Bureau		
Fax:			

Organization Information

Organization Name:*	Marshalltown Police Department
Organization Type:*	City Government
DUNS:	07-585-2293
Organization Website:	
Address:	909 S 2nd St

Phone:	641-754-5725
---------------	--------------

Fax:

Contractor Information

Project Contractor Information

Type the name of the agency exactly as it will appear in your contract. Do not use all caps or all lower case.

Example: Anytown Police Department

**Project Contractor Name
(Agency or Company)*** Marshalltown Police Department

Mailing Address* 909 S. 2nd Street

City* Marshalltown Iowa 50158

County* Marshall County

Phone Number* 641-754-5725

Fax Number* 641-752-1211

Web Site* www.marshalltown-ia.gov

Contractor Designee

The person listed below will be the individual with authority to sign the contract and supporting documents. Type the name exactly as it will appear in your contract. Do not use all caps or all lower case.

Please enter the title of the contractor designee. Example: Director, Chief, Sheriff, Ms. Mr.

Contractor Designee Name* Casee Veren
First Name Last Name

Title* Sergeant

E-mail Address* cveren@marshalltown-ia.gov

Key Personnel Information

The person(s) listed below will be the individual(s) with authority to sign and/or submit the supporting documents and administer the project. Type the name exactly as it will appear in the contract. Do not use all caps or all lower case.

Please enter the title of the key personnel. Example: Officer, Deputy, Clerk, Ms. Mr.

Key Personnel Name* Michael Tupper
First Name Last Name

Key Personnel Title* Chief

Key Personnel E-mail Address* mtupper@marshalltown-ia.gov

Key Personnel Phone Number 641-754-5725

Additional Key Personnel Information

Does the applicant wish to add another Key Personnel?	Key Personnel	Key Personnel Last Name	Key Personnel	Key Personnel E-mail Address	Key Personnel Phone Number
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Name

Title

Payment Information

Does the applicant participate
in Electronic Funds Transfer
(EFT)?* Yes

Payment Information

The information provided will be used to provide reimbursement payments to the contractor.

Issue Payment To:
(City/County/Sheriff's
Office/Business)* Marshalltown City of

Payment Mailing Address* 24 N Center St

Payment City* Marshalltown Iowa 50158

The person listed below will be the individual who will handle financial issues. Type the name exactly as it will appear in your contract. Do not use all caps or all lower case.

Please enter the title of the financial person. Example: Auditor, Clerk, etc.

Financial Contact Name* Tonya Hudnutt
First Name Last Name

Financial Person Title* Accounting Specialist

Finance Phone Number* 641-754-5760

Finance E-mail* thudnutt@marshalltown-ia.gov

DUNS Number

By April 4, 2022, the Federal government will transition away from the use of the DUNS Number and begin using the new Unique Entity ID as the primary means of entity identification for Federal awards government-wide. The Unique Entity Identifier (UEI) is the new 12-digit alphanumeric identifier that will be provided by SAM.gov registration to all entities who register to do business with the federal government (including existing entities). If the entity is already registered in SAM.gov, a new Unique Entity ID has been assigned, and is viewable in the SAM.gov entity registration record.

To view the UEI, log into SAM.gov, use the search function to find the entity, and enter both the DUNS Number and the UEI into the application. [Click here for an example.](#)

DUNS Number* 07-585-2293

Unique Entity ID* PL3MLMD6SSM7

SAM Verification

Please visit the SAM Website to register the agency and obtain an active status. The city clerk, auditor or finance person should have this information.

[Click here for an active SAM example.](#) Business names on the example are fictitious for privacy. Please do not redact information on the applicant form which gets uploaded.

If further assistance is needed, please call SAM at 1-866-606-8220.

Please upload a pdf of the SAM document showing the DUNS Number and UEI, active status, and expiration date.

SAM Verification* EntityInformation-20220307-112917 1.pdf

Population

Click here for a census example. The yellow highlighted area indicates the population number. The red arrow indicates the source year the data was compiled.

Please input data from the following website: [Census Bureau Website](#).

If the applicant is a city agency, use city population. If the applicant is a county agency, use county population.

Population of county/city* 27591

Year Data Compiled* 2020

Officer Data

Full Time Officers*	41	\$48.62	12
	FT Officers Employed	Avg. OT Rate of Pay	Standard number of hours worked/regular shift If multiple shift hours, use longest shift.
Part Time Officers	0	\$0.00	
	PT Officers Employed	Avg. OT Rate of Pay	Standard number of hours worked/regular shift

Equipment

Patrol Vehicles*	13
	Include both marked and unmarked vehicles.
In-Car Video Cameras*	13
Lidars*	1
Radars*	13
Preliminary Breath Test Devices*	13

New Equipment Request

Is the applicant requesting to purchase equipment in this application?* No

Traffic Data

Provide the traffic crash data in the agency jurisdiction for the previous three calendar years (January 1 - December 31).

Information should be obtained at [Iowa Crash Analysis Tool](#). Click the following links for [ICAT Instructions](#) and [ICAT Website](#). If data is not available for activity/year combination, enter 0.

Total Traffic Crashes *	417	372	461
	CY #1	CY #2	CY #3

Using TraCS or other internal system, provide the enforcement activity for the entire agency for the previous three Federal Fiscal years (October 1 - September 30). Include all citations and warnings for each category.

If data is not available for activity/year combination, enter 0.

Impaired Driving Contacts*	109	117	119
	FFY #1	FFY #2	FFY #3
Occupant Protection Contacts*	117	64	125
	FFY #1	FFY #2	FFY #3
Speed Contacts*	442	471	460
	FFY #1	FFY #2	FFY #3

Provide the level of occupant protection compliance rate for the city or county for the previous three Federal Fiscal years (October 1 - September 30) using the August data.

If previously a 405d (Impaired Driving contract) or data is not available for activity/year combination, enter 0.

The most recent state seat belt and traffic survey results may be found at the GTSB Website

Occupant Protection Compliance Rate*	93.0%	96.0%	94.0%
	FFY #1	FFY #2	FFY #3

Cost Effectiveness

Provide the total number of contacts while working GTSB overtime for each of the previous three Federal Fiscal Years. (October 1 - September 30).

If a sTEP agency, enter the total contacts achieved during the waves for the previous three Federal Fiscal Years.

If data is not available, enter 0.

Total Number of GTSB Contacts*	150	361	474
	FFY #1	FFY #2	FFY #3

Provide the total contract GTSB overtime dollars expended during each of the previous three Federal Fiscal Years. (October 1 - September 30).

If data is not available, enter 0.

Total GTSB <u>Overtime</u> Dollars Expended*	\$3,492.66	\$5,365.05	\$5,268.50
	FFY #1	FFY #2	FFY #3
Cost per contact	\$23.28	\$14.86	\$11.11
	FFY #1	FFY #2	FFY #3

Impaired Driving

Problem Statement: IMPAIRED DRIVING*

Problem statements indicate what the overall issue is to be addressed.

The problem statement should clearly present:

Who? - Older adults, youth, etc.

When? - Is it day, night, weekends, holidays, etc?

Where? - In school districts, on rural roads, in crosswalks, etc.

Why? - Why do these things occur, during these hours, etc.?

Describe the impaired driving issues in the city or county; include geographical traffic issues, traffic flow on highways, populations, statistics regarding impaired driving in the area.

Traffic safety remains a high priority every year in Marshalltown. We look for and enforce all traffic violations and add extra officers to the roadways during special events and holidays for high visibility traffic enforcement. One of our main areas of focus is looking for and stopping impaired drivers. This also includes .02 violations, open container violations, and under age possession of alcohol. The last grant period we had 109 OWI arrested. The OWI arrest numbers were within 10 arrests from the previous two years. In the last year our department has noticed an increase of daytime impaired drivers.

Our response to the new trend was to hold a department wide OWI update training which included all uniformed patrol officers to show proficiency while conducting Standardized Field Sobriety tests.

Goals: IMPAIRED DRIVING*

Goals are multiple broad statements of intent that provide planning, focus and vision addressing the problem statement.

Examples: Reduce impaired driving related crashes in our city/community by 5% from the previous year crashes during the contract year. (89 to 85)

Increase patrol presence in the entertainment district by 10% each month from the previous year. (32 hours to 35 hours)

The objective of the Marshalltown Police Department is to change driver behavior. Our mission is to educate the public on the dangers of impaired driving and what our department is doing to proactively prevent such behavior. We provide the community with alternative methods of reaching their destination after consuming alcoholic beverages. With added overtime enforcement and education, we want drivers to make responsible choices or help the MPD to detect and apprehend those who don't. Our best method of education in the last several years is our successful Facebook page as well as using our local radio station (Kix 101.1) to disseminate our messages.

Our goal with added enforcement hours is to increase our OWI arrests by at least 10%. The previous Grant year 2021-2022 we were awarded 110 hours of planned high visibility enforcement directed at Impaired Drivers. We plan to utilize the funds for special projects that will increase our total OWI arrests to 120 which would be higher than the three previous years.

Objectives: IMPAIRED DRIVING*

Objectives are statements that indicate how the goal will be accomplished. Objectives are SMART (Specific, Measurable, Achievable, Relevant and Time Sensitive).

Examples: Increase the impaired driving arrests by 2.0 percent from 4,966 (2014-2018 rolling average) to 5,065, based on past trends, by the end of the contract year.

Provide 17 educational programs related to impaired driving to the community during the contract year; 10 of which will be geared towards young drivers.

Conduct 8 hours of high visibility OWI enforcement each month.

The objective of the Marshalltown Police Department is to increase OWI arrests by 10% from the previous fiscal year, which would be 120 OWI arrests for this fiscal year. We will conduct at least two special enforcement projects that coincide with local special events where alcohol is served and attendees commute within our town and back to other communities. Our department will use 20 hours per month targeting impaired driving contacts. With social media playing a large role in reaching many people, we will post two or more impaired driving related messages per month.

Occupant Protection

Problem Statement: OCCUPANT PROTECTION*

Problem statements indicate what the overall issue is to be addressed.

The problem statement should clearly present:

Who? - Older adults, youth, etc.

When? - Is it day, night, weekends, holidays, etc?

Where? - In school districts, on rural roads, in crosswalks, etc.

Why? - Why do these things occur, during these hours, etc.?

Describe the occupant protection issues in the city or county; include geographical traffic issues, traffic flow on highways, populations, statistics regarding occupant protection in the area.

Traffic safety remains a high priority every year in Marshalltown. We look for and enforce all traffic violations and add extra uniformed officers to the roadways during special events and holidays to keep people safe. One very important area of focus is occupant protection. This includes child restraint concerns as well. This last year our occupant protection usage went from 96% in 2020 to 93% in 2021. Many variables can contribute to the fluctuation of seatbelt usage to include time of day, day of the week, and locations. The study does conclude there is a need for seatbelt focused enforcement as we still experience crashes with unrestrained occupants.

Our officers continue to see unrestrained children or misuse of passenger safety systems. We feel this is an area we can improve through education and enforcement.

Goals: OCCUPANT PROTECTION*

Goals are multiple broad statements of intent that provide planning, focus and vision addressing the problem statement.

Examples: *To increase the observed seat belt use of front seat occupants 4.1 percentage points from the 20XX calendar year usage rate 79.7% to 83.8% by the end of the contract year.*

Achieve a 96% occupant protection compliance rate in the community.

The goal of the Marshalltown Police Department is to improve the usage of occupant protection systems including seatbelts and child restraints. We know that wearing a seatbelt correctly is the key to saving lives in the event of a motor vehicle crash. Through community events and continuing education we will emphasize the importance of occupant protection.

Our department showed a significant increase in occupant protection contacts the last fiscal year. The prior grant period (2019-2020) we recorded 64 occupant protection contacts with last year (2020-2021) increasing by an additional 53 contacts for a total of 117 occupant protection contacts.

Our goal is to grow the occupant protection contacts by 20%, resulting in at least 141 contacts.

Objectives: OCCUPANT PROTECTION*

Objectives are statements that indicate how the goal will be accomplished. Objectives are SMART (Specific, Measurable, Achievable, Relevant and Time Sensitive).

Examples: *Achieve 480 contacts for occupant protection during the contract year.*

Educate 2,000 new student drivers in the city/county on the importance of wearing a seat belt during the contract year.

Participate in 1 fit station event and distribute 10 car safety seats each month in our community during the contract year.

MPD has one certified CPS technician and we plan to add another during this year. Each technician will participate in at least two community checkup events. They also distribute replacement child safety seats throughout the year. Our Child Safety Seat Program utilizes community donated funds to purchase a large number of safety seats which are available for the community free of cost. Our CPS technician educates community members about each seat and the installation specific to their needs.

Our objective is to conduct at least two occupant protection projects during the fiscal year with one being a larger multi-agency event.

Speed

Problem Statement: SPEED*

Problem statements indicate what the overall issue is to be addressed.

The problem statement should clearly present:

Who? - Older adults, youth, etc.

When? - Is it day, night, weekends, holidays, etc?

Where? - In school districts, on rural roads, in crosswalks, etc.

Why? - Why do these things occur, during these hours, etc.?

Describe the speeding issues in the city or county; include geographical traffic issues, traffic flow on highways, populations, statistics regarding speeding in the area.

Speed related complaints is one of the most common calls from the Marshalltown citizens. As we know an increase in speed results in a higher risk of a crash involving injury. The high number of speed citations and warnings confirms this problem is real and not just perceived. This problem is widespread throughout our community and not limited to any single neighborhood or roadway type. Marshalltown has two state highways that run through our jurisdiction which accounts for a high vehicle count.

We know that high visibility enforcement is a traffic safety approach designed to create deterrence and change unlawful traffic behaviors. With our law enforcement efforts combined with visibility elements we hope to education the public and promote voluntary compliance with Iowa law.

Goals : SPEED*

Goals are multiple broad statements of intent that provide planning, focus and vision addressing the problem statement.

Examples: Reduce speed-related fatal and personal injury crashes by 22.5 percent from 284 (2014-2018 rolling average) to 220, by the end of the contract year.

Reduce vehicle collisions resulting from speed by 3% from the previous year. (1,000 from 1,030)

Our goal is to increase speed contacts by 10% or 486 contacts. Our department Facebook page and local radio station are two of our best media approaches to educating drivers on the dangers of excessive speed. Last year our department issued 140 written warnings for speed violations. We continue to increase the number of written warnings issued every year as a way to record our violator contacts and educate drivers on various violations that can be corrected without fines and penalties.

Speed is a nationwide problem and one that our department would like to do our part in combating for the safety of our community.

Objectives: SPEED *

Objectives are statements that indicate how the goal will be accomplished. Objectives are SMART (Specific, Measurable, Achievable, Relevant and Time Sensitive).

Examples: Conduct 10 pedestrian contacts monthly for vehicles failing to yield to pedestrians while working a speed project in the same area.

Initiate 250 contacts for speeding violations before and after school hours on the rural roadways near the community high school during the contract year.

Achieve 500 speed contacts during the contract year.

We plan to conduct at least two projects focused on excessive speed with one being a large multi-agency project. Last year we were awarded two moving radar units which were purchased and installed. We plan to put our new equipment purchases to use by conducting high visibility traffic enforcement with one being a LIDAR and move over project on Highway 30.

Additional Traffic Safety Issue

Does the agency have an additional traffic safety issue to be addressed? This may include pedestrian, bicycles, teen drivers, older drivers, etc.*

Yes

Problem Statement: ADDITIONAL TRAFFIC ISSUE

Problem statements indicate what the overall issue is to be addressed.

The problem statement should clearly present:

Who? - Older adults, youth, etc.

When? - Is it day, night, weekends, holidays, etc?

Where? - In school districts, on rural roads, in crosswalks, etc.

Why? - Why do these things occur, during these hours, etc.?

Describe the other traffic safety issue in the city or county; include geographical traffic issues, traffic flow on highways, populations, statistics regarding the other traffic issue in the area.

The Marshalltown Police Department was one of the cities selected for the first Iowa grant that awarded funds for efforts to reduce pedestrian related crashes (2019-2020). In the last fiscal year we were again awarded grant money focused on pedestrian safety. To date we have conducted one high visibility traffic enforcement multi-agency project along with media releases and social media awareness. The project was aimed at school zones where we enforced speed and texting while driving.

These successful campaigns and enforcement projects have been a big success within our community and one which we continue to educate and enforce.

Goals: ADDITIONAL TRAFFIC ISSUE

Goals are multiple broad statements of intent that provide planning, focus and vision addressing the problem statement.

Examples: Reduce distracted driving related crashes in our city/community by 5% from the previous year crashes during the contract year. (90 to 85)

Increase patrol presence while pedestrians are present in the school zone by 10% each month from the previous year. (40 hours to 44 hours)

The MPD goal is to reduce the number of pedestrian related crashes. In the 2019-2020 contract year we were selected to receive the grant due to our high number of pedestrian involved crashes. We had eight crashes involving pedestrians in 2019 with one being a fatality of a youth near a school crossing. During the last grant year we had six pedestrian related crashes all with minor injuries reported. We want to reduce the number of pedestrian related crashes and feel that additional funding to provide officers more time to focus on high risk areas would help achieve our goal.

Objectives: ADDITIONAL TRAFFIC ISSUE

Objectives are statements that indicate how the goal will be accomplished. Objectives are SMART (Specific, Measurable, Achievable, Relevant and Time Sensitive).

Examples: Increase the texting while driving arrests by 5.0 percent from 66 (2019-2020 rolling average) to 70, based on past trends, by the end of the contract year.

Provide 3 CarFit events during the contract year offering older drivers the opportunity to check how well their personal vehicles "fit".

Conduct 8 hours of high visibility enforcement each month on rural or county roads.

We rely heavily on education through social media, radio, and written warning enforcement actions. Our department will post at least six educational media posts regarding pedestrian safety and distracted driving. We will conduct enforcement focused on high pedestrian areas with emphasis on our school zones. We will conduct at least two enforcement projects focused on pedestrian safety and/or distracted driving.

Special Project

Special Projects

Would your agency be interested in an additional contract or funding to help with special projects in the following areas?

Nighttime Seat Belt Enforcement*	No
Pedestrian Safety*	Yes
Speed Enforcement*	Yes

Personnel Services

Item	Amount	Number of Overtime Hours	Total Amount Requested
Overtime for General Enforcement	\$9,100.00	200.0	\$9,100.00
Overtime for Educational Presentations	\$900.00	20.0	\$900.00
	\$10,000.00		\$10,000.00

Equipment

Quantity of Item to be purchased	Item to be purchased	Maximum GTSB Reimbursement Amount per Item	Total Amount Requested	Other Item - Please Specify.
			\$0.00	

Minority Impact Statement

Does the proposed grant program or policy have a disproportionate or unique **positive impact** on minority persons? *

No

Could the proposed grant program or policy have a disproportionate or unique **negative impact** on minority persons? *

No

I hereby certify the information above is complete and accurate to the best of my knowledge.*

Yes

*	Sergeant	Casee	Veren
	Title	First Name	Last Name

Comments

Comments

Limited to 2000 characters or approximately 1/2 typed page

For the 2022-2023 GTSB grant, I am requesting \$9,100 for 200 hours of overtime enforcement focused primarily on impaired driving, excessive speed, and occupant protection. We use a wide variety of enforcement methods to combat these dangerous driving behaviors. The education overtime funds requested is \$900 which is 20 hours to be used toward child passenger safety seat check-ups and other community related events. Our agency recently certified a new child safety seat technician who will be very active in providing education, installations, and inspections. We do a multi-agency check-up event every year which had been put on hold in 2020 due to Covid. Last year, 2021, we resumed our child passenger safety seat check-up event and in four hours with four technicians we provided 85 seat inspections that led to 38 free replacement seats being installed.

With last years grant awarded funds, we were able to purchase and install all the new equipment to help us attain our traffic safety goals. Covid has continued to cause strain on our department personnel. Although our certified officer numbers appear consistent, we have hired a lot of new officers who are just getting their careers started. We have recently seen a spike in public socialization and increased vehicle traffic. Public events have resumed and the need for enforcement is necessary as restrictions are lifted. Traffic Safety is a priority at the Marshalltown Police Department and we look forward to partnering with GTSB for another successful year in traffic safety.

RESOLUTION ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A 2022 CASE 580SN BACKHOE FOR THE PRICE OF \$94,736.15 FROM TITAN MACHINERY FOR USE IN THE SEWER DEPARTMENT

WHEREAS, the City of Marshalltown (hereinafter referred to as the “City”), State of Iowa, is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the “State”); and

WHEREAS, the City of Marshalltown, Iowa desires to procure a new backhoe to be utilized by the sewer department and sought quotes for this purpose; and

WHEREAS, Titan Machinery submitted a quote on a 2022 Case 580SN for a purchase price of \$94,736.15; and

WHEREAS, acceptance of this bid is in the best interest of the City of Marshalltown.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. That the City of Marshalltown accepts the bid from Titan Machinery for the purchase of a 2022 Case 580SN Backhoe in the amount of \$94,736.15, to be used in the Sewer Department.

Section 2. The Public Works Director of the City of Marshalltown is hereby authorized to enter into agreements on behalf of the City of Marshalltown to purchase said vehicles at the above referenced price and conditions.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

Minnesota State Bid - Pilot		135,221.00
2022 Case 580SN 4WD T4 FINAL.		
TRANSMISSION		\$4,221
	423062 Powershift H type	
FRONT WHEELS		No Charge
	8201110 12x16.5, 10PR lug tread	
REAR WHEELS		No Charge
	8401140 19.5LX24, 10PR STDBrand Preference Not SelectableNote: Tire chains cannot be used on 19.5x24 tires	
BACKHOE		\$9,171.00
	464074 1-WAY OR 2-WAY AUX & EHOE PKG1-way or 2-Way Flow BHOE Auxiliary Hydraulics Extendahoe (EHOE) Dipper	
Front Counterweight		(\$750.00)
	423010 Heavy Front CWT	
STABILIZER PADS		816.00
	442056 Flip Over/Stabilizer Pads Comb	
CONTROLS		3,308.00
	423078 Pilot Controls w/Power Lift	
BUCKETS		1,325.00
	423069 24" Universal Bucket	
LOADER BUCKET		\$2,600.00
	747539 93" HD Long Lip with Bolt on Edge	
LDR PERFORMANCE PKG		1,762.00
	464077 RC & CS & CM Steer	
Cab		\$9,067.00
	747855 Cab, LH Door w/Heater/AC	
OPERATOR'S SEATS		848
	745161 Premium Air Susp Heated	
Lights		862
	745242 LED Lights	
Thumb		3342
	48178999 Thumb	
Sub total		171,793.00
45% Discount		77,306.85
Total less additions		94,486.15
Delivery		250
Total		94,736.15



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701

March 28, 2022

To: Mayor Joel Greer
Members of the City Council

From: Heather Thomas, P.E.
Public Works Director

Re: Sewer Department – Authorization for Backhoe Equipment (FY23 Purchase)

Policy Issue: City purchasing policy requires City Council to approve all motor vehicle / equipment purchases.

Recommendation: Staff recommends approving a resolution to authorize City Staff to enter into a purchase agreement with Titan Machinery for the purchase of a 2022 Case 580SN Backhoe with all payments due not until FY 2023.

Background: The sewer department utilizes a backhoe to excavate and backfill point repairs and minor improvements for both storm and sanitary sewers. Currently the sewer department has a 1997 Case 580 Super L backhoe with an extendahoe. Overall, the City has been pleased with the existing Case 580 backhoe; however, it does not have 4-wheel assist and is approaching 25 years old.

The sewer department desires to purchase a new backhoe, similar to their existing with an extendahoe but include 4WD and pilot controls. The vendor will not accept the City's existing backhoe as trade due to the lack of 4-wheel assist; however, the City sees value in keeping the existing backhoe for use with our paving breaker and vibratory compactor. When backfilling excavations, especially in city right-of-way, it is important to backfill in lifts and compact each lift. Having the ability to have one backhoe to use with a bucket to place the lifts and another backhoe with the vibratory compactor will allow for a more efficient and safer backfill operation. Currently, the bucket attachment must be removed and paving breaker or vibratory compactor attached (back and forth, including hydraulic hoses, – over and over) in order to perform the pavement breaking and/or backfilling in accordance with City specifications. The purchase of a Case 580 series also provides consistency between both pieces of equipment and the advantage of some shared parts.

The sewer superintendent utilized and compared already negotiated contracts (state/federal) where the procurement process has been completed and determined Minnesota State Bid price is the most cost-effective option (over our Sourcwell membership).

We anticipate delivery early to mid-August.

City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

We believe this piece of equipment will be able to serve the needs of the sanitary and storm sewer departments well for the decade to come.

Budget Impact: Proposal is for \$94,736.15. The most recent approved CIP Budget for FY 2023 included \$95,000 for this equipment with the sanitary sewer revenue funding 60% and storm sewer revenue funding 40%.

Attachments: Quotation (using Minnesota State Bid) for 2022 Case 580 Super N, 4WD, T4.

cc: Troy McGahuey, Sewer Superintendent
Jessica Kinser, City Administrator

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City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

**RESOLUTION ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A
VACTOR 2100I COMBINATION SEWER CLEANING MACHINE FOR THE PRICE
OF \$459,378.69 FROM MACQUEEN EQUIPMENT FOR USE IN THE SEWER
DEPARTMENT**

WHEREAS, the City of Marshalltown (hereinafter referred to as the “City”), State of Iowa, is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the “State”); and

WHEREAS, the City of Marshalltown, Iowa desires to procure a new combination sewer cleaning machine to be utilized by the sewer department and sought quotes for this purpose; and

WHEREAS, MacQueen Equipment submitted a quote on a Vactor 2100i for a purchase price of \$459,378.69; and

WHEREAS, acceptance of this bid is in the best interest of the City of Marshalltown.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. That the City of Marshalltown accepts the bid from MacQueen Equipment for the purchase of a Vactor 2100i combination sewer cleaning machine in the amount of \$459,37.69, to be used in the Sewer Department.

Section 2. The Public Works Director of the City of Marshalltown is hereby authorized to enter into agreements on behalf of the City of Marshalltown to purchase said vehicles at the above referenced price and conditions.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701

March 28, 2022

To: Mayor Joel Greer
Members of the City Council

From: Heather Thomas, P.E.
Public Works Director

Re: Sewer Department – Authorization for Jet/Vac Equipment (FY23 Purchase)

Policy Issue: City purchasing policy requires City Council to approve all motor vehicle purchases.

Recommendation: Staff recommends approving a resolution to authorize City Staff to enter into a purchase agreement with MacQueen Equipment for the purchase of a Vactor 2100i combination sewer cleaning machine with all payments due not until FY 2023.

Background: The sewer department maintains a primary and secondary machine for use in cleaning, maintaining, and unplugging (if required) both storm and sanitary sewers. The machines are used for jetting underground piping, sucking up dirt/debris from intakes/manholes, and performing hydro-excavation. Currently the sewer department has the following machines:

- Primary – 2011 Vactor 2100 Plus Model 2110916
w/ Hydro Excavation Kit (2010 Purchase)
- Secondary – 1989 Jet Truck Mounted on a 1989 GMC (2001 Purchase)

The sewer department desires to purchase a new primary machine, repurpose their existing Vactor to become the City's secondary machine, and dispose of the existing 1989 Jet Truck. Due to the age and outdated controls, the trade in value of the existing 1989 is minimal; therefore, the sewer department will look into other disposal opportunities as opposed to a trade-in.

The sewer department met with suppliers, traveled to see the most common local market options, and hosted equipment demos to determine which machine would make the most sense for the City. Sewer department staff ranked and selected their top two choices, the first being the Vactor and the second being the ECO 900. The sewer superintendent utilized and compared already negotiated contracts (state/federal) where the procurement process has been completed and determined the Vactor was the most cost-effective option through the Sourcewell membership. The Vactor also has the advantage of being able to share attachments with what will become our secondary machine and comfort in continuing any necessary service with MacQueen Equipment, which the City has been pleased with their past customer service.

City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

Additionally, the delivery of most of this type of equipment is out about a year with the current supply/chain. Due to the desired chassis and the current relationship with MacQueen Equipment, there is the ability for the City to claim one remaining machine that may make the equipment available to the City as early as in the summer of 2022.

We believe this piece of equipment will be able to serve the needs of the sanitary and storm sewer departments well for the decade to come.

Budget Impact: Proposal is for \$459,378.69. The most recent approved CIP Budget for FY 2023 included \$475,000 for this equipment with the sanitary sewer revenue funding 60% and storm sewer revenue funding 40%.

Attachments: Macqueen Equip - Sourcewell Quotation for Vactor 2100i.

cc: Troy McGahuey, Sewer Superintendent
Jessica Kinser, City Administrator

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City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

March 15th, 2022

Troy McGahuey
Sewer Superintendent
City of Marshalltown

Troy,



Per your request, a proposal has been generated based off of the Sourcwell Contract #: #101221-VTR for a Vactor 2100i mounted to a locally supplied Vactor Approved Chassis/Spec with the enhancements your department has deemed necessary.

The attached proposal lists all the options that make up the combined purchase price, shown matching the Sourcwell/NJPA Contract pricing. The final sections explain the special terms and training, availability, and warranty for the proposed machine. As you're aware the City of Marshalltown is a member of Sourcwell Member ID# 2316.

Thank you for this opportunity to submit this proposal on behalf of your equipment needs.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Osler".

Mike Osler
District Sales Manager
MacQueen Equipment
515-864-8171



*Proposal includes: One (1) 2022 **Vactor 2100i** Combination Sewer Truck with your requirements. Pricing is from the Sourcewell Contract bid pricing.

Combination Sewer Cleaner Machine

Vactor 2100i Base Unit

Price for base unit with w/ 12 Cubic Yard Debris Body and 824/18 Blower: \$257,708.63

Debris Body Options

Debris Body Washout System: \$1,647.06

Flat rear door w/ hydraulic open/close: STD

6" Valve on Rear Door at 3:00 w/ Camloc: \$1,317.26

Folding pipe rack Qty. 2: \$2,285.32

Splash Shield rear door: \$1,677.13

Lube Manifold: \$2,490.96

Debris Body Level Indicator on Hose Reel: \$983.58

Deflector plate in debris body: STD

Hydraulic Shutoff Valves: STD

Body Up Alarm: STD

Anti-Splash Valve in Body (Prevents sloshing out of boom tube/hose when body is full): \$409.34

Vacuum System Options

Vertical Cyclonic Separators (4): \$5,757.92

Front Blower Engagement: \$1,592.74

Blower High Temp Shutdown: \$567.45

Boom Options

Rapid Deployment Boom 10' Telescopic X 15' Extendable Boom: \$23,527.35

Wireless Remote-Control w/ Hose Reel Functions & Two-Way Display Screen: \$3,392.09

Rotatable Hose Inlet: \$617.89

Pump Options

80 GPM @ 2,500 PSI Single Piston Vactor Water Pump: STD

Accumulator System for water system for smooth pressure 1,000 PSI & Above On/Off at Reel: \$852.63

Rodder Pump Drain Valves: \$533.50

3" Y Strainer at Water Pump: STD

Hydro-Excavation Kit (Includes Digging Lance, Multiple Nozzles, Water Pipe, and Dig Tube): \$2,836.28

Cold Weather Recirculator (Uses Rodder Pump PTO Driven @ 25 GPM): \$1,871.13

Hose Reel Options

Telescoping Rotating Hose Reel 800' Capacity: STD

600' of 1" Piranha Hose: \$988.43

Auto level indexing wind guide w/ pinch roller: \$4,094.37

Hand gun hose reel spring-retractable (Shared low pressure and hydro-excavation circuits): \$1,591.77

Digital Hose footage counter: STD

Front Hose Reel Storage (Pick & Hose Roller Storage): \$320.10

Water System Options

1500 Gallon Water: \$4,380.52

Low Water Alarm/Light w/ GPM **Flow Meter**: STD

Aluminum Water Tanks: STD

Water Level Display on Front Hose Reel Control: \$733.32

www.macqueengroup.com

4607 SE Rio Ct, Ankeny, IA 50021 . Bus: 515.289.9994 . Fax: 515.289.9995
Formerly Trans Iowa Equipment Part of the MacQueen Group Since 2005



Tool Box Options

Curbside Control Toolbox: 40" x 22" x 24": STD
Behind Cab Toolbox 16" x 30" x 96": \$3,393.06
Toolbox Driverside Chassis Frame 24" x 24" x 24": \$1,718.84
Toolbox Driverside Subframe 16" x 20" x 24": \$1,687.80
Front Bumper Toolboxes 16" x 12" x 18" w/ LED Strokes: \$2,127.21
Cone Holder Post or Drop-In Style (Mounted forward of Streetside Front Bumper Toolbox): \$175.57

Other Options

LED Stop, Turn, Tail and Clearance Lights: STD
14 LED Strobe Light System: \$3,509.46
LED Worklight(s) boom: \$859.42
LED Worklight Near Windguide: \$639.23
Rear LED Arrowboard: \$2,769.35
LED Mid-Ship Turn Signals: \$581.03
Back-up and Front Hose Reel Camera(s): \$810.92
Paint- Debris Body, Boom, and Front Hose Reel- White w/ RED Vactor Body Decal: N/C

Non-Contract Items

Stainless Steel Water Tanks (MQE Pricing): \$6,365.00
Thread-On 25' 1" Leader Hose: \$297.00
36" Higbee Underwater Snorkel Tube: \$758.96
Debris Body Load Limit Tied to Vacuum Relief: \$2,125.30
2023 International HV607 Tandem Cummins 370 HP: \$105,611.00

Delivery & Training Charges

Delivery from Factory: \$1,250.00
Dealer Pre-Delivery Inspection: \$900.00
Onsite Delivery & Training 2-Days: \$1,600.00

Pricing Summary- Combined Sourcewell Contract Pricing

PURCHASE PRICE: 2022 VACTOR 2100i Sewer Cleaner: \$459,378.69

Terms and Training, Availability, and Warranty:

Training: MacQueen Equipment will provide up to 2 Days of operator/maintenance training for city employees upon delivery of the unit on-site. Vactor/Dealer will also provide for all city employees, a Mechanics training course (3-4 day) factory led class at Vactor Mfg. at no course cost to the city. Meals, lodging, and transportation costs are not included.

Availability: Estimated Delivery June 2022. Subject to factory and chassis availability.

Warranty: Vactor Warranty- 1 Year on Complete Unit- 2 Year Water Pump, 5 Year on Debris Body, 10 Year Warranty on Water Tanks.

Payment Terms: Invoice Due 30 Days after delivery and no sooner than July 15th, 2022.

www.macqueengroup.com

4607 SE Rio Ct, Ankeny, IA 50021 . Bus: 515.289.9994 . Fax: 515.289.9995
Formerly Trans Iowa Equipment Part of the MacQueen Group Since 2005

RESOLUTION APPROVING A DEVELOPMENT AGREEMENT WITH JOSEPH AND JANELLE CARTER FOR A \$250,000 CATALYST BUILDING REMEDIATION GRANT FOR THE CREATION OF UPPER STORY HOUSING

WHEREAS, the City of Marshalltown has been granted \$1.5 million in Catalyst Building Remediation funds through the Iowa Economic Development Authority, of which \$500,000 is to be dedicated to the creation of new upper story housing units; and

WHEREAS, Joseph and Janelle Carter are proposing to create four new residential rental units on the third floor of the Hopkins Building, located at 32-34 West Main Street, including the addition of an external elevator to serve those units; and

WHEREAS, the Iowa Economic Development Authority concurred with the grant and the amount.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the attached development agreement with Joseph and Janelle Carter for the creation of new upper story residential units at the Hopkins Building at 32-34 West Main Street, is hereby approved and the Mayor is directed to execute the agreement.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

DEVELOPMENT AGREEMENT

19-CTBF-003

This Development Agreement ("Agreement") made this day _____ of _____, 2022 by and between the CITY OF MARSHALLTOWN, IOWA ("City") and JOSEPH AND JANELLE CARTER ("Developer").

WHEREAS, the City submitted a grant application to the Iowa Economic Development Authority ("IEDA") for a Community Catalyst Building Remediation Grant for a proposed Project located at 32-34 WEST MAIN STREET to be completed at property owned by Developer; and

WHEREAS, the Grant application of \$250,000 was approved for this project by IEDA and accepted by the City upon the terms and conditions set out by IEDA; and

WHEREAS, the Developer, as owner of the property, accepts the grant upon the terms and conditions set out in this Agreement;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement and other good and valuable consideration, the Parties agree as follows:

1. **PROJECT.** "Project" means the activities and other obligations to be performed or accomplished by the City and the Developer as described in this Agreement, in the Scope of Work set out herein and, in the application, submitted through IowaGrants.gov.

2. **PROJECT COMPLETION PERIOD.** The "Project Completion Period" commences with the Date of approval by the City Council of this Agreement and ends with the Project Completion Date set out in the grant agreement with IEDA, June 30, 2023.

3. **COSTS TO BE REIMBURSED.** The costs to be reimbursed under this agreement are those costs that are directly related to the Project, as set out in Section 261-45.2 of Iowa Administrative Code. Those costs specifically do not include expenditures for furnishings, appliances, accounting services, legal services, loan origination and other financing costs, syndication fees and related costs, developer fees, or the costs associated with selling or renting dwelling units whether incurred before or after completion of the Project.

4. **PRIOR EXPENSES.** No expenditures made prior to the date of City Council approval of this Agreement may be included as Project Costs.

5. **MAINTENANCE OF INSURANCE.** The Developer shall maintain the project property in good repair and condition, ordinary wear and tear excepted, and shall not suffer or commit waste or damage upon the project property. The Developer shall pay for and maintain insurance in an amount not less than the full insurable value of the project property. The Developer shall name the City and the IEDA as mortgagees and/or an additional loss payee(s). The Developer shall provide the City with a copy of each and every insurance policy in effect.

6. **SCOPE OF WORK.** The Project includes the renovation of the third story of the building into four (4) market rate apartments, as more specifically described in the Grant application.

7. **WORK RESPONSIBILITIES.** Subject to the terms of this Agreement, Developer will be solely responsible for completing all work on the Project. Neither party will be considered an agent of the other for purposes of this Project, and each will hold harmless and indemnify the other for any damages suffered by any person or entity as a result of its own or its agents' acts or failures to act in performance of its obligations under this Agreement.

8. **FINANCIAL OBLIGATION.** The Catalyst Grant amount approved is \$250,000, from the Upper Story Housing designation. In addition to the Grant funding the parties agree to the following financial commitment, totaling \$300,000:

- \$50,000 New Construction Incentive to be paid in full with the first Catalyst Grant payment

9. **ASSIGNMENT OF AGREEMENT.** The Parties may not assign, transfer or convey in whole or in part this Agreement, without the consent of each Party. Consent shall not be unreasonably withheld.

10. **WRITING REQUIRED.** No change, modification, or termination of any of the terms, provisions or conditions of this Agreement shall be effective unless made in writing and signed by the Parties.

11. **PAYMENT PROCEDURES FOR GRANT FUNDS.** Payment under the Grant shall be made on a reimbursement basis. Requests for reimbursement shall be submitted at two points in the Project. The first request shall be made at the Project Mid-Point after costs directly related to the Project are equal or greater than 60% of the Grant Fund. The final request for reimbursement shall be made within thirty (30) days of the Project Completion Date. Each request for reimbursement will include reports of the work completed, including photographs of the Project. Payments will be made to Developer within thirty (30) days of the receipt by the City of funds from the IEDA.

12. **MISCELLANEOUS.**

- a. Any publications or media releases related to the Project will contain the following. This Project is Sponsored in Part by the Iowa Economic Development Authority and the City of Marshalltown;
- b. The City's obligation to provide funds is contingent on funds being available to the City from the IEDA under the Community Catalyst Grant Program. Developer will hold the City harmless from any damage Developer sustains as a result of funds for the Project being unavailable through the Community Catalyst Grant Program;
- c. If the City's agreement with IEDA is modified in any way, this Agreement will be similarly modified, if necessary, to comply with or carry out the obligations of the IDEA agreement. Developer will hold the City harmless from any damage. Developer sustains as a result of modifications to the City's agreement with IEDA over which the City has no control.

13. ENTIRE AGREEMENT.

This Agreement contains the entire understanding between the City and the Developer with respect to the Project contained herein.

IN WITNESS WHEREOF the parties have executed this Agreement at Marshalltown, Marshall County, Iowa, the day and year first stated.

CITY OF MARSHALLTOWN

JOSEPH AND JANELLE CARTER

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

RESOLUTION APPROVING A DEVELOPMENT AGREEMENT WITH JOSEPH AND JANELLE CARTER FOR A \$250,000 CATALYST BUILDING REMEDIATION GRANT FOR THE RENOVATION OF A FIRST FLOOR COMMERCIAL SPACE

WHEREAS, the City of Marshalltown has been granted \$1.5 million in Catalyst Building Remediation funds through the Iowa Economic Development Authority, of which \$250,000 of the initial \$1 million grant has not yet been allocated; and

WHEREAS, Joseph and Janelle Carter are proposing to restore and renovate the first floor of the Hopkins Building, located at 32-34 West Main Street, into at least one commercial space; and

WHEREAS, this commercial space has not been available since the July 19, 2018 tornado, resulting in a catalytic transformation to a building in downtown; and

WHEREAS, the Iowa Economic Development Authority concurred with the grant and the amount.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the attached development agreement with Joseph and Janelle Carter for the creation of first floor commercial space at the Hopkins Building at 32-34 West Main Street, is hereby approved and the Mayor is directed to execute the agreement.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

DEVELOPMENT AGREEMENT

19-CTBF-003

This Development Agreement ("Agreement") made this day _____ of _____, 2022 by and between the CITY OF MARSHALLTOWN, IOWA ("City") and JOSEPH AND JANELLE CARTER ("Developer").

WHEREAS, the City submitted a grant application to the Iowa Economic Development Authority ("IEDA") for a Community Catalyst Building Remediation Grant for a proposed Project located at 32-34 WEST MAIN STREET to be completed at property owned by Developer; and

WHEREAS, the Grant application of \$250,000 was approved for this project by IEDA and accepted by the City upon the terms and conditions set out by IEDA; and

WHEREAS, the Developer, as owner of the property, accepts the grant upon the terms and conditions set out in this Agreement;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement and other good and valuable consideration, the Parties agree as follows:

1. **PROJECT.** "Project" means the activities and other obligations to be performed or accomplished by the City and the Developer as described in this Agreement, in the Scope of Work set out herein and, in the application, submitted through IowaGrants.gov.

2. **PROJECT COMPLETION PERIOD.** The "Project Completion Period" commences with the Date of approval by the City Council of this Agreement and ends with the Project Completion Date set out in the grant agreement with IEDA, June 30, 2023.

3. **COSTS TO BE REIMBURSED.** The costs to be reimbursed under this agreement are those costs that are directly related to the Project, as set out in Section 261-45.2 of Iowa Administrative Code. Those costs specifically do not include expenditures for furnishings, appliances, accounting services, legal services, loan origination and other financing costs, syndication fees and related costs, developer fees, or the costs associated with selling or renting dwelling units whether incurred before or after completion of the Project.

4. **PRIOR EXPENSES.** No expenditures made prior to the date of City Council approval of this Agreement may be included as Project Costs.

5. **MAINTENANCE OF INSURANCE.** The Developer shall maintain the project property in good repair and condition, ordinary wear and tear excepted, and shall not suffer or commit waste or damage upon the project property. The Developer shall pay for and maintain insurance in an amount not less than the full insurable value of the project property. The Developer shall name the City and the IEDA as mortgagees and/or an additional loss payee(s). The Developer shall provide the City with a copy of each and every insurance policy in effect.

6. **SCOPE OF WORK.** The Project includes the renovation of the first floor of the building into at least one (1) commercial space, as more specifically described in the Grant application.

7. **WORK RESPONSIBILITIES.** Subject to the terms of this Agreement, Developer will be solely responsible for completing all work on the Project. Neither party will be considered an agent of the other for purposes of this Project, and each will hold harmless and indemnify the other for any damages suffered by any person or entity as a result of its own or its agents' acts or failures to act in performance of its obligations under this Agreement.

8. **FINANCIAL OBLIGATION.** The Catalyst Grant amount approved is \$250,000.

9. **ASSIGNMENT OF AGREEMENT.** The Parties may not assign, transfer or convey in whole or in part this Agreement, without the consent of each Party. Consent shall not be unreasonably withheld.

10. **WRITING REQUIRED.** No change, modification, or termination of any of the terms, provisions or conditions of this Agreement shall be effective unless made in writing and signed by the Parties.

11. **PAYMENT PROCEDURES FOR GRANT FUNDS.** Payment under the Grant shall be made on a reimbursement basis. Requests for reimbursement shall be submitted at two points in the Project. The first request shall be made at the Project Mid-Point after costs directly related to the Project are equal or greater than 60% of the Grant Fund. The final request for reimbursement shall be made within thirty (30) days of the Project Completion Date. Each request for reimbursement will include reports of the work completed, including photographs of the Project. Payments will be made to Developer within thirty (30) days of the receipt by the City of funds from the IEDA.

12. **MISCELLANEOUS.**

a. Any publications or media releases related to the Project will contain the following. This Project is Sponsored in Part by the Iowa Economic Development Authority and the City of Marshalltown;

b. The City's obligation to provide funds is contingent on funds being available to the City from the IEDA under the Community Catalyst Grant Program. Developer will hold the City harmless from any damage Developer sustains as a result of funds for the Project being unavailable through the Community Catalyst Grant Program;

c. If the City's agreement with IEDA is modified in any way, this Agreement will be similarly modified, if necessary, to comply with or carry out the obligations of the IDEA agreement. Developer will hold the City harmless from any damage. Developer sustains as a result of modifications to the City's agreement with IEDA over which the City has no control.

13. ENTIRE AGREEMENT.

This Agreement contains the entire understanding between the City and the Developer with respect to the Project contained herein.

IN WITNESS WHEREOF the parties have executed this Agreement at Marshalltown, Marshall County, Iowa, the day and year first stated.

CITY OF MARSHALLTOWN

JOSEPH AND JANELLE CARTER

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

**RESOLUTION AMENDING CITY FEE FOR POLICE DEPARTMENT
EXTRA-DUTY JOB RATE**

WHEREAS, the City of Marshalltown has established various fees to cover the costs of issuing permits, inspections and other direct services; and

WHEREAS, the current rate for police department extra-duty jobs is \$55.00 per hour with a two hour minimum with a proposed increase to \$80.00 per hour with a two hour minimum; and

WHEREAS, these fees are authorized by law and have been previously established by the City of Marshalltown; and

WHEREAS, it is appropriate to review and confirm the fees.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The proposed change in rate from \$55.00 to \$80.00 per hour with a two hour minimum is approved, effective July 1, 2022.

Section 2. Upon effective date, sworn police officers working jobs identified by the police chief as extra-duty jobs will receive \$70.00 per hour with a two hour minimum for all extra-duty jobs worked outside their normal work schedules.

Section 3. Law enforcement jobs connected to Oktoberfest and July 4th celebrations are excluded from this extra-duty job rate and staff will receive overtime compensation of 1.5 times the employee's regular pay rate for working these events if they are working hours outside their normal work schedules.

Section 4. The police chief is not eligible to receive extra-duty job pay or overtime compensation of any kind. The police chief has authority to waive extra-duty job requirements for smaller events when these events are not intended to be profitable and no additional public safety concerns are indirectly or directly created by activities connected to the event.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



POLICE DEPARTMENT

Joel Greer, Mayor
Jessica Kinser, City Administrator
Michael W. Tupper, Chief of Police
909 South Second Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5725
Fax - (641) 752-1211

TO: Mayor Joel Greer
Members of the City Council
Jessica Kinser, City Administrator

FROM: Michael W. Tupper
Chief of Police

DATE: 22 March 2022

RE: Police Officer Extra-Duty Job Rates UPDATE

Policy Issue: The city council must approve all city fees.

Recommendation: Police department staff recommends the city council approve raising the police officer extra duty job rate to \$80.00 per hour, with a two hour minimum. Police department staff recommends that officers working jobs defined as extra duty jobs, receive a flat rate of \$70.00 per hour, with a two hour minimum. The city would receive \$10.00 per hour, with a two hour minimum to cover overhead, insurance, equipment costs, etc. Police department staff recommends this new rate be effective July 1, 2022.

Police department staff recommends this new fee not apply to Oktoberfest related duties or July 4 related duties.

Police leadership recommends that the police chief have the authority to waive extra duty job requirements for smaller events when these events are not intended to be profitable and no additional public safety concerns are indirectly or directly created by activities connected to the event.

Background: The police department is often requested to work extra duty jobs for special events, security assignments, MMA style fights, dances, sporting events, etc. These jobs are often times important duties to fill because these events can create extra work and responsibilities for regular on-duty staff if these jobs are not filled. If these jobs are not filled, public safety concerns can and do occur. These jobs are often times difficult and undesirable duties. These jobs require officers to work outside their normal work hours which creates additional stress and burden for the officers and their families.

Currently, the city charges \$55.00 per hour, with a two hour minimum for all extra duty jobs. Officers are currently paid their normal overtime rate (1.5 times their regular hourly pay rate). This level of pay is not enough of a financial incentive to entice officers to work extra hours performing undesirable work. Officers already have a challenging overtime burden and they are increasingly unwilling to work an extra duty job for overtime compensation. This has led to the need to force people to work jobs they would rather not work. Police department leadership believes officers should receive increased compensation for these extra duty jobs. Police department leadership supports raising the extra duty job rate to \$80.00 per hour, with a two hour minimum. Officers would receive a flat rate of \$70.00 per hour, with a two hour minimum for working these jobs. Staff believes officers will be more willing to work these extra duty job assignments with enhanced incentives.

CITY COUNCIL

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

Many of these extra duty job events are designed as profit making endeavors and because of the nature of the event, public safety concerns are directly or indirectly created. Examples of these events include large concerts, dances, private security requests, MMA sporting events and events serving alcohol. The police chief or their designee reviews each request and determines the level of police services required. When the event is small in nature, does not indirectly or directly create a public safety concern, or is not designed as a profit-making endeavor, the police chief has historically waived the requirements for extra duty officers. Department leadership wants to retain this discretionary authority.

Oktemberfest events and July 4 events are important community events. The city and the police department have a long-standing partnership with these community event organizers. It is important these partnerships and collaborations continue. Any law enforcement jobs connected with these community events will not be considered extra duty assignments. Officers who work these jobs will continue to be compensated at the employee's regular pay rate for non-overtime assignments and overtime compensation of 1.5 times the employee's regular pay rate for assignments requiring overtime hours.

Extra duty job pay is available to all sworn department staff with the exception of the police chief.

Making these changes addresses an important employee concern. The city and the department have been committed to looking for ways to address employee concerns and provide incentives that will assist in meeting important employer recruitment and retention goals.

UPDATE Post March 14 Meeting:

Since this proposal would change how union employees are paid for extra duty jobs pursuant to current contract language, the bargaining unit representing police department employees has requested an MOU for this change. This change significantly increases the compensation union employees receive for working extra duty jobs. Current contract language stipulates employees are paid overtime compensation of 1.5 times the employee's regular pay rate for working extra duty jobs. The \$70.00 per hour proposal far exceeds this language.

The bargaining unit representing police department employees will be working with the HR Director for the city to author an MOU to authorize this contract language change. The bargaining unit will then need to vote on this change. If the bargaining unit votes the change down, this proposal will still move forward. However, the new rate will only apply to non-union employees working extra duty jobs. If the bargaining unit votes this change down, union employees will continue to receive overtime compensation of 1.5 times the employee's regular pay rate for working extra duty jobs in keeping with current contract language.

The increase of the extra duty job fee is necessary regardless of the union vote outcome because overtime compensation rates for certain employee classifications within the bargaining unit are already exceeding the current extra duty job fee rate of \$55.00 per hour.

Budget Impact: Minimal. Since outside entities and vendors pay for these services, this is money in and money out of the budget.

Attachment: None

RESOLUTION APPROVING CITY FEE SCHEDULE

WHEREAS, the City of Marshalltown has established various fees to cover the costs of issuing permits, inspections and other direct services; and

WHEREAS, the City Clerk has prepared an Exhibit of the updated fees which is attached to this Resolution; and

WHEREAS, these fees are authorized by law and have been previously established by the City of Marshalltown; and

WHEREAS, it is appropriate to review and confirm the fees.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The fees are established as shown on the attached fee Exhibit are approved.

Section 2. Any proposed changes in fees as shown by the Exhibit are further approved, effective March 28, 2022.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

MARSHALLTOWN

— I O W A —

CITY CLERK'S OFFICE

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, City Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701
Fax - (641) 754-5717

March 22, 2022

To: Mayor Joel Greer & Members of the City Council
From: Alicia Hunter, City Clerk
Re: City Fee Schedule

Policy Issue: Amending the City Fee Schedule

Recommendation: to adopt the revised fee schedule as outlined.

Background: The master fee schedule has been amended to reflect recent council approved changes to include increasing the Moving Building permit fees and the removal of permit fees for: amusements, bowling alleys, shows under canvas, sideshows, skating rinks, theater, theatrical exhibitions, tree trimmers, wrestling, boxing.

Fire department fees have been amended to reflect the hazardous material response fees based on the Iowa Fire Service Response Fee Schedule and annual and biennial permits reflect the \$10 increase as discussed at the March 14, 2022 meeting.

Park and Recreation has included a memo outlining budgeted changes for the aquatic center and park building rentals.

Budget Impact: Multiple impacts previously outlined.

Attachment: Master Fee Schedule
P&R Memo

CITY COUNCIL

Michael Gowdy, Al Hoop, Gabriel Isom, Mike Ladehoff,
Bill Martin, Gary Thompson, Bethany Wirin



MARSHALLTOWN

— I O W A —

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Geoff Hubbard, Parks & Recreation Director
Date: March 28, 2022
RE: Parks & Recreation Fee Increase

Policy Issue: City Council sets the fees for Parks & Recreation

Recommendation: To approve fee increases at the Aquatic Center and Rental Buildings

Background: City Council approved the FY22 and FY23 on March 14, 2022. In that budget the Parks & Recreation Department had made increasing to staffing wages at the Aquatic Center and Summer Camp staff. To help offset some of those increases we also included increases in the Aquatic Center admission fees to help generate an extra \$20,000 in revenue from daily admissions, family passes, and punch cards. Here are the current fees with the proposed increases that would start April 1 –

	<u>Current</u>	<u>Proposed</u>
Daily Admission	\$4	\$5
Admission after 5pm	\$2	\$3
10-Pack Tickets	\$38	\$45
Single Person Pass	\$90	\$110
Two-Person Family	\$155	\$180
Additional Family Members	\$25	\$30
Nanny Pass	\$75	\$95

Ages 2 and under are free and we are keeping the water walking, lap swim, and Tot Swimming the same at \$3, and the 15-pass scan card the same at \$40.

Staff feels these fee increase are comparable to other communities in Iowa and with other entertainment options here in Marshalltown.

Staff would also like to increase the rental fees for the Community Building and Reunion Hall to be comparable with other facilities in town and demand for these buildings year round use. The buildings can be rented all day from 10am-11pm. Here are the current fees with the proposed increases that would start April 1 –

	<u>Current</u>	<u>Proposed</u>
Community Building	\$125	\$150
Reunion Hall	\$100	\$125
Adding Alcohol to Rental	\$20	\$30

City Council

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff
Jeff Schneider, Gary Thompson, Dex Walker



Budget Impact: It is estimated to bring in an additional \$20,000 at the Aquatic Center through daily admissions, pool passes and punch cards. For rental buildings it will bring in an additional \$5000.

Attachment: none

City Council

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff
Jeff Schneider, Gary Thompson, Dex Walker



CITY FEE SCHEDULE 04-01-2022

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
Admin	Collection Fee	Accounts Receivable - Admin Fee - Collection			Resolution	15.00	annual
Admin	Collection Fee	Assessments fee general			Resolution	45.00	per property tax assessment filing for unpaid property related charges
ADMIN	Collection Fee	Income/offset filing with the state (annual fee)			Resolution	15.00	per customer account processed for offset
ADMIN	Collection Fee	Parking tickets overdue (annual fee) per ticket			Resolution	5.00	per ticket
Admin	FOIA	Nonroutine requests			Resolution		see policy
Admin	FOIA	Routine requests			Resolution		see policy
Admin	Lease	Parking Spaces in City Lots - policy establishing lease	Rent	Rent	Resolution	25.00	\$25 per month per space for no longer than 3 year terms
Admin	Other	Alcohol >50% gross Sales	112.003	005-069	No Charge		food sales exceeding 60% gross sales allows minor in estab without parents
Admin	Other	Animal Rescue League - Kennel and Disposition Chgs	90.052	006-051.2	Ordinance		- ARL administers
Admin	Parking	Parking Ticket - multiple offenses and charges	72.001, 72-002, 72.003 - 72.999		Ordinance	varies	
Admin	Parking	Skof Tow Fee	72.072	20-189	Ordinance	50.00	
Admin	Permit	Cable Franchise Application Fee	114.002	008-002.5	Ordinance	100.00	
Admin	Permit	Cable Franchise Fee	114.002	008-5.1	Resolution		5% of revenue paid quarterly
Admin	Permit	Carnivals	113.006	017-023	Resolution	100.00	\$100 first day, \$50 additional days
Admin	Permit	Circuses Or menageries	113.002	017-019	Resolution	200.00	\$200 per first day, \$100 additional days
Admin	Permit	Hauler - Garbage & Refuse	50.020 - 50.026	013-010	Resolution	100.00	Annual
Admin	Permit	Hauler - Recycling	50.020 - 50.026	013-104	Resolution	25.00	Annual
Admin	Permit	Hauler - Yard Waste	50.020 - 50.026	013-056	Resolution	15.00	Annual
Admin	Permit	Junk - Dealers	117.002	017-122	Resolution	25.00	Annual

CITY FEE SCHEDULE 04-01-2022

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
Admin	Permit	Junk - Yard	117.002	017-122	Resolution	26.00	Annual
Admin	Permit	Junk - Motor Vehicle Junk	117.020	017-029	Resolution	25.00	Annual
Admin	Permit	License Required to Carry on Business	110.002				- varies -
Admin	Permit	Liquor Licensing	State N/A	005-001	State		Annual - see state's schedule
Admin	Permit	Pawn Broker	110.002	017-137	Resolution	100.00	Annual
Admin	Permit	Peddler or Solicitor (per person)	118.011	017-154	Resolution	25.00	Range\$6 day, \$25 week, \$60 month, \$200/year
Admin	Permit	Public Use Permit	130.003	021-002	Resolution	100.00	deposit is returned after barricades returned
Admin	Permit	Public Use Permit with Alcohol - special event exception	112.003	005-070	Resolution	100.00	alcohol fee in addition to insurance certificate
Admin	Permit	Scrap Metal Processor	117.002	017-129	Resolution	51.00	Annual
Admin	Permit	Tobacco/Nicotine/Vape	State N/A	021-019	State	100.00	
Admin	Permit	Transient Merchant	118.011	017-174	Resolution	25.00	Range\$6 day, \$25 week, \$60 month, \$200/year
Admin	Permit	Vicious Animal	90.050	006-052	Resolution	15.00	Annual
Admin	Permit	Wrecking Yard	117.002			55.00	Annual
Admin	Rent	Lease with School District	Rent	Rent	Resolution	1.00	\$1.00 per year for ten years - Anson Parking Lot
Admin	Rent	Marshall County 911 Commission	Rent	Rent	Resolution	1.00	1.00 (\$220 per month estab 3/10/2003 Res 2003-046) - See New 28E Agreement
Admin	Rent	Marshall County Arts & Culture Alliance - ECHO	Rent	Rent	Resolution	1.00	1 per year - through 2038
Admin	Rent	Rent - Iowa River OHV Club	Rent	Rent	Resolution	1.00	1.00 per year for fifteen year lease - exp 4-25-2025
Admin	Rent	Rent - Marshalltown Football League	Rent	Rent	Resolution	1.00	1.00 per year for 3 years, payable in advance
Admin	Rent	Rent - Marshalltown Little League	Rent	Rent	Resolution	1.00	1.00 per year for 10 years
Admin	Rent	Rent - Marshalltown Softball Association	Rent	Rent	Resolution	1.00	1.00 per year for 3 years, exp 12/31/2020 softball complex

CITY FEE SCHEDULE 04-01-2022

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
Admin	Rent	Rent - Radio Flyers	Rent	Rent	Resolution	100.00	in advance for ten years - \$10 per year
Admin	Rent	Rent - American Legion	Rent	Rent	Resolution	2.50	\$2.50 per year, payable in advance. Lease expires 12-15-2033
Admin	Rent	Rent - Central Iowa River Gun	Rent	Rent	Resolution	1.00	1.00 per year for 10 years
Admin	Rent	Rent - Community Theatre	Rent	Rent	Resolution	10.00	10 per year, 20 years, exp 1-1-2023
Admin	Rent	Rent - Great Western Bank - 113 E State St Parking lot 1/2	Rent	Rent	Resolution	600.00	per year
Admin	Rent	Rent - Marshall Gun Club	Rent	Rent	Resolution	75.00	\$75 per acre, term of 3 years
Admin	Rent	Rent - Steve Ames - 113 E State St Parking lot 1/2	Rent	Rent	Resolution	600.00	per year
Airport	Rent	Rent - Airport Lights	Rent	Rent	Resolution	420.00	Airport 6-1-2024
Airport	Rent	Rent - Aviation	Rent	Rent	Resolution	2,164.36	Airport 6-1-2024
Airport	Rent	Rent - Aviation Svc fee	Rent	Rent	Resolution	50.00	Airport 6-1-2024
Airport		Fixed-Base Operation Lease & Fuel Agreement	111.004	004-020	Resolution 2021-355		set by Management Contract
Airport		Airport Services	111-004	004-020	Resolution		set by Management Contract
BUILDING		Backflow Prevention	153.002	Sec. 14-77	Ordinance	10.00	
BUILDING		Plan Review Fees	151.002			-	
Fire	Accident	Response Fee Non-Resident			Resolution	331.61	Hazmat fee sch - min 1 hr + materials
Fire	Accident	Response Fee Resident			Resolution	Materials	Cost of materials; over 1 hr bill 15 min increments per HAZMAT sch
Fire	Accident	Spill pad	OTHER FEES			3.50	
Fire	Accident	Oil dry	OTHER FEES			12.00	
Fire	Accident	Vehicle Leaking Fluid			Resolution	Materials	Cost of materials; over 1 hr bill 15 min increments per HAZMAT sch
Fire	HazMat	HazMat-Heavy Response Apparatus with 4 Personnel			Iowa Fire Service	331.61	per hour (minimum 1 hr, billed in 15 min increments after 1st hr)

CITY FEE SCHEDULE 04-01-2022

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
Fire	HazMat	HazMat-Light Response Apparatus with 2 Personnel			Iowa Fire Service	264.28	per hour (minimum 1 hr, billed in 15 min increments after 1st hr)
Fire	HazMat	HazMat-Extra Response Personnel			Iowa Fire Service	25.56	per hour (minimum 1 hr, billed in 15 min increments after 1st hr)
Fire	HazMat	HazMat-Expended Materials (replacement cost including shipping)			Iowa Fire Service	cost+	actual cost, labor and shipping
Fire	HazMat	HazMat-Equipment Repair or Cleaning (cost plus labor including shipping)			Iowa Fire Service	cost+	actual cost, labor and shipping
Fire	HazMat	HazMat-Damaged Equipment/Property (replacement/repair cost including shipping)			Iowa Fire Service	cost+	actual cost, labor and shipping
Fire	HazMat	HazMat-Other (Contracted services, contracted equip, evacuation of people, etc.)			Iowa Fire Service	Cost	Billed as used
Fire	IllegalBurn	Illegal Burn - 1st Offense	91.021	012-085	Resolution	110.00	
Fire	IllegalBurn	Illegal Burn - 2nd Offense	91.021	012-085	Resolution	210.00	
Fire	IllegalBurn	Illegal Burn - 3rd Offense	91.021	012-085	Resolution	310.00	
Fire	Inspection	Inspection - Initial	IFC 105.2.2		Resolution	-	included in permit fee
Fire	Inspection	Inspection - 1st Reinspection	IFC 105.2.2		Resolution	-	included in permit fee
Fire	Inspection	Inspection - 2nd Reinspection	IFC 105.2.2		Resolution	80.00	
Fire	Inspection	Inspection - 3rd Reinspection	IFC 105.2.2		Resolution	105.00	
Fire	Inspection	Inspection - 4th+ Reinspection	IFC 105.2.2		Resolution	155.00	
Fire	Inspection	Inspection - Liquor Only0 - Initial Inspection	IFC 105.2.2		Resolution	-	
Fire	Inspection	Inspection - Liquor Only1 - 1st reinspection	IFC 105.2.2		Resolution	30.00	
Fire	Inspection	Inspection - Liquor Only2 - 2nd reinspection	IFC 105.2.2		Resolution	80.00	
Fire	Inspection	Inspection - Liquor Only3 - 3rd reinspection	IFC 105.2.2		Resolution	105.00	
Fire	Inspection	Inspection - Liquor Only4 - 4th+ reinspection	IFC 105.2.2		Resolution	155.00	
Fire	Annual Permit	Aerosol Products	IFC 105.6.1	IFC Sec 105	Ordinance	65.00	

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
Fire	Annual Permit	Amusement Buildings	IFC 105.6.2		Ordinance	65.00	
Fire	Annual Permit	Assembly <50 occupants	IFC 105.6.36		ordinance	40.00	
Fire	Annual Permit	Assembly 50-100 occupants	IFC 105.6.36	IFC Sec 105	Ordinance	50.00	
Fire	Annual Permit	Assembly 101-300 occupants	IFC 105.6.36	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Assembly 301-500 occupants	IFC 105.6.36	IFC Sec 105	Ordinance	90.00	
Fire	Annual Permit	Assembly 501+ occupants	IFC 105.6.36	IFC Sec 105	Ordinance	110.00	
Fire	Annual Permit	Aviation Facilities	IFC 105.6.3	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Carbon Dioxide Systems	IFC 105.6.4		Ordinance	70.00	
Fire	Annual Permit	Carnivals & Fairs	IFC 105.6.5	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Cellulose Nitrate Film or Storage	IFC 105.6.6	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Combustible Dust Producing Ops	IFC 105.6.7		ordinance	70.00	
Fire	Annual Permit	Combustible Fiber Storage Permit	IFC 105.6.8	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Compressed Gases	IFC 105.6.9	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Commercial Burn Permit	91.021	012-085	Resolution	225.00	
Fire	Annual Permit	Confined Space Response	OTHER FEES		Resolution	2,500.00	annual beginning 7/1/2011, three years
Fire	Annual Permit	Confined Space Permit- Lennox	OTHER FEES	2006-120	Resolution	2,500.00	Annual
Fire	Annual Permit	Covered/Open Mall buildings	IFC 105.6.10		Ordinance	70.00	
Fire	Annual Permit	Cryogenic Fluids	IFC 105.6.11	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Cutting/Welding	IFC 105.6.12	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Dry Cleaning	IFC 105.6.13	IFC Sec 105	Ordinance	70.00	

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
Fire	Annual Permit	Exhibits/Trade Shows	IFC 105.6.14		Ordinance	70.00	
Fire	Annual Permit	Explosives/Fireworks	IFC 105.6.15	IFC Sec 105	Ordinance	85.00	
Fire	Annual Permit	Fire Excessive Alarm (6-9)	32.003	012-098	Ordinance	65.00	First 5 free, fee per alarm
Fire	Annual Permit	Fire Excessive Alarm (10-14)	32.003		Ordinance	90.00	First 5 free, fee per alarm
Fire	Annual Permit	Fire Excessive Alarm (15+)	32.003	012-098	Ordinance	115.00	First 5 free, fee per alarm
Fire	Annual Permit	Fire Hydrants/Valves	IFC 105.6.16	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Flammable/Combustible Liquids <1000 gal	IFC 105.6.17	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Flammable/Combustible Liquids 1001-10,000 gal	IFC 105.6.17	IFC Sec 105	Ordinance	90.00	
Fire	Annual Permit	Flammable/Combustible Liquids >10,001 gal	IFC 105.6.17	IFC Sec 105	Ordinance	115.00	
Fire	Annual Permit	Floor Finishing >350 sq ft using class 1/2 liquids	IFC 105.6.18		Ordinance	70.00	
Fire	Annual Permit	Fruit/Crop Ripening	IFC 105.6.19	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Fumigation/Insecticide Fogging	IFC 105.6.20	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Hazardous Materials	IFC 105.6.21	IFC Sec 105	Ordinance	80.00	
Fire	Annual Permit	HPM Facilities-Use/Storage (Hazardous Production Materials)	IFC 105.6.22	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	High-Piles Storage	IFC 105.6.23	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Hot Work Operations	IFC 105.6.24		Ordinance	70.00	
Fire	Annual Permit	Industrial Ovens	IFC 105.6.25		Ordinance	70.00	
Fire	Annual Permit	Liquid/Gas-Fueled Equipment in Assembly	IFC 105.6.27	IFC Sec 105		70.00	
Fire	Annual Permit	LP Gas/Use/Storage/Dispensing <5,000 gal	IFC 105.6.28	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	LP Gas/Use/Storage/Dispensing 5-10,000 gal	IFC 105.6.28	IFC Sec 105	Ordinance	90.00	

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Fire	Annual Permit	LP Gas/Use/Storage/Dispensing 10,000+ gal	IFC 105.6.28	IFC Sec 105	Ordinance	115.00	
Fire	Annual Permit	Lumber yard/Woodworking Plants	IFC 105.6.26	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Magnesium Use	IFC 105.6.29	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Misc Combustible Storage	IFC 105.6.30		Ordinance	70.00	
Fire	Annual Permit	Motor Fuel Dispensing Facilities 1-1,000 gal	IFC 105.6.31		Ordinance	70.00	
Fire	Annual Permit	Motor Fuel Dispensing Facilities 1,001-10,000 gal	IFC 105.6.31		Ordinance	90.00	
Fire	Annual Permit	Motor Fuel Dispensing Facilities 10,001+ gal	IFC 105.6.31		Ordinance	115.00	
Fire	Annual Permit	Open Flames & Torches	IFC 105.6.33		Ordinance	70.00	
Fire	Annual Permit	Open Flames & Candles	IFC 105.6.34		Ordinance	70.00	
Fire	Annual Permit	Organic Coatings	IFC 105.6.35	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Pyrotechniques/Special Effects	IFC 105.6.38	012-012	Ordinance	265.00	
Fire	Annual Permit	Pyroxylin Plastics >25# storage, assembly, manufacturing	IFC 105.6.39		Ordinance	70.00	
Fire	Annual Permit	Refrigeration Equipment/Commercial	IFC 105.6.40	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Repair Garages/Fuel Dispensing Facilities	IFC 105.6.41	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Rooftop Heliports	IFC 105.6.42		Ordinance	70.00	
Fire	Annual Permit	Spraying and Dipping	IFC 105.6.43	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Scrap Tire Storage	IFC105.6.44	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Temporary Membrane/Tent Structures	IFC 105.6.45	IFC Sec 105	Ordinance	70.00	
Fire	Annual Permit	Tire Rebuilding Plants	IFC 105.6.46		Ordinance	70.00	
Fire	Annual Permit	Waste Handling - wrecking & junk yards, waste handling facilities	IFC 105.6.47		Ordinance	70.00	

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Fire	PlanReview	Plan Review - Alarm System			Resolution	110.00	does not include 3rd party reviewer charges for factory, hazardous, educational, institutional,
Fire	PlanReview	Plan Review - Building			Resolution	110.00	
Fire	PlanReview	Plan Review - Sprinkler System			Resolution	110.00	
Fire	Biennial Permit	Commercial Space <3000 sq/ft (initial)			Resolution	100.00	
Fire	Biennial Permit	Commercial Space <3000 sq/ft (Reinspection)			Resolution	100.00	
Fire	Biennial Permit	Commercial Space 3001-6000 sq/ft (initial)			Resolution	200.00	
Fire	Biennial Permit	Commercial Space 3001-6000 sq/ft (Reinspection)			Resolution	200.00	
Fire	Biennial Permit	Commercial Space 6000-9000 sq/ft (initial)			Resolution	300.00	
Fire	Biennial Permit	Commercial Space 6000-9000 sq/ft (Reinspection)			Resolution	300.00	
Fire	Biennial Permit	Commercial Space 9000+ sq/ft (initial)			Resolution	400.00	
Fire	Biennial Permit	Commercial Space 9000+ sq/ft (Reinspection)			Resolution	400.00	
Housing	Building	Building Investigation Fee		007-002	Resolution	-	
Housing	Building	Building Permit	Current Schedule	007-002	Resolution	-	Intl Code Council Building Valuation Data Table & Schedule
Housing	Building	Demolition Permit		007-003	Resolution	25.00	Each building
Housing	Building	Gas & Plumbing Permits - schedules of fees	115.003	Sec. 14-75	Resolution	-	
PUB WORKS	Engineering	Moving Building		007-002	Resolution	50.00	Each Building
PUB WORKS	Engineering	Moving Building (loads exceeding vehicle weight limits)			Resolution	200.00	Each building
Housing	Building	Plumbing Permits -schedules of fees	153.002		Resolution	-	Schedule
Housing	Code Enf	Certified Mail Fee			Ordinance	cost	recoup actual cost for nuisance cleanup
Housing	Code Enf	Code Enforcement Admin Fee			Resolution	100.00	per cleanup

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Housing	Code Enf	Landfill Fee - Nuisance			Ordinance	cost	recoup actual cost for nuisance cleanup
Housing	Code Enf	Nuisance Abatement Cleanup Fee			Ordinance	cost	recoup actual cost for nuisance cleanup
Housing	Code Enf	Nuisance Vehicle - Impound Fee	95.009	21-73	Resolution	cost	reasonable fee for less than 14 days storage
Housing	Code Enf	Towing Fee - Nuisance charges			Ordinance	cost	recoup actual cost for nuisance cleanup
Housing	Code Enf	Vacant Property Code Registration			Resolution	100.00	Annual Registration
Housing	Code Enf	Vacant Property Code Uninsured Property Fee			Resolution	3,000.00	
Housing	Gas	Gas Dealer		014-072	Ordinance/Resolution		- Annual, expires 12/31
Housing	Gas	Gas Fitter		014-028	Resolution	50.00	Annual, expires 12/31
Housing	Gas	Gas Heating Contractor		014-028	Resolution		- Annual, expires 12/31
Housing	Gas	Gas-Utility Co Annual		014-026	Resolution		- Annual, expires 12/31
Housing	Gas	Heating Contractor		014-028	Resolution		- Annual, expires 12/31
Housing	Lead Program	Lead hazard Control Grant Program Subordination			Resolution	100.00	
Housing	Plumbing	JP JourneyPlumber		014-068	Resolution		- Annual, expires 12/31
Housing	Plumbing	MP Master Plumber		014-068	Resolution		- Annual, expires 12/31
Housing	Plumbing	PC Plumbing Contractor		014-072	Ordinance/Resolution		- Annual, expires 12/31
Housing	Plumbing	Plumbing - Backflow Prevent		014-077(b)4	water Works/Ordinance	10.00	Renewal
Housing	Plumbing	Plumbing Gas Fees 2012			Resolution	-	
Housing	Plumbing	Plumbing License (factory)		014-026	Resolution	25.00	Annual, expires 12/31
Housing	Plumbing	Plumbing Permits for Work	153.002	014-075	Resolution		- See schedule
Housing	Rental Housing	Application Fee - new rental properties			Resolution	50.00	

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Housing	Rental Housing	Assessment fee - rental housing	152.005		Resolution	25.00	per parcel item assessed to taxes
Housing	Rental Housing	Complaint - Housing Advisory Board	152.008	015.5-017	Resolution	-	Per instance \$100 deposit
Housing	Rental Housing	Rental Property1-1st Unit	152.005	015.5-008	Resolution	40.00	
Housing	Rental Housing	Rental Property2-2nd Unit	152.005	015.5-008	Resolution	32.00	
Housing	Rental Housing	Rental Property3 3-12th units	152.005	015.5-008	Resolution	25.00	
Housing	Rental Housing	Rental Property4-13 and more Units	152.005	015.5-008	Resolution	20.00	
Housing	Zoning	Annexation - Voluntary for non taxable property			Resolution	250.00	
Housing	Zoning	Final Subdivision Plat			Resolution	100 + 50/ac.	
Housing	Zoning	Home Occupation Special Use Permit			Resolution	50.00	
Housing	Zoning	Home Occupation Special Use Permit			Resolution	150.00	
Housing	Zoning	Ordinance change request			Resolution	500.00	
Housing	Zoning	Planned Unit Development Amendment (no requiring hearings)			Resolution	200.00	
Housing	Zoning	Planned Unit Development Amendment (requiring hearings)			Resolution	500.00	
Housing	Zoning	Planned Unit Development base fee			Resolution	300 + 50/ac	\$300 base fee plus \$50 per acre
Housing	Zoning	Rezoning Request			Resolution	500.00	
Housing	Zoning	Severance Fee			Resolution	250.00	
Housing	Zoning	Sidewalk Deferment Application	57.039		Resolution	250.00	
Housing	Zoning	Sign Permit			Resolution	50.00	
Housing	Zoning	Special Use Permit			Resolution	300.00	
Housing	Zoning	Subdivision Final Plat base fee			Resolution	100.00	

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Housing	Zoning	Subdivision Final Plat per acre fee			Resolution	50.00	
Housing	Zoning	Subdivision Preliminary Plat Base fee			Resolution	250.00	
Housing	Zoning	Subdivision Preliminary Plat per acre fee			Resolution	50.00	
Housing	Zoning	Variance - any other building			Resolution	200.00	
Housing	Zoning	Variance - owner occupied dwelling			Resolution	150.00	
Housing	Zoning	Zoning Verification Letter (Multi-family, Commercial, Industrial, Non-SF)			Resolution	100.00	
Housing	Zoning	Zoning Verification Letter (Single Family Residential)			Resolution	25.00	
Parks	Aquatic	Adult/Tot Swim (T,Th, Sat) 15-pass scan card			Resolution	40.00	
Parks	Aquatic	Adult/Tot Swim (T,Th, Sat) daily			Resolution	3.00	
Parks	Aquatic	Aquatic center admission - 10-tickets sheet			Resolution	45.00	
Parks	Aquatic	Aquatic center admission - after 5 pm			Resolution	3.00	
Parks	Aquatic	Aquatic center admission - daily			Resolution	5.00	
Parks	Aquatic	Birthday Splash - 10 plus hot dog and drink			Resolution	50.00	
Parks	Aquatic	Birthday Splash - 10 plus pizza and drink			Resolution	60.00	
Parks	Aquatic	Birthday Splash - 10 plus small drink			Resolution	70.00	
Parks	Aquatic	Doggie Dip (per dog)			Resolution	5.00	
Parks	Aquatic	Rental - Entire aquatic center			Resolution	600.00	
Parks	Aquatic	Season Pass - 1-person			Resolution	110.00	
Parks	Aquatic	Season Pass - 2-person family			Resolution	180.00	
Parks	Aquatic	Season Pass - additional family members			Resolution	30.00	

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Parks	Aquatic	Season Pass - nanny			Resolution	95.00	
Parks	Aquatic	Splash Dance			Resolution	3.00	
Parks	Aquatic	Swimming Lesson- indoor learn to swim			Resolution	40.00	
Parks	Aquatic	Swimming Lesson- indoor preschool			Resolution	40.00	
Parks	Aquatic	Swimming Lesson- outdoor learn to swim			Resolution	42.00	
Parks	Aquatic	Swimming Lesson- outdoor preschool			Resolution	32.00	
Parks	Aquatic	Water walking / lap swim - 15-pass scan card			Resolution	40.00	
Parks	Aquatic	Water walking / lap swim - daily			Resolution	3.00	
Parks	Camping	Camping - Electric only	93.001	021.5-004	Resolution	20.00	per day
Parks	Camping	Camping - Full Hookup	93.001	021.5-004	Resolution	25.00	per day
Parks	Camping	Camping - no electric	93.001	021.5-004	Resolution	15.00	per day
Parks	DogPark	Dog Park Pass-Intact Animal			Resolution	25.00	ANNUAL
Parks	DogPark	Dog Park Pass-Spayed or Neutered Animal			Resolution	20.00	ANNUAL
Parks	Memorial	Memorial Bench			Resolution	900.00	
Parks	Memorial	Memorial Plaque			Resolution	100.00	
Parks	Memorial	Memorial Tree			Resolution	300.00	
Parks	Shelter	Adding Alcohol to Rental			Resolution	30.00	Daily Rate
Parks	Shelter	Shelter - Anson (seasonal)			Resolution	80.00	Daily Rate
Parks	Shelter	Shelter - Riverview Community Bldg			Resolution	150.00	Daily Rate
Parks	Shelter	Shelter - Kiwanis (seasonal)			Resolution	70.00	Daily Rate

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Parks	Shelter	Shelter - Riverview Log Cabin (seasonal)			Resolution	45.00	Daily Rate
Parks	Shelter	Shelter - Riverview Reunion Hall			Resolution	125.00	Daily Rate
Parks	Terrace	Tree Planting- terrace		027-019	Resolution	-	None issued - moratorium
PARKS		SUMMER BLAST				95.00	per child per week
Parks	VMC	Half Gym - 1 court (hourly/weekday)			Res 2020-360	25.00	Hourly/weekday
Parks	VMC	Half Gym - 1 court (all day/weekday)			Res 2020-360	300.00	Allday/weekday
Parks	VMC	Half Gym - 1 court (hourly/weekend)			Res 2020-360	50.00	Hourly/weekend
Parks	VMC	Half Gym - 1 court (hourly/weekend)			Res 2020-360	400.00	Allday/weekend
Parks	VMC	Whole Gym (hourly/weekday)			Res 2020-360	50.00	Hourly/weekday
Parks	VMC	Whole Gym (all day/weekday)			Res 2020-360	600.00	Allday/weekday
Parks	VMC	Whole Gym (hourly/weekend)			Res 2020-360	100.00	Hourly/weekend
Parks	VMC	Whole Gym (hourly/weekend)			Res 2020-360	800.00	Allday/weekend
Parks	VMC	Flex Rooms (hourly/weekday)			Res 2020-360	25.00	Hourly/weekday
Parks	VMC	Flex Rooms (all day/weekday)			Res 2020-360	300.00	Allday/weekday
Parks	VMC	Flex Rooms (hourly/weekend)			Res 2020-360	50.00	Hourly/weekend
Parks	VMC	Flex Rooms (hourly/weekend)			Res 2020-360	400.00	Allday/weekend
Parks	VMC	Multi-Room Discount (hourly/weekday)			Res 2020-360	5.00	Hourly/weekday
Parks	VMC	Multi-Room Discount (all day/weekday)			Res 2020-360	50.00	Allday/weekday
Parks	VMC	Multi-Room Discount (hourly/weekend)			Res 2020-360	5.00	Hourly/weekend
Parks	VMC	Multi-Room Discount (hourly/weekend)			Res 2020-360	50.00	Allday/weekend

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Parks	VMC	Conference Room (hourly/weekday)	*Free to non-profit/service clubs, M-F 7am-5pm		Res 2020-360	25.00	Hourly/weekday
Parks	VMC	Conference Room (all day/weekday)	*Free to non-profit/service clubs, M-F 7am-5pm		Res 2020-360	300.00	Allday/weekday
Parks	VMC	Conference Room(hourly/weekend)	*Free to non-profit/service clubs, M-F 7am-5pm		Res 2020-360	50.00	Hourly/weekend
Parks	VMC	Conference Room (hourly/weekend)	*Free to non-profit/service clubs, M-F 7am-5pm		Res 2020-360	400.00	Allday/weekend
Parks	VMC	Daily Drop-in Fee (Adults)			Res 2020-360	3.00	per hr
Parks	VMC	Bounce House			Res 2020-360	75.00	for 2 hours
Parks	VMC	Tournament Fee			Res 2020-360	200.00	Day
Parks	VMC	Large Event Fee (Setup, tear down, Fri setup, Sun cleanup)			Res 2020-360	600.00	per event
Parks	VMC	Deposit for all day events, large events, tournaments			Res 2020-360	500.00	
Police	Alarm	Alarm- failure to notify PD of service changes	33.024		Resolution	-	
Police	Alarm	Alarm Police - Failure to Notify PD Service Fee	33-024	017-223	Ordinance	25.00	
Police	Alarm	Alarm Police - False	33.022	017-221	Resolution	40.00	First two in calendar year are free
Police	Alarm	Malfunctioning Alarm - Service fee to disable	33.023			-	
Police	Parking	Parking - impounded pursuant to 72.071				50.00	
Police	Parking	Parking Violations	72.001	020-168	Ordinance	20.00	per ticket
Police	Parking	Parking Violations - Over 30 days	72.001	020-168	Ordinance	5.00	per ticket
Police	Parking	Skof Tow Fee	72.070 - 72.0076			50.00	
Police	Records	Copying of Public Records			Resolution	0.25	per page (B&W)
Police	Records	Copying of Public Records			Resolution	-	Actual cost for providing digital media
Police	Records	Copying of Public Records			Resolution	0.50	per page (color)

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Police	Records	Copying of Public Records			Resolution	1.00	per DVD/CD
Police	Records	Fingerprinting services			Resolution	20.00	No card limit, waive fee for MCSO staff
Police	Records	Local Criminal History			Resolution	13.00	
Police	Service	Social Host Ordinance Enforcement fee	112.040		Ordinance	cost	Officers time on investigation
Police	Service	X-duty Police Security Services			Resolution	55.00	per hour
Police	TOW	Towing Admin Fee		020-189	Ordinance	50.00	
PUB WORKS	Admin	Special Events (specific barricade delivery/pickup)				300.00	
PUB WORKS	Admin	Special Events Trailer (delivery/pickup)				150.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Kraft bag disposal	50.006	13-6	Resolution	1.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Resusable Container	50.006	13-6	Resolution	3.00	minimum
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Car/Van/SUV	50.006	13-6	Resolution	6.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Pickup Truck Under 8' bed length	50.006	13-6	Resolution	10.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Pickup Truck 8' bed length	50.006	13-6	Resolution	15.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Pickup Truck Over 8' bed length	50.006	13-6	Resolution	20.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Dump Truck Small (1 ton)	50.006	13-6	Resolution	30.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Dump Truck Medium (single axle)	50.006	13-6	Resolution	50.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Dump Truck Large (tandem axle)	50.006	13-6	Resolution	75.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Semi-Truck & Trailer	50.006	13-6	Resolution	150.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Trailer Under 8' long	50.006	13-6	Resolution	10.00	
PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Trailer 8' to 10' long	50.006	13-6	Resolution	20.00	

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PUB WORKS	Compost	Yard Waste and tree Debris Disposal - Trailer Over 10' long	50.006	13-6	Resolution	35.00	
PUB WORKS	Compost	Loading Fee - Compost or Mulch/Wood Chips	50.006	13-6	Resolution	20.00	
PUB WORKS	Compost	Sale of Compost - Reusable Container	50.006	13-6	Resolution	3.00	minimum
PUB WORKS	Compost	Sale of Compost - Pickup Truck Under 8' bed length	50.006	13-6	Resolution	20.00	
PUB WORKS	Compost	Sale of Compost - Pickup Truck 8' bed length	50.006	13-6	Resolution	30.00	
PUB WORKS	Compost	Sale of Compost - Dump Truck Small (1 ton)	50.006	13-6	Resolution	50.00	
PUB WORKS	Compost	Sale of Compost - Dump Truck Medium (single axle)	50.006	13-6	Resolution	90.00	
PUB WORKS	Compost	Sale of Compost - Dump Truck Large (tandem axle)	50.006	13-6	Resolution	180.00	
PUB WORKS	Compost	Sale of Mulch/Wood Chips (processed) - Reusable Container	50.006	13-6	Resolution	3.00	
PUB WORKS	Compost	Sale of Mulch/Wood Chips (processed) - Pickup Truck 8' bed length	50.006	13-6	Resolution	30.00	
PUB WORKS	Compost	Sale of Mulch/Wood Chips (processed) - Dump Truck Small (1 ton)	50.006	13-6	Resolution	40.00	
PUB WORKS	Compost	Sale of Mulch/Wood Chips (processed) - Dump Truck Medium (single axle)	50.006	13-6	Resolution	80.00	
PUB WORKS	Compost	Sale of Firewood (unprocessed) - Pickup Truck	50.006	13-6	Resolution	10.00	
PUB WORKS	Compost	Sale of Firewood (unprocessed) - Dump Truck Small (1 ton)	50.006	13-6	Resolution	20.00	
PUB WORKS	Compost	Sale of Firewood (unprocessed) - Dump Truck Medium (single axle)	50.006	13-6	Resolution	30.00	
PUB WORKS	Compost	Access fee to compost in off season			Resolution	500.00	
PUB WORKS	Electrical	Annual inspection fee	154.058	Resolution	Resolution	100.00	
PUB WORKS	Electrical	Appliances - fixed or stationary	154.058	Resolution	Resolution	5.00	
PUB WORKS	Electrical	Central air conditioners & motors over 1HP, \$5 each	154.058	Resolution	Resolution	10.00	
PUB WORKS	Electrical	Electrical Contractor License	154.085 - renewal 154.088	011-104	Ordinance	100.00	Annual, expires 12/31

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PUB WORKS	Electrical	Electrical exam fee	154.085	011-100	Ordinance	30.00	
PUB WORKS	Electrical	Electrical exam fee - expedited	154.085	011-100	Ordinance	200.00	
PUB WORKS	Electrical	Electrical License - Apprentice	154.058	011-091	Ordinance	20.00	Annual, expires 12/31
PUB WORKS	Electrical	Electrical permit, basic fee	154.058	Resolution	Resolution	25.00	
PUB WORKS	Electrical	Electrical work by homeowner	154.058	011-043	Resolution	-	Annual, expires 12/31
PUB WORKS	Electrical	Generators 0-5 kva or kw	154.058	Resolution	Resolution	10.00	lump sum
PUB WORKS	Electrical	Generators 5-20 kva or kw	154.058	Resolution	Resolution	5.00	adds to lump sum
PUB WORKS	Electrical	Generators 21+ each additional 10 kva over 20	154.058	Resolution	Resolution	5.00	each
PUB WORKS	Electrical	Journeyman Electric License	154.085 - renewal 154.088	011-104	Ordinance	30.00	Annual, expires 12/31
PUB WORKS	Electrical	Lighting or power service, 1 meter	154.058	Resolution	Resolution	15.00	
PUB WORKS	Electrical	Lighting or power service, additional meters over 1	154.058	Resolution	Resolution	10.00	
PUB WORKS	Electrical	Maximum fee for each building or job	154.058	Resolution	Resolution	1,000.00	
PUB WORKS	Electrical	Opening, switches, outlets, fixtures 1-25	154.058	Resolution	Resolution	10.00	
PUB WORKS	Electrical	Opening, switches, outlets, fixtures 26+ each 50 addi	154.058	Resolution	Resolution	10.00	
PUB WORKS	Electrical	Re-inspection due to faulty work	154.058	Resolution	Resolution	25.00	
PUB WORKS	Electrical	Restricted Electrician	154.085 - renewal 154.088	011-039	Ordinance	70.00	Annual, expires 12/31
PUB WORKS	Electrical	Signs - factory made and installed as unit	154.058	Resolution	Resolution	10.00	
PUB WORKS	Electrical	Temporary service	154.058	Resolution	Resolution	10.00	
PUB WORKS	Engineering	Construction Bond	57.023	Bond	Resolution	10,000.00	
PUB WORKS	Engineering	Driveway Application Non-Standard	72.039		Resolution	31.00	EACH

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
PUB WORKS	Engineering	Driveway Approach Inspection	72.039		Resolution	31.00	EACH
PUB WORKS	Engineering	Driveway Approach Permit	72.039		Resolution	31.00	EACH
PUB WORKS	Engineering	Driveway Approach Re-Inspection Fee	72.039		Resolution	24.00	EACH
PUB WORKS	Engineering	Driveway Extension w/Authorization	72-039		Resolution	43.00	EACH
PUB WORKS	Engineering	Driveway Extension w/o Authorization	72-039		Resolution	91.00	EACH
PUB WORKS	Engineering	Entrance/Curb Cut	57.016		Resolution	24.00	EACH
PUB WORKS	Engineering	Excavation Bond - Annual	57.023	Bond	Resolution	10,000.00	
PUB WORKS	Engineering	Excavation Bond - Site Specific	57.023		Resolution	10,000.00	
PUB WORKS	Engineering	Excavation Permit (Work with the ROW)	57.021		Resolution	21.00	EACH
PUB WORKS	Engineering	Excavation Permit (Work within the ROW)	57.021		Resolution	21.00	EACH
PUB WORKS	Engineering	Flood Plain Survey			Resolution	-	we do not perform surveys - requires licensed surveyor
PUB WORKS	Engineering	Mailbox - max reimbursement for city-damaged post	59.007 - 59.008		Resolution	50.00	max reimb for replacement
PUB WORKS	Engineering	Public Works Sale of Asphalt Millings, per ton	OTHER FEES		Resolution	5.00	per ton
PUB WORKS	Engineering	Sewer Cutoff				\$28.00	
PUB WORKS	Engineering	Sewer Repair				\$28.00	
PUB WORKS	Engineering	Sidewalk Inspection Fee (Full Sidewalk Construction)	57.042			41.00	EACH
PUB WORKS	Engineering	Sidewalk Inspection Fee (Partial Construction)	57.042			31.00	EACH
PUB WORKS	Engineering	Solid Waste Management Assessment- Commercial	51.001	028-017	Resolution	72.60	Annual - billed by waterworks
PUB WORKS	Engineering	Solid Waste Management Assessment-Agricultural with a water meter	51.001	028-021	Resolution	8.40	Annual - billed by waterworks
PUB WORKS	Engineering	Solid Waste Management Assessment-Industrial	51.001	028-018	Resolution	72.60	Annual - billed by waterworks

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
PUB WORKS	Engineering	Solid Waste Management Assessment-Multiple Family Residential, per family unit	51.001	028-020	Resolution	8.40	Annual - billed by waterworks
PUB WORKS	Engineering	Solid Waste Management Assessment-Single Family Residential	51.001	028-019	Resolution	8.40	Annual - billed by waterworks
PUB WORKS	Engineering	Solid Waste Management Assessment-Trailer Court / each lot	51.001	028-022	Resolution	8.40	Annual - billed by waterworks
PUB WORKS	Engineering	Street Patch Inspection				31.00	EACH
PUB WORKS	Engineering	Tunneling Permit	57.017	026-018	Resolution	19.00	
PUB WORKS	SEWER	Sewer Connection Fee(New Div)	52-007	028-035	Resolution	300.00	
PUB WORKS	SEWER	Sewer Connection Fee(WPCP)	52-004	028-033	Resolution	3,200.00	
PUB WORKS	SEWER	Sewer Cutoff			Resolution	28.00	
PUB WORKS	SEWER	Sewer Repair			Resolution	28.00	
PUB WORKS	SEWER	Sanitary Sewer Connection - after 1/1/1974	52.005	028-033(b)	Ordinance	3,200.00	Each connection
PUB WORKS	SEWER	Sanitary Sewer Connection - assessed	52.005	028-033(c)	Ordinance	-	Each connection
PUB WORKS	SEWER	Sanitary Sewer Connection - assessed - deferred	52.005	028-033(d)	Ordinance	3,200.00	Each connection
PUB WORKS	SEWER	Sanitary Sewer Connection - before 1/1/1974	52.005	028-033(a)	Ordinance	-	Each connection
PUB WORKS	SEWER	Sanitary Sewer connection fee - non assessed properties	52.005			-	
PUB WORKS	SEWER	Sanitary Sewer Connection to existing line	52.007		Ordinanc	300.00	
PUB WORKS	SEWER	Sanitary Sewer Utility Conn-City Constructed		028-035(c)2	Ordinance	3,200.00	Each connection
PUB WORKS	SEWER	Sanitary Sewer Utility Conn-Developer Constructed		028-035(c)6	Ordinance	300.00	Each connection
PUB WORKS	SEWER	Sanitary Sewer Utility Connection	52.007	028-035	Ordinance	3,200.00	Each connection
PUB WORKS	SEWER	Sewer Deposit	52.006		Ordinance	40.00	
PUB WORKS	SEWER	assessment of costs when required to make connection	52.004			-	

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
PUB WORKS	SEWER	New Sewer Connection				28.00	EACH
PUB WORKS	SEWER	Sewer Connection Fee(City Installed)				3,200.00	EACH
PUB WORKS	SEWER	Sewer Connection Fee(Subdivision Installed)				300.00	EACH
PUB WORKS	SEWER	Sewer Cutoff				28.00	EACH
PUB WORKS	SEWER	Sewer Repair				28.00	EACH
PUB WORKS	SEWER	Sewer Equip Chg 4" Pump (4 hour minimum)	52.074		Resolution	7.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg 6" Pump (4 hour minimum)	52.074		Resolution	13.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Air Compressor	52.074		Resolution	25.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Back Hoe	52.074		Resolution	50.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Back Hoe w/ Hammer or tamper	52.074		Resolution	65.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Concrete Saw	52.074		Resolution	45.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Dump Truck (2.5 ton)	52.074		Resolution	35.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg End loader	52.074		Resolution	65.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Hole Coring Saw	52.074		Resolution	20.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Jet Truck	52.074		Resolution	65.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Jet Vacuum truck	52.074		Resolution	90.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg One Ton Truck	52.074		Resolution	15.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Pickup Truck	52.074		Resolution	12.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Equip Chg Television truck	52.074		Resolution	90.00	Per hour. Note: All time for equipment shall be charged a minimum of one hour unless otherwise
PUB WORKS	SEWER	Sewer Tap Charge 4" Service Lateral Connection	52.074		Resolution	136.00	(including labor, equipment & saddle)

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
PUB WORKS	SEWER	Sewer Tap Charge 6" Service Lateral Connection	52.074		Resolution	157.00	(including labor, equipment & saddle) Per hour: Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	SEWER	Personnel Chgs Sewer Dept. Labor				36.00	Per hour: Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	SEWER	Personnel Chgs Sewer Dept. Labor Overtime				49.00	Per hour: Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	SEWER	Personnel Chgs Sewer Superintendent				44.00	Per hour: Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	STORM	COSESCO PERMIT				120.00	PER ACRE PLUS ADDL FEE \$20 PER ACRE
PUB WORKS	STORM	Storm Sewer Revision				28.00	EACH
PUB WORKS	Storm Sewer	COSESCO Permit - per acre plus \$20 additional acre or portion thereof			Resolution	120.00	
PUB WORKS	Storm Sewer	Major Erosion Control Permit	55.003-55.013	028-162	Resolution		based on parcel size 120 per acre + 20 addl acre
PUB WORKS	Storm Sewer	Minor Erosion Control Permit	55.004 - 55.013	028-175	Resolution		based on parcel size 120 per acre + 20 addl acre
PUB WORKS	Storm Sewer	Public Works Construction Site Erosion Sediment	55.013		Resolution		based on parcel size 120 per acre + 20 addl acre
PUB WORKS	Storm Sewer	Storm Sewer Revision			Resolution	28.00	
PUB WORKS	Storm Sewer	Storm Water Rate	53.006 - 55.013	028-138	Ordinance	4.00	per ERU (2800 aq ft)
PUB WORKS	Storm Sewer	Storm water runoff - detention exception fee: commercial	53.026	028-138	Ordinance	13,500.00	per acre, \$.90 runoff coefficient
PUB WORKS	Storm Sewer	Storm water runoff - detention exception fee: industrial	53.026	028-138	Ordinance	12,000.00	per acre, \$.80 runoff coefficient
PUB WORKS	Storm Sewer	Storm water runoff - detention exception fee: low density and single/two family residential	53.026	028-138	Ordinance	6,000.00	per acre, \$.40 runoff coefficient
PUB WORKS	Storm Sewer	Storm water runoff - medium-high-density and multi-family residential	53.026	028-138	Ordinance	12,000.00	per acre, \$.80 runoff coefficient
PUB WORKS	Storm Sewer	Storm Water Utility rate - exemption and credit application fee	53.024	028-133	Resolution	100.00	100 for non residential and \$50 for residential properties
PUB WORKS	Storm Sewer	SUDAS - in lieu of Detention-Commercial	53.026	028-135	Ordinance	13,500.00	per acre
PUB WORKS	Storm Sewer	SUDAS - in lieu of Detention-Industrial	53.026	028-135	Ordinance	12,000.00	per acre
PUB WORKS	Storm Sewer	SUDAS - in lieu of Detention-Low Density	53.026	028-135	Ordinance	6,000.00	per acre

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PUB WORKS	Storm Sewer	SUDAS - in lieu of Detention-Medium High	53.026	028-135	Ordinance	12,000.00	per acre
PUB WORKS	Storm Sewer	Utility Rate - per ERU	53.006	028-125	Ordinance	4.00	per month
PUB WORKS	WPCP	Work Order	52.074		Resolution	10.00	each
PUB WORKS	WPCP	Waste Water Discharger Application Fee	52.074			125.00	
PUB WORKS	WPCP	Waste Water Discharger Permit	52.075		Ordinance	250.00	establishes fee
PUB WORKS	WPCP	Waste Disposal - Grease Trap - In City		028-068	Ordinance	0.135	per gallon
PUB WORKS	WPCP	Waste Disposal - Grease Trap - Out of City	52.051	028-068	Ordinance	0.270	per gallon
PUB WORKS	WPCP	Waste Disposal - Mudpit Waste - In City	52.051	028-068	Ordinance	50.00	min per vehicle plus \$25 for more than 2 cu. yd.
PUB WORKS	WPCP	Waste Disposal - Septage Waste	52.051		Ordinance	0.118	per gallon
PUB WORKS	WPCP	Waste Disposal - Septage Waste - meter reading fee	52.051		Ordinance	10.00	
PUB WORKS	WPCP	Annual Inspection	52.074		Resolution	47.00	per hour
PUB WORKS	WPCP	Digestion (Emergency)	52.074		Resolution	20.00	
PUB WORKS	WPCP	Digestion Fee (Metals)	52.074		Resolution	10.00	
PUB WORKS	WPCP	Hourly pH	52.074		Resolution	15.00	
PUB WORKS	WPCP	INVESTIGATION OF ACCIDENTAL DISCHARGES/SLUG DISCHARGE	52.074		Resolution	62.00	per hour
PUB WORKS	WPCP	Lab Analysis Alkalinity				9.00	
PUB WORKS	WPCP	Lab Analysis Ammonia Nitrogen				12.00	
PUB WORKS	WPCP	Lab Analysis Arsenic Furnace				19.00	
PUB WORKS	WPCP	Lab Analysis BOD/CBOD				18.00	
PUB WORKS	WPCP	Lab Analysis Cadmium Flame				12.00	

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PUB WORKS	WPCP	Lab Analysis Cadmium Furnace				19.00	
PUB WORKS	WPCP	Lab Analysis Chromium (Hexavalent)				12.00	
PUB WORKS	WPCP	Lab Analysis Chromium (Total) Flame				12.00	
PUB WORKS	WPCP	Lab Analysis Chromium (Total) Furnace				19.00	
PUB WORKS	WPCP	Lab Analysis COD				15.00	
PUB WORKS	WPCP	Lab Analysis Copper Flame				12.00	
PUB WORKS	WPCP	Lab Analysis Cyanide				28.00	
PUB WORKS	WPCP	Lab Analysis Hach TKN				12.00	
PUB WORKS	WPCP	Lab Analysis Lead Flame				12.00	
PUB WORKS	WPCP	Lab Analysis Molybdenum				19.00	
PUB WORKS	WPCP	Lab Analysis Nickel Flame				12.00	
PUB WORKS	WPCP	Lab Analysis Nitrogen (Nitrate)				13.00	
PUB WORKS	WPCP	Lab Analysis Oil & Grease				15.00	
PUB WORKS	WPCP	Lab Analysis pH				5.00	
PUB WORKS	WPCP	Lab Analysis Potassium				12.00	
PUB WORKS	WPCP	Lab Analysis Selenium				19.00	
PUB WORKS	WPCP	Lab Analysis Settleable Solids				7.00	
PUB WORKS	WPCP	Lab Analysis Silver Flame				12.00	
PUB WORKS	WPCP	Lab Analysis TKN EPA Method				25.00	
PUB WORKS	WPCP	Lab Analysis Total Phosphorus				14.00	

<u>Dept</u>	<u>Div.</u>	<u>License or Permit Type</u>	<u>Code Section</u>	<u>Old Code Section</u>	<u>How Fee Set</u>	<u>Fee</u>	<u>License Term / per unit charge</u>
PUB WORKS	WPCP	Lab Analysis Total Solids				9.00	
PUB WORKS	WPCP	Lab Analysis Total Suspended Solids (TSS)				9.00	
PUB WORKS	WPCP	Lab Analysis Total Volatile Solids				9.00	
PUB WORKS	WPCP	Lab Analysis Vol. Suspended Solids				9.00	
PUB WORKS	WPCP	Lab Analysis Volatile Acids				15.00	
PUB WORKS	WPCP	Lab Analysis Zinc Flame				12.00	
PUB WORKS	WPCP	MONTHLY BILLING FOR LAB ANALYSIS				10.00	per month
PUB WORKS	WPCP	Mudpit Facility Registration		028-068		100.00	Annual
PUB WORKS	WPCP	Personnel Chgs Administrative Secretary				39.18	Per hour. Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	WPCP	Personnel Chgs Director				65.48	Per hour. Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	WPCP	Personnel Chgs Lab Chemist				47.75	Per hour. Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	WPCP	Personnel Chgs Plant Maintenance Overtime				58.30	Per hour. Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	WPCP	Personnel Chgs Plant Maintenance Personnel				44.96	Per hour. Note: All time for personnel shall be charged a minimum of one hour unless otherwise noted.
PUB WORKS	WPCP	Sample Handling	52.074		Resolution	20.00	
PUB WORKS	WPCP	Sampling Equipment / per day	52.074		Resolution	40.00	per day
PUB WORKS	WPCP	Copies				0.25	per policy
PUB WORKS	WPCP	Copies - min 15 minutes labor charge				-	per policy
PUB WORKS	WPCP	Waste Hauler	52.046	028-062	Ordinance	50.00	Annual - per vehicle
PUB WORKS	WPCP	Waste Water appeal filing fee	52.074			100.00	

RESOLUTION ACCEPTING BID AND AUTHORIZING THE PURCHASE OF ONE 2022 FORD INTERCEPTOR POLICE PACKAGE VEHICLE FROM JENSEN FORD FOR THE PRICE OF \$34,804 AND ONE 2022 FORD F150 POLICE PACKAGE VEHICLE FROM STIVERS FORD FOR THE PRICE OF \$48,460 FOR USE IN THE POLICE DEPARTMENT AS EMERGENCY RESPONSE VEHICLES AND DECLARING CERTAIN PROPERTY SURPLUS PROPERTY AND AUTHORIZING SALE AND DISPOSAL THEREOF TO JENSEN FORD TWO 2017 FORD INTERCEPTOR POLICE PACKAGE VEHICLES FOR \$17,000

WHEREAS, the City of Marshalltown (hereinafter referred to as the “City”), State of Iowa, is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the “State”); and

WHEREAS, the City of Marshalltown, Iowa desires to procure one, 2022 Ford Interceptor police package vehicle and one 2022 Ford F150 police package vehicle to be utilized by the police department as emergency response vehicles and sought quotes for this purpose; and

WHEREAS, Jensen Ford of Marshalltown, Iowa submitted a bid one, 2022 Ford Interceptor police package vehicle for a total purchase price of \$34,804.00 and offered to credit the City \$17,000.00 in total trade value on two, 2017 Ford Interceptor police package vehicles that are being retired from the police department fleet. Less trade value on the two retired vehicles, the purchase price of the one new 2022 Ford Interceptor vehicle is \$17,804.00, and

WHEREAS, Stivers Ford of Waukee, Iowa submitted a bid on one 2022 Ford F150 police package vehicle for a total purchase price of \$48,460.00; and

WHEREAS, acceptance of these bids is in the best interest of the City; and

WHEREAS, the City is the sole owner of two, 2017 Ford Interceptor police package vehicles which are to be declared surplus property; and

WHEREAS, this surplus property should be disposed of or sold to raise additional revenue and prevent the further decline in value thereof prior to sale; and

WHEREAS, the disposal of excess property is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. The City accepts the bid from Jensen Ford for the purchase of one, 2022 Ford Interceptor police package vehicle to be used as a police response vehicle for \$34,804.00.00. Less trade value of the surplus property (\$17,000.00), the purchase price of the one new 2022 Ford Interceptor police package vehicle decreases to \$17,804.00.

Section 2. The City accepts the bid from Stivers Ford for the purchase of one, 2022 Ford F150 police package vehicle to be used as a police response vehicle for \$48,460.00.

Section 3. The property listed below is hereby declared as surplus property:

- A. 2017 Ford Interceptor, VIN: 1FM5K8AR9HGD57655
- B. 2017 Ford Interceptor, VIN: 1FM5K8AR2HGA37223

Section 4. The surplus property the subject of this resolution shall be sold or disposed of in accordance with applicable Federal, State and City guidelines.

Section 5. The Chief of Police of the City is hereby authorized to enter into agreements on behalf of the City to purchase said vehicles at the above referenced price and conditions.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



Joel Greer, Mayor
Jessica Kinser, City Administrator
Michael W. Tupper, Chief of Police
909 South Second Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5725
Fax - (641) 752-1211

TO: Mayor Joel Greer
Members of the City Council
Jessica Kinser, City Administrator

FROM: Michael W. Tupper
Chief of Police

DATE: 23 March 2022

RE: Police Department Vehicle Purchases FY 2022-2023

Policy Issue:

City policy requires governing body approval of all vehicle purchases.

Recommendation:

Staff recommends approving the purchase of one 2022 Ford Interceptor SUV police package vehicle from Jensen Ford (Marshalltown, Iowa). This vehicle will be utilized in the police department's uniform patrol division as a marked police vehicle. As part of this purchase, staff recommends approval of trading two, 2017 Ford Interceptor SUV police package vehicles to Jensen Ford to offset costs of purchasing the 2022 Ford Interceptor. Both of the 2017 Ford Interceptors are currently owned by the City of Marshalltown and they are being retired from police department fleet due to increasing maintenance and mileage concerns.

Additionally, staff recommends the purchase of one 2022 Ford F150 police package vehicle from Stivers Ford (Waukee, Iowa). This vehicle will be utilized in the police department's uniform patrol division as a marked police vehicle utilized by a department K9 officer.

Background:

The Marshalltown Police Department needs to replace two existing patrol vehicles. The police department utilizes Ford SUV police package vehicles for general uniformed patrol use. The police department utilizes Ford F150 police package vehicles as K9 vehicles. The truck package suits the needs of the K9 program because it is more versatile and offers more storage options.

Staff has evaluated our current vehicle fleet and determined that two, 2017 Ford Interceptor SUVs should be replaced during this vehicle purchase. The two vehicles selected for replacement are a 2017 Ford Interceptor with 98,000 miles and a 2017 Ford Interceptor with 97,000 miles.

Staff contacted three dealerships to acquire bids for the purchase of one Ford Interceptor SUV and one Ford F150 police package. The three dealerships included Jensen Ford (Marshalltown), Stivers Ford (Waukee), and Charles Gabus Ford (Des Moines). Each dealership received the same information and vehicle specifications for bid.

CITY COUNCIL

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

The following chart shows a summary of the bid price and trade value offered from each respective dealership.

Marshalltown Police Department- Vehicle Purchases FY 22-23				
New Vehicle Estimate				
<u>Dealer</u>	<u>Contact</u>	<u>Email</u>	<u>Vehicle</u>	<u>Quote</u>
Jensen	Joe Hobson	jhobson@jensenford.com	Ford Interceptor-SUV	\$34,804.00
			Ford F150 Police Package	Unavailable
			Trade (2) 2017 Ford Inteceptor	\$17,000.00
Stivers	Ron Reese	rreese@stiversfordia.com	Ford Interceptor-SUV	\$40,350.00
			Ford F150 Police Package	\$48,460.00
			Trade (2) 2017 Ford Inteceptor	\$15,400.00
Charles Gabus	Greg Gioffredi	ggioffredi@charlesgabus.com	Ford Interceptor-SUV	\$40,295.00
			Ford F150 Police Package	Unavailable
			Trade (2) 2017 Ford Inteceptor	\$14,000.00

During the bid process, staff learned the order bank has closed for the 2022 Ford F150 Police Package. For this reason, Jensen Ford and Charles Gabus Ford were unable to provide a bid. Stivers confirmed that the order bank was closed, but were able to provide a bid because they have the vehicle in inventory.

Jensen Ford has the lowest price on the Ford Interceptor SUV and is offering the best value for the two trade-in vehicles. For this reason, staff recommends trading both vehicles to Jensen Ford and purchasing one 2022 Ford Interceptor SUV. Stivers Ford is the only dealership that has access to the Ford F150 Police Package. For this reason, staff recommends purchasing the 2022 Ford F150 from Stivers. The following is a breakdown of the total cost for this purchase as recommended.

Marshalltown Police Department- Vehicle Purchases FY 22-23		
New Vehicle Estimate		
<u>Dealer</u>	<u>Vehicle</u>	<u>Quote</u>
Jensen	2022 Ford Interceptor-SUV	\$34,804.00
	Trade (2) 2017 Ford Interceptor	\$17,000.00
	Jensen Total	\$17,804.00
Stivers	Ford F150 Police Package	\$48,460.00
	Stivers Total	\$48,460.00
	Grand Total	\$66,264.00

This purchase information does not include the purchase and installation of necessary emergency vehicle equipment. This purchase information does not include the marking of these vehicles so they will be identifiable as police vehicles.

Budget Impact: The CIP budget for FY 22-23 has sufficient funds for this vehicle purchase.

Misc: MPD staff will be present at the March 28, 2022, meeting of the Marshalltown City Council to answer questions regarding this vehicle purchase.

**RESOLUTION APPROVING AN AGREEMENT WITH THE MARSHALLTOWN
AREA CHAMBER OF COMMERCE FOR TOURISM AND PROMOTIONAL
SERVICES FOR A TWO-YEAR PERIOD BEGINNING JULY 1, 2022**

WHEREAS, the City of Marshalltown has previously entered into agreements with the Marshalltown Area Chamber of Commerce and/or Marshalltown Regional Partnership concerning the creation and operation of the Convention and Visitor's Bureau, dating back to July 1, 1999; and

WHEREAS, the current year agreement expires on June 30, 2022; and

WHEREAS, the City Council discussed the agreement as part of the fiscal year 2023 budget process, with a new percentage contribution of 56 percent of hotel/motel tax dollars received; and

WHEREAS, the existing agreement is proposed to be extended for two-year period no changes to the scope of work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the attached agreement for funding Promotional and Tourism Services for the period of July 1, 2022, through June 30, 2024, is hereby approved.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

**AGREEMENT FOR TOURISM AND PROMOTIONAL SERVICES WITH THE
MARSHALLTOWN AREA CHAMBER OF COMMERCE**

WHEREAS, the City of Marshalltown (hereinafter referred to as “City”) desires to enter into a contract to provide tourism and promotional services which effectively promote and develop the visitor experience to Marshalltown as well as services that encourage residents to attend and support community events; and

WHEREAS, the Marshalltown Area Chamber of Commerce (hereinafter referred to as “Chamber”) is capable of providing the services desired;

NOW THEREFORE BE IT RESOLVED, the parties agree to the following:

1. Scope of Work

The following scope of services are necessary and appropriate to promote and develop the visitor experience to Marshalltown:

- a. Community Calendar and Electronic Message Board
The Chamber will provide a Community Calendar in an online and mobile format and serve as the entity collecting and managing event data. The Chamber will also continue to maintain and operate the electronic message board.
- b. Marketing plan/campaign which enhances Marshalltown’s public image
The Chamber will coordinate a regional marketing campaign that focuses on the assets of the community as a whole. This should involve multiple forms of media, including television and social media. The Chamber will present a plan to the City Council and will report to the Council on any items that could be considered cost-prohibitive with the funding specified in item 2 below.
- c. Hospitality materials
The Chamber will create and distribute materials that provide information for visitors to the community.
- d. Convention and meeting services
The Chamber will work with local and out-of-town groups to provide information about the facilities available to host conventions and meetings and Marshalltown and coordinate with events occurring to ensure a positive visitor experience.
- e. Community event planning/coordination
The Chamber will work with community groups and with organizations outside of the community to assist the with coordination and planning of events that serve the broader community and benefit Marshalltown through increased visitors, hotel room stays, and general economic contributions to the community.

2. Fee for Scope of Work

For the services detailed above, the City of Marshalltown shall dedicate **56 percent** of all hotel/motel tax received. The payments shall be made quarterly in the month following the City's receipt of the hotel/motel tax dollars from the Iowa Department of Revenue.

3. Reporting

The Chamber shall provide an annual report to the City Council no later than December 31 on its previous year's activities. The report should include:

1. A summary and analysis of the specific steps taken to perform the tasks in this contract;
2. Performance Measures. The Chamber and the City shall work together to develop performance measures which include data that measures the Chamber's success towards the scope of work. The City will assist in providing this data to the Chamber.
3. A report on the variety of specific promotion activities executed for the purpose of attracting visitors to Marshalltown. Include samples of advertising, which include family, quality of life and educational opportunities. The report should include a description of the specific promotion activities targeted at attracting visitors to Marshalltown during the fall, winter and spring. Include samples of advertising, which include family, quality of life and educational opportunities.
4. A report and analysis of the viability of new festivals and events for supporting additional tourism, including efforts the Chamber made to coordinate with other community groups on existing events.
5. A summary report of outreach efforts made by the Chamber to other organizations, businesses, and people to support the work of this contract.

4. Duration of Agreement

This agreement shall be for a two-year period beginning July 1, 2022 and end on June 30, 2024.

5. Amendment and Termination

Agreement may be terminated by either party by giving written notice only upon a finding of gross mismanagement or misappropriation of funds. In the event the hotel/motel tax is terminated by vote of the residents of the City of Marshalltown, Iowa, or by action of the Iowa Legislature, this agreement shall terminate ninety (90) days after receipt of the last tax revenues, or sooner if State law so provides.

6. Assignability

The Chamber shall not assign any interest in this Agreement and shall not transfer any interest in the Agreement without prior written approval of the City.

7. Hold Harmless

By execution of this Agreement, the Chamber agrees to indemnify and hold harmless the City from any liability whatsoever arising under the terms of this Agreement and shall defend the City from any such claims, including payment of attorney fees and related costs.

8. Insurance

The Chamber shall maintain all necessary insurance coverage for Workers' Compensation, liability, errors and omissions and any other coverages necessary to provide the Scope of Work.

Approved and signed this _____ day of _____, 2022.

MARSHALLTOWN AREA CHAMBER OF
COMMERCE

CITY OF MARSHALLTOWN, IOWA

Joseph Carter
Board Chair

Joel T.S. Greer
Mayor

ATTEST:

Alicia Hunter
City Clerk

**RESOLUTION ACCEPTING BID AND AUTHORIZING THE AWARD OF
CONTRACT FOR THE 2020 BOX CULVERT REPAIR PROJECT #SMW20003 IN THE
CITY OF MARSHALLTOWN, IOWA, IN THE AMOUNT OF \$269,169.70**

WHEREAS, notice to bidders has been duly given as required by law publication in the Marshalltown Times-Republican for the 2020 Box Culvert Repair Project, in the City of Marshalltown, as described in the plans and specifications therefore, and

WHEREAS, there has been filed with the City Clerk in response to the published notice to the bidders referred to above, certain proposals for the construction of the above designated improvement with the required certified checks or bid bond accompanying each proposal from the following bidders, to-wit:

<u>Name and Address of Bidders</u>	<u>Amount of Bid</u>
Boulder Contracting, LLC	\$269,169.70
Con-Struct, Inc.	\$287,168.60

After consideration of all bids filed, there was determined by the Council that the bid of Boulder Contracting, LLC is the best and lowest responsible bid for the public improvement as is herein outlined.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. That the bid of Boulder Contracting, LLC. and the same is hereby accepted for the construction of the improvement as described in the plans and specifications therefore, as previously ordered by the Council, and that the contract for the construction of same is now awarded to said contractor in the total amount Two Hundred Sixty-Nine Thousand One Hundred and Sixty-Nine and .70/100 (\$269,169.70) Dollars.

Section 2. Pursuant to Iowa Code section 26.10, the City Council authorizes the Public Works Director to retain the bid security furnished by the successful bidder until the approved contract form has been executed, a bond has been filed by the bidder guaranteeing the performance of the contract, and to approve the properly executed contract and bond. Checks or bidder's bonds of unsuccessful bidders shall be returned to the bidders as soon as the successful bidder is determined or within thirty days, whichever is sooner.

Section 3. The final settlement upon the contract, as referred to herein with said contractor, shall be upon the basis of the unit prices as are set forth in the bid of said contractor and for the actual quantities for each item of materials furnished or work performed in the construction of this public improvement. The said contract is subject to all of the conditions as are contained in the resolution ordering construction of this improvement, the notice to bidders as published, the terms of the bidders written proposal, the plans and specifications as are provided therefore, all of which are made a part of this resolution and the said bidders contract by reference as though

the same were set out herein verbatim and in specific detail.

Section 4. This resolution as now adopted shall be in full force and binding effect upon the City of Marshalltown, Iowa, upon the final approval of the completed contract with the successful bidder and the approval of the contractor's surety bond by resolution of this Council.

Passed this 28th day of March 2022, and signed this _____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701

March 28th, 2022

To: Mayor Joel Greer
Members of the City Council

From: Heather Thomas, P.E.
Public Works Director

Re: Accept Bid and Award Construction Contract – Boulder Contracting, LLC of Grundy Center, Iowa for the 2020 Box Culvert Repair (SMW 20-003)

Policy Issue: City purchasing policy requires City to obtain City Council approval on all purchases/contracts that exceed \$45,000.

Recommendation: Staff recommends accepting bid and awarding the SMW 20-003, 2020 Box Culvert Repair project to Boulder Contracting, LLC.

As part of the Street Improvement Program, City staff have identified several locations in need of repair to address deteriorated box culverts, street, and sidewalk infrastructure in locations along several creeks in town. The deterioration includes but is not limited to exposed box culvert rebar, out of ADA compliant sidewalks, and significant surface issues with streets and sidewalks. Not addressing these issues now through repair would result in a much more expensive undertaking of full replacement in the future. Pictures of some of the current areas to be addressed shown below for reference:



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Jeff Schneider, Gary Thompson, Dex Walker



The four locations to be addressed with this project are:

Nevada St (Melcher Creek)	Marshall Drive (Melcher Creek)
E Boone (Melcher Creek)	N 16th St (Braddy Creek)

Design engineering for this project was performed in-house. Construction is estimated to cost \$265,057.55. The city received bids on March 23rd from two Contractors, which include:

Boulder Contracting, LLC	\$269,169.70
Con-Struct, Inc	\$287,168.60

The substantial completion date for this project is September 15th, 2022.

Budget Impact: This project will be funded through the City's Street Improvement Program with funds coming from budgeted FY22 & FY23. Revenue sources for the City's Street Improvement Program have been allocated through Fund 110 (Road Use Tax), Fund 360 (2019 GO Bond), and Fund 363 (2021 GO Bond). The City's Street Improvement Program has sufficient funds to accommodate the low bid being slightly higher than the Engineer's estimate.

Attachments: Bid Tabulation, Notice of Award

cc: Jessica Kinser, City Administrator

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City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



NOTICE OF AWARD

Date of Issuance: March 28, 2022

Owner: City of Marshalltown

Owner's Project No.: SMW 20-003

Engineer: City of Marshalltown

Engineer's Project No.: SMW 20-003

Project: 2020 Box Culvert Repair Project

Contract Name: Base Bid

Bidder: Boulder Contracting, LLC

Bidder's Address: PO Box 310, 606 E 1st St., Grundy Center, IA 50638

You are notified that Owner has accepted your Bid dated **March 23, 2022** for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

2020 Box Culvert Repair Project

The Contract Price of the awarded Contract is **\$269,169.70**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

One (1) digital unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☒ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner **three (3)** counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): **None**

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents.

Owner:

City of Marshalltown, Iowa

By (signature):

Name (printed):

Joel Greer

Title:

Mayor

TABULATION OF BIDS
SMW 20-003 - BOX CULVERT REPAIRS
 BID OPENING: MARCH 23, 2022, 10:00 AM



					Engineer's Estimate		Boulder Contracting, LLC Grundy Center, IA		Con-Struct, Inc. Marshalltown, IA	
Item No.	Reference No	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2010-108-E-0	Excavation, Class 10, Class 12, or Class 13	147	CY	\$35.00	\$5,145.00	\$32.00	\$4,704.00	\$40.00	\$5,880.00
2	2010-108-G-0	Subgrade Preparation	510	SY	\$5.00	\$2,550.00	\$2.50	\$1,275.00	\$5.00	\$2,550.00
3	2010-108-H-0	Subgrade Treatment, TriAx 160 Geogrid	399.3	SY	\$3.50	\$1,397.55	\$7.00	\$2,795.10	\$7.00	\$2,795.10
4	2010-108-I-0	Subbase, Modified	155.5	TON	\$26.00	\$4,043.00	\$37.00	\$5,753.50	\$26.00	\$4,043.00
5	6010-108-E-0	Intake Adjustment, Minor	2	EA	\$750.00	\$1,500.00	\$1,250.00	\$2,500.00	\$1,500.00	\$3,000.00
6	7010-108-A-0	Pavement, PCC	300.9	SY	\$75.00	\$22,567.50	\$94.00	\$28,284.60	\$90.00	\$27,081.00
7	7010-108-E-0	Curb and Gutter, 30" W x 8" D	265	LF	\$40.00	\$10,600.00	\$35.00	\$9,275.00	\$40.00	\$10,600.00
8	7010-108-E-0	Curb and Gutter, 30" W x Varies" D (Bridge)	83	LF	\$45.00	\$3,735.00	\$65.00	\$5,395.00	\$50.00	\$4,150.00
9	7011-108-A-0	PCC Overlay, ±5"	22.0	CY	\$350.00	\$7,700.00	\$675.00	\$14,850.00	\$260.00	\$5,720.00
10	7011-108-A-3	Surface Preparation for Bonded PCC Overlay	158.3	SY	\$5.00	\$791.50	\$17.00	\$2,691.10	\$30.00	\$4,749.00
11	7030-108-A-0	Removal of Sidewalk	140.0	SY	\$15.00	\$2,100.00	\$20.00	\$2,800.00	\$20.00	\$2,800.00
12	7030-108-B-0	Removal of Curb	288	LF	\$15.00	\$4,320.00	\$7.00	\$2,016.00	\$10.00	\$2,880.00
13	7030-108-E-0	Sidewalk, PCC, 6"	116.5	SY	\$45.00	\$5,242.50	\$81.00	\$9,436.50	\$65.00	\$7,572.50
14	7030-108-E-1	Sidewalk, PCC, Bridge	38.2	SY	\$60.00	\$2,292.00	\$108.00	\$4,125.60	\$80.00	\$3,056.00
15	7040-108-G-0	Milling, ±5"	171.8	SY	\$5.00	\$859.00	\$65.00	\$11,167.00	\$40.00	\$6,872.00
16	7040-108-H-0	Pavement Removal	324.1	SY	\$10.00	\$3,241.00	\$22.00	\$7,130.20	\$20.00	\$6,482.00
17	8030-108-A-0	Temporary Traffic Control	1	LS	\$3,500.00	\$3,500.00	\$5,250.00	\$5,250.00	\$6,000.00	\$6,000.00
18	9010-108-B-0	Hydraulic Seeding, Fertilizing, and Mulching	363	SY	\$1.50	\$544.50	\$15.50	\$5,626.50	\$17.00	\$6,171.00
19	9040-108-A-1	SWPPP Preparation	1	LS	\$5,000.00	\$5,000.00	\$1,550.00	\$1,550.00	\$2,000.00	\$2,000.00
20	9040-108-A-2	SWPPP Management	1	LS	\$2,500.00	\$2,500.00	\$3,700.00	\$3,700.00	\$4,000.00	\$4,000.00
21	9040-108-N-1	Silt Fence or Silt Fence Ditch Check	408	LF	\$3.00	\$1,224.00	\$3.25	\$1,326.00	\$4.00	\$1,632.00
22	9080-108-C-0	Safety Rail	331	LF	\$325.00	\$107,575.00	\$247.00	\$81,757.00	\$265.00	\$87,715.00
23	9080-108-C-1	Hand Rail Removal	316	LF	\$15.00	\$4,740.00	\$25.00	\$7,900.00	\$25.00	\$7,900.00
24	11,020-108-A	Mobilization	1	LS	\$19,600.00	\$19,600.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
25	11,050-108-A-0	Concrete Washout	1	LS	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
26	IDOT 2403	Remove Reinforced Bridge Sidewalk	12.8	SY	\$20.00	\$256.00	\$162.00	\$2,073.60	\$80.00	\$1,024.00
27	IDOT 2403	Structural Concrete, Reinforced Bridge Sidewalk	2.5	CY	\$1,500.00	\$3,750.00	\$2,500.00	\$6,250.00	\$2,500.00	\$6,250.00
28	IDOT 2404	Reinforcement	354.0	LB	\$8.50	\$3,009.00	\$3.25	\$1,150.50	\$20.00	\$7,080.00
29	IDOT-2426	Structural Concrete Wall Repair	139.1	CF	\$250.00	\$34,775.00	\$125.00	\$17,387.50	\$260.00	\$36,166.00
Total Estimated Costs					\$265,057.55		\$269,169.70		\$287,168.60	

I HEREBY CERTIFY THAT THE FOREGOING IS AN ACCURATE REPRESENTATION AND TABULATION OF ALL BIDS RECEIVED AND THAT THE MATHEMATICS HAVE BEEN CHECKED AND IS TO THE BEST OF MY KNOWLEDGE CORRECT:

BY: Heather Thomas

DATE: March 23, 2022

RESOLUTION ADDING A SEWER MAINTENANCE WORKER POSITION AND PROVIDING FUNDING FOR SAID POSITION IN THE CURRENT FISCAL YEAR

WHEREAS, the City of Marshalltown has utilized an outside contract for certain maintenance activities for the sanitary sewer system in the past; and

WHEREAS, the City has obtained proposals for contracting these services and has determined it is in the best financial interest of the rate payers to provide these maintenance activities with City Staff based on current estimates of outside contract costs; employee wages and benefits; and estimated wear and tear on equipment the City owns; and

WHEREAS, an additional full-time sewer maintenance worker would join the sewer division as part of the City's PPME Union (No. 2003); and

WHEREAS, the sewer division would be responsible for providing the maintenance activities previously contracted out to include the cleaning of approximately 1/5th of the City's 6 to 12-inch sanitary sewer collection system on an annual basis; and

WHEREAS, the estimated employee expenses (wages and benefits) for the remainder of the current fiscal year (FY22) are approximately \$10,500 based upon an April 25th, 2022 start date and there is approximately \$7,000 remaining in the FY22 budget in Account 610.8016.5344, where the maintenance contract is currently budgeted; and

WHEREAS, the difference between estimated expenses for the additional employee for the remainder of FY22 and remaining budget for the maintenance contract is estimated to be \$3,500. The difference in expenses shall first utilize wages budgeted but not spent through an existing sewer maintenance worker vacancy with any excess expenses utilizing cash on hand within the WPCP Revenue Account; and

WHEREAS, FY23 wages and benefits for the additional sewer maintenance worker shall utilize 610.8016 accounts and are anticipated to be less than the approximately \$85,000 currently budgeted for in Account 610.8016.5344 in the approved FY23 budget; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, the addition of one full-time sewer maintenance worker is hereby created for fiscal year 2022, with direction to include in the fiscal year 2023 budget process.

Passed this 28th day of March 2022, and signed this ____ day of March 2022.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701

March 28, 2022

To: Mayor Joel Greer
Members of the City Council

From: Heather Thomas, P.E.
Public Works Director

Re: Sewer Department – Authorization for Additional Full Time Sewer Maintenance Worker

Policy Issue: City Council shall approve all new positions.

Recommendation: Staff recommends approving the creation of an additional full-time sewer maintenance worker position.

Background: As part of remaining in compliance with Iowa DNR, approximately 1/5th of our sanitary sewer collection system is to be cleaned annually. The City of Marshalltown has approximately 650,000 feet of 6-12" sanitary sewer, which equates to approximately 130,000 feet per year. Our most recent 5-year contract for these cleaning services was with Municipal Pipe Tool Co (MPT) of Hudson, IA which ended with the 2021 calendar year. Our rate for the past 5-years has been \$0.58/foot. We were very pleased with MPT's service throughout their contract.

In anticipation of a price increase, when we issued our request for proposals (RFP) for our next cleaning contract, we modified our RFP to request pricing for a one-year or five-year contract. We also extended the timeframe the City council had to award the contract. We accepted proposals on March 22nd. The lowest cost proposal was from MPT at a cost of \$0.71/foot. A tabulation of those proposals is attached.

We have reviewed and compared anticipated costs for contracting out this work with costs of performing this work in house and believe it is in the best interest of the City to bring this work in-house. A brief summary is below:

Cost of Outside Contract:

- A. 1/5th of our smaller sized collection system piping is approximately 130,000 feet; however, due to other ongoing projects/work and depending on which portion of town is up for cleaning that year, it is common that the contracted sewer cleaning could be less. In 2021, the City contracted out 105,161 feet. Based on the lowest cost proposal received, we estimate the cost of an outside contract to be between **\$74,665 and \$92,300** annually.

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- B. When contracting out this work, our city staff is still responsible for providing maps of areas to be cleaned; uncovering and making manholes accessible to the contracted cleaning company; supplying water for the cleaning process; providing disposal of material that has been cleaned and removed from the pipe; and tracking/managing the data of which pipes/areas were cleaned.

Cost of Performing Work In-House:

A. Estimate of Time/Labor:

- i. We anticipate the contracted work to take in-house staff approximately 8-10 weeks with a 2-man crew on an annual basis. We estimate this to be 8 weeks of back-to-back time, but know realistically there is always a level of down time, training, cleaning, and equipment maintenance that would extend the job to a 10-week duration. *(20-week equivalent for one full-time position).*
- ii. We currently have trained and experienced staff that perform this type of work on an as-needed basis.
- iii. A review of work tasks that our sewer division currently performs would not allow our existing staffing levels to be able to perform this additional equivalent work of 20-weeks.
- iv. Due to training requirements, equipment knowledge, and the jobs our sewer division performs, hiring a part time or full-time seasonal employee is not a viable solution.
- v. We have reviewed staffing levels with job duties and believe we could support an in-house crew of 2 being designated to this work for an 8 to 10-week period by hiring 1 full-time position and transitioning the timing that other duties get done within a year.
- vi. The cost (wages, including benefits like IPERS, FICA, Medicare, Workers Comp, Health, Etc) of **adding a full-time position is currently \$68,101.**

B. Estimate of Equipment:

- i. Due to the services the city currently provides, our sewer division owns and maintains a primary and secondary combination cleaning (jet/vac) machine so that we can perform some maintenance in house and can respond in emergencies.
- ii. In the event of one piece of equipment being out of service, the annual jetting/cleaning could be put on hold (or paused in the event of an emergency) so that a machine is always available to respond to emergencies.
- iii. The additional use of our equipment does have a cost to the city for fuel, maintenance, etc. Based upon FEMA's Schedule of Equipment Rates effective 09/15/21, a Vactor Combination Vacuum Truck with 1,500-gallon water tank has an hourly rate of \$88.16 (not including any labor). The true cost to the city is less than FEMA's hourly reimbursement rate because we need to have that equipment on hand whether or not we perform this work in house. Based on discussions between Troy and myself, we believe a rate at about 50% of the reimbursement rate would still be a conservative estimate of true costs to the city.
- iv. Based on equipment cost of \$45/hour x 7 hours/day x 5 days/week x 8 weeks, we estimate the additional use on our **equipment to have a cost of approximately \$12,600.**

City Council

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Jeff Schneider, Gary Thompson, Dex Walker

Value of Sewer Maintenance Worker (while not performing cleaning) & Other considerations:

- A. Our sewer maintenance workers are snow plow operators during the winter on an as needed basis. Snow operations are funded through Road Use Tax. This past year was a relatively mild winter; however, due to vacancies, medical leave, or staff on light duty – at times we had 4 pieces of snow removal sitting in the shop because we didn't have operators (even after borrowing staff from Engineering and Utility to assist in snow removal). The use of an additional sewer maintenance worker will reduce overtime we pay out to other snow operators. We conservatively estimate on a given year, the sewer maintenance worker is used for 2 weeks in the winter; therefore, the increase in **wages/benefits would be reduced by approximately \$2,620 from the sewer fund** (by utilizing budgeted road use tax funds).
- B. The addition of a full-time position, depending on longevity of the employee, results in approximately 48 weeks, or less, of work (once vacation, personal, and possible sick time is accounted for). Theoretically, that would result in approximately 26 weeks (48-20-2) of additional man power that we could bring in to assist with existing duties or expanded duties.
 - i. Several items that are a priority but could use additional regular on-going maintenance are in relation to our flood protection gates and system as a whole.
 - ii. Our sanitary sewer system is under a consent order with the Iowa DNR to reduce sanitary sewer overflows. As part of that order, the city will be going out to bid this year for a \$4.8 Million dollar project to reduce non wastewater from getting into our sanitary sewer collection system through cured-in-place-pipe lining (CIPP). Historically, the city has used Consultants to provide construction administration and construction observation. We have an estimate from Fox Strand to perform those services for this project in the amount of \$324,000. Fox Strand has done an excellent job performing these duties for the city in the past.

After discussions amongst Troy and myself, we believe we can utilize sewer staff to perform day-to-day on-site project representative to significantly reduce the amount of time (and therefore cost) the city would utilize a consultant. In discussions with Fox Strand, they are supportive of working with the city in this type of a shared duties approach. We will use Troy, myself, and other Engineering staff, as available, to provide in-house training and support to sewer staff to be able to perform these duties. The exact dollar amount of the estimated in reduction in consultant services will be highly dependent on staffing/availability within the city's engineering department; however, we are comfortable with estimating **a savings of \$200,000 between the Summer of 2022 through the Summer of 2024.**

City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

- C. We also acknowledge the City's cost of an employee (wages/benefits) and cost of utilizing City equipment will increase annually if we elect to perform these services in house, but feel the ability to provide additional services, like another snow removal position, more routine operation and maintenance of the city's flood protection system, and take on additional construction administration/observation duties on our sanitary sewer collection system outweigh the annual increase.

Next Steps: Provided City Council approves the hiring of an additional full time sewer maintenance worker and the Civil Service hire list at 03/28 council. We will offer positions to the two certified sewer applicants.

1. If we have acceptance from both applicants, we will:
 - a. Recommend at 04/25 council to reject all proposals on the sewer collection system maintenance contract.
 - b. Work with Fox Strand on a limited construction services agreement for the Sanitary Sewer Rehabilitation Project – CIPP.
 - c. City Engineering staff will begin working with Sewer Division staff to provide training on construction documentation.
2. If we do not have acceptance from both applicants, we will:
 - a. Recommend at 04/25 council to award a one-year contract to MPT for sewer collection system maintenance.
 - b. Delay the hiring of the approved sewer position & work with HR to go through the Civil Service process in late 2022 (winter time frame) to hire a full-time sewer employee for the 2023 calendar year.
 - c. Work with Fox Strand on an agreement to provide construction services for the Sanitary Sewer Rehabilitation Project – CIPP.

Budget Impact: We will work with Finance to get employee wages/benefits charge to the correct accounts and budgeted amounts switched from outside contracts to in-house expense accounts at the next budget adoption/amendment cycle.

We estimate employee expenses (wages and benefits) for the remainder of the current fiscal year (FY22) are approximately \$10,500 based upon an April 25th, 2022 start date and there is approximately \$7,000 remaining in the FY22 budget in Account 610.8016.5344, where the maintenance contract is currently budgeted. The difference between estimated expenses for the additional employee for the remainder of FY22 and remaining budget for the maintenance contract is estimated to be \$3,500. This difference shall first utilize wages budgeted but not spent through an existing sewer maintenance worker vacancy with any excess expenses utilizing cash on hand within the WPCP Revenue Account.

FY23 wages and benefits for the additional sewer maintenance worker shall utilize 610.8016 accounts and are anticipated to be less than the approximately \$85,000 currently budgeted for in Account 610.8016.5344 in the approved FY23 budget.

Attachments: Tabulation of Proposals – Sewer Collection System Maintenance Contract

cc: Troy McGahuey, Sewer Superintendent & Jessica Kinser, City Administrator

i:\public works\council items\2022\new hire - sewer department\memo_sewer_dept - sewer maintenance position add 2022 03 28.docx

City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

Request for Proposal - Tabulation of Proposals Received

Sewer Collection System Maintenance Contract

March 22nd, 2022



For One-Year Contract (2022)

Item Description	Item Unit	Municipal Pipe Tool Co, LLC	CIT Sewer Solutions	Hydro-Klean, LLC
		Hudson, IA	McCallsburg, IA	Des Moines, IA
a. Jetting/Vacuuming or Baling/Vacuuming, 6"-12" Sanitary Sewer Cleaning	per ft	\$ 0.71	\$ 0.75	\$ 0.89
aa. Jetting/Vacuuming or Baling/Vacuuming, 15"-42" Sanitary Sewer Cleaning	per ft (min)	\$ 0.80	\$ 1.00	\$ 1.78
b. Storm Sewer Cleaning	per hour	\$ 325.00	\$ 300.00	\$ 375.00
c. Hydro root sawing (as requested)	per ft	\$ 0.98	\$ 1.20	\$ 0.89
d. Televising (including video & report, as requested)	per ft	\$ 1.04	\$ 1.00	\$ 0.69
e. Dye testing/storm sewer flooding (as requested)	per hr	\$ 325.00	\$ 75.00	\$ 250.00
f. Steerable Storm Tractor televising (as requested)	per ft	\$ 1.25	\$ 1.20	\$ 1.38
Sanitary Sewer Cost per CY Removal for PVC/PE	per CY	\$ 299.00	\$ 287.50	\$ 250.00
Sanitary Sewer Cost per CY Removal for VCP/TERRA	per CY	\$ 331.00	\$ 318.75	\$ 250.00
Sanitary Sewer Cost per CY Removal for RCP/CP/AC	per CY	\$ 370.00	\$ 356.25	\$ 250.00
Sanitary Sewer Cost per CY Removal for CMP/CPP	per CY	\$ 442.00	\$ 425.00	\$ 250.00

For Five-Year Contract (2022-2026)

Item Description	Item Unit	Municipal Pipe Tool Co, LLC	CIT Sewer Solutions	Hydro-Klean, LLC
		Hudson, IA	McCallsburg, IA	Des Moines, IA
a. Jetting/Vacuuming or Baling/Vacuuming, 6"-12" Sanitary Sewer Cleaning	per ft	\$ 0.71	\$ 0.80	\$ 0.82
aa. Jetting/Vacuuming or Baling/Vacuuming, 15"-42" Sanitary Sewer Cleaning	per ft (min)	\$ 0.80	\$ 1.10	\$ 1.64
b. Storm Sewer Cleaning	per hour	\$ 325.00	\$ 300.00	\$ 375.00
c. Hydro root sawing (as requested)	per ft	\$ 0.98	\$ 1.60	\$ 0.82
d. Televising (including video & report, as requested)	per ft	\$ 1.04	\$ 1.10	\$ 0.62
e. Dye testing/storm sewer flooding (as requested)	per hr	\$ 325.00	\$ 75.00	\$ 250.00
f. Steerable Storm Tractor televising (as requested)	per ft	\$ 1.25	\$ 1.60	\$ 1.24
Sanitary Sewer Cost per CY Removal for PVC/PE	per CY	\$ 299.00	\$ 287.50	\$ 250.00
Sanitary Sewer Cost per CY Removal for VCP/TERRA	per CY	\$ 331.00	\$ 318.75	\$ 250.00
Sanitary Sewer Cost per CY Removal for RCP/CP/AC	per CY	\$ 370.00	\$ 356.25	\$ 250.00
Sanitary Sewer Cost per CY Removal for CMP/CPP	per CY	\$ 442.00	\$ 425.00	\$ 250.00

MINUTES TO ADOPT RESOLUTION
EXPRESSING INTENT TO PROVIDE
TAX INCREMENT FINANCING
SUPPORT

422742-46

Marshalltown, Iowa

March 28, 2022

The City Council of the City of Marshalltown, Iowa, met on March 28, 2022 at 5:30 pm., at the City Hall Chambers, 10 W State Street, in the City of Marshalltown, Iowa. The meeting was called to order and there were present the Mayor in the chair, and the following named Council Members:

Present: _____

Absent: _____.

Council Member _____ moved the adoption of the following resolution entitled “Resolution expressing intent to enter into a development agreement and to provide tax increment financing support to Marshalltown Company,” and the motion was seconded by Council Member _____. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 2022-092

Resolution expressing intent to enter into a development agreement and to provide tax increment financing support to Marshalltown Company

WHEREAS, the City Council of the City of Marshalltown, Iowa by resolution previously established the Marshalltown Urban Renewal Area No. 2 (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of initiatives and projects therein; and

WHEREAS, Marshalltown Company (the “Company”) owns certain real property (the “Property”) situated in the Urban Renewal Area and bearing Marshall County Property Tax Parcel Identification Number 8418-36-108-013; and

WHEREAS, the Company has proposed to undertake the expansion of its manufacturing facilities (the “Project”) on the Property including (i) the construction of a building addition running south from Main Street to approximately halfway to Linn Street directly west of the north / south rail spur on the Property (the “Phase 2 Project”); (ii) the construction of a building addition that would include another building addition that extends the building from the south end of the Phase 2 Project to Linn Street (the “Phase 3 Project”); and (iii) the construction of certain public infrastructure improvements (the “Public Infrastructure Project”) necessary to support the Phase 3 Project;

WHEREAS, the Company has requested that the City provide financial assistance to be used by the Company in paying the costs of undertaking the Public Infrastructure Project and to provide an incentive to the Company in lieu of the Company applying for tax abatement for the Project; and

WHEREAS, the City intends to provide such financial assistance by entering into a development agreement (the “Development Agreement”) with the Company and making provision for the funding of annual appropriation incremental property tax payments (the “Payments”) to the Company; and

WHEREAS, prior to entering into the Development Agreement, the City Council must undertake the statutory processes for approving the Development Agreement and making provision for the Payments; but the City desires to convey its intent to pursue these actions to the Company through the adoption of this Resolution;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Marshalltown, Iowa, as follows:

Section 1. The City hereby expresses its intent to support the Project in the future. The City will in good faith negotiate the Development Agreement with respect to the Project at such time that the Company determines whether to undertake the Phase 3 Project and whether to apply for tax abatement for the Phase 2 Project and the Phase 3 Project. It is proposed that the Development Agreement will minimally include the following terms:

A) The Company will commit to undertaking the Project on the Property, such Project to minimally include the construction of the Phase 2 Project, the Phase 3 Project and the Public Infrastructure Project. The Company will commit to investing approximately \$12,000,000 into the development and construction of the Project. Further, the Company will agree to use the completed Phase 2 Project and Phase 3 Project in its business operations throughout the term of the Development Agreement and to maintain the Property and the Phase 2 Project and Phase 3 Project useful and in good repair.

B) The Company will commit to ensuring timely payment of all property taxes as they come due with respect to the Property during the term of the Development Agreement.

C) The Company will agree that it will not seek any tax exemption deferral or abatement authorized under any State, federal or local law with respect to taxation of the Property throughout the term of the Development Agreement.

D) The City will agree to fund the Payments in an aggregate amount not to exceed \$2,900,000 (or such other amount as agreed to by the City and Company) over a period of ten (10) years of incremental property tax collections. Furthermore, the Payments will be funded with one hundred percent (100%) of the incremental property tax revenues to be derived from the Property, and all Payments under the Agreement will be made subject to annual appropriation by the City Council.

Section 2. The City hereby agrees to use its best efforts to complete the statutory requirements of Chapter 403 of the Code of Iowa in order to authorize the Development Agreement. Both the City and the Company acknowledge that the City's commitment in this Section is merely a present statement of intent and that the City Council must exercise its ordinary political discretion in the completion of the statutory processes referenced herein. The City will not be held liable in the event that the City Council, through the exercising of its ordinary political discretion, determines to not approve any of the actions outlined herein.

Section 3. To the extent that the Company determines to apply for tax abatement for the Phase 2 Project and/or the Phase 3 Project prior to entering into the Development Agreement, the provisions of this Resolution shall become null and void, and the City will not undertake the statutory processes to approve the Development Agreement.

Section 4. Nothing in this Resolution shall prevent the parties from negotiating additional terms, not set forth herein, for inclusion in the Development Agreement.

Section 5. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Passed and approved this March 28, 2022.

Mayor

Attest:

City Clerk

• • • • •

On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
MARSHALL COUNTY
CITY OF MARSHALLTOWN

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with adopting a resolution expressing intent to provide tax increment financing support to Marshalltown Company.

WITNESS my hand this ____ day of _____, 2022.

**RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST FOR THE 18TH AVENUE BRIDGE SLAB PROJECT, IN THE
CITY OF MARSHALLTOWN, IOWA, BEING PROJECT NO. STR20004**

WHEREAS, there was placed on file in the office of the Clerk of the City of Marshalltown, Iowa, proposed plans and specifications, proposed form of contract and estimated cost for a public improvement in the City of Marshalltown, Iowa, for the 18th Avenue Bridge Slab Project, Project No. STR20004, as fully set forth in the resolution ordering same, and that public notice of hearing on such plans, specifications and form of contract were duly published in the Marshalltown Times-Republican in time for hearing now before the Council, and

WHEREAS, written objections to the plans, specifications and form of contract have been called for and no such written objections have been filed with the City Clerk, and oral objections being called for and no oral objections being made in open Council, it is the decision of this Council that such plans, specifications, form of contract and estimate of cost should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, that the plans, specifications, form of contract and estimated cost heretofore placed on file and upon which public notice has been duly given and no objections thereto have been made either in writing or in open council, the Council does now adopt and approve the plans, specifications, form of contract and estimate of cost for Project No STR20004, being the 18th Avenue Bridge Slab Project in the city of Marshalltown, Iowa.

Passed this 28th day of March, 2022, and signed this _____ day of March, 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701

March 28, 2022

To: Mayor Joel Greer
Members of the City Council

From: Heather Thomas, P.E.
Public Works Director

Re: Street Improvement Project – 18th Ave. Bridge Appr. Slab Repair (STR 20-004)

Policy Issue: City purchasing policy requires the City to utilize competitive bidding procedures for horizontal infrastructure projects estimated to cost more than \$139,000. A Public Hearing is required as part of that procedure. Following the Public Hearing, City Council should approve plans, specifications, form of contract, and cost for said improvements.

Recommendation: Staff recommends approving plans, specifications, form of contract, and cost for said improvements.

Background: As part of the Street Improvement Program, City staff have identified the bridge approach slabs on 18th Avenue crossing the railroad as a project in need of attention. The work will include the removal & replacement of approach slabs on the north and south sides of the bridge and a portion of the existing concrete barriers. A small stretch of concrete pavement on the north and south ends of the approaches will also be included to smooth out the transitions.

The bid timeline is as follows:

-Receiving/Opening Bids at 10:00 AM, April 5th, 2022

-Awarding Bid at the April 11th, 2022 council meeting

Design engineering for this project was performed in-house. Construction is estimated to cost \$304,682.87. The substantial completion date for this project is October 15th, 2022.

Budget Impact: This project will be funded through the City's Street Improvement Program with funds coming from budgeted FY22 & FY23. Revenue sources for the City's Street Improvement Program have been allocated through Fund 110 (Road Use Tax), Fund 360 (2019 GO Bond), and Fund 363 (2021 GO Bond).

Attachments: Official Notice of Hearing & Letting, Plans, Project Manual, Engineer's Estimate.

cc: Jessica Kinser, City Administrator

City Council
Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



OFFICIAL NOTICE OF HEARING AND LETTING

CITY OF MARSHALLTOWN

MARSHALLTOWN, IOWA

18TH AVENUE BRIDGE APPROACH SLAB REPAIR

PROJECT NO. STR20-004

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, PROPOSED FORM OF CONTRACT AND ESTIMATED COST FOR THE 18TH AVENUE BRIDGE APPROACH SLAB REPAIR IN THE CITY OF MARSHALLTOWN, IOWA, AND THE TAKING OF BIDS FOR SUCH IMPROVEMENTS.

A public hearing will be held at 5:30 p.m. local time on the 28th day of March 2022 in the Council Chambers, Second Floor, 10 West State Street, Marshalltown, Iowa, on the proposed plans, specifications, proposed form of contract, and the estimated cost of improvements proposed to be constructed under PROJECT NO. STR20-004, the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR is now on file in the office of the City Clerk and at said hearing any interested person may appear and file objection thereto or to the bidding process.

Sealed proposals based upon the proposed plans, specifications, proposed form of contract, estimated costs of improvement, will be received at the City Clerk's Office located at 24 N. Center Street, Marshalltown, IA until 10:00 a.m. local time, on the 5th day of April 2022 for the construction of the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR as described in the plans and specifications for Project No. STR20-004, and which will be opened, read, and tabulated by the City Engineer or his designate at that time, will be acted upon by the City Council of said City at a meeting to be held in the Council Chambers on the 11th day of April 2022 or at such later time and place as may then be fixed.

The proposed work will involve furnishing the labor, equipment, and materials necessary for constructing the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR in Marshalltown, Iowa as shown in the plans and specifications for PROJECT NO. STR20-004 the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR.

The estimated quantities of materials and labor to be furnished in the construction of said improvements and on which bids will be received are as follows:

ESTIMATED PROJECT QUANTITIES				
Item No.	Reference No	Description	Quantity	Unit
1	2102-2710080	Excavation, CL 10, Unsuit/Unstable Mat'l	78	CY
2	2105-8425015	Topsoil, Strip, Salvage & Spread	14	CY
3	2115-0100000	Modified Subbase	334.62	TON
4	2201-0505080	PCC Pavement, 8"	394.00	SY
5	2301-0685550	Bridge Approach Pavement, 9"	500	SY

ESTIMATED PROJECT QUANTITIES				
6	2401-7207010	Removal Of Concrete Approach Slab	502	SY
7	2401-6745830	Removal Of Concrete Barrier	162	LF
8	2413-1100000	Preformed Elastic Neoprene Joint	359	LF
9	2413-1300000	Preformed Precomp S-E Seal Syst W/ Silicone	138	LF
10	2510-6745850	Removal Of Pavement	438.0	SY
11	2511-6745900	Removal Of Sidewalk	88.7	SY
12	2511-7526006	Sidewalk, PCC, 6"	55.9	SY
13	2512-1725256	Curb & Gutter, PCC, 2.5'	154	LF
14	2513-0474990	Concrete Barrier, Reinforced	163	LF
15	8030-A	Temporary Traffic Control	1	LS
16	9010-B	Hydraulic Seeding, Fertilizing, and Mulching	31.6	SY
17	9040-A-1	SWPPP Preparation	1	LS
18	9040-A-2	SWPPP Management	1	LS
19	9040-N-1	Silt Fence or Silt Fence Ditch Check	56	LF
20	9080	Barrier Rail, Salvaged	83	LF
21	9080	Barrier Rail, Remove & Salvage	83	LF
22	11,020-A	Mobilization	1	LS
23	11,050-A	Concrete Washout	1	LS

All work is to be done in strict compliance with the Plans and Specifications for said PROJECT NO. STR20-004 as proposed by the City Engineer.

Obtaining the Bidding Documents

Plans, specifications and proposed contract documents may be examined at the office of the City Engineer, Marshalltown, Iowa, and at the office of the City Clerk, Marshalltown, Iowa. Bidding Documents may be downloaded from the City of Marshalltown's web site upon registration at no cost. The documents may be downloaded at <https://www.marshalltown-ia.gov/Bids.aspx>.

A deposit of \$150 per paper set of plans, specifications and proposed contract documents will be charged, all of which will be refunded if the paper documents are returned in reusable condition within 14 days of the Award of Contract. If all paper documents are not returned in reusable condition and within 14 days, the deposit will be forfeited.

Pre-bid Conference

A pre-bid conference will not be held for the Project.

Instructions to Bidders.

A Bid must be accompanied by Bid security made payable to Owner in an amount of ten (10) percent of Bidder's maximum Bid price (determined by adding the base bid and all alternates) and in the form of a Bid bond issued by a surety meeting the requirements of Paragraph 6.01 of the General Conditions or a certified check in an amount equal to ten percent (10%) of the total amount of the bid, drawn on and certified payable by a solvent bank to the City Treasurer of the City. Such Bid bond will be issued in the form included in the Bidding Documents.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

The City Council reserves the right to reject any and all bids and to waive technicalities and irregularities and all bids must remain effective for a period of 30 days of opening same.

This Notice to Bidders is hereby published by authority of resolution duly adopted by the Council of the City of Marshalltown on the 14th day of March 2022.

Owner: City of Marshalltown
By: Alicia Hunter
Title: City Clerk

STR20-004 - 18TH AVENUE APPROACH SLAB REPAIRS
CITY OF MARSHALLTOWN
March 2, 2022

ENGINEER'S ESTIMATE OF PROBABLE COSTS
Base Bid - Approach Slab Repair

Item No.	Reference No	Description	Quantity	Unit	Unit Price	Total Price
1	2102-2710080	Excavation, CL 10, Unsuit/Unstable Mat'l	78	CY	\$5.00	\$390.00
2	2105-8425015	Topsoil, Strip, Salvage & Spread	14	CY	\$5.20	\$72.80
3	2115-0100000	Modified Subbase	334.62	TON	\$47.80	\$15,994.84
4	2201-0505080	PCC Pavement, 8"	394	SY	\$50.20	\$19,778.80
5	2301-0685550	Bridge Approach Pavement, 9"	500	SY	\$237.00	\$118,500.00
6	2401-7207010	Removal Of Concrete Approach Slab	502	SY	\$19.20	\$9,638.40
7	2401-6745830	Removal Of Concrete Barrier	162	LF	\$70.20	\$11,372.40
8	2413-1100000	Preformed Elastic Neoprene Joint	359	LF	\$78.00	\$28,002.00
9	2413-1300000	Preformed Precomp S-E Seal Syst W/ Silicone	138	LF	\$72.00	\$9,936.00
10	2510-6745850	Removal Of Pavement	438	SY	\$8.90	\$3,898.20
11	2511-6745900	Removal Of Sidewalk	88.7	SY	\$16.40	\$1,454.68
12	2511-7526006	Sidewalk, PCC, 6"	55.9	SY	\$75.50	\$4,220.45
13	2512-1725256	Curb & Gutter, PCC, 2.5'	154	LF	\$43.30	\$6,668.20
14	2513-0474990	Concrete Barrier, Reinforced	163	LF	\$113.90	\$18,565.70
15	8030-A	Temporary Traffic Control	1	LS	\$15,000.00	\$15,000.00
16	9010-B	Hydraulic Seeding, Fertilizing, and Mulching	31.6	SY	\$1.50	\$47.40
17	9040-A-1	SWPPP Preparation	1	LS	\$5,000.00	\$5,000.00
18	9040-A-2	SWPPP Management	1	LS	\$2,500.00	\$2,500.00
19	9040-N-1	Silt Fence or Silt Fence Ditch Check	56	LF	\$3.00	\$168.00
20	9080	Barrier Rail, Salvaged	83	LF	\$50.00	\$4,150.00
21	9080	Barrier Rail, Remove & Salvage	83	LF	\$75.00	\$6,225.00
22	11,020-A	Mobilization	1	LS	\$22,600.00	\$22,600.00
23	11,050-A	Concrete Washout	1	LS	\$500.00	\$500.00
	Total Estimated Costs					\$304,682.87



Joel Greer, Mayor
Jessica Kinser, Administrator
Heather Thomas, Public Works
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701
Fax - (641) 754-5717

18TH AVENUE BRIDGE APPROACH SLAB REPAIR

PROJECT NO. STR20-004

PREPARED BY:
PUBLIC WORKS/ENGINEERING DEPARTMENT
CITY OF MARSHALLTOWN
24 N. CENTER STREET
MARSHALLTOWN, IOWA 50158

	I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.	
	Signature: <u>Jay C. Koch</u>	Date: <u>03/02/2022</u>
	Name: <u>Jay C. Koch, P. E.</u>	
	Iowa Reg. No. P25428	
	My license renewal date is December 31, 2022	
	Pages or sheets covered by this seal: <u>ALL</u>	

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PART I – BIDDING AND CONTRACT DOCUMENTS

OFFICIAL NOTICE OF HEARING AND LETTING

CITY OF MARSHALLTOWN

MARSHALLTOWN, IOWA

18TH AVENUE BRIDGE APPROACH SLAB REPAIR

PROJECT NO. STR20-004

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, PROPOSED FORM OF CONTRACT AND ESTIMATED COST FOR THE 18TH AVENUE BRIDGE APPROACH SLAB REPAIR IN THE CITY OF MARSHALLTOWN, IOWA, AND THE TAKING OF BIDS FOR SUCH IMPROVEMENTS.

A public hearing will be held at 5:30 p.m. local time on the 28th day of March 2022 in the Council Chambers, Second Floor, 10 West State Street, Marshalltown, Iowa, on the proposed plans, specifications, proposed form of contract, and the estimated cost of improvements proposed to be constructed under PROJECT NO. STR20-004, the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR is now on file in the office of the City Clerk and at said hearing any interested person may appear and file objection thereto or to the bidding process.

Sealed proposals based upon the proposed plans, specifications, proposed form of contract, estimated costs of improvement, will be received at the City Clerk's Office located at 24 N. Center Street, Marshalltown, IA until 10:00 a.m. local time, on the 5th day of April 2022 for the construction of the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR as described in the plans and specifications for Project No. STR20-004, and which will be opened, read, and tabulated by the City Engineer or his designate at that time, will be acted upon by the City Council of said City at a meeting to be held in the Council Chambers on the 11th day of April 2022 or at such later time and place as may then be fixed.

The proposed work will involve furnishing the labor, equipment, and materials necessary for constructing the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR in Marshalltown, Iowa as shown in the plans and specifications for PROJECT NO. STR20-004 the 18TH AVENUE BRIDGE APPROACH SLAB REPAIR.

The estimated quantities of materials and labor to be furnished in the construction of said improvements and on which bids will be received are as follows:

ESTIMATED PROJECT QUANTITIES				
Item No.	Reference No	Description	Quantity	Unit
1	2102-2710080	Excavation, CL 10, Unsuit/Unstable Mat'l	78	CY
2	2105-8425015	Topsoil, Strip, Salvage & Spread	14	CY
3	2115-0100000	Modified Subbase	334.62	TON
4	2201-0505080	PCC Pavement, 8"	394.00	SY
5	2301-0685550	Bridge Approach Pavement, 9"	500	SY

ESTIMATED PROJECT QUANTITIES				
6	2401-7207010	Removal Of Concrete Approach Slab	502	SY
7	2401-6745830	Removal Of Concrete Barrier	162	LF
8	2413-1100000	Preformed Elastic Neoprene Joint	359	LF
9	2413-1300000	Preformed Precomp S-E Seal Syst W/ Silicone	138	LF
10	2510-6745850	Removal Of Pavement	438.0	SY
11	2511-6745900	Removal Of Sidewalk	88.7	SY
12	2511-7526006	Sidewalk, PCC, 6"	55.9	SY
13	2512-1725256	Curb & Gutter, PCC, 2.5'	154	LF
14	2513-0474990	Concrete Barrier, Reinforced	163	LF
15	8030-A	Temporary Traffic Control	1	LS
16	9010-B	Hydraulic Seeding, Fertilizing, and Mulching	31.6	SY
17	9040-A-1	SWPPP Preparation	1	LS
18	9040-A-2	SWPPP Management	1	LS
19	9040-N-1	Silt Fence or Silt Fence Ditch Check	56	LF
20	9080	Barrier Rail, Salvaged	83	LF
21	9080	Barrier Rail, Remove & Salvage	83	LF
22	11,020-A	Mobilization	1	LS
23	11,050-A	Concrete Washout	1	LS

All work is to be done in strict compliance with the Plans and Specifications for said PROJECT NO. STR20-004 as proposed by the City Engineer.

Obtaining the Bidding Documents

Plans, specifications and proposed contract documents may be examined at the office of the City Engineer, Marshalltown, Iowa, and at the office of the City Clerk, Marshalltown, Iowa. Bidding Documents may be downloaded from the City of Marshalltown's web site upon registration at no cost. The documents may be downloaded at <https://www.marshalltown-ia.gov/Bids.aspx>.

A deposit of \$150 per paper set of plans, specifications and proposed contract documents will be charged, all of which will be refunded if the paper documents are returned in reusable condition within 14 days of the Award of Contract. If all paper documents are not returned in reusable condition and within 14 days, the deposit will be forfeited.

Pre-bid Conference

A pre-bid conference will not be held for the Project.

Instructions to Bidders.

A Bid must be accompanied by Bid security made payable to Owner in an amount of ten (10) percent of Bidder's maximum Bid price (determined by adding the base bid and all alternates) and in the form of a Bid bond issued by a surety meeting the requirements of Paragraph 6.01 of the General Conditions or a certified check in an amount equal to ten percent (10%) of the total amount of the bid, drawn on and certified payable by a solvent bank to the City Treasurer of the City. Such Bid bond will be issued in the form included in the Bidding Documents.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

The City Council reserves the right to reject any and all bids and to waive technicalities and irregularities and all bids must remain effective for a period of 30 days of opening same.

This Notice to Bidders is hereby published by authority of resolution duly adopted by the Council of the City of Marshalltown on the 14th day of March 2022.

Owner: City of Marshalltown
By: Alicia Hunter
Title: City Clerk

INSTRUCTIONS TO BIDDERS FOR CONSTRUCTION CONTRACT

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ARTICLE 1—DEFINED TERMS

- 1.01 Terms used in these Instructions to Bidders have the meanings indicated in the General Conditions and Supplementary Conditions. Additional terms used in these Instructions to Bidders have the meanings indicated below:
- A. *Issuing Office*—The office from which the Bidding Documents are to be issued, and which registers plan holders.

ARTICLE 2—BIDDING DOCUMENTS

- 2.01 Bidder shall obtain a complete set of Bidding Requirements and proposed Contract Documents (together, the Bidding Documents). See the Agreement for a list of the Contract Documents. It is Bidder's responsibility to determine that it is using a complete set of documents in the preparation of a Bid. Bidder assumes sole responsibility for errors or misinterpretations resulting from the use of incomplete documents, by Bidder itself or by its prospective Subcontractors and Suppliers.
- 2.02 Bidding Documents are made available for the sole purpose of obtaining Bids for completion of the Project and permission to download or distribution of the Bidding Documents does not confer a license or grant permission or authorization for any other use. Authorization to download documents, or other distribution, includes the right for plan holders to print documents solely for their use, and the use of their prospective Subcontractors and Suppliers, provided the plan holder pays all costs associated with printing or reproduction. Printed documents may not be re-sold under any circumstances.
- 2.03 Owner has established a Bidding Documents Website as indicated in the Advertisement or invitation to bid. Owner requires that Bidder register as a plan holder with the Issuing Office at such website, and obtain a complete set of the

Bidding Documents from such website. Bidders may rely that sets of Bidding Documents obtained from the Bidding Documents Website are complete, unless an omission is blatant. Registered plan holders will receive Addenda issued by Owner.

- 2.04 Bidder may register as a plan holder and obtain complete sets of Bidding Documents, in the number and format stated in the Advertisement or invitation to bid, from the Issuing Office. Bidders may rely that sets of Bidding Documents obtained from the Issuing Office are complete, unless an omission is blatant. Registered plan holders will receive Addenda issued by Owner.
- 2.05 Plan rooms (including construction information subscription services, and electronic and virtual plan rooms) may distribute the Bidding Documents, or make them available for examination. Those prospective bidders that obtain an electronic (digital) copy of the Bidding Documents from a plan room are encouraged to register as plan holders from the Bidding Documents Website or Issuing Office. Owner is not responsible for omissions in Bidding Documents or other documents obtained from plan rooms, or for a Bidder's failure to obtain Addenda from a plan room.
- 2.06 Electronic Documents
 - A. When the Bidding Requirements indicate that electronic (digital) copies of the Bidding Documents are available, such documents will be made available to the Bidders as Electronic Documents in the manner specified.
 - 1. Bidding Documents will be provided in Adobe PDF (Portable Document Format) (.pdf) that is readable by Adobe Acrobat Reader. It is the intent of the Engineer and Owner that such Electronic Documents are to be exactly representative of the paper copies of the documents. However, because the Owner and Engineer cannot totally control the transmission and receipt of Electronic Documents nor the Contractor's means of reproduction of such documents, the Owner and Engineer cannot and do not guarantee that Electronic Documents and reproductions prepared from those versions are identical in every manner to the paper copies.
 - B. Unless otherwise stated in the Bidding Documents, the Bidder may use and rely upon complete sets of Electronic Documents of the Bidding Documents, described in Paragraph 2.06.A above. However, Bidder assumes all risks associated with differences arising from transmission/receipt of Electronic Documents versions of Bidding Documents and reproductions prepared from those versions and, further, assumes all risks, costs, and responsibility associated with use of the Electronic Documents versions to derive information that is not explicitly contained in printed paper versions of the documents, and for Bidder's reliance upon such derived information.
 - C. After the Contract is awarded, the Owner will provide or direct the Engineer to provide for the use of the Contractor documents that were developed by Engineer as part of the Project design process, as Electronic Documents in native file formats.

- D. Electronic Documents that are available in native file format include:
 - 1. Plans in Microstation or Civil 3D formats.
- E. Release of such documents will be solely for the convenience of the Contractor. No such document is a Contract Document.
- F. Unless the Contract Documents explicitly identify that such information will be available to the Successful Bidder (Contractor), nothing herein will create an obligation on the part of the Owner or Engineer to provide or create such information, and the Contractor is not entitled to rely on the availability of such information in the preparation of its Bid or pricing of the Work. In all cases, the Contractor shall take appropriate measures to verify that any electronic/digital information provided in Electronic Documents is appropriate and adequate for the Contractor's specific purposes.
- G. In no case will the Contractor be entitled to additional compensation or time for completion due to any differences between the actual Contract

ARTICLE 3—PRE-BID CONFERENCE

- 3.01 A pre-bid conference will not be conducted for this Project.

ARTICLE 4—BID SECURITY

- 4.01 A Bid must be accompanied by Bid security made payable to Owner in an amount of **ten (10)** percent of Bidder's maximum Bid price (determined by adding the base bid and all alternates) and in the form of a Bid bond issued by a surety meeting the requirements of Paragraph 6.01 of the General Conditions or a certified check in an amount equal to ten percent (10%) of the total amount of the bid, drawn on and certified payable by a solvent bank to the City Treasurer of the City. Such Bid bond will be issued in the form included in the Bidding Documents.

ARTICLE 5—SUBSTITUTE AND "OR EQUAL" ITEMS

- 5.01 The Contract for the Work, as awarded, will be on the basis of materials and equipment specified or described in the Bidding Documents, and those "or-equal" or substitute or materials and equipment subsequently approved by Engineer prior to the submittal of Bids and identified by Addendum. No item of material or equipment will be considered by Engineer as an "or-equal" or substitute unless written request for approval has been submitted by Bidder and has been received by Engineer within 10 days of the issuance of the Advertisement for Bids or invitation to Bidders. Each such request must comply with the requirements of Paragraphs 7.05 and 7.06 of the General Conditions, and the review of the request will be governed by the principles in those paragraphs. The burden of proof of the merit of the proposed item is upon Bidder. Engineer's decision of approval or disapproval of a proposed item will be final. If Engineer approves any such proposed item, such approval will be set forth in an Addendum issued to all registered Bidders. Bidders cannot rely upon approvals made in any other manner.
- 5.02 All prices that Bidder sets forth in its Bid will be based on the presumption that the Contractor will furnish the materials and equipment specified or described in

the Bidding Documents, as supplemented by Addenda. Any assumptions regarding the possibility of post-Bid approvals of “or-equal” or substitution requests are made at Bidder’s sole risk.

ARTICLE 6—PREPARATION OF BID

- 6.01 If Bidder has obtained the Bidding Documents as Electronic Documents, then Bidder shall prepare its Bid on a paper copy of the Bid Form printed from the Electronic Documents version of the Bidding Documents. The printed copy of the Bid Form must be clearly legible, printed on 8½ inch by 11-inch paper and as closely identical in appearance to the Electronic Document version of the Bid Form as may be practical. The Owner reserves the right to accept Bid Forms which nominally vary in appearance from the original paper version of the Bid Form, providing that all required information and submittals are included with the Bid.

ARTICLE 7—OPENING OF BIDS

- 7.01 Bids will be opened and read aloud in the Colosseum Conference room at 10:00 AM, April 5, 2022.

ARTICLE 8—BIDS TO REMAIN SUBJECT TO ACCEPTANCE

- 8.01 All Bids will remain subject to acceptance for the period of time stated in the Bid Form, but Owner may, in its sole discretion, release any Bid and return the Bid security prior to the end of this period.
- 8.02 Should there be any reason why the contract cannot be awarded within the period of time stated in the Bid Form, the time may be extended by mutual agreement between the Owner and the apparent successful Bidder.

ARTICLE 9—ENGINEER INFORMATION

- 9.01 The Engineering firm is: City of Marshalltown
- A. The Engineering firm’s contact person is: Jay C. Koch, P.E. Civil Engineer II
 - B. The firm’s address is:
 - 1. 24 North Center Street
 - 2. Marshalltown, IA 50158
 - 3. Phone 641) 754-5734
 - 4. Email: jkoch@marshalltown-ia.gov

BIDDING DOCUMENTS

BID FORM FOR CONSTRUCTION CONTRACT

18TH AVENUE BRIDGE APPROACH SLAB REPAIR PROJECT NO. STR20-004

The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 1—OWNER AND BIDDER

- 1.01 This Bid is submitted to: The City of Marshalltown, 24 N. Center Street, Marshalltown, IA 50158.
- 1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2—ATTACHMENTS TO THIS BID

- 2.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid security;
 - B. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such authority within the time for acceptance of Bids;
 - C. Contractor's license number as evidence of Bidder's State Contractor's License or a covenant by Bidder to obtain said license within the time for acceptance of Bids; and
 - D. Bidders Status Form.

ARTICLE 3—BASIS OF BID—LUMP SUM BID AND UNIT PRICES

- 3.01 Unit Price Bids
- A. Bidder will perform the following Work at the indicated unit prices:

Base Bid - Approach Slab Repair						
Item No.	Reference No	Description	Quantity	Unit	Unit Price	Extended Price
1	2102-2710080	Excavation, CL 10, Unsuit/Unstable Mat'l	78	CY	\$	\$
2	2105-8425015	Topsoil, Strip, Salvage & Spread	14	CY	\$	\$
3	2115-0100000	Modified Subbase	334.62	TON	\$	\$
4	2201-0505080	PCC Pavement, 8"	394.00	SY	\$	\$
5	2301-0685550	Bridge Approach Pavement, 9"	500	SY	\$	\$
6	2401-7207010	Removal Of Concrete Approach Slab	502	SY	\$	\$

7	2401-6745830	Removal Of Concrete Barrier	162	LF	\$	\$
8	2413-1100000	Preformed Elastic Neoprene Joint	359	LF	\$	\$
9	2413-1300000	Preformed Precomp S-E Seal Syst W/ Silicone	138	LF	\$	\$
10	2510-6745850	Removal Of Pavement	438.0	SY	\$	\$
11	2511-6745900	Removal Of Sidewalk	88.7	SY	\$	\$
12	2511-7526006	Sidewalk, PCC, 6"	55.9	SY	\$	\$
13	2512-1725256	Curb & Gutter, PCC, 2.5'	154	LF	\$	\$
14	2513-0474990	Concrete Barrier, Reinforced	163	LF	\$	\$
15	8030-A	Temporary Traffic Control	1	LS	\$	\$
16	9010-B	Hydraulic Seeding, Fertilizing, and Mulching	31.6	SY	\$	\$
17	9040-A-1	SWPPP Preparation	1	LS	\$	\$
18	9040-A-2	SWPPP Management	1	LS	\$	\$
19	9040-N-1	Silt Fence or Silt Fence Ditch Check	56	LF	\$	\$
20	9080	Barrier Rail, Salvaged	83	LF	\$	\$
21	9080	Barrier Rail, Remove & Salvage	83	LF	\$	\$
22	11,020-A	Mobilization	1	LS	\$	\$
23	11,050-A	Concrete Washout	1	LS	\$	\$
		Total of All Unit Price Bid Items				\$

3.02 Bidder acknowledges that:

- A. each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and
- B. estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Work will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 4—TIME OF COMPLETION

4.01 Bidder agrees that the Work will be substantially complete on or before **October 15, 2022**, and will be completed and ready for final payment s on or before **November 15, 2022**.

ARTICLE 5—LIQUIDATED DAMAGES

- 5.01 Substantial Completion: Contractor shall pay Owner \$750.00 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion, until the Work is substantially complete.
- 5.02 Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$750.00 for each day that expires after such time until the Work is completed and ready for final payment.
- 5.03 Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive, and will not be imposed concurrently.
- 5.04 If Owner recovers liquidated damages for a delay in completion by Contractor, then such liquidated damages are Owner's sole and exclusive remedy for such delay, and Owner is precluded from recovering any other damages, whether actual, direct, excess, or consequential, for such delay, except for special damages (if any) specified in this Agreement.

ARTICLE 6—BIDDER'S ACKNOWLEDGEMENTS: ACCEPTANCE PERIOD, INSTRUCTIONS, AND RECEIPT OF ADDENDA

- 6.01 Bid Acceptance Period
- A. This Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.
- 6.02 Instructions to Bidders
- A. Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security.
- 6.03 Receipt of Addenda
- A. Bidder hereby acknowledges receipt of the following Addenda: **[Add rows as needed. Bidder is to complete table.]**

Addendum Number	Addendum Date

ARTICLE 7—BIDDER hereby submits this Bid as set forth above:

Bidder:

(typed or printed name of organization)

By:

(individual's signature)

Name:

(typed or printed)

Title:

(typed or printed)

Date:

(typed or printed)

If Bidder is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.

Attest:

(individual's signature)

Name:

(typed or printed)

Title:

(typed or printed)

Date:

(typed or printed)

Address for giving notices:

Bidder's Contact:

Name:

(typed or printed)

Title:

(typed or printed)

Phone:

Email:

Address:

Bidder's Contractor License No.: (if

BID BOND (PENAL SUM FORM)

Bidder Name: [Full formal name of Bidder] Address (<i>principal place of business</i>): [Address of Bidder's principal place of business]	Surety Name: [Full formal name of Surety] Address (<i>principal place of business</i>): [Address of Surety's principal place of business]
Owner Name: City of Marshalltown Address (<i>principal place of business</i>): 24 N. Center Street Marshalltown, IA 50158	Bid Project (<i>name and location</i>): 18th Avenue Bridge Approach Slab Repair STR20-004 Bid Due Date: April 5, 2022
Bond Penal Sum: [Amount] Date of Bond: [Date]	
Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth in this Bid Bond, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.	
Bidder	Surety
By: _____ (<i>Full formal name of Bidder</i>)	By: _____ (<i>Full formal name of Surety</i>) (<i>corporate seal</i>)
Name _____ (<i>Signature</i>)	Name _____ (<i>Signature</i>) (<i>Attach Power of</i>)
Title: _____ (<i>Printed or typed</i>)	Title: _____ (<i>Printed or typed</i>)
Attest _____ (<i>Signature</i>)	Attest _____ (<i>Signature</i>)
Name _____ (<i>Printed or typed</i>)	Name _____ (<i>Printed or typed</i>)
Title: _____	Title: _____
Notes: (1) Note: Addresses are to be used for giving any required notice. (2) Provide execution by any additional parties, such as joint venturers, if necessary.	

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond will be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder occurs upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation will be null and void if:
 - 3.1. Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2. All Bids are rejected by Owner, or
 - 3.3. Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions does not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action will be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety, and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond will be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder must be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Postal Service registered or certified mail, return receipt requested, postage pre-paid, and will be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond will be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute governs and the remainder of this Bond that is not in conflict therewith continues in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

BIDDER STATUS FORM

To be completed by all bidders

Part A

Please answer "Yes" or "No" for each of the following:

- ☐ Yes ☐ No My company is authorized to transact business in Iowa.
(To help you determine if your company is authorized, please review the worksheet on the next page).
- ☐ Yes ☐ No My company has an office to transact business in Iowa.
- ☐ Yes ☐ No My company's office in Iowa is suitable for more than receiving mail, telephone calls, and e-mail.
- ☐ Yes ☐ No My company has been conducting business in Iowa for at least 3 years prior to the first request for bids on this project.
- ☐ Yes ☐ No My company is not a subsidiary of another business entity or my company is a subsidiary of another business entity that would qualify as a resident bidder in Iowa.

If you answered "Yes" for each question above, your company qualifies as a resident bidder. Please complete Parts B and D of this form.

If you answered "No" to one or more questions above, your company is a nonresident bidder. Please complete Parts C and D of this form.

To be completed by resident bidders

Part B

My company has maintained offices in Iowa during the past 3 years at the following addresses:

Dates: _____/_____/_____ to _____/_____/_____ Address: _____

City, State, Zip: _____

Dates: _____/_____/_____ to _____/_____/_____ Address: _____

City, State, Zip: _____

Dates: _____/_____/_____ to _____/_____/_____ Address: _____

You may attach additional sheet(s) if needed. City, State, Zip: _____

To be completed by non-resident bidders

Part C

1. Name of home state or foreign country reported to the Iowa Secretary of State: _____
2. Does your company's home state or foreign country offer preferences to resident bidders, resident labor force preferences or any other type of preference to bidders or laborers? ☐ Yes ☐ No
3. If you answered "Yes" to question 2, identify each preference offered by your company's home state or foreign country and the appropriate legal citation.

_____ You may attach additional sheet(s) if needed.

To be completed by all bidders

Part D

I certify that the statements made on this document are true and complete to the best of my knowledge and I know that my failure to provide accurate and truthful information may be a reason to reject my bid.

Firm Name: _____

Signature: _____ Date: _____

You must submit the completed form to the governmental body requesting bids per 875 Iowa Administrative Code Chapter 156. This form has been approved by the Iowa Labor Commissioner.

Worksheet: Authorization to Transact Business

This worksheet may be used to help complete Part A of the Resident Bidder Status form. If at least one of the following describes your business, you are authorized to transact business in Iowa.

- ☐ Yes ☐ No My business is currently registered as a contractor with the Iowa Division of Labor.
- ☐ Yes ☐ No My business is a sole proprietorship and I am an Iowa resident for Iowa income tax purposes.
- ☐ Yes ☐ No My business is a general partnership or joint venture. More than 50 percent of the general partners or joint venture parties are residents of Iowa for Iowa income tax purposes.
- ☐ Yes ☐ No My business is an active corporation with the Iowa Secretary of State and has paid all fees required by the Secretary of State, has filed its most recent biennial report, and has not filed articles of dissolution.
- ☐ Yes ☐ No My business is a corporation whose articles of incorporation are filed in a state other than Iowa, the corporation has received a certificate of authority from the Iowa secretary of state, has filed its most recent biennial report with the secretary of state, and has neither received a certificate of withdrawal from the secretary of state nor had its authority revoked.
- ☐ Yes ☐ No My business is a limited liability partnership which has filed a statement of qualification in this state and the statement has not been canceled.
- ☐ Yes ☐ No My business is a limited liability partnership which has filed a statement of qualification in a state other than Iowa, has filed a statement of foreign qualification in Iowa and a statement of cancellation has not been filed.
- ☐ Yes ☐ No My business is a limited partnership or limited liability limited partnership which has filed a certificate of limited partnership in this state, and has not filed a statement of termination.
- ☐ Yes ☐ No My business is a limited partnership or a limited liability limited partnership whose certificate of limited partnership is filed in a state other than Iowa, the limited partnership or limited liability limited partnership has received notification from the Iowa secretary of state that the application for certificate of authority has been approved and no notice of cancellation has been filed by the limited partnership or the limited liability limited partnership.
- ☐ Yes ☐ No My business is a limited liability company whose certificate of organization is filed in Iowa and has not filed a statement of termination.
- ☐ Yes ☐ No My business is a limited liability company whose certificate of organization is filed in a state other than Iowa, has received a certificate of authority to transact business in Iowa and the certificate has not been revoked or canceled.

CONTRACT DOCUMENTS

NOTICE OF AWARD

Date of Issuance:

Owner: City of Marshalltown

Owner's Project No.: STR20-004

Engineer: City of Marshalltown

Engineer's Project No.: STR20-004

Project: 18th Avenue Bridge Approach Slab Repair

Contract Name: Base Bid

Bidder:

Bidder's Address:

You are notified that Owner has accepted your Bid dated **[date]** for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

[Describe Work, alternates, or sections of Work awarded]

The Contract Price of the awarded Contract is **\$(Contract Price)**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

One (1) digital unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☒ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner **three (3)** counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): **None**

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents.

Owner:

City of Marshalltown, Iowa

By *(signature)*:

Name *(printed)*:

Joel Greer

Title:

Mayor

AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

This Agreement is by and between the City of Marshalltown ("Owner") and **[name of contracting entity]** ("Contractor").

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

- 1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: [Brief description of Work]

ARTICLE 2 – THE PROJECT

- 2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: **This project includes the removal of bridge approach pavements, concrete barriers, PCC pavement and installation of same.**

ARTICLE 3 – ENGINEER

- 3.01 The City of Marshalltown ("Engineer") to act as Owner's representative, assume all duties and responsibilities of Engineer, and have the rights and authority assigned to Engineer in the Contract.
- 3.02 The part of the Project that pertains to the Work has been designed by the City of Marshalltown's Engineering Department.

ARTICLE 4 – CONTRACT TIMES

- 4.01 Contract Times: Dates
- A. The Work will be substantially complete on or before **October 15, 2022**, and completed and ready for final payment on or before **November 15, 2022**.
- 4.02 Liquidated Damages
- A. Substantial Completion: Contractor shall pay Owner \$750.00 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion, until the Work is substantially complete.
- B. Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$750.00 for each day that expires after such time until the Work is completed and ready for final payment.

ARTICLE 5 – CONTRACT PRICE

- 5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents, the amounts that follow, subject to adjustment under the Contract:
- A. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

ARTICLE 6 – CONTRACT DOCUMENTS

6.01 Contents

A. The Contract Documents consist of all of the following:

1. This Agreement.
2. Bonds:
 - a. Performance bond (together with power of attorney).
 - b. Payment bond (together with power of attorney).
3. General Conditions.
4. Supplementary Conditions.
5. Specifications as listed in the table of contents of the project manual (copy of list attached).
6. Drawings (not attached but incorporated by reference) consisting of **12** sheets with each sheet bearing the following general title: **18th Avenue Bridge Approach Slab Repair**.
7. Addenda (numbers [number] to [number], inclusive).
8. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid Documents
9. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.
 - e. Warranty Bond.

B. The Contract Documents listed in Paragraph 6.01.A are attached to this Agreement (except as expressly noted otherwise above).

C. There are no Contract Documents other than those listed above in this Article 6.

D. The Contract Documents may only be amended, modified, or supplemented as provided in the Contract.

6.02 General Conditions

A. Owner stipulates that if the General Conditions that are made a part of this Contract are the SUDAS Standard Specifications, General Provisions and Covenants, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on **[indicate date on which Contract becomes effective]**
(which is the Effective Date of the Contract).

Owner:

City of Marshalltown

(typed or printed name of organization)

By:

(individual's signature)

Date:

(date signed)

Name:

Joel Greer

(typed or printed)

Title:

Mayor

(typed or printed)

Attest:

(individual's signature)

Title:

Alicia Hunter

(typed or printed)

Address for giving notices:

24 N. Center Street

Marshalltown, Iowa

50158

Designated Representative:

Name: Heather Thomas, P.E.

(typed or printed)

Title:

Public Works Director

(typed or printed)

Address:

24 N. Center Street

Marshalltown, Iowa

50158

Phone: (641) 754-5734

Email: hthomas@marshalltown-ia.gov

(If **[Type of Entity]** is a corporation, attach evidence of authority to sign. If **[Type of Entity]** is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

Contractor:

(typed or printed name of organization)

By:

(individual's signature)

Date:

(date signed)

Name:

(typed or printed)

Title:

(typed or printed)

(If **[Type of Entity]** is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

(individual's signature)

Title:

(typed or printed)

Address for giving notices:

Designated Representative:

Name:

(typed or printed)

Title:

(typed or printed)

Address:

Phone:

Email:

License No.:

(where applicable)

State:

PERFORMANCE BOND

Contractor Name: [Full formal name of Contractor] Address (<i>principal place of business</i>): [Address of Contractor's principal place of business]	Surety Name: [Full formal name of Surety] Address (<i>principal place of business</i>): [Address of Surety's principal place of business]
Owner Name: City of Marshalltown Mailing address (<i>principal place of business</i>): 24 North Center Street Marshalltown, IA 50158	Contract Description (<i>name and location</i>): 18th Avenue Bridge Approach Slab Repair STR20-004 Contract Price: [Amount from Contract] Effective Date of Contract: [Date from Contract]
Bond Bond Amount: [Amount] Date of Bond: [Date] <i>(Date of Bond cannot be earlier than Effective Date of Contract)</i> Modifications to this Bond form: ☐ None ☐ See Paragraph 16	
Surety and Contractor, intending to be legally bound hereby, subject to the terms set forth in this Performance Bond, do each cause this Performance Bond to be duly executed by an authorized officer, agent, or representative.	
Contractor as Principal <i>(Full formal name of Contractor)</i> By: _____ <i>(Signature)</i> Name: _____ <i>(Printed or typed)</i> Title: _____ Attest: _____ <i>(Signature)</i> Name: _____ <i>(Printed or typed)</i> Title: _____	Surety <i>(Full formal name of Surety) (corporate seal)</i> By: _____ <i>(Signature)(Attach Power of Attorney)</i> Name: _____ <i>(Printed or typed)</i> Title: _____ Attest: _____ <i>(Signature)</i> Name: _____ <i>(Printed or typed)</i> Title: _____
Notes: (1) Provide supplemental execution by any additional parties, such as joint venturers. (2) Any singular reference to Contractor, Surety, Owner, or other party is considered plural where applicable.	

1. The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to the Owner for the performance of the Construction Contract, which is incorporated herein by reference.
2. If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except when applicable to participate in a conference as provided in Paragraph 3.
3. If there is no Owner Default under the Construction Contract, the Surety's obligation under this Bond will arise after:
 - 3.1. The Owner first provides notice to the Contractor and the Surety that the Owner is considering declaring a Contractor Default. Such notice may indicate whether the Owner is requesting a conference among the Owner, Contractor, and Surety to discuss the Contractor's performance. If the Owner does not request a conference, the Surety may, within five (5) business days after receipt of the Owner's notice, request such a conference. If the Surety timely requests a conference, the Owner shall attend. Unless the Owner agrees otherwise, any conference requested under this Paragraph 3.1 will be held within ten (10) business days of the Surety's receipt of the Owner's notice. If the Owner, the Contractor, and the Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement does not waive the Owner's right, if any, subsequently to declare a Contractor Default;
 - 3.2. The Owner declares a Contractor Default, terminates the Construction Contract and notifies the Surety; and
 - 3.3. The Owner has agreed to pay the Balance of the Contract Price in accordance with the terms of the Construction Contract to the Surety or to a contractor selected to perform the Construction Contract.
4. Failure on the part of the Owner to comply with the notice requirement in Paragraph 3.1 does not constitute a failure to comply with a condition precedent to the Surety's obligations, or release the Surety from its obligations, except to the extent the Surety demonstrates actual prejudice.
5. When the Owner has satisfied the conditions of Paragraph 3, the Surety shall promptly and at the Surety's expense take one of the following actions:
 - 5.1. Arrange for the Contractor, with the consent of the Owner, to perform and complete the Construction Contract;
 - 5.2. Undertake to perform and complete the Construction Contract itself, through its agents or independent contractors;
 - 5.3. Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and a contractor selected with the Owners concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in Paragraph 7 in excess of the Balance of the Contract Price incurred by the Owner as a result of the Contractor Default; or

- 5.4. Waive its right to perform and complete, arrange for completion, or obtain a new contractor, and with reasonable promptness under the circumstances:
 - 5.4.1 After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, make payment to the Owner; or
 - 5.4.2 Deny liability in whole or in part and notify the Owner, citing the reasons for denial.
6. If the Surety does not proceed as provided in Paragraph 5 with reasonable promptness, the Surety shall be deemed to be in default on this Bond seven days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in Paragraph 5.4, and the Owner refuses the payment, or the Surety has denied liability, in whole or in part, without further notice, the Owner shall be entitled to enforce any remedy available to the Owner.
7. If the Surety elects to act under Paragraph 5.1, 5.2, or 5.3, then the responsibilities of the Surety to the Owner will not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety will not be greater than those of the Owner under the Construction Contract. Subject to the commitment by the Owner to pay the Balance of the Contract Price, the Surety is obligated, without duplication for:
 - 7.1. the responsibilities of the Contractor for correction of defective work and completion of the Construction Contract;
 - 7.2. additional legal, design professional, and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under Paragraph 5; and
 - 7.3. liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.
8. If the Surety elects to act under Paragraph 5.1, 5.3, or 5.4, the Surety's liability is limited to the amount of this Bond.
9. The Surety shall not be liable to the Owner or others for obligations of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price will not be reduced or set off on account of any such unrelated obligations. No right of action will accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors, and assigns.
10. The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders, and other obligations.
11. Any proceeding, legal or equitable, under this Bond must be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and must be instituted within two years after a declaration of Contractor Default or within two years after the Contractor ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this paragraph are void or prohibited by law, the minimum periods of limitations available to sureties as a defense in the jurisdiction of the suit will be applicable.

12. Notice to the Surety, the Owner, or the Contractor must be mailed or delivered to the address shown on the page on which their signature appears.
13. When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement will be deemed deleted therefrom and provisions conforming to such statutory or other legal requirement will be deemed incorporated herein. When so furnished, the intent is that this Bond will be construed as a statutory bond and not as a common law bond.
14. Definitions
- 14.1. *Balance of the Contract Price*—The total amount payable by the Owner to the Contractor under the Construction Contract after all proper adjustments have been made including allowance for the Contractor for any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Construction Contract.
- 14.2. *Construction Contract*—The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and changes made to the agreement and the Contract Documents.
- 14.3. *Contractor Default*—Failure of the Contractor, which has not been remedied or waived, to perform or otherwise to comply with a material term of the Construction Contract.
- 14.4. *Owner Default*—Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.
- 14.5. *Contract Documents*—All the documents that comprise the agreement between the Owner and Contractor.
15. If this Bond is issued for an agreement between a contractor and subcontractor, the term Contractor in this Bond will be deemed to be Subcontractor and the term Owner will be deemed to be Contractor.
16. Modifications to this Bond are as follows: **“None”**

PAYMENT BOND

Contractor Name: [Full formal name of Contractor] Address (<i>principal place of business</i>): [Address of Contractor's principal place of business]	Surety Name: [Full formal name of Surety] Address (<i>principal place of business</i>): [Address of Surety's principal place of business]
Owner Name: City of Marshalltown Mailing address (<i>principal place of business</i>): 24 North Center Street Marshalltown, IA 50158	Contract Description (<i>name and location</i>): 18th Avenue Bridge Approach Slab Repair STR20-004 Contract Price: [Amount, from Contract] Effective Date of Contract: [Date, from Contract]
Bond Bond Amount: [Amount] Date of Bond: [Date] <i>(Date of Bond cannot be earlier than Effective Date of Contract)</i> Modifications to this Bond form: ☐ None ☐ See Paragraph 18	
Surety and Contractor, intending to be legally bound hereby, subject to the terms set forth in this Payment Bond, do each cause this Payment Bond to be duly executed by an authorized officer, agent, or representative.	
Contractor as Principal	Surety
<i>(Full formal name of Contractor)</i>	<i>(Full formal name of Surety) (corporate seal)</i>
By: _____	By: _____
<i>(Signature)</i>	<i>(Signature)(Attach Power of Attorney)</i>
Name: _____	Name: _____
<i>(Printed or typed)</i>	<i>(Printed or typed)</i>
Title: _____	Title: _____
Attest: _____	Attest: _____
<i>(Signature)</i>	<i>(Signature)</i>
Name: _____	Name: _____
<i>(Printed or typed)</i>	<i>(Printed or typed)</i>
Title: _____	Title: _____
Notes: (1) Provide supplemental execution by any additional parties, such as joint venturers. (2) Any singular reference to Contractor, Surety, Owner, or other party is considered plural where applicable.	

1. The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to the Owner to pay for labor, materials, and equipment furnished for use in the performance of the Construction Contract, which is incorporated herein by reference, subject to the following terms.
2. If the Contractor promptly makes payment of all sums due to Claimants, and defends, indemnifies, and holds harmless the Owner from claims, demands, liens, or suits by any person or entity seeking payment for labor, materials, or equipment furnished for use in the performance of the Construction Contract, then the Surety and the Contractor shall have no obligation under this Bond.
3. If there is no Owner Default under the Construction Contract, the Surety's obligation to the Owner under this Bond will arise after the Owner has promptly notified the Contractor and the Surety (at the address described in Paragraph 13) of claims, demands, liens, or suits against the Owner or the Owner's property by any person or entity seeking payment for labor, materials, or equipment furnished for use in the performance of the Construction Contract, and tendered defense of such claims, demands, liens, or suits to the Contractor and the Surety.
4. When the Owner has satisfied the conditions in Paragraph 3, the Surety shall promptly and at the Surety's expense defend, indemnify, and hold harmless the Owner against a duly tendered claim, demand, lien, or suit.
5. The Surety's obligations to a Claimant under this Bond will arise after the following:
 - 5.1. Claimants who do not have a direct contract with the Contractor
 - 5.1.1. have furnished a written notice of non-payment to the Contractor, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were, or equipment was, furnished or supplied or for whom the labor was done or performed, within ninety (90) days after having last performed labor or last furnished materials or equipment included in the Claim; and
 - 5.1.2. have sent a Claim to the Surety (at the address described in Paragraph 13).
 - 5.2. Claimants who are employed by or have a direct contract with the Contractor have sent a Claim to the Surety (at the address described in Paragraph 13).
6. If a notice of non-payment required by Paragraph 5.1.1 is given by the Owner to the Contractor, that is sufficient to satisfy a Claimant's obligation to furnish a written notice of non-payment under Paragraph 5.1.1.
7. When a Claimant has satisfied the conditions of Paragraph 5.1 or 5.2, whichever is applicable, the Surety shall promptly and at the Surety's expense take the following actions:
 - 7.1. Send an answer to the Claimant, with a copy to the Owner, within sixty (60) days after receipt of the Claim, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed; and
 - 7.2. Pay or arrange for payment of any undisputed amounts.
 - 7.3. The Surety's failure to discharge its obligations under Paragraph 7.1 or 7.2 will not be deemed to constitute a waiver of defenses the Surety or Contractor may have or acquire as to a Claim, except as to undisputed amounts for which the Surety and Claimant have reached agreement. If, however, the Surety fails to discharge its

obligations under Paragraph 7.1 or 7.2, the Surety shall indemnify the Claimant for the reasonable attorney's fees the Claimant incurs thereafter to recover any sums found to be due and owing to the Claimant.

8. The Surety's total obligation will not exceed the amount of this Bond, plus the amount of reasonable attorney's fees provided under Paragraph 7.3, and the amount of this Bond will be credited for any payments made in good faith by the Surety.
9. Amounts owed by the Owner to the Contractor under the Construction Contract will be used for the performance of the Construction Contract and to satisfy claims, if any, under any construction performance bond. By the Contractor furnishing and the Owner accepting this Bond, they agree that all funds earned by the Contractor in the performance of the Construction Contract are dedicated to satisfying obligations of the Contractor and Surety under this Bond, subject to the Owner's priority to use the funds for the completion of the work.
10. The Surety shall not be liable to the Owner, Claimants, or others for obligations of the Contractor that are unrelated to the Construction Contract. The Owner shall not be liable for the payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligation to make payments to or give notice on behalf of Claimants, or otherwise have any obligations to Claimants under this Bond.
11. The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders, and other obligations.
12. No suit or action will be commenced by a Claimant under this Bond other than in a court of competent jurisdiction in the state in which the project that is the subject of the Construction Contract is located or after the expiration of one year from the date (1) on which the Claimant sent a Claim to the Surety pursuant to Paragraph 5.1.2 or 5.2, or (2) on which the last labor or service was performed by anyone or the last materials or equipment were furnished by anyone under the Construction Contract, whichever of (1) or (2) first occurs. If the provisions of this paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit will be applicable.
13. Notice and Claims to the Surety, the Owner, or the Contractor must be mailed or delivered to the address shown on the page on which their signature appears. Actual receipt of notice or Claims, however accomplished, will be sufficient compliance as of the date received.
14. When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement will be deemed deleted here from and provisions conforming to such statutory or other legal requirement will be deemed incorporated herein. When so furnished, the intent is that this Bond will be construed as a statutory bond and not as a common law bond.
15. Upon requests by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor and Owner shall promptly furnish a copy of this Bond or shall permit a copy to be made.

16. Definitions

16.1. *Claim*—A written statement by the Claimant including at a minimum:

16.1.1. The name of the Claimant;

- 16.1.2. The name of the person for whom the labor was done, or materials or equipment furnished;
- 16.1.3. A copy of the agreement or purchase order pursuant to which labor, materials, or equipment was furnished for use in the performance of the Construction Contract;
- 16.1.4. A brief description of the labor, materials, or equipment furnished;
- 16.1.5. The date on which the Claimant last performed labor or last furnished materials or equipment for use in the performance of the Construction Contract;
- 16.1.6. The total amount earned by the Claimant for labor, materials, or equipment furnished as of the date of the Claim;
- 16.1.7. The total amount of previous payments received by the Claimant; and
- 16.1.8. The total amount due and unpaid to the Claimant for labor, materials, or equipment furnished as of the date of the Claim.

16.2.*Claimant*—An individual or entity having a direct contract with the Contractor or with a subcontractor of the Contractor to furnish labor, materials, or equipment for use in the performance of the Construction Contract. The term Claimant also includes any individual or entity that has rightfully asserted a claim under an applicable mechanic's lien or similar statute against the real property upon which the Project is located. The intent of this Bond is to include without limitation in the terms of "labor, materials, or equipment" that part of the water, gas, power, light, heat, oil, gasoline, telephone service, or rental equipment used in the Construction Contract, architectural and engineering services required for performance of the work of the Contractor and the Contractor's subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials, or equipment were furnished.

16.3.*Construction Contract*—The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and all changes made to the agreement and the Contract Documents.

16.4.*Owner Default*—Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.

16.5.*Contract Documents*—All the documents that comprise the agreement between the Owner and Contractor.

17. If this Bond is issued for an agreement between a contractor and subcontractor, the term Contractor in this Bond will be deemed to be Subcontractor and the term Owner will be deemed to be Contractor.

18. Modifications to this Bond are as follows: **"None"**

WARRANTY BOND

Contractor Name: [Full formal name of Contractor] Address (<i>principal place of business</i>): [Address of Contractor's principal place of business]	Surety Name: [Full formal name of Surety] Address (<i>principal place of business</i>): [Insert address of Surety's principal place of business]
Owner Name: City of Marshalltown Address (<i>principal place of business</i>): 24 North Center Street Marshalltown, IA 50158	Construction Contract Description (<i>name and location</i>): 18th Avenue Bridge Approach Slab Repair STR20-004 Contract Price: [Amount from Contract] Effective Date of Contract: [Date from Contract] Contract's Date of Substantial Completion: [Date from Contract]
Bond Bond Amount: [Amount] Date of Bond: [Date] Modifications to this Bond form: ☐ None ☒ See Paragraph 9	
Bond Period: Commencing after Substantial Completion of the Work under the Construction Contract, and continuing for four (4) years after such Substantial Completion.	
Surety and Contractor, intending to be legally bound hereby, subject to the terms set forth herein, do each cause this Warranty Bond to be duly executed by an authorized officer, agent, or representative.	
Contractor as Principal	Surety
_____ <i>(Full formal name of Contractor)</i>	_____ <i>(Full formal name of Surety) (corporate seal)</i>
By: _____ <i>(Signature)</i>	By: _____ <i>(Signature) (Attach Power of</i>
Name: _____ <i>(Printed or typed)</i>	Name _____ <i>(Printed or typed)</i>
Title: _____	Title: _____
Attest: _____ <i>(Signature)</i>	Attest: _____ <i>(Signature)</i>
Name: _____ <i>(Printed or typed)</i>	Name _____ <i>(Printed or typed)</i>
Title: _____	Title: _____
<i>Notes: (1) Provide supplemental execution by any additional parties, such as joint venturers. (2) Any singular reference to Contractor, Surety, Owner, or other party is considered plural where applicable.</i>	

1. The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to the Owner for the performance of the Construction Contract's Correction Period Obligations. The Construction Contract is incorporated herein by reference.
2. If the Contractor performs the Correction Period Obligations, the Surety and the Contractor shall have no obligation under this Warranty Bond.
3. If Owner gives written notice to Contractor and Surety during the Bond Period of Contractor's obligation under the Correction Period Obligations, and Contractor does not fulfill such obligation, then Surety shall be responsible for fulfillment of such Correction Period Obligations. Surety shall either fulfill the Correction Period Obligations itself, through its agents or contractors, or, in the alternative, Surety may waive the right to fulfill the Correction Period Obligations itself, and reimburse the Owner for all resulting costs incurred by Owner in performing Contractor's Correction Period Obligations, including but not limited to correction, removal, replacement, and repair costs.
4. The Surety's liability is limited to the amount of this Warranty Bond. Renewal or continuation of the Warranty Bond will not modify such amount, unless expressly agreed to by Surety in writing.
5. The Surety shall have no liability under this Warranty Bond for obligations of the Contractor that are unrelated to the Construction Contract. No right of action will accrue on this Warranty Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors, and assigns.
6. Any proceeding, legal or equitable, under this Warranty Bond may be instituted in any court of competent jurisdiction in the location in which the Work or part of the Work is located and must be instituted within two years after the Surety refuses or fails to perform its obligations under this Warranty Bond.
7. Written notice to the Surety, the Owner, or the Contractor must be mailed or delivered to the address shown in this Warranty Bond.
8. Definitions
 - 8.1. *Construction Contract*—The agreement between the Owner and Contractor identified on the cover page of this Warranty Bond, including all Contract Documents and changes made to the agreement and the Contract Documents.
 - 8.2. *Contract Documents*—All the documents that comprise the agreement between the Owner and Contractor.
 - 8.3. *Correction Period Obligations*—The duties, responsibilities, commitments, and obligations of the Contractor with respect to correction or replacement of defective Work, as set forth in the SUDAS General Conditions, as duly modified.
 - 8.4. *Substantial Completion*—As defined in the Construction Contract.
 - 8.5. *Work*—As defined in the Construction Contract.
9. Modifications to this Bond are as follows: **Bond shall be 100% of the contract amount for the first two (2) years and 25% of the contract amount for the last two (2) years.**

NOTICE TO PROCEED

Owner: City of Marshalltown Owner's Project No.: _____
Engineer: City of Marshalltown Engineer's Project No.: _____
Contractor: _____ Contractor's Project No.: _____
Project: 18th Avenue Bridge Approach Slab Repair
Contract Name: Base Bid
Effective Date of Contract: _____

Owner hereby notifies Contractor that the Contract Times under the above Contract will commence to run on **[date Contract Times are to start]** pursuant to Section 1080,1.02 of the General Conditions.

On that date, Contractor shall start performing its obligations under the Contract Documents. No Work will be done at the Site prior to such date.

In accordance with the Agreement:

The date by which Substantial Completion must be achieved is **September 15, 2022**, and the date by which readiness for final payment must be achieved is **October 15, 2022**.

Before starting any Work at the Site, Contractor must comply with the following:

1. Provide submittals for all materials utilized on the project.
2. Attend pre-construction meeting.
3. Provide Construction Schedule.

Owner: **City of Marshalltown**
By (signature): _____
Name (printed): _____
Title: _____
Date Issued: _____
Copy: Engineer

CONTRACT CONDITIONS

GENERAL SUPPLEMENTAL SPECIFICATIONS

The General Supplemental Specifications for the work on this project are represented by the SUDAS Standard Specifications approved by the Board of Directors for the Iowa SUDAS Corporation.

SUPPLEMENTAL SPECIFICATIONS.

These Supplementary Conditions amend or supplement the General Supplemental Specifications approved by the Board of Directors for the Iowa SUDAS Corporation subsequent to publication of the latest edition of the SUDAS Standard Specifications. They involve changes in the SUDAS Standard Specifications and apply only when specified in the contract documents. The General Conditions remain in full force and effect except as amended.

The terms used in these Supplementary Conditions have the meanings stated in the General Conditions. Additional terms used in these Supplementary Conditions have the meanings stated below, which are applicable to both the singular and plural thereof.

Specifications adopted by a Jurisdiction that involve changes to the SUDAS Standard Specifications are as follow:

Section 1040 – Scope of Work

1.06 INCREASE OR DECREASE OF WORK

Add the following new paragraphs immediately after Paragraph C:

D. Adjustments in Unit Price

1. Contractor or Owner shall be entitled to an adjustment in the unit price with respect to an item of Unit Price Work if:
 - a. the extended price of a particular item of Unit Price Work amounts to five (5) percent or more of the Contract Price (based on estimated quantities at the time of Contract formation) and the variation in the quantity of that particular item of Unit Price Work actually furnished or performed by Contractor differs by more than 25 percent from the estimated quantity of such item indicated in the Agreement; and
 - b. Contractor's unit costs to perform the item of Unit Price Work have changed materially and significantly as a result of the quantity change.
2. The adjustment in unit price will account for and be coordinated with any related changes in quantities of other items of Work, and in Contractor's costs to perform such other Work, such that the resulting overall change in Contract Price is equitable to Owner and Contractor.
3. Adjusted unit prices will apply to all units of that item.

Section 1070 – Legal Relations and Responsibility to the Public

3.01 PERFORMANCE, PAYMENT, AND MAINTENANCE BOND

Add the following subparagraphs to Paragraph C:

1. After Substantial Completion, Contractor shall furnish a warranty bond issued in the

form of EJCDC® C-612, Warranty Bond (2018). The warranty bond must be in a bond amount of **100 percent** of the final contract price for the first two (2) years and **25 percent** of the final Contract Price for the last two (2) years. The warranty bond period will extend to a date **four (4) years** after Substantial Completion of the Work.

3. The warranty bond must be issued by the same surety that issues the performance bond required under Paragraph 3.01 of the General Conditions.

Section 1080 – Prosecution and Progress

1.07 WORK ON SUNDAYS OR LEGAL HOLIDAYS

Add the following new subparagraphs immediately after Paragraph A:

1. No Work shall be done between 6:00pm and 7:00am without permission of Owner. However, emergency work may be done without prior permission.
2. Night Work may be undertaken as a regular procedure with the permission of Owner; such permission, however, may be revoked at any time by Owner if Contractor fails to maintain adequate equipment and supervision for the proper prosecution and control of the Work at night.
3. Owner's legal holidays are: New Year's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

1.09 EXTENSION OF TIME

Amend Paragraph 1.09.B.1 by adding the following subparagraphs:

- a. If "abnormal weather conditions" as set forth in Paragraph 4.05.C.2 of the General Conditions are the basis for a request for an equitable adjustment in the Contract Times, such request must be documented by data substantiating each of the following: 1) that weather conditions were abnormal for the period of time in which the delay occurred, 2) that such weather conditions could not have been reasonably anticipated, and 3) that such weather conditions had an adverse effect on the Work as scheduled.
- b. The existence of abnormal weather conditions will be determined on a month-by-month basis in accordance with the following:
 - 1) Every workday on which one or more of the following conditions exist will be considered a "bad weather day":
 - i) Total precipitation (as rain equivalent) occurring between 7:00 p.m. on the preceding day (regardless of whether such preceding day is a workday) through 7:00 p.m. on the workday in question equals or exceeds 1.67 inches of precipitation (as rain equivalent, based on the snow/rain conversion indicated in the table entitled Foreseeable Bad Weather Days; such table is hereby incorporated in this SC-4.05.C by reference.
 - ii) Ambient outdoor air temperature at 11:00 a.m. is equal to or less than the following low temperature threshold: 35 degrees Fahrenheit; or, at 3:00 p.m. the ambient outdoor temperature is equal to or greater than the following high temperature threshold: 85 degrees Fahrenheit.

- 2) Determination of actual bad weather days during performance of the Work will be based on the weather records measured and recorded by National Weather Service weather monitoring station at Marshalltown, Marshalltown Municipal Airport (KMIW).
- 3) Contractor shall anticipate the number of foreseeable bad weather days per month indicated in the table in Exhibit B—Foreseeable Bad Weather Days.
- 4) In each month, every bad weather day exceeding the number of foreseeable bad weather days established in the table in Exhibit A—Foreseeable Bad Weather Days will be considered as “abnormal weather conditions.” The existence of abnormal weather conditions will not relieve Contractor of the obligation to demonstrate and document that delays caused by abnormal weather are specific to the planned work activities or that such activities thus delayed were on Contractor’s then-current Progress Schedule’s critical path for the Project.

EXHIBIT A— FORESEEABLE BAD WEATHER DAYS

Month	Number of Foreseeable Bad Weather Days in Month Based on Precipitation as Rain Equivalent (inches) $\geq 1.67''$	Ambient Outdoor Air Temperature (degrees F)	
		Number of Foreseeable Bad Weather Days in Month Based on Low Temperature (at 11:00 a.m.) $\leq 35^{\circ}\text{F}$	Number of Foreseeable Bad Weather Days in Month Based on High Temperature (at 3:00 p.m.) $\geq 85^{\circ}\text{F}$
January	0	31	0
February	0	29	0
March	7	31	0
April	12	12	0
May	20	0	0
June	22	0	0
July	22	0	0
August	20	0	0
September	17	0	0
October	13	6	0
November	8	30	0
December	0	31	0
Notes:			
1. Two inches of sleet equal one inch of rain. Five inches of wet, heavy snow equal one inch of rain. Fifteen inches of “dry” powder snow equals one inch of rain.			

Section 1090 - Measurement and Payment

1.05 PROGRESS PAYMENTS

Add the following new Paragraph D:

- D. Contractor's Application for Progress Payment shall be prepared on the EJCDC C-620 form provided in the Contract Documents.

ADDITIONAL FORMS

BIDDERS QUALIFICATIONS STATEMENT

ARTICLE 1—GENERAL INFORMATION

1.01 Provide contact information for the Business:

Legal Name of Business:			
Corporate Office			
Name:		Phone number:	
Title:		Email address:	
Business address of corporate office:			
Local Office			
Name:		Phone number:	
Title:		Email address:	
Business address of local office:			

1.02 Provide information on the Business's organizational structure:

Form of Business:	☐ Sole Proprietorship ☐ Partnership ☐ Corporation		
☐ Limited Liability Company ☐ Joint Venture comprised of the following companies:			
1.			
2.			
3.			
Date Business was formed:		State in which Business was formed:	
Is this Business authorized to operate in the Project location?		☐ Yes ☐ No ☐ Pending	

ARTICLE 2—LICENSING

2.01 Provide information regarding licensure for Business:

Name of License:			
Licensing Agency:			
License No:		Expiration Date:	
Name of License:			
Licensing Agency:			
License No:		Expiration Date:	

ARTICLE 3—DIVERSE BUSINESS CERTIFICATIONS

3.01 Provide information regarding Business's Diverse Business Certification, if any.
Provide evidence of current certification.

Certification	Certifying Agency	Certification Date
☐ Disadvantaged Business Enterprise		
☐ Minority Business Enterprise		
☐ Woman-Owned Business Enterprise		
☐ Small Business Enterprise		
☐ Disabled Business Enterprise		
☐ Veteran-Owned Business Enterprise		
☐ Service-Disabled Veteran-Owned Business		
☐ HUBZone Business (Historically Underutilized) Business		
☐ Other		
☐ None		

ARTICLE 4—SAFETY

4.01 Provide information regarding Business's safety organization and safety performance.

Name of Business's Safety Officer:		
Safety Certifications		
Certification Name	Issuing Agency	Expiration

ARTICLE 5—CONSTRUCTION EXPERIENCE

5.01 Provide information that will identify the overall size and capacity of the Business.

Average number of current full-time employees:	
Estimate of revenue for the current year:	
Estimate of revenue for the previous year:	

5.02 Provide information regarding the Business's previous contracting experience.

Years of experience with projects like the proposed project:
Has Business, or a predecessor in interest, or an affiliate identified in Paragraph 1.03:
Been disqualified as a bidder by any local, state, or federal agency within the last 5 years? ☐ Yes ☐ No
Been barred from contracting by any local, state, or federal agency within the last 5 years? ☐ Yes ☐ No

Been released from a bid in the past 5 years? ☐ Yes ☐ No
Defaulted on a project or failed to complete any contract awarded to it? ☐ Yes ☐ No
Refused to construct or refused to provide materials defined in the contract documents or in a change order? ☐ Yes ☐ No
Been a party to any currently pending litigation or arbitration? ☐ Yes ☐ No
Provide full details in a separate attachment if the response to any of these questions is Yes.

5.03 Completed projects: (List several from past two years.)

Location and Description of Work	Owner	Contract Amount	Date Completed

5.04 Work in Progress

Location and Description of Work	Owner	Contract Amount	Date Completed

ARTICLE 6—CONSTRUCTION EXPERIENCE CERTIFICATION

6.01 This Statement of Qualifications is offered by:

Business:

(typed or printed name of organization)

By:

(individual's signature)

Name:

(typed or printed)

Title:

(typed or printed)

Date:

(date signed)

(If Business is a corporation, a partnership, or a joint venture, attach evidence of

Attest:

(individual's signature)

Name:

(typed or printed)

Title:

(typed or printed)

Address for giving notices:

Designated Representative:

Name:

(typed or printed)

Title:

(typed or printed)

Address:

Phone:

Email:

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Marshalltown Owner's Project No.: STR20-004
Engineer: City of Marshalltown Engineer's Project No.: STR20-004
Contractor: Contractor's Project No.:
Project: 18th Avenue Bridge Approach Slab Repair
Contract Name: Base Bid

This ☐ Preliminary ☐ Final Certificate of Substantial Completion applies to:

☐ All Work ☐ The following specified portions of the Work:

[Describe the portion of the work for which Certificate of Substantial Completion is issued]

Date of Substantial Completion: **[Enter date, as determined by Engineer]**

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work must be as provided in the Contract, except as amended as follows:

Amendments to Owner's Responsibilities: ☐ None ☐ As follows:

[List amendments to Owner's Responsibilities]

Amendments to Contractor's Responsibilities: ☐ None ☐ As follows:

[List amendments to Contractor's Responsibilities]

The following documents are attached to and made a part of this Certificate:

[List attachments such as punch list; other documents]

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Engineer

By (*signature*): _____

Name (*printed*): _____

Title: _____

NOTICE OF ACCEPTABILITY OF WORK

Owner: City of Marshalltown Owner's Project No.: STR20-004
Engineer: City of Marshalltown Engineer's Project No.: STR20-004
Contractor: Contractor's Project No.:
Project: 18th Avenue Bridge Approach Slab Repair
Contract Name: Base Bid
Notice Date: Effective Date of the Construction Contract:

The Engineer hereby gives notice to the Owner and Contractor that Engineer recommends final payment to Contractor, and that the Work furnished and performed by Contractor under the Construction Contract is acceptable, expressly subject to the provisions of the Construction Contract's Contract Documents ("Contract Documents") and of the Agreement between Owner and Engineer for Professional Services dated **[date of professional services agreement]** ("Owner-Engineer Agreement"). This Notice of Acceptability of Work (Notice) is made expressly subject to the following terms and conditions to which all who receive and rely on said Notice agree:

This Notice has been prepared with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.

This Notice reflects and is an expression of the Engineer's professional opinion.

This Notice has been prepared to the best of Engineer's knowledge, information, and belief as of the Notice Date.

This Notice is based entirely on and expressly limited by the scope of services Engineer has been employed by Owner to perform or furnish during construction of the Project (including observation of the Contractor's Work) under the Owner-Engineer Agreement, and applies only to facts that are within Engineer's knowledge or could reasonably have been ascertained by Engineer as a result of carrying out the responsibilities specifically assigned to Engineer under such Owner-Engineer Agreement.

This Notice is not a guarantee or warranty of Contractor's performance under the Construction Contract, an acceptance of Work that is not in accordance with the Contract Documents, including but not limited to defective Work discovered after final inspection, nor an assumption of responsibility for any failure of Contractor to furnish and perform the Work thereunder in accordance with the Contract Documents, or to otherwise comply with the Contract Documents or the terms of any special guarantees specified therein.

This Notice does not relieve Contractor of any surviving obligations under the Construction Contract, and is subject to Owner's reservations of rights with respect to completion and final payment.

Engineer

By *(signature)*: _____

Name *(printed)*: _____

Title: _____

SUPPLEMENTAL DIVISION 2 - EARTHWORK

DIVISION 2010 – EARTHWORK, SUBGRADE, AND SUBBASE SPECIAL PROVISIONS

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

I. Subbase:

1. Measurement: The area of the proposed pavement under which subbase is provided, ~~plus 2 feet on each side~~, will be measured in square yards or in tons.
2. Payment: Payment will be at the unit price per square yard or per 0.1 tons.
3. Includes: Work includes, but is not limited to, furnishing, placing, compacting, and trimming to the proper grade.

PART 2 - MATERIALS

2.04 FOUNDATION MATERIALS

5. Geogrid:

- ~~a. (DELETE) Rectangular or Square: Use an integrally formed grid structure manufactured of a stress-resistant polypropylene material. Use Type 1 geogrid, unless Type 2 is specified. Meet the following minimum physical properties:~~

Table 2010.02: Geogrid (Rectangular or Square)

Property	Test Method	Units	Type 1 ¹	Type 2
Aperture stability modulus at 20 kg-cm	Kinney²—01	kg-cm/deg	3.2	6.5
Minimum true initial modulus in use				
Machine direction (MD)	ASTM D 6637	lb/ft	15,080	32,890
Cross Machine direction (CMD)			20,560	44,725
Tensile strength, 2% strain				
MD	ASTM D 6637	lb/ft	270	410
CMD			380	590
Junction efficiency	GRI-GG2-87	%	93	93
Flexural rigidity	ASTM D 1388	mg-cm	250,000	750,000
Aperture size				
Minimum	N/A	in.	0.5	0.5
Maximum			2.0	2.0

¹ ~~Geogrids meeting the requirements of Iowa DOT Article 4196.01, B and Materials I.M. 496.01 will be acceptable.~~

² ~~Dr. Thomas C. Kinney, P.E. and US Army Corps of Engineers.~~

- c. (ADD) Triangular geogrid shall be required on all streets and roadways. Geogrid shall be TriAx® TX160 Geogrid or approved equal.

PART 3 – EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 3 - TRENCH AND TRENCHLESS CONSTRUCTION

SECTION 3010 - TRENCH EXCAVATION AND BACKFILL

PART 1 - GENERAL

NO REVISIONS

PART 2 – PRODUCTS

NO REVISIONS

PART 3 – EXECUTION

3.06 (REVISE) PIPE BEDDING AND BACKFILL SEE DIVISION 4

SECTION 3020 - TRENCHLESS CONSTRUCTION (BORING, JACKING, AND TUNNELING)

PART 1 - GENERAL

NO REVISIONS

PART 2 – PRODUCTS

2.01 CARRIER PIPE

A. Carrier Pipe Installed within Casing Pipe:

1. Sanitary Sewer Gravity Main: (DELETE) ~~Comply with Section 4010, 2.01.~~

- a. (ADD) All gravity piping installed in an encasement pipe or installed by boring shall be restrained joint pipe.
- b. (ADD) Pipe and couplings shall be made from unplasticized PVC compounds meeting ASTM D2241 and have a minimum cell classification of 12454, as defined in ASTM D1784. Pipe joints shall meet the standards of ASTM D3212 and have elastomeric gaskets conforming to ASTM F477.
- c. (ADD) Nominal outside diameters and wall thicknesses of thrust-restrained pipe shall conform to the requirements of ASTM D2241, SDR 21 pipe. Pipe shall be furnished in standard lengths of 10 or 20 feet. All pipe shall be marked with the following: Nominal pipe size, material code designation, DR, pressure rating, manufacturer's name or trademark, NSF seal and ASTM numbers.
- d. (ADD) Pipe shall be joined:

- 1) (ADD) Using non-metallic couplings to form an integral system for maximum reliability and interchangeability. High-strength, flexible thermoplastic splines shall be inserted into mating, precision machined grooves in the pipe and coupling to provide full 360° restraint with evenly distributed loading.
- 2) (ADD) Push-Together restraint system with internal steel locking ring providing uniform circumferential contact.
- e. (ADD) Pre-Approved piping includes Certa-Flo® PVC Gravity Sewer Pipe with Certa-Lok® Restrained Joints, and Integral Bell; or Engineer approved equal.

2. Sanitary Sewer Force Main:

- b. Restrained Joint PVC Pipe: (DELETE) ~~Comply with Section 4010, 2.02.~~
 - 1) (ADD) All pressure piping installed in encasement pipe or installed by boring shall be restrained joint pipe.
 - 2) (ADD) Pipe and couplings shall be made from unplasticized PVC compounds having a minimum cell classification of 12454-B, as defined in ASTM D1784. The compound shall qualify for a Hydrostatic Design Basis (HDB) of 4000 psi for water at 73.4°F, in accordance with the requirements of ASTM D2837.
 - 3) (ADD) Nominal outside diameters and wall thicknesses of thrust-restrained pipe shall conform to the requirements of AWWA C900, DR18 pipe. Pipe shall be furnished in standard lengths of 20 feet. All pipe shall be marked with the following: Nominal pipe size, material code designation, DR, pressure rating, manufacturer's name or trademark, NSF seal and ASTM numbers.
 - 4) (ADD) Pipe shall be joined:
 - a) (ADD) Using non-metallic couplings to form an integral system for maximum reliability and interchangeability. High-strength, flexible thermoplastic splines shall be inserted into mating, precision machined grooves in the pipe and coupling to provide full 360° restraint with evenly distributed loading.
 - b) (ADD) Push-Together restraint system with internal steel locking ring providing uniform circumferential contact.
 - 7) (ADD) Couplings shall be designed for use at or above the rated pressures of the pipe with which they are utilized and shall incorporate twin elastomeric sealing gaskets meeting the requirements of ASTM F477. Joints shall be designed to meet the leakage test requirements of ASTM D3139.
 - 8) (ADD) Pre-Approved restrained joint piping is: Certa-Lok C900/RJ, C905/RJ piping; Diamond Lok-21; Eagle Loc900; or Engineer approved equal.

5. (DELETE) ~~Water Main:~~
 - a. (DELETE) ~~Restrained Joint Ductile Iron Pipe: Comply with Section 5010, 2.01.~~
 - b. (DELETE) ~~Restrained Joint PVC Pipe: Comply with Section 5010, 2.01.~~

B. Carrier Pipe Installed without a Casing Pipe:

1. Sanitary Sewer Gravity Main:
 - b. (DELETE) ~~Vitrified Clay Pipe: Comply with Section 4010, 2.01.~~
 - d. Restrained Joint PVC Pipe: Comply with (DELETE) Section 4010, 2.02 (ADD) 2.01.
2. Sanitary Sewer Force Main:
 - b. Restrained Joint PVC Pipe: Comply with (DELETE) Section 4010, 2.02 (ADD) 2.01.
4. (DELETE) ~~Water Main:~~
 - a. (DELETE) ~~Restrained Joint Ductile Iron Pipe: Comply with Section 5010, 2.01.~~
 - b. (DELETE) ~~Restrained Joint PVC Pipe: Comply with Section 5010, 2.01.~~

2.02 CASING PIPE

D. (ADD) PVC Encasement Pipe:

1. (ADD) Meet the requirements of 2.02 for force main C900, DR 18 rated pipe.
2. (ADD) PVC encasement pipe shall be furnished with gasket joints conforming to ASTM D3139. Rubber gaskets shall conform to the requirement of ASTM F477.
3. (ADD) Minimum inside diameter as specified in the contract documents. If diameter is not specified, use a minimum inside casing diameter of at least 4 inches greater than the largest outside diameter of the carrier pipe, including pipe bells.

2.03 CASING SPACERS

- C. (ADD) Casing spacers will be required on all gravity sewer piping and on force main piping where encasement piping exceeds 20 feet in length.

2.06 CASING END SEAL

- C. (ADD) Casing end seals are required on all encasement pipes.

PART 3 – EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 4 - SEWERS AND DRAINS

SECTION 4010 - SANITARY SEWERS

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

M. (ADD) Ductile Iron Fittings and Restraining Devices:

1. **Measurement:** Each fitting and/or restraining device installed, including gaskets and fasteners, will be counted.
2. **Payment:** Payment will be made at the unit price for each fitting and/or restraining device installed.

1.09 (ADD) ACCEPTANCE CHECKLIST & MAINTENANCE BOND

Prior to final acceptance of the work, the contractor shall file with the City Clerk of the City of Marshalltown a maintenance bond guaranteeing suitable repairs of any defects or failures due to deficiencies in materials or inadequacies in workmanship for a period of 4 years for all improvements following completion of construction. The bond shall be for a sum equal to the total amount of the project. The contractor shall also file with the City Engineer all other required acceptance checklist items including testing/inspection forms, lateral construction forms, as-built drawings, construction costs and engineering certificate of completion forms. The acceptance checklist and warranty bond form are provided at end of section.

PART 2 - PRODUCTS

2.01 SANITARY SEWER (Gravity Mains)

A. Solid Wall Polyvinyl Chloride Pipe (PVC) 8 inch to 15 inch:

1. Comply with ASTM D 3034, SDR 26, (DELETE) ~~unless SDR 35 is specified.~~
2. Pipe stiffness per ASTM D 2412.
 - b. (DELETE) ~~SDR 35: Minimum pipe stiffness of 46 psi.~~

C. Corrugated Polyvinyl Chloride Pipe (PVC) 8 inch to 36 inch:

5. (ADD) This pipe shall not be used without prior approval by Engineer.

D. Closed Profile Polyvinyl Chloride Pipe (PVC) 21 inch to 36 inch:

5. (ADD) This pipe shall not be used without prior approval by Engineer.

E. Polyvinyl Chloride Composite Pipe (truss type PVC) 8 inch to 15 inch:

5. (ADD) This pipe shall not be used without prior approval by Engineer.

F. Reinforced Concrete Pipe (RCP) 18 inch to 144 inch:

3. (ADD) This pipe shall not be used without prior approval by Engineer.

H. Vitrified Clay Pipe (VCP) 8 inch to 42 inch:

4. (ADD) This pipe shall not be used without prior approval by Engineer.

I. Double Walled Polypropylene Pipe 12 inch to 30 inch:

4. (ADD) This pipe shall not be used without prior approval by Engineer.

J. Triple Walled Polypropylene Pipe 30 inch to 36 inch:

4. (ADD) This pipe shall not be used without prior approval by Engineer.

2.02 SANITARY SEWER FORCE MAINS

A. Ductile Iron Pipe (DIP) 4 inch to 54 inch: Comply with the DIP requirements in Section 4010, 2.01. (DELETE) ~~If joint restraints are specified, comply with Section 5010, 2.03.~~

B. Polyvinyl Chloride Pipe (PVC): (DELETE) ~~Comply with the requirements in Section 5010, 2.01 for PVC pipe.~~ Provide restrained joints when specified.

1. (ADD) Polyvinyl chloride pipe 4-inches to 24-inches shall be C 900, DR 18 rated pipe.

2. (ADD) Polyvinyl chloride pipe 2-inches to 3-inches shall be pressure Class 200, SDR 21 rated pipe.

3. (ADD) The pipe shall be made from Type 1, Grade 1, Class 12454-B compounds conforming to ASTM D 1784 with a hydrostatic design basis (HDB) of 4,000 psi as per ASTM D 2837.

4. (ADD) All pipe shall be marked with the following: Nominal pipe size, material code designation, DR, pressure rating, manufacturer's name or trademark, NSF seal and ASTM numbers. All sanitary sewer force main pipes shall be installed with a locating tape to distinguish force main sewer from potable water.

5. (ADD) The PVC pipe shall be furnished in 20-foot laying lengths. Longer lengths will be allowed only if the Contractor certifies that he will provide equipment on the project to fully support the pipe while being transported and distributed over the project.

6. (ADD) All PVC pipe shall be furnished with gasket joints conforming to ASTM D 3139. Rubber gaskets shall conform to the requirement of ASTM F 477.

7. (ADD) The ends of the pipe to be inserted into couplings or joints shall be factory marked to allow field checking of the depth of setting of the pipe in the joint socket.

C. Sewage Air Release Valve: (ADD) See Part 2.07.

1. **(DELETE) General:** ~~Consists of an elongated tapered or conical body and a float to operate (open and close) under pressure without spillage. Provide valves suitable for pressures up to 150 psi. Use a float with a linkage connection to the seal plug assembly to prevent irregular air release and protect the connecting rod. Ensure the bottom of the valve body is sloped or funnel-shaped to encourage the accumulated sewage and solids to drain from the valve. Preserve a volume of air at all times between the liquid sewage and~~

~~the seal plug assembly. Provide a flushing port with attachments for backwashing.~~

2. **(DELETE) Materials:**

a. (DELETE) **Body and Cover:**

- 1) (DELETE) ~~Stainless Steel: ASTM A 351.~~
- 2) (DELETE) ~~Cast Iron: ASTM A 126, Grade B.~~
- 3) (DELETE) ~~Ductile Iron: ASTM A 536, Grade 65-45-12.~~ 4) ~~Other corrosion resistant materials.~~

b. (DELETE) ~~Internal Metal Components: Stainless steel.~~

c. (DELETE) ~~Float: Stainless steel, ASTM A 240, Type 304 or Type 316, or foamed polypropylene.~~

d. (DELETE) ~~Seal Plug Assembly: Stainless steel, foamed polypropylene, EPDM rubber, Nitrile (Buna-N) rubber, and reinforced nylon.~~

3. (DELETE) ~~Tapping Saddle: Stainless steel or nylon.~~

4. (DELETE) ~~Pit: Construct according to Figure 4010.202.~~

D. Tracer Wire: (DELETE) ~~Comply with Section 5010, 2.05. (RETAIN) Tracer wire will be required on all force mains (ADD) and sewer services extending from the main to the property line.~~

1. (ADD) Tracer wire shall be 12-gauge solid copper or high strength stainless steel wire with a 45-mil polyethylene coating. Provide sufficient length to be continuous over each separate run of nonmetallic pipe.
2. (ADD) The splice kit shall be an inline resin splice kit with split bolt (1 kV and 5 kV) for use with single conductor and unshielded cable splices in direct bury and submersible applications.
3. (ADD) The ground rods shall be a 3/8 inch diameter, 60 inch steel rod uniformly coated with metallically bonded electrolytic copper.
4. (ADD) Wire shall be connected with a high-strength, corrosion-resistant copper alloy ground rod clamp.

E. Tracer Wire Station:

1. (DELETE) ~~Two internal terminals with shunt.~~
2. (DELETE) ~~Five to six foot plastic post (color as specified by the Jurisdiction).~~
3. (DELETE) ~~Removable top cap with lock.~~
4. (DELETE) ~~Decals indicating "Sewer Force Main" or similar language.~~
- 1 (ADD) All tracer wires are to be connected to a cast iron or ABS/PVC tamper proof tracer wire access box. The cover is to be manufactured of cast iron and ABS/PVC components produced in the USA. Cast iron collar & cover is to be manufactured in accordance with ASTM A48 Class 25. The ABS is to

be manufactured in accordance with ASTM D1788. The cover shall be lettered "Sewer" and shall have a standard AWWA size cast-in pentagonal bolt. Box will be a minimum of 3 inches in diameter.

2. (ADD) Tracer Wire Access Box shall be Valvco Pipe Tracer Wire Terminal Box or Engineer approved equal.

2.04 SANITARY SEWER SERVICE

E. Service Pipe: Use products as required by local plumbing code or regulations, if applicable. Otherwise, use the following:

1. PVC:
 - b. PVC plastic meeting ASTM D 1784, Cell Classification 12454. (ADD) (Rigid PVC or CPVC).

2.06 SANITARY SEWER CLEANOUT

A. Comply with (DELETE) Figure 4010.203 (ADD) MP-4.

2.07 (ADD) AIR RELEASE AND COMBINATION VALVES

A. Sewage Air Release Valves:

1. Sewage Air Release Valves shall release accumulated air (gases) from the system while it is under pressure and operating. The valve's design will enable the separation of the liquid from the sealing mechanism and assures optimum working conditions.
2. The valve shall incorporate an air-gap separation between the sewage and sealing mechanism. This will be obtained by a single float. The valve will operate with working pressures of 0.2 – 10 bar. The valve shall withstand 230-psi test.
3. All internals shall be easily removed without removing the main valve from the lines.
4. The valve inlet shall be 2 inch N.P.T. All fittings to connect to force main shall be brass or stainless steel. A two (2) inch ball valve will be installed below the valve to allow for removal of valve without shutting down the system. Ball valve will be brass or stainless steel.
5. The body shall be Reinforced Nylon Composite, Cast Iron, Steel or Stainless Steel. Cast iron and steel valves shall be coated with a fusion bonded epoxy.
6. Internal metal materials shall be stainless steel. Float shall be a foamed polypropylene material.
7. The sewage air release valve shall be as manufactured by A.R.I. Flow Control Accessories Models S-025 or S-020 or Engineer approved equal.

B. Combination Valves

1. Combination Valves shall have three components:

- a. Air & vacuum component discharges large volumes of air during filling of the system.
- b. Air & vacuum component admits large volumes of air during drainage and at water column separation.
- c. The air release component releases entrapped air in pressurized systems.
2. The valve's design will enable the separation of the liquid from the sealing mechanism and assures optimum working conditions.
3. The valve shall incorporate an air-gap separation between the sewage and sealing mechanism. This will be obtained by a single float. The valve will operate with working pressures of 0.5 – 10 bar. Valves with working pressures lower than 0.5 bar and higher than 10 bar will be allowed. The valve shall withstand a minimum 215-psi test.
4. All internals shall be easily removed without removing the main valve from the lines.
5. The valve inlet shall be 2 inch N.P.T. All fittings to connect to force main shall be brass or stainless steel. A two (2) inch ball valve will be installed below the valve to allow for removal of valve without shutting down the system. Ball valve will be brass or stainless steel.
6. The body shall be Reinforced Nylon Composite, Cast Iron, Steel or Stainless Steel. Cast iron and steel valves shall be coated with a fusion bonded epoxy.
7. Internal metal materials shall be stainless steel. Float shall be a foamed polypropylene material.
8. The combination valve shall be as manufactured by A.R.I. Flow Control Models D-025, D-025L, D-26 or Engineer approved equal.

C. Tapping Saddle:

1. The body shall be made of high strength ductile iron per ASTM A536.
2. The clamping band shall be a double wide band with 5/8" UNC threaded bolts of 18-8 type 304 stainless steel with stainless steel spring tension washers under the nuts.
3. The gasket shall be EPDM rubber per ASTM-D2000.
4. The finish on saddle body shall be fusion bonded epoxy coating approximately 12 mils thick.
5. Pre-Approved saddles are as manufactured by: Ford Meter Box Co., style FC202; JCM Industries, Inc., Model No. 406; Mueller Company, DR 2; Style 202NS as manufactured by Romac Industries; or Engineer approved equal.

D. Construct Air Release/Combination Valve manhole in accordance with MP-3 details.

2.08 (ADD) GRAVITY PVC PIPE FITTINGS

- A. Repair couplers, tees, wyes, and bends for Polyvinyl Chloride (PVC) gravity pipe fittings shall be manufactured from the same material as piping.
- B. Gaskets for elastomeric joints shall conform to the requirements of ASTM F477.
- C. Solvent Cement for solvent weld joints shall conform to the requirements of ASTM Specification D2564 and shall be applied in conformance with ASTM D2855. Solvent weld joints will be allowed on PVC cleanout risers only.
- D. Sewer "Wyes" for service connections on new sewer piping shall be in-line sewer wyes. Saddle wyes will not be permitted for use without permission from Engineer.
- E. Sewer "Wyes" for existing piping connections shall be: Romac "CB" Sewer Saddle by Romac Industries Inc.; Inserta-Tee by Fowler Manufacturing Co.; or Engineer approved equal.

2.09 (ADD) TRANSITION COUPLINGS (GRAVITY PIPING)

A. Gasket:

- 1. Manufactured to meet the material requirements of:
 - a. CSA B602 - mechanical couplings for drain, waste, vent pipe and sewer pipe
 - b. ASTM D5926 - Standard Specification for Poly Vinyl Chloride (PVC) Gaskets for Drain, Waste, and Vent (DWV), Sewer, Sanitary, and Storm Plumbing Systems
 - c. ASTM C1173 - Standard Specification for Flexible Transition Couplings for Underground Piping Systems

B. Clamps

- 1. Manufactured to the requirements of CSA B602
- 2. Clamp Housing 301 Stainless Steel
- 3. Clamp Band 301 Stainless Steel
- 4. Clamp Screw 305 Stainless Steel
- 5. Installation Torque 60 in-lbs

C. Shear Ring

- 1. 0.012" Thick, 300 Series Stainless Steel
- 2. Width manufactured according to coupling width (1.50", 2.13", or 4")
- 3. Length manufactured according to coupling diameter
- 4. Clamps spot welded in place

D. Coupling

- 1. Manufactured to conform to the performance requirements of:

- a. ASTM C1173 - standard specification for flexible transition couplings for underground piping systems
- b. CSA B602 - mechanical couplings for drain, waste, vent pipe and sewer pipe
- c. Maximum test pressure: 4.3 PSI (29.6KPA)
- d. Maximum operating temperature: 140° F non-consistent
- E. (ADD) Pre-Approved transition couplers are Strong Back RC Series Repair Couplings manufactured by Fernco Inc. or Engineer approved equal.

2.10 (ADD) FITTINGS FOR PVC FORCE MAIN PIPE

- A. All fitting shall be same materials as pipe supplied.
- B. Repair couplers and gaskets shall be pressure rated same as piping and meet the following specifications, standards and approvals:
 - 1. NSF Standards 14 & 61
 - 2. ASTM D1784 materials
 - 3. ASTM D3139 joints
 - 4. DR 18 dimensions and pressure ratings per ASTM D2241 for C900 Pipe
 - 5. SDR 21 dimensions and pressure ratings per ASTM D2241 for pressure class 200 pipe
 - 6. ASTM F477 gaskets
- C. All other fittings for use on four (4) inches and larger PVC pipe will be ductile iron fittings conforming to the requirements of paragraph 2.01 above, with the exception of transition couplers as specified in paragraph 2.11.
- D. Fittings for use on 3" or smaller PVC pipe shall be gasket PVC push-on style fittings conforming to ASTM D2241, ASTM F477, and ASTM D3139. Fittings shall be made to the same quality as the piping furnished.

2.11 (ADD) TRANSITION COUPLINGS FOR FORCE MAIN PIPING

- A. The couplings used for transitions between piping of different materials shall be a wide-range flexible coupler with a sleeve type design meeting the requirements of AWWA C219.
 - 1. The coupling body shall be a center sleeve fabricated of high strength carbon steel tubing equivalent to ANSI/AWWA C200. The transition couplers will be readily available in nominal diameter ranges from 1.5 to 24 inches on all pipe classes.
 - 2. Compression End Rings: One gasket compression end ring per coupling end. End rings to be of either one or two bolt designs, fabricated of carbon steel equivalent to ASTM A576. (One bolt per end in Nominal Size ranges of 2 to 12 inches and two bolts per end on the 16 to 24-inch nominal diameter coupling.)

3. Hydraulic Wide Range Gasket: Chloramine Resistant NSF-61 approved EPDM gasket designed with a multi-layered wide range removable outer layer. Gasket hydraulically actuated with a pressure-equalizing dam, pressure cavity and sealing lip for working pressure of 260 psi (1.5 to 16 inches) and 232 psi (18 to 24-inch nominal diameter coupling).
 4. Fasteners shall be grade 304 (A2) or 316 (A4) stainless steel with yield strengths that conform to all nationally recognized standards. Bolts to be coated with an anti-seize type coating to prevent galling.
 5. The interior and exterior coatings shall NSF-61 approved fusion bonded epoxy coating conforming to AWWA C213.
 6. When properly installed the coupling will provide a minimum deflection of 8 degrees, up to 260 psi working pressure and 3/8-inch longitudinal pipe movement without leakage. (Flanged adapters will provide half the longitudinal movement and deflection.)
 7. All products will be proof tested to a minimum of 1.5 times working pressure.
- B. Flanged couplers shall consist of one compression end and gasket, coupling center sleeve, and AWWA Class "D" Flange (per AWWA C207).
- C. Pre-Approved transition couplers are: Hymax-2000 Series wide range coupling; Hymax-2100 Series wide range flanged coupling adapter; "Macro" extended range coupling by Romac Industries, Inc.; or Engineer approved equal.

2.12 (ADD) FASTENERS

All fasteners in buried locations shall be Grade 304 (A2) or Grade 316 (A4) stainless steel. Anti-Seize shall be applied to all threads prior to installation.

2.13 (ADD) LUBRICANT FOR GASKETED PIPE

Lubricant shall be an emulsified polymer-based product, specifically formulated to be water-soluble without causing turbidity. Lubricant shall not transfer taste and/or odor to new water main installations. Lubricant must not promote bacterial growth and be safe for use on all metal and plastic pipes. Lubricant shall be easily flushed from the line and be non-reactive to chlorinated water. Lubricant should work easily on both wet and dry surfaces.

2.14 (ADD) POLYETHYLENE WRAP

All ductile fittings shall be wrapped with polyethylene plastic film having a minimum thickness of 0.008 inches or with a cross woven polyethylene plastic film having a minimum thickness of 0.004 inches.

2.15 (ADD) RESTRAINING DEVICES

- A. Restraint devices for use on ductile iron and C-900 PVC "push-on" joints shall be constructed of high strength ductile iron, ASTM A536, Grade 65-45-12 and shall incorporate machined serrations on the inside diameter to provide positive restraint, exact fit, and support of the pipe in an even and uniform manner. Bolts and connecting hardware shall be 304 (A2) or 316 (A4) Stainless Steel. All

devices shall have a safety factor of no less than 2:1 at the full rated pressure of the pipe on which it is installed. They shall be UL listed and Factory Mutual approved. Pre-Approved restraining devices are: Uni-Flange Block Buster Series 1390-C; Star Pipe Products Allgrip series 3600 and Pipe Restrainers Series 1200S; EBAA Iron, Inc. Mega-Lug Series 1700; or Engineer approved equal.

- B. Restraint devices for use on mechanical joint to C-900 PVC, shall be constructed of high strength ductile iron, conforming to the requirements of ASTM A536, Grade 65-45-12, and shall incorporate machined serrations on the inside diameter to provide positive restraint, exact fit, and support of the pipe in an even and uniform manner. Bolts and connecting hardware shall be 304 (A2) or 316 (A4) Stainless Steel. All devices shall have a safety factor of no less than 2:1 at the full rated pressure of the pipe on which it is installed. They shall be UL listed and Factory Mutual approved. Pre-Approved restraining devices are: Uni-Flange Series 1500; Star Pipe Products, Allgrip Series 3600; Romac Industries, Inc GripRing; Romac Industries, Inc RomaGrip; EBAA Iron, Inc. Mega-Lug Series 2000; or Engineer approved equal.
- C. Restraint devices for use on mechanical joint ductile iron, shall be constructed of high strength ductile iron, conforming to the requirements of ASTM A536, Grade 65-45-12, and shall incorporate machined serrations on the inside diameter to provide positive restraint, exact fit, and support of the pipe in an even and uniform manner. Bolts and connecting hardware shall be 304 (A2) or 316 (A4) Stainless Steel. All devices shall have a safety factor of no less than 2:1 at the full rated pressure of the pipe on which it is installed. They shall be UL listed and Factory Mutual approved. Pre-Approved restraining devices are: Uni-Flange Series 1300-C; Star Pipe Products, Allgrip Series 3600; Romac Industries, Inc. GripRing; EBAA Iron, Inc. Mega-Lug Series 1100; or Engineer approved equal.

2.16 (ADD) GATE VALVES

- A. Gate valves shall be resilient wedge type manufactured to meet all applicable requirements of AWWA Standard for Resilient Seated Gate Valve C509 or C515.
- B. All valves shall have non rising stems, opening by turning left and provided with standard 2-inch square nut operator (hand-wheel operator in manholes) with arrow cast in metal to indicate direction of opening.
- C. Cast iron wedge shall have sealing surfaces of the wedge permanently bonded with resilient material to meet ASTM tests for rubber to metal bond ASTM D429. Each valve shall have a smooth unobstructed waterway free from any sediment pockets. Stuffing boxes shall be O Ring seal type with 2 rings located in stem above thrust collar. Low friction torque reduction thrust bearings shall be located both above and below the stem collar.
- D. Body and cover bolts and nuts shall be Grade 304 (A2) or 316 (A4) stainless steel. Anti-Seize shall be applied to all threads prior to installation.
- E. Exterior and interior coatings in accordance with ANSI/AWWA C550 for potable water.

- F. Non rising stems shall be in full compliance with AWWA specification with cast integral stem collar and furnished of bronze conforming to ASTM B584 Alloy A. Stem nuts shall be independent of wedge and shall be made of solid bronze conforming to ASTM B62.
- G. Valves shall have hydrostatic shell test of 400 psi and shut-off test of 200 psi. At the 200-psi shut-off test, valve must be bubble tight with a zero (0) leakage allowance.
- H. Resilient wedge gate valves shall be the product of a manufacturer having a minimum of five (5) years' experience in the manufacture of water works and distribution valves.
- I. Pre-Approved resilient wedge gate valves are as manufactured by: American Darling Valve Co.; Mueller Company; Clow Valve Division; American AVK Company; or Engineer approved equal.

2.17 (ADD) VALVE BOXES

- A. Valve boxes shall be cast iron, 5 1/4" inside diameter, adjustable valve boxes of the screw type with sufficient length for the pipe bury as shown. Where the valve box is shown or required on control manholes, the length shall be sufficient to penetrate the valve marker and the Type II reinforced manhole cover. The cast iron cover of the valve box shall have an arrow indicating the direction of opening.
- B. Covers for sewer piping shall have the word "SEWER" cast on the top.
- C. Pre-Approved valve boxes and covers are as manufactured by: Tyler Pipe Utilities Division; Mueller Co.; or Engineer approved equal.
- D. Each valve box shall be furnished with valve box centering adaptor compatible with the valve boxes furnished.

PART 3 – EXECUTION

3.05 FORCE MAIN INSTALLATION

- A. General: ~~Install according to Section 5010.~~
 - 1. (ADD) The Contractor shall install restraining devices in accordance with the manufacturer's recommendations.
 - 2. (ADD) Restraining devices shall be installed on all mechanical joint fittings.
 - 3. (ADD) Joint restraining devices shall be installed on all joints within 30 feet of all fittings.
- B. Tracer Wire: (ADD) See 3.14 Below.
 - 1. Required for all force main installations and sanitary sewer services that extend from the main to the property line. ~~(DELETE) Comply with Section 5010.~~
 - 2. ~~(DELETE) Install tracer wire station at each end of the force main and at additional locations specified in the contract documents.~~

3. ~~(DELETE) Bury end of tracer wire station 2 feet and compact.~~

3.10 SANITARY SEWER CLEANOUT

- A. Provide cleanouts where specified in the contract documents. Comply with ~~(DELETE) Figure 4010.203~~ (ADD) Standard Detail MP-4.

3.12 CONFLICTS

- A. Horizontal Separation of Gravity Sewers from Water Mains: Separate gravity sewer mains from water mains by a horizontal distance of at least 10 feet unless:
3. When it is impossible to obtain the required horizontal clearance of 3 feet and a vertical clearance of 18 inches between sewers and water mains, the sewers must be constructed of water main materials meeting the requirements of ~~(DELETE) Section 5010, 2.01~~ (ADD) 2.02. However, provide a linear separation of at least 2 feet.
- B. Separation of Sewer Force Mains from Water Mains: Separate sewer force mains and water mains by a horizontal distance of at least 10 feet unless:
1. The force main is constructed of water main materials meeting a minimum pressure rating of 150 psi and the requirements of ~~(DELETE) Section 5010, 2.01~~ (ADD) 2.02 and

3.14 (ADD) TRACER WIRE INSTALLATION

- A. Tracer wire shall be installed on all force main piping and sanitary sewer services in the trench at the same time as the pipe or immediately prior to starting the backfill of the trench.
- B. Install a continuous length of tracer wire for the full length of each run of nonmetallic pipe. Attach wire to top of pipe in such manner that it will not be displaced during construction operations.
- C. Splices will be allowed at pipeline intersections, manholes, bored crossings, locator boxes and at other locations as agreed upon by the Engineer. Splices in tracer wire will be made with split bolt or compression-type connectors. Wire nuts may not be used. A waterproof connection is necessary to prevent corrosion. Splices shall be completed in accordance with the manufacturer's recommendations.
- D. Install tracer wire on all sanitary sewer services from the main to the end of the service. Install ground rod at sewer wye and at service end. Connect wire to ground rods and extend wire to the ground surface and loop the wire in a tracer wire terminal box. These boxes shall be located at the connection to sewer service with at least two feet of extra wire inside the box. The tracer wire terminal box must be installed flush with the finished grade.
- E. Install tracer wire on all force main piping. A ground rod shall be installed at each end of the piping and at all tracer wire terminal boxes. Tracer wire terminal boxes shall be installed at each end of the force main piping and as directed by the Engineer.

F. Prior to final acceptance, all tracer wire shall be electrically tested for continuity from one exposed end to another.

G. See MP-1 and MP-2 for additional details.

3.15 (ADD) VALVE INSTALLATION

A. All valves shall be installed in locations as shown on the plans or as directed by the Engineer.

B. The valve and joints shall be installed in accordance with the manufacturer's recommendations.

C. All pipe bevels shall be removed prior to installation of any valve or ductile iron fitting.

3.16 (ADD) VALVE BOX INSTALLATION

A. All foreign material and debris shall be removed from the top of the valve operator prior to setting the valve box.

B. Valve box centering device shall be installed to center valve box on valve.

C. Valve boxes shall be centered and plumb over the operating nut of the valve and shall be set so that no shock or stress will be transmitted to the valve.

D. Tops of the valve boxes shall be set flush with the valve identification collar or manhole cover unless otherwise directed.

3.17 (ADD) MARSHALLTOWN STANDARD DETAILS

A. Added the following details:

1. MP-1 Typical Sanitary Sewer Service Detail
2. MP-2 Typical Sanitary Sewer Service with Riser Detail
3. MP-3 Typical Air Release/Combination Valve Manhole Detail
4. MP-4 Typical Service Line Cleanout Detail
5. MP-8 Typical Sanitary Sewer Utility Crossing Detail
6. MR-5 Typical Street Utility Section Detail

B. Deleted SUDAS Figures

1. 4010.201 Sanitary Sewer Service Stub
2. 4010.201 Sanitary Sewer Service Stub
3. 4010.202 Sewage Air Release Valve Pit
4. 4010.203 Sanitary Sewer Cleanout

**MARSHALLTOWN SPECIAL PROVISIONS
FINAL ACCEPTANCE CHECKLIST**

- A. Deflection/Mandrel Testing – all Flexible Sanitary Sewer Pipe
- B. Low Pressure Air Testing of Pipe – For Sanitary Sewer
- C. Lateral Construction Forms – All Sanitary Sewer Laterals
- D. Warranty Bond – Sanitary and Storm Sewers (See Specifications Part I)
- E. TV Inspection – For Sanitary and Storm Sewer Pipe.
- F. As-Built Drawings – For Sanitary and Storm Sewers
- G. Engineering Certificate of Completion in accordance with the Plans and Specifications – Sanitary and Storm Sewers
- H. Contractors Cost of Construction Report - This is to meet the financial reporting requirements of the city (GASB 34)

DEFLECTION TESTING OF FLEXIBLE PIPE

Deflection tests shall be performed on all flexible sanitary sewer pipes. The deflection test shall be conducted after the final backfill has been in place at least 30 days. No pipe shall exceed a deflection of 5%. If the deflection test is to be run using a rigid ball or mandrel, it shall have a diameter equal to 95% of the inside diameter of the pipe and the tests shall be performed without mechanical pulling devices.

PROJECT NAME: _____
LOCATION: _____
CONTRACTOR: _____

SECTION TESTED

Start Station: _____ MH Upstream _____ Pipe Diameter: _____
End Station: _____ MH Downstream _____ Length: _____

Date Of Test: _____ Pass ☐
Date Of Construction _____ Fail ☐

MANUFACTURER OF TEST DEVICE AND DIAMETER _____

Comments _____

Inspector _____

SECTION TESTED

Start Station: _____ MH Upstream _____ Pipe Diameter: _____
End Station: _____ MH Downstream _____ Length: _____

Date Of Test: _____ Pass ☐
Date Of Construction _____ Fail ☐

MANUFACTURER OF TEST DEVICE AND DIAMETER _____

Comments _____

Inspector _____

SECTION TESTED

Start Station: _____ MH Upstream _____ Pipe Diameter: _____
End Station: _____ MH Downstream _____ Length: _____

Date Of Test: _____ Pass ☐
Date Of Construction _____ Fail ☐

MANUFACTURER OF TEST DEVICE AND DIAMETER _____

Comments _____

Inspector _____

LOW PRESSURE TESTING OF SANITARY SEWER LINE (ASTM: F 1417)

PROJECT NAME: _____
 LOCATION: _____
 CONTRACTOR: _____

LIST SECTION TESTED: **DATE:** _____
 Start Station.: _____ MH Upstream _____
 End Station: _____ MH Downstream _____
 Pipe Dia. _____ Length _____
 Initial Pressure: _____ psi
 Starting Test Pressure: _____ psi
 Ending Test Pressure: _____ psi
 Test Duration: _____ Min(s)
 Comments: _____

LIST SECTION TESTED: **DATE:** _____
 Start Station.: _____ MH Upstream _____
 End Station: _____ MH Downstream _____
 Pipe Dia. _____ Length _____
 Initial Pressure: _____ psi
 Starting Test Pressure: _____ psi
 Ending Test Pressure: _____ psi
 Test Duration: _____ Min(s)
 Comments: _____

LIST SECTION TESTED: **DATE:** _____
 Start Station.: _____ MH Upstream _____
 End Station: _____ MH Downstream _____
 Pipe Dia. _____ Length _____
 Initial Pressure: _____ psi
 Starting Test Pressure: _____ psi
 Ending Test Pressure: _____ psi
 Test Duration: _____ Min(s)
 Comments: _____

TEST INFORMATION:

Constant Pressure Method:
 Rotameter reading: _____ cf/min
 Computed Air Loss: _____ cf/min

CONCLUSION: The section of pipe tested complies with
 ASTM: F 1417, 8.2.1 for acceptance: Yes ____ No ____

Time-Pressure Drop Method
 Time for 1.0 psi drop: _____ Min(s) --OR--
 Variance in Test Pressure: _____ psi
 Variance allowed by local jurisdiction: _____ psi

CONCLUSION: The section of pipe tested complies with
 ASTM: F 1417, 8.2.2 for acceptance: Yes ____ No ____

TEST INFORMATION:

Constant Pressure Method:
 Rotameter reading: _____ cf/min
 Computed Air Loss: _____ cf/min

CONCLUSION: The section of pipe tested complies with
 ASTM: F 1417, 8.2.1 for acceptance: Yes ____ No ____

Time-Pressure Drop Method
 Time for 1.0 psi drop: _____ Min(s) --OR--
 Variance in Test Pressure: _____ psi
 Variance allowed by local jurisdiction: _____ psi

CONCLUSION: The section of pipe tested complies with
 ASTM: F 1417, 8.2.2 for acceptance: Yes ____ No ____

TEST INFORMATION:

Constant Pressure Method:
 Rotameter reading: _____ cf/min
 Computed Air Loss: _____ cf/min

CONCLUSION: The section of pipe tested complies with
 ASTM: F 1417, 8.2.1 for acceptance: Yes ____ No ____

Time-Pressure Drop Method
 Time for 1.0 psi drop: _____ Min(s) --OR--
 Variance in Test Pressure: _____ psi
 Variance allowed by local jurisdiction: _____ psi

CONCLUSION: The section of pipe tested complies with
 ASTM: F 1417, 8.2.2 for acceptance: Yes ____ No ____

Testing procedures observed and
 Information recorded by:

Results reviewed and affirmed by:

 Project Representative

 Project Engineer

City of Marshalltown, Iowa

SANITARY SEWER LATERAL CONSTRUCTION FORM

Project Number _____

Date Wye Installed: 20____

4Date Service Installed: 20____ (NA) if no service

Street Address: (or) _____

General Location: _____

Upstream Manhole # _____ Downstream Manhole # _____

Service Status: _____ 1 - Active 2 - Inactive 3 - Abandoned

Connection Type: _____ 2 - Wye 3 - MH stub 4 - Tap

Diameter (inches): _____

Pipe Material: _____ 1 - VCP 2 - PVC 3 - Concrete 4 - RCP
5 - DIP 6 - CIP 7 - CMP

Slope/Fall (%): _____ Length (feet): _____

Source of Data: _____ 1 - Construction Inspection 2 - Superintendent

Direction from Main: _____ Distance from Upstream MH (feet): _____

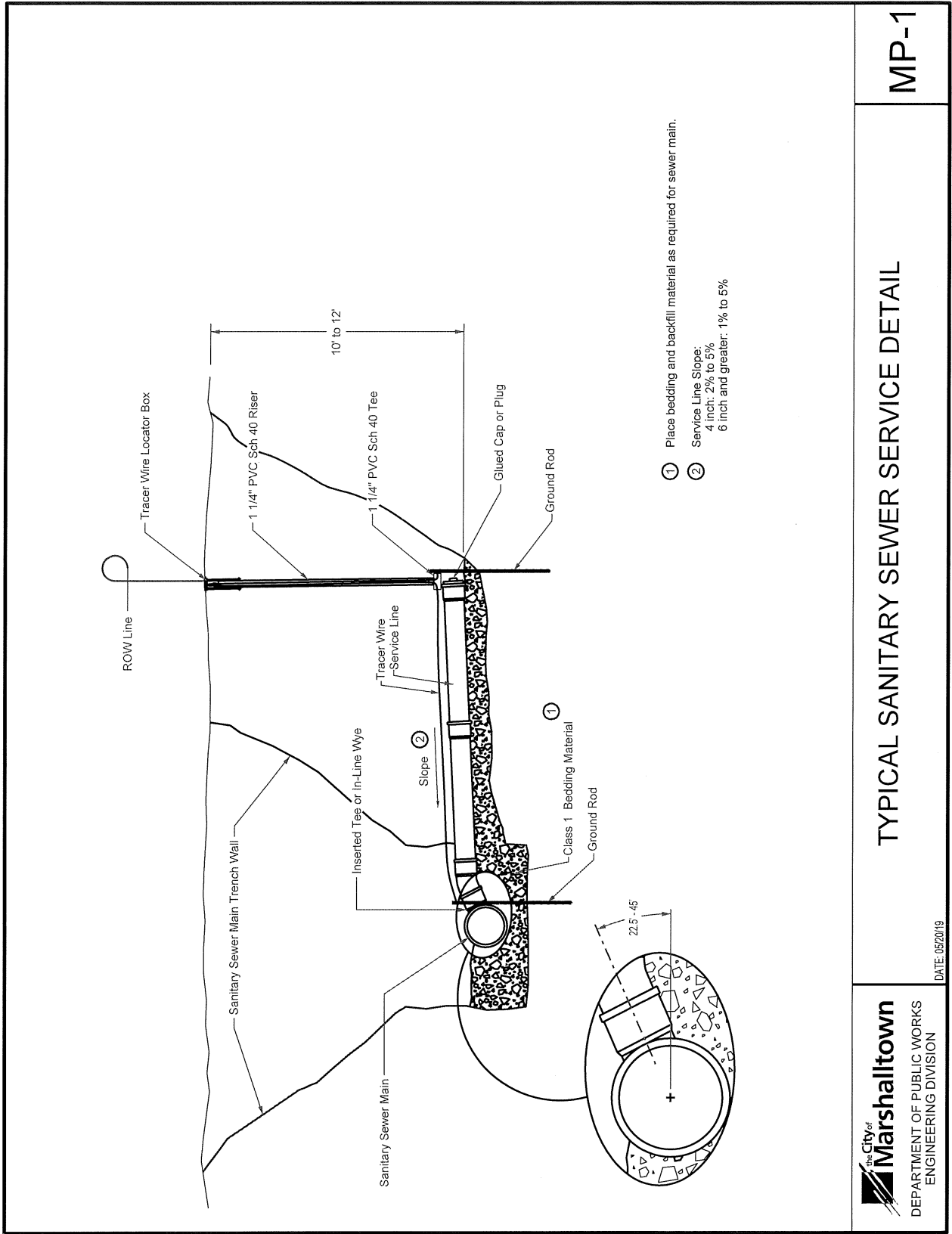
Depth at Main (feet): _____ Depth at Property Line (feet): _____

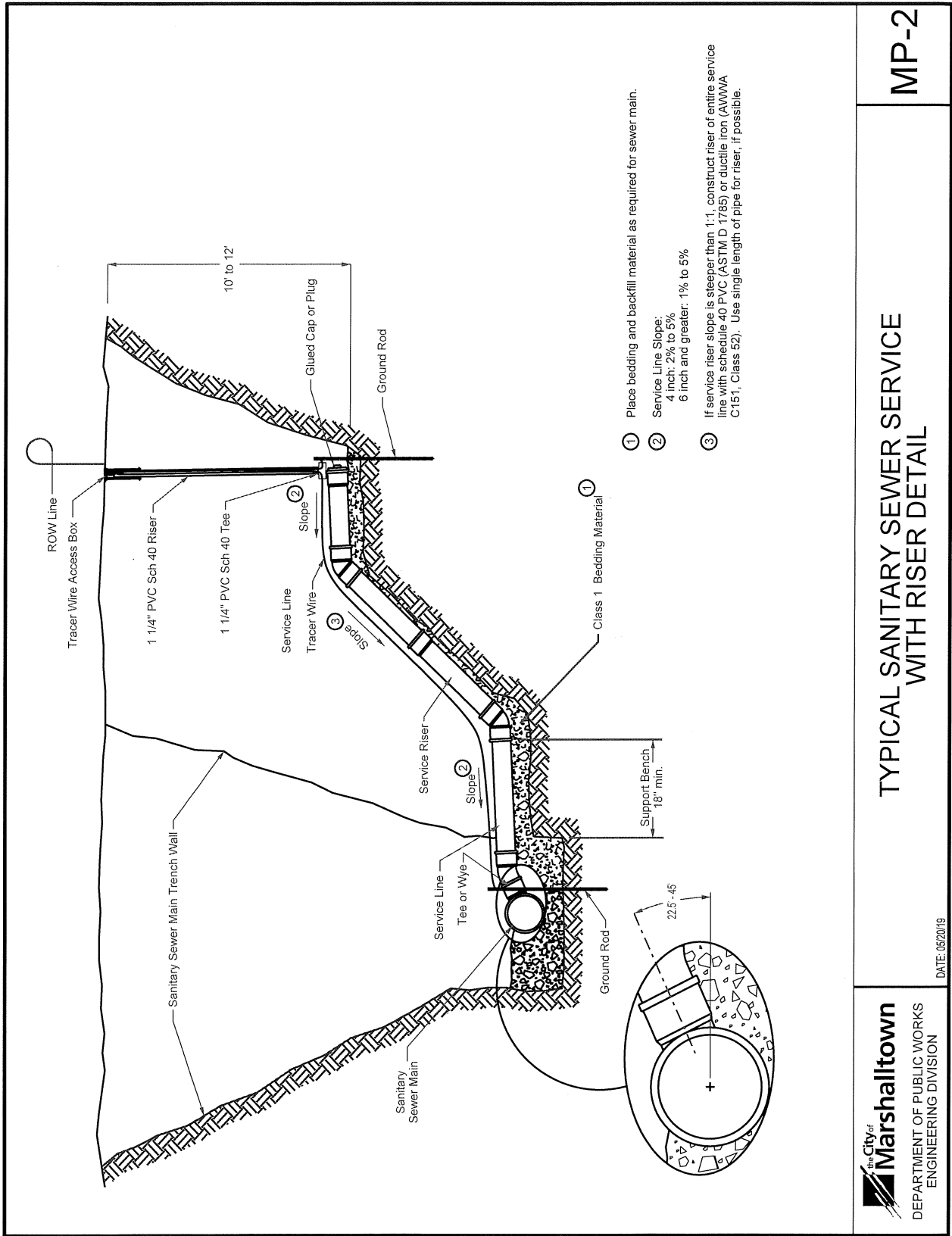
Depth at service end (feet): _____ (NA) if no service

Indicate North:	
○	○
Upstream	Downstream
MH# _____	MH# _____
Station: _____	Station: _____
Wye Station: _____	
Service end Station: _____	
Service Offset Direction/Distance (feet): _____	

Inspector: _____

Department of Public Works
Engineering Division





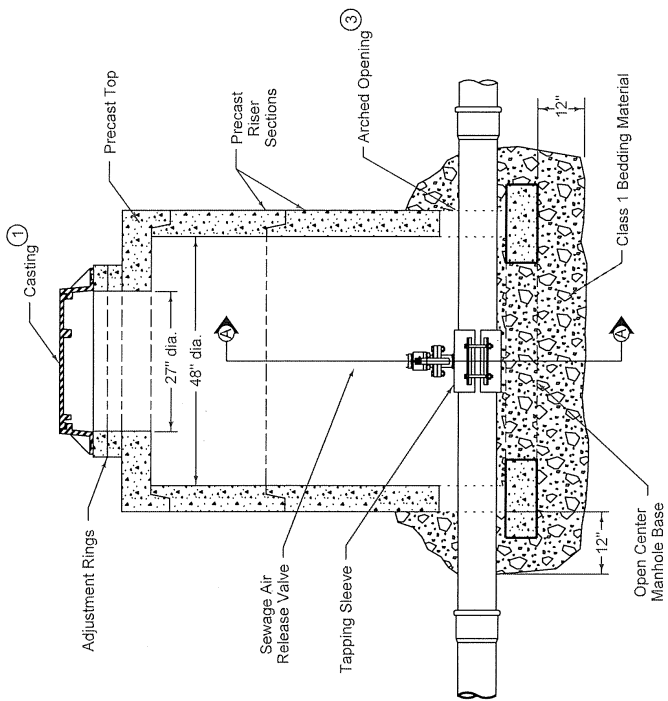
TYPICAL SANITARY SEWER SERVICE WITH RISER DETAIL

MP-2

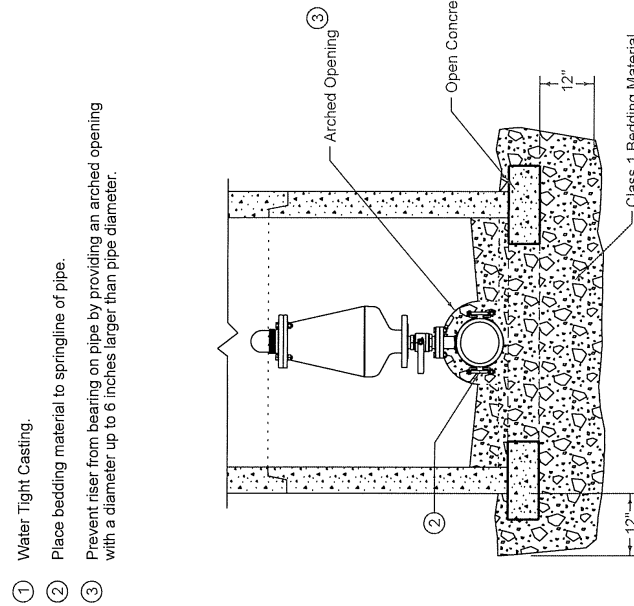


DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

DATE: 05/20/19

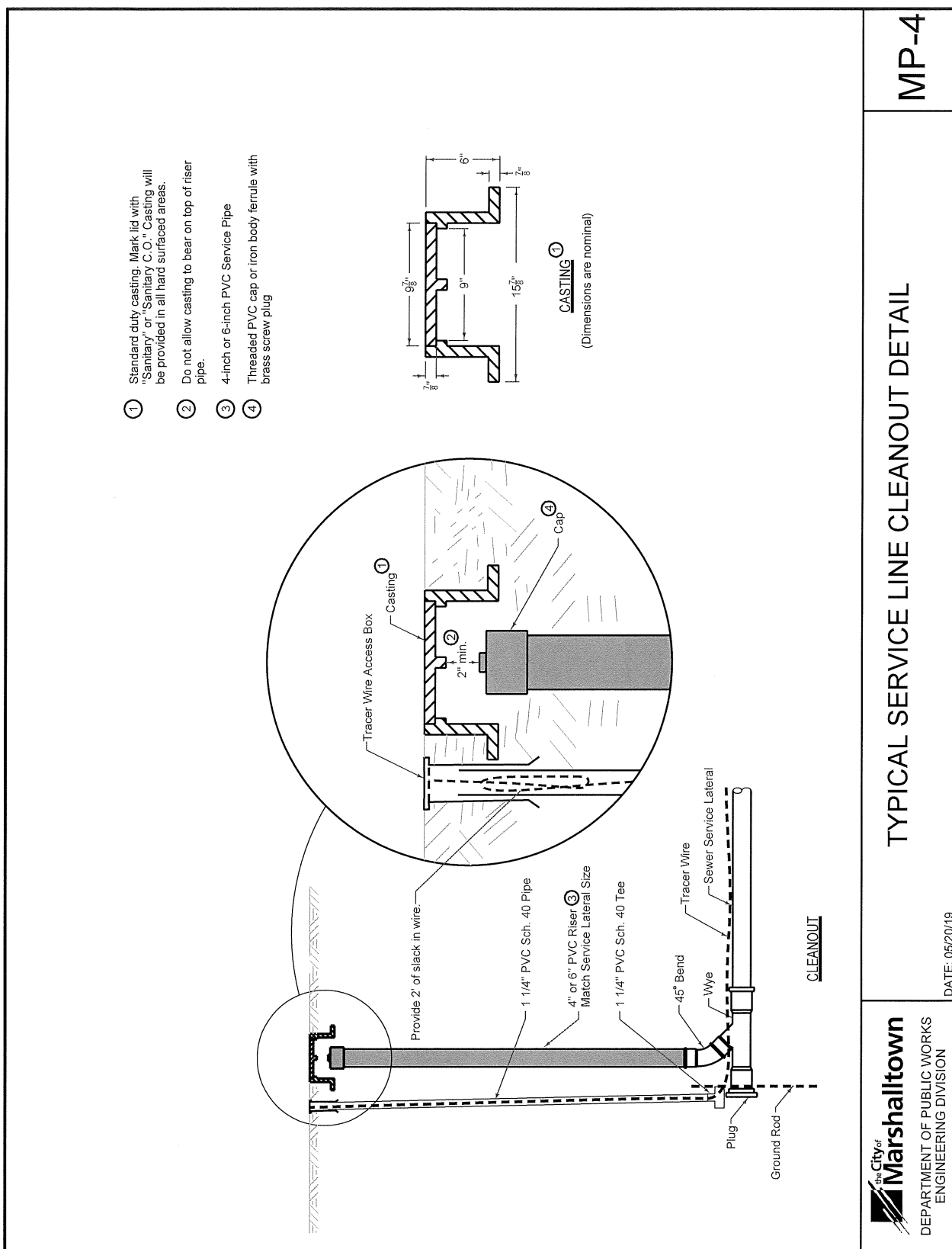


TYPICAL SECTION



SECTION A-A

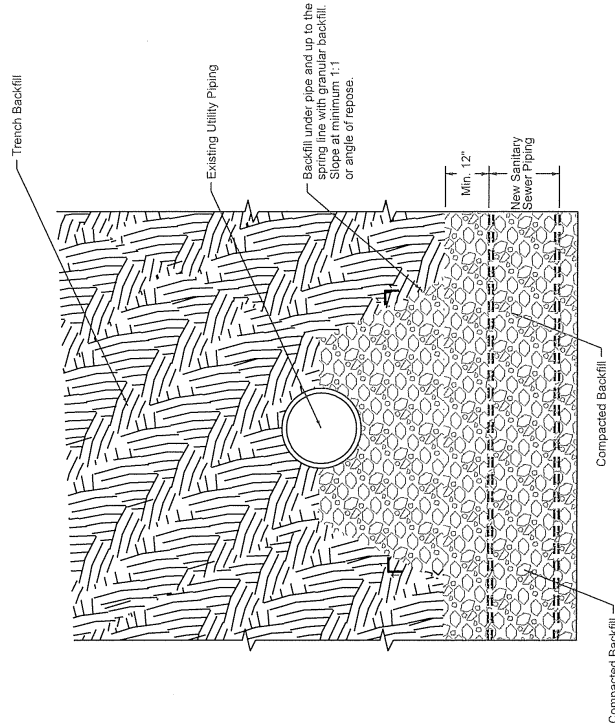
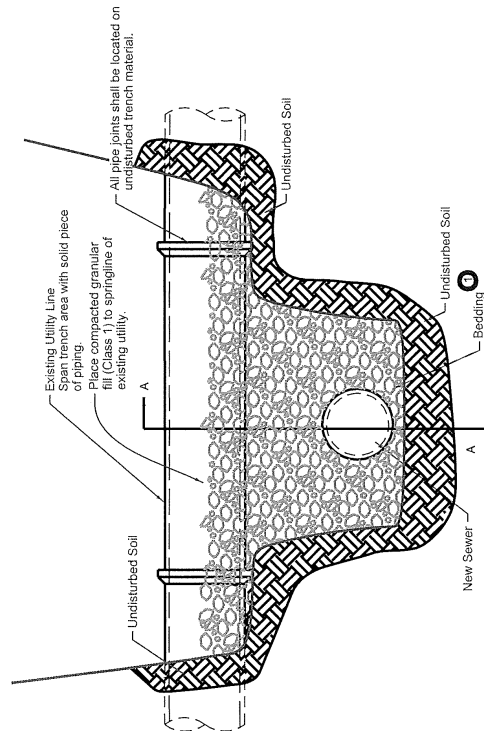
- ① Water Tight Casting.
- ② Place bedding material to springline of pipe.
- ③ Prevent riser from bearing on pipe by providing an arched opening with a diameter up to 6 inches larger than pipe diameter.



The Contractor may, at their option, use flowable mortar to support the existing utility line (sewer lines, water lines, gas lines, etc.) in place of the compacted backfill. Flowable fill will be placed in same configuration as granular backfill or as directed by the Engineer.

Allow flowable mortar fill to cure a minimum of 24 hours before placing backfill material.

- ③ Bedding shall comply with Class 1 gradation. Material shall be placed in lifts not exceeding 12-inches and compacted to 95% Standard proctor density. Care shall be taken not to displace either pipe during backfill.



SECTION A-A

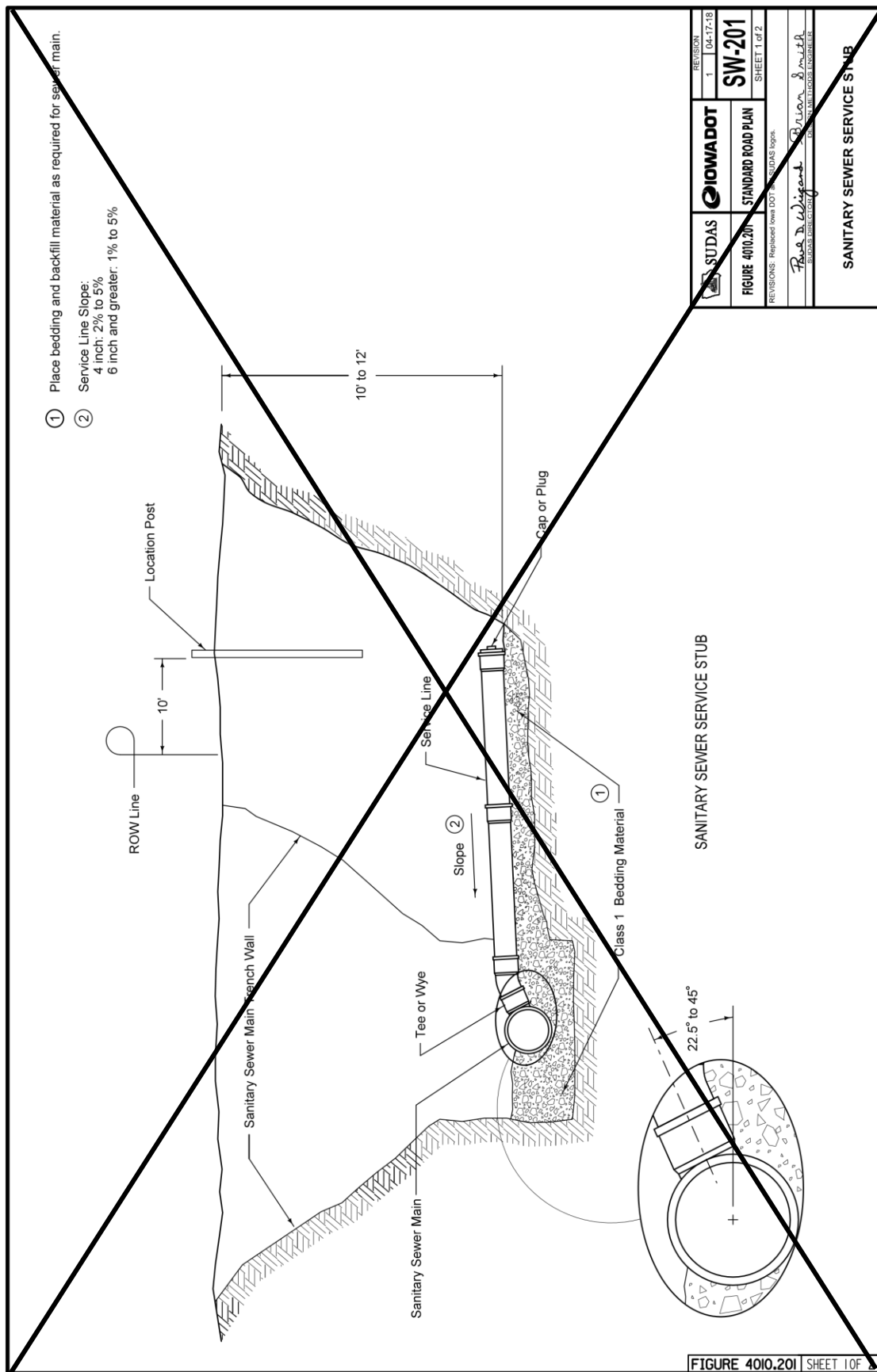
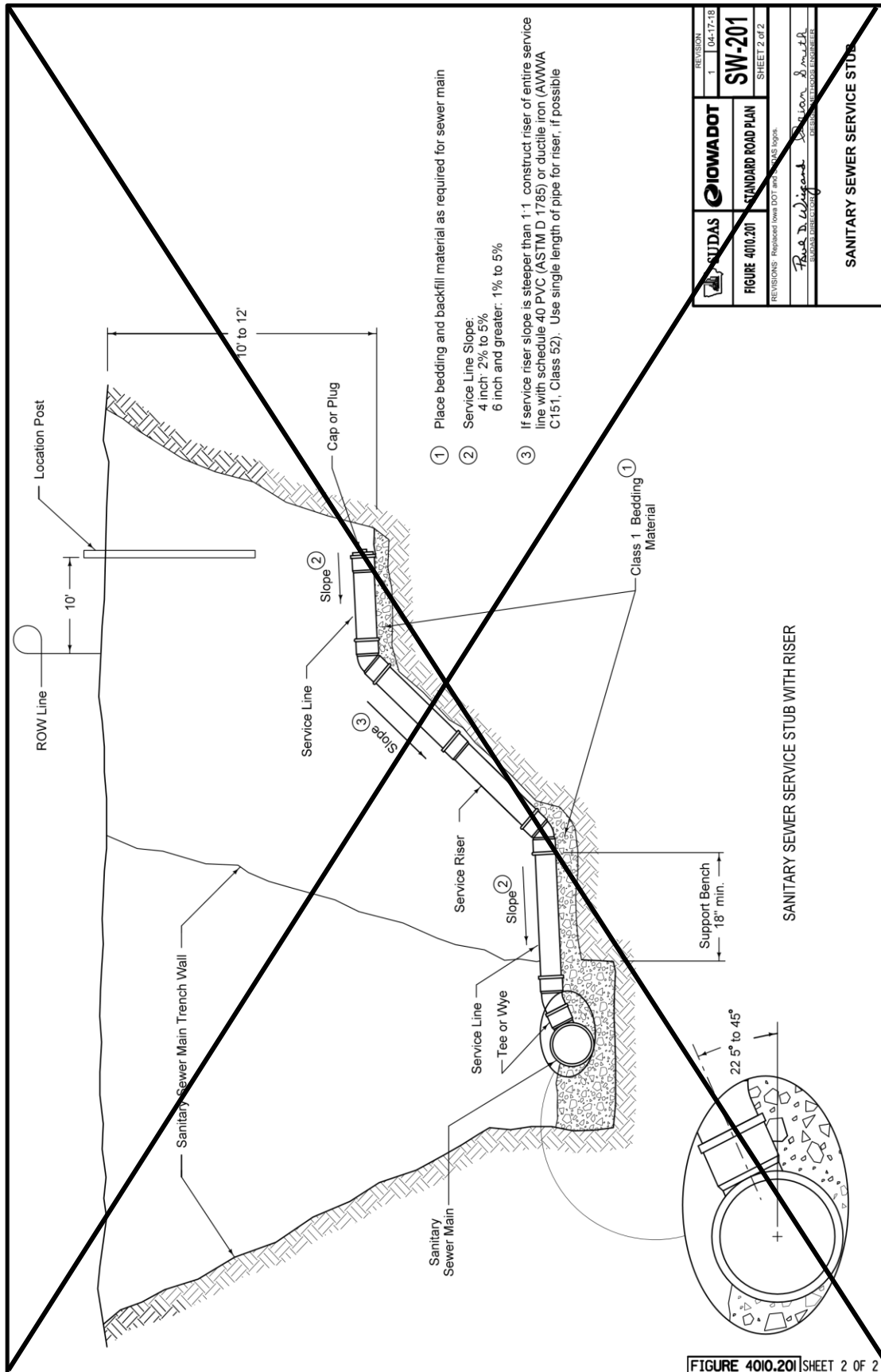
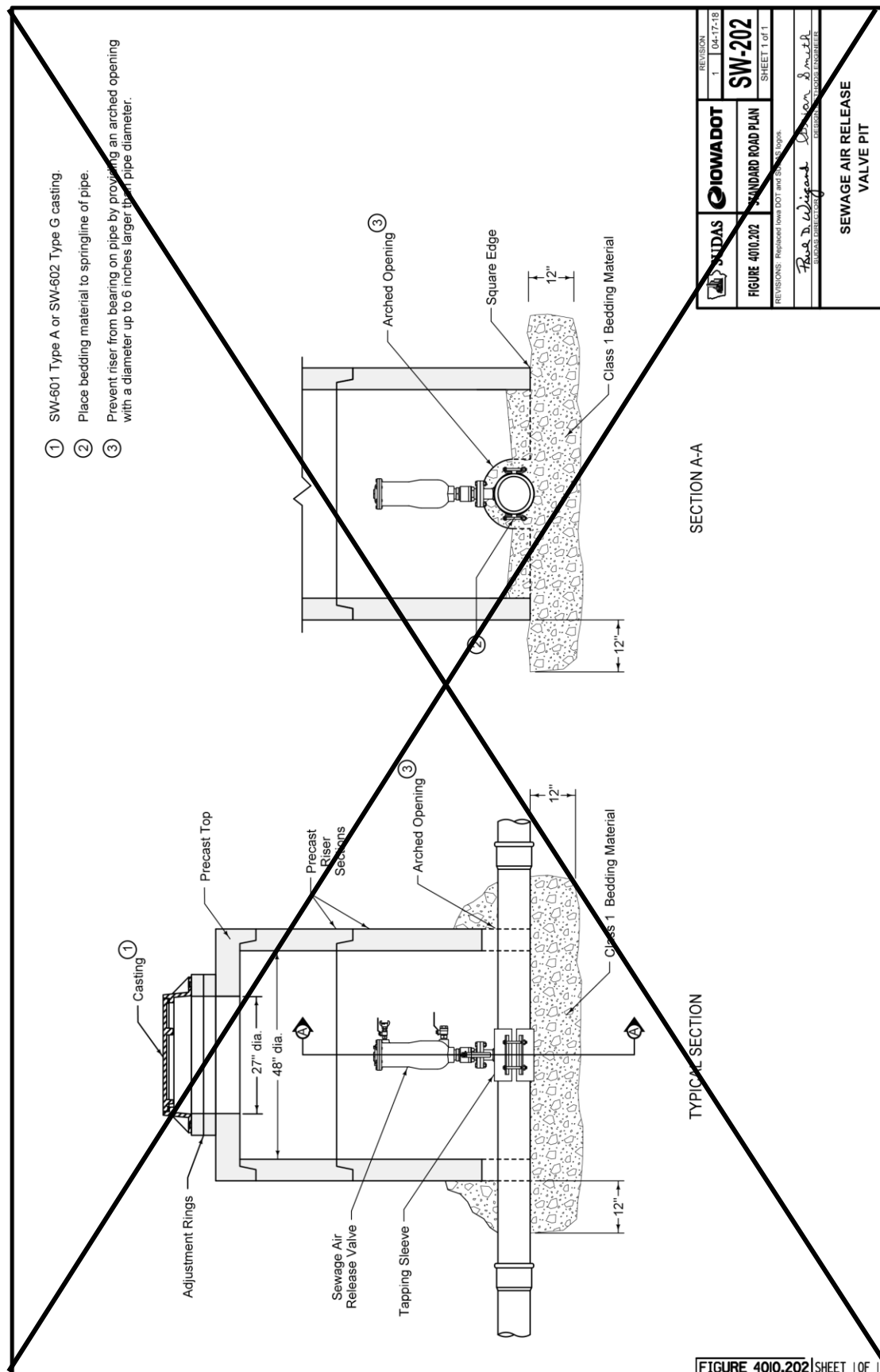
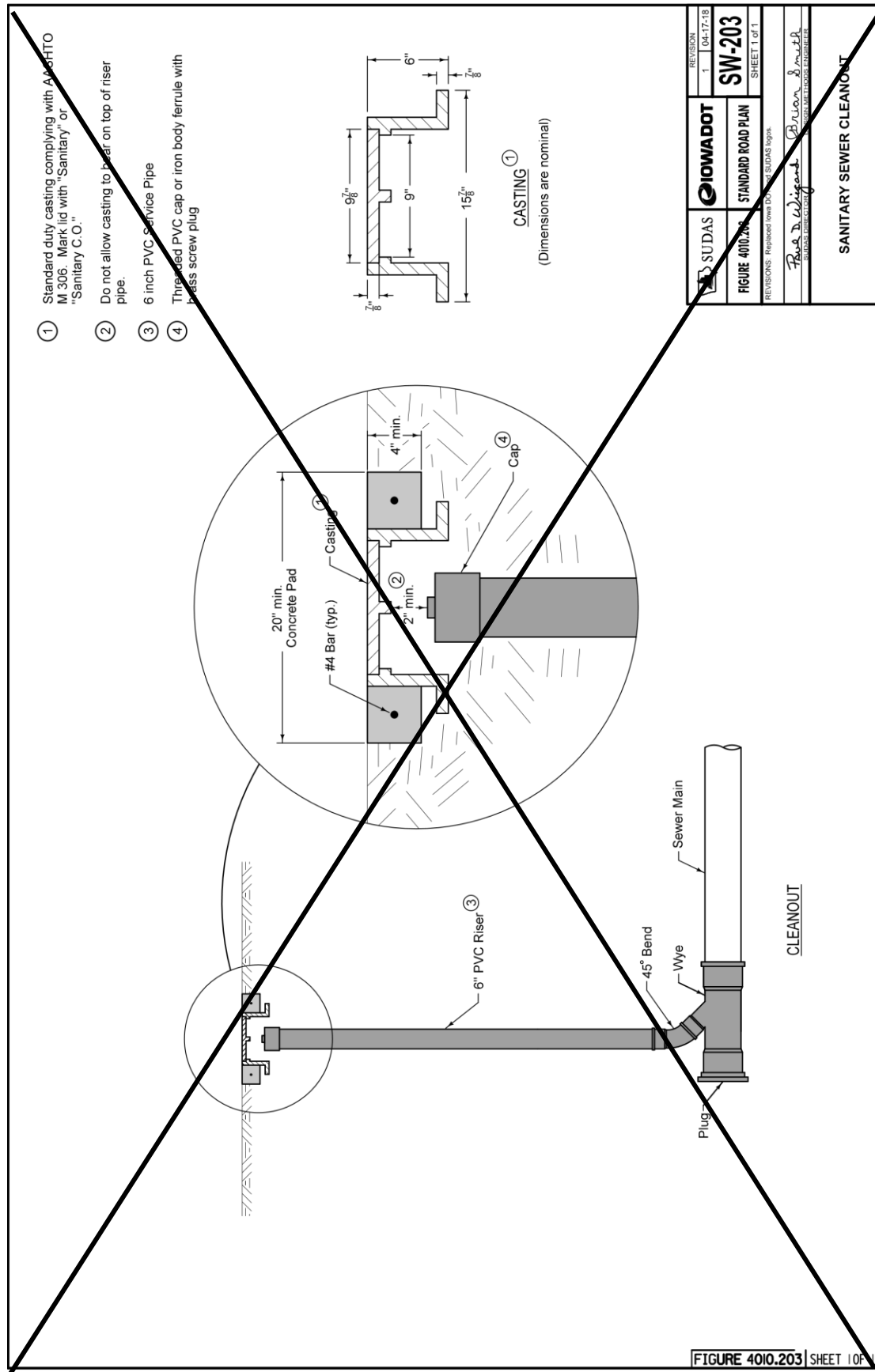


FIGURE 4010.201 SHEET 1 OF 2

 SUDAS	 IOWA DOT	REVISION	1	04-17-18
		FIGURE 4010.201	STANDARD ROAD PLAN	SW-201
		SHEET 1 of 2		
		REVISIONS: Replaced Iowa DOT and SUDAS logos.		
		Rae D. Wiegand		
		R. Allen Smith		
		DESIGNER		
		PROJECT MANAGER		
		SANITARY SEWER SERVICE STUB		







SECTION 4020 - STORM SEWERS

PART 1 - GENERAL

1.09 (ADD) ACCEPTANCE CHECKLIST & MAINTENANCE BOND

Prior to final acceptance of the work, the contractor shall file with the City Clerk of the City of Marshalltown a maintenance bond guaranteeing suitable repairs of any defects or failures due to deficiencies in materials or inadequacies in workmanship for a period of 4 years for all improvements following completion of construction. The bond shall be for a sum equal to the total amount of the project. The contractor shall also file with the City Engineer all other required acceptance checklist items including testing/inspection forms, lateral construction forms, as-built drawings, construction costs and engineering certificate of completion forms. The acceptance checklist and warranty bond form are provided at end of section.

PART 2 – PRODUCTS

NO REVISIONS

PART 3 – EXECUTION

3.02 PIPE INSTALLATION

A. General:

8. (ADD) All lift holes in the pipe shall be filled with concrete.
9. (ADD) Protect utilities crossing the sewer main trench.

B. Trenched:

7. (ADD) No more than 300-feet of trench shall be left open at any time. Open trenches shall be properly marked and/or attended. Trenches shall be closed at the end of each day.

3.07 CONFLICTS

A. Horizontal Separation of Gravity Sewers from Water Mains:

2. When it is impossible to obtain the required horizontal clearance of 3 feet and a vertical clearance of 18 inches between sewers and water mains, the sewers must be constructed of water main materials meeting the requirements of Section (DELETE) ~~5010, 2.01~~ (ADD) 4010, 2.02. However, provide a linear separation of at least 2 feet.

B. Separation of Sewer Force Mains from Water Mains: Separate storm sewer force mains and water mains by a horizontal distance of at least 10 feet unless:

1. The force main is constructed of water main materials meeting a minimum pressure rating of 150 psi and the requirements of (DELETE) ~~5010, 2.01~~ (ADD) 4010, 2.02. and

3.11 (ADD) MARSHALLTOWN STANDARD DETAILS

A. Added the following detail.

1. MR-5 Typical Street Utility Section Detail

SECTION 4030 - PIPE CULVERTS

PART 1 – GENERAL

1.03 through 1.06: (DELETE): ~~Comply with Division 1 – General Provisions and Covenants~~ (ADD) “Comply with Part I - Bidding and Contract Documents and Part II - Technical Specifications”

PART 2 - PRODUCTS

2.01 PIPE CULVERTS

B. Entrance Pipe Culverts: The following pipe culvert types described in Section 4020 may be used within right-of-way as entrance pipe culverts:

5. Corrugated Metal Pipe (CMP). (ADD) Use of this pipe material requires specific approval by the Engineer.
6. Spiral Rib Pipe. (ADD) Use of this pipe material requires specific approval by the Engineer.
7. Coated Corrugated Metal Pipe. (ADD) Use of this pipe material requires specific approval by the Engineer.
8. Corrugated Metal Arch Pipe. (ADD) Use of this pipe material requires specific approval by the Engineer.

C. Structural Plate Culverts: Structural plate culverts may be used in the right-of-way as roadway or entrance pipe culverts.

6. (ADD) Use of this pipe material requires specific approval by the Engineer.

D. Aluminum Structural Plate Culverts: Aluminum structural plate culverts may be used in the right-of-way as roadway or entrance pipe culverts.

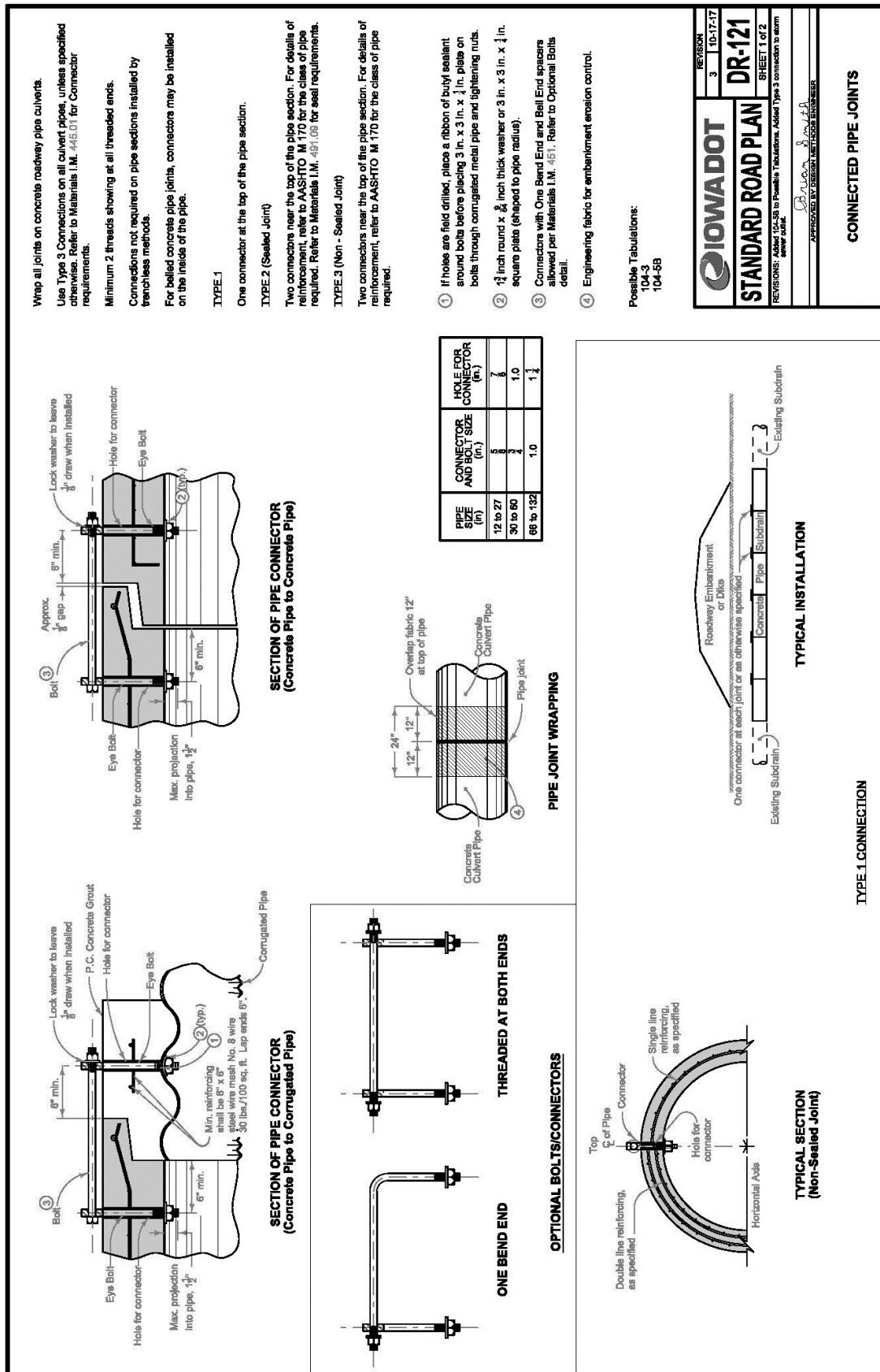
9. (ADD) Use of this pipe material requires specific approval by the Engineer.

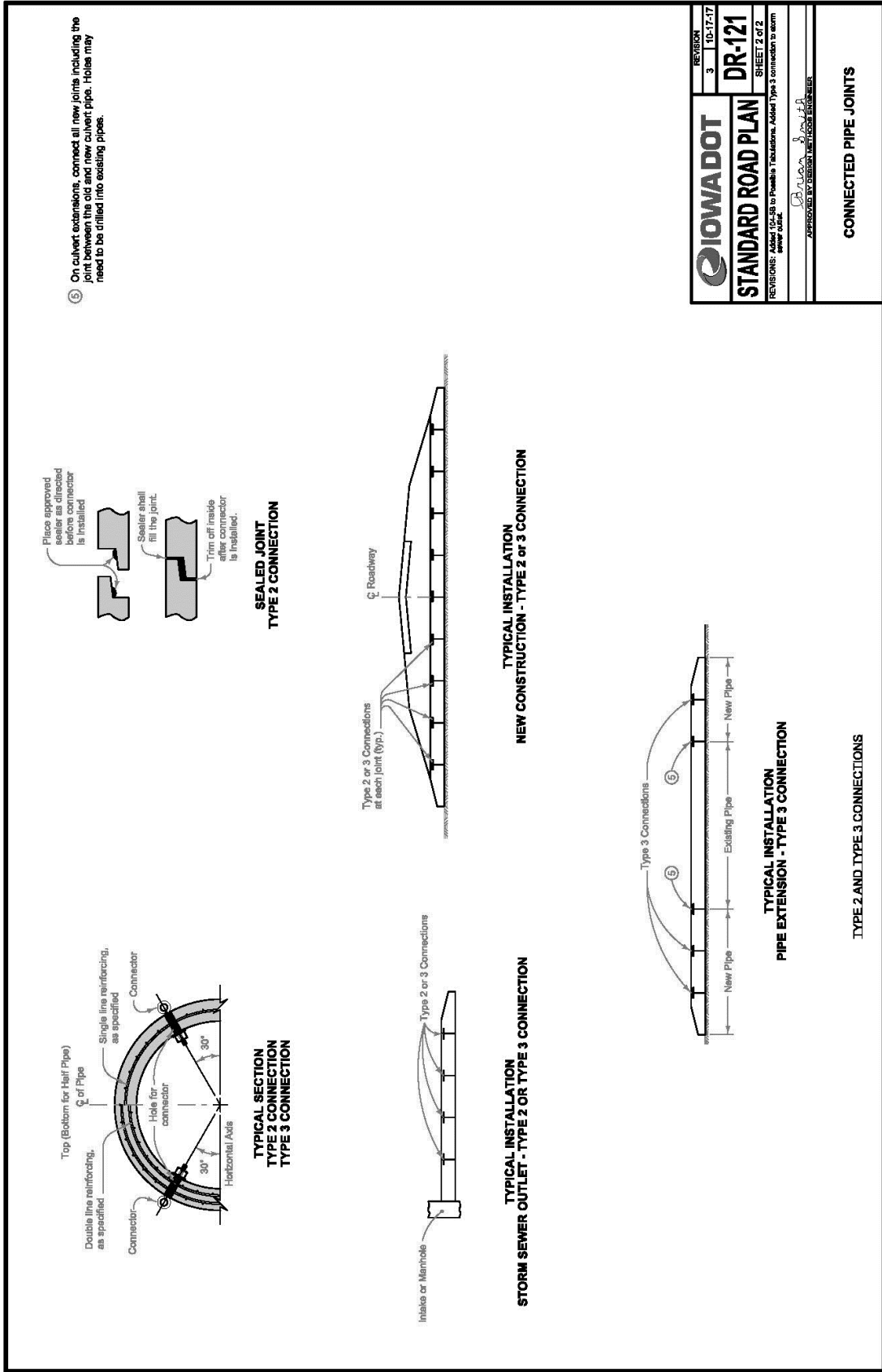
PART 3 - EXECUTION

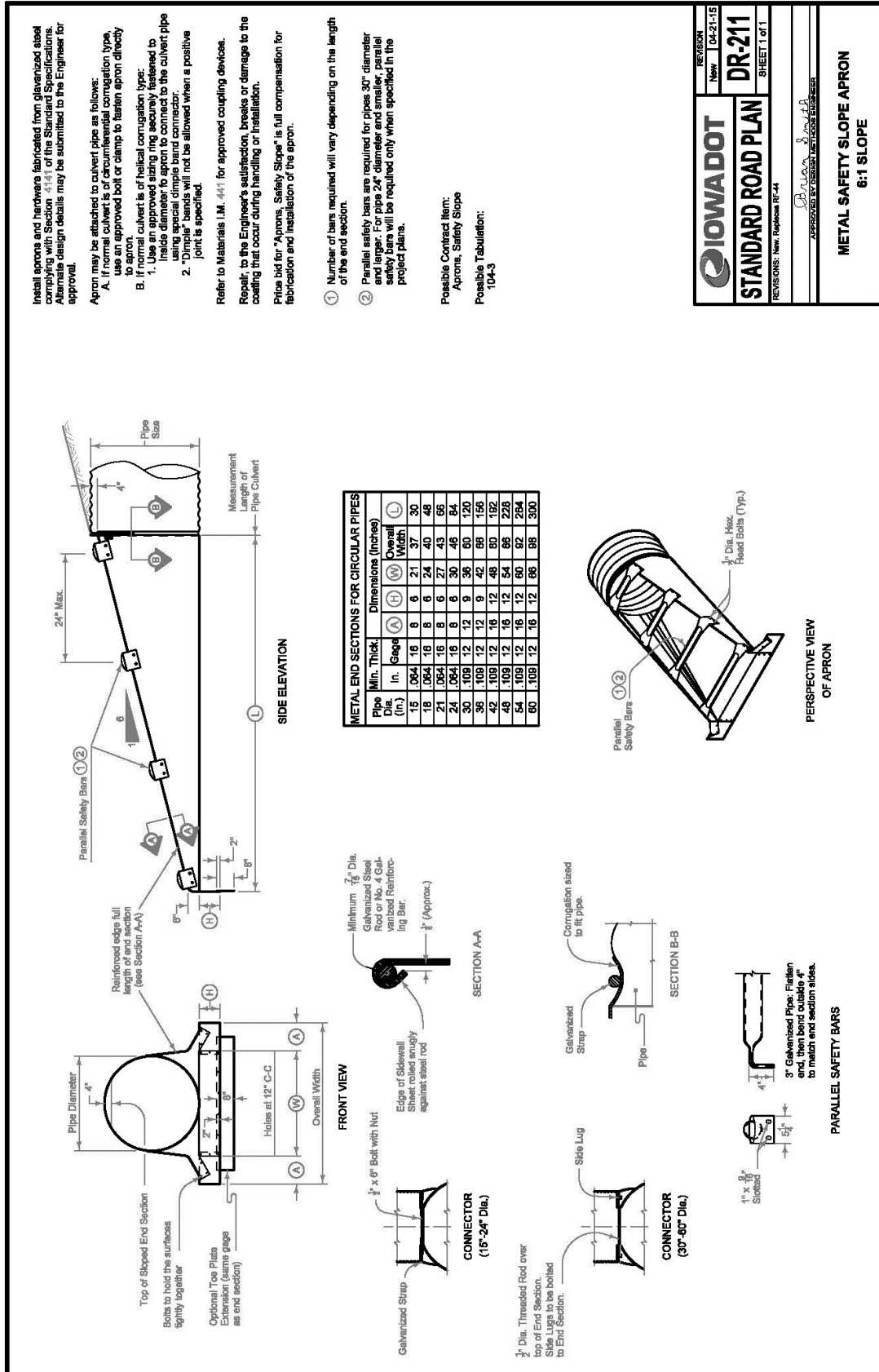
3.04 (ADD) IOWA DOT STANDARD ROAD PLANS

Add the following details:

- A. DR-121 Connected Pipe Joints
- B. DR-203 Metal Pipe Aprons and Beveled Ends
- C. DR-211 Metal Safety Slope Apron 6:1 Slope
- D. DR-212 Beveled Pipe and Guard







IOWA DOT

STANDARD ROAD PLAN

REVISIONS: New, Replace, RF-44

REVISION

New 104-21-15

DR-211

SHEET 1 of 1

APPROVED BY: *Donna J. Smith*

APPROVED BY: *Donna J. Smith*

METAL SAFETY SLOPE APRON

6:1 SLOPE

For reinforcing steel used in construction of "Beveled Pipe and Guard", use deformed bars meeting the requirements of Article 4161.03 of the Standard Specifications and hot-dip galvanized according to ASTM A123.

Use Class 'C' Concrete in the construction of Beveled Pipe and Guard.

Cut the pipe to fit the foreslope. Cut slots into the pipe for placement of the No. 8 bars. After the foreslope has been placed, fit the No. 8 bars into the slots cut in the pipe so they will be in proper position when the concrete collar is poured.

Price bid for "Beveled Pipe and Guard," each, is full compensation for furnishing all materials and constructing the Beveled Pipe and Guard.

Special Note:

A self fence ditch check is required immediately upstream from the inlet. Refer to **EG-201** for construction details.

Possible Contract Item:
Beveled Pipe and Guard

Possible Tabulations:
104-3
112-8



IOWADOT

REVISION
New 04-21-15

DR-212

SHEET 1 of 1

STANDARD ROAD PLAN

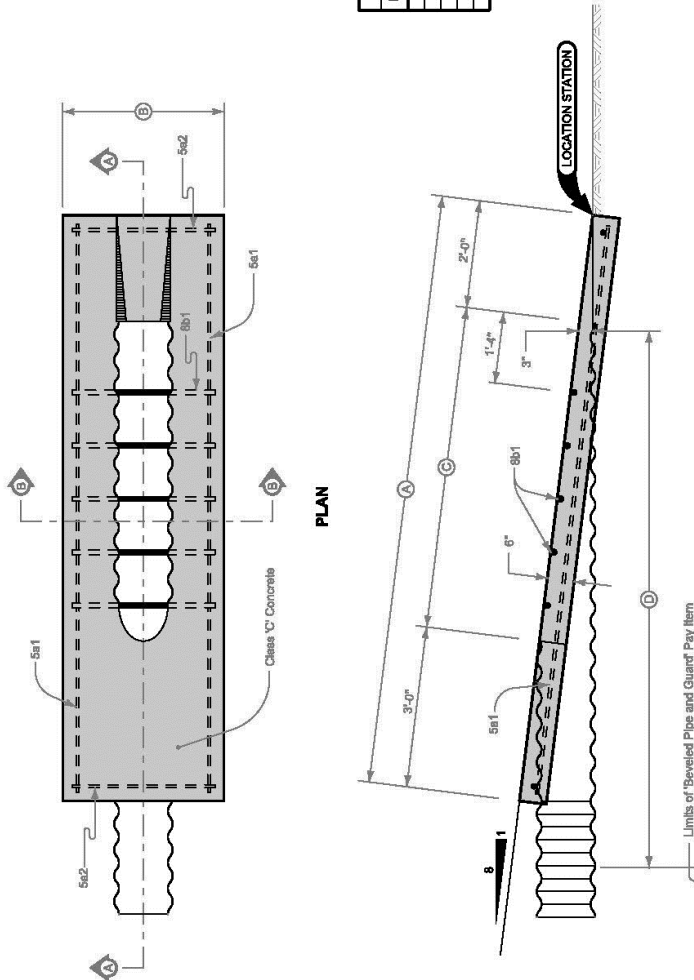
REVISIONS: New, Replace RE-27.

APPROVED BY DESIGN ENGINEER

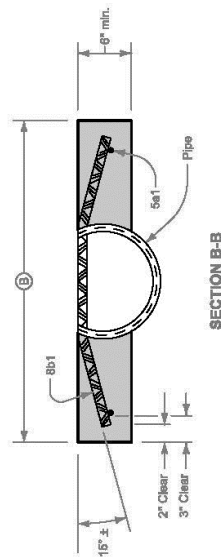
Brian Smith

BEVELED PIPE AND GUARD

PIPE SIZE	(A)	(B)	(C)	(D)
12"	11'-0"	3'-0"	8'-0"	10'-0"
18"	13'-2"	3'-2"	8'-2"	12'-0"
18"	13'-4"	3'-4"	10'-4"	14'-0"
24"	17'-6"	3'-6"	12'-6"	18'-0"
24"	19'-6"	4'-0"	14'-6"	18'-0"



REINFORCING BAR LIST					TOTAL	
PIPE SIZE	BAR	LOCATION	SHAPE	COUNT	LENGTH	WEIGHT
12"	5a1	Base	—	2	10'-0"	22.3
	5a2	Base	—	2	2'-0"	5.8
	8b1	Base	—	5	2'-0"	37.9
	5a1	Base	—	2	12'-10"	28.8
18"	5a2	Base	—	2	2'-11"	6.2
	8b1	Base	—	7	3'-1"	21.6
	5a1	Base	—	2	15'-0"	30.0
	5a2	Base	—	2	3'-2"	6.4
21"	8b1	Base	—	9	3'-4"	30.0
	5a1	Base	—	2	17'-2"	34.4
	5a2	Base	—	2	3'-5"	6.9
	8b1	Base	—	11	3'-7"	39.5
24"	5a1	Base	—	2	19'-4"	38.7
	5a2	Base	—	2	3'-6"	7.4
	8b1	Base	—	13	3'-10"	48.9
	5a1	Base	—	2	18'-3"	40.4
						181.3
						133.2



SECTION 4040 - SUBDRAINS AND FOOTING DRAIN COLLECTORS

PART 1 - GENERAL

1.03 through 1.06: (DELETE): ~~Comply with Division 1 - General Provisions and Covenants~~ (ADD) "Comply with Part I - Bidding and Contract Documents and Part II - Technical Specifications"

PART 2 – PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

3.01 SUBDRAINS

- A. Install Type 1 or Type 2 subdrain where specified in the contract documents. Comply with Figure 4040.231 (ADD), DR-301, and DR-303.
- C. Provide outlets where specified in the contract documents.
 - 3. (ADD) Comply with 4040.233 and DR-306 for outlets to grade.

3.04 (ADD) IOWA DOT STANDARD ROAD PLANS

A. Add the following details:

- 1. DR-301 Subdrains for Fill or Foundation Drainage (Standard)
- 2. DR-303 Subdrains (Longitudinal)
- 3. DR-306 Precast Concrete Headwall for Subdrain Outlets.

For specific information for individual locations, refer to the detail project plans, soils survey sheets, and tabulations of subdrains.

Dispose of material excavated from trenches for subdrain as directed by the Engineer. No extra compensation will be made for such disposal.

Cap blind ends of subdrains with a metal cap or by other methods approved by the Engineer. Install all perforated pipe with the perforations centered on flowline of the bottom side of the subdrain.

Place Granular Material for Blankets as indicated on the plans.

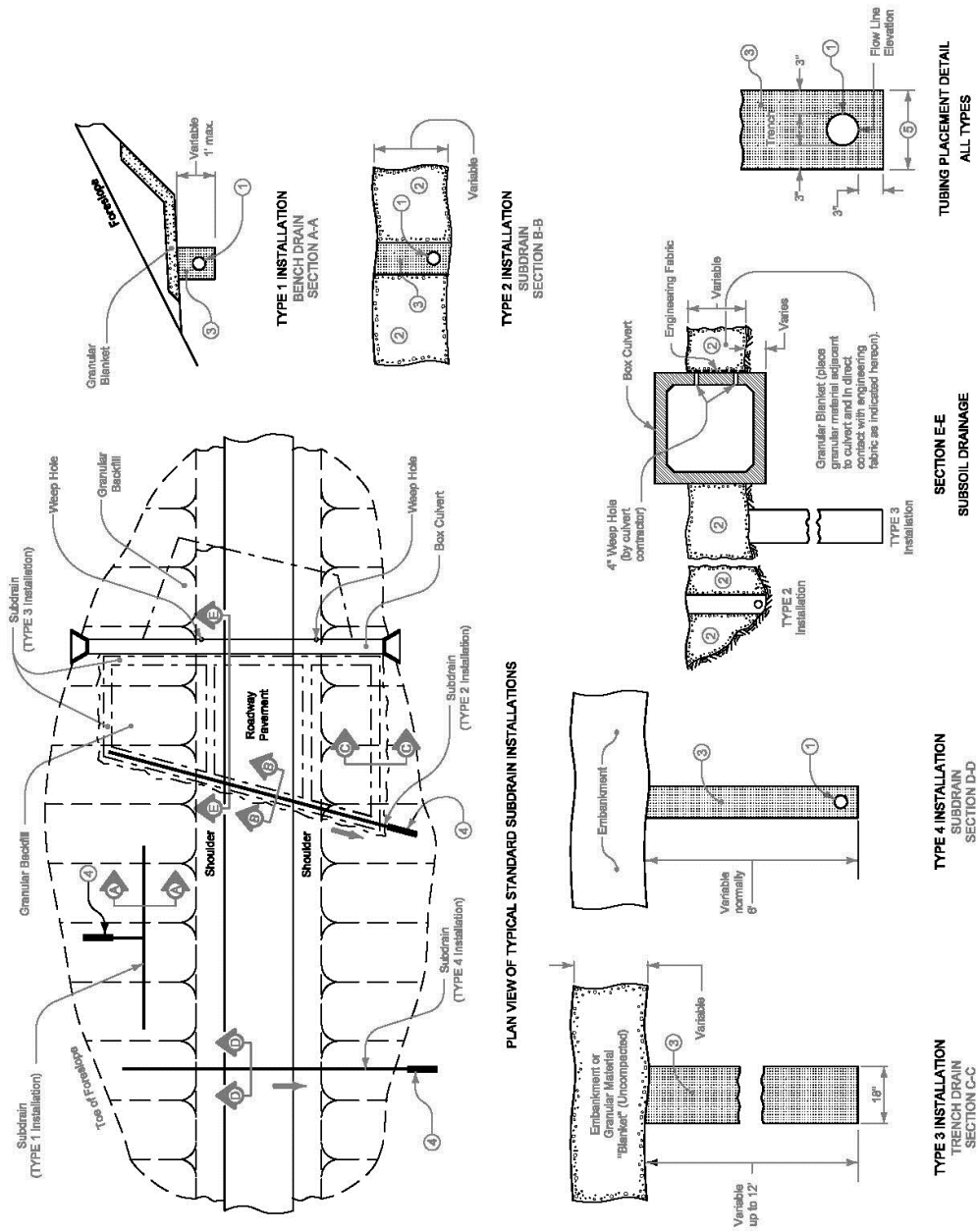
- ① Perforated Subdrain (Polyethylene Corrugated Tubing).
- ② Granular Material for Blanket (Uncompacted).
- ③ Porous Backfill (Uncompacted).
- ④ For Subdrain outlet construction details, see DR-305 and DR-306.
- ⑤ 10 inches for 4 inch subdrain, 12 inches for 6 inch subdrain.

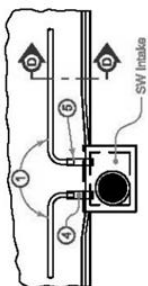
Possible Contract Items:

- Standard Subdrain
- Trench Drain
- Granular Material for Blanket and Subdrain
- Subdrain Outlet (DR-305)
- Subdrain Outlet (DR-306)

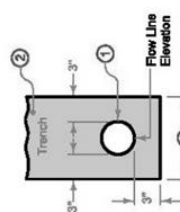
Possible Tabulation:
104-5C

IOWA DOT	REVISION	1	10-12-17
	STANDARD ROAD PLAN		
DR-301		SHEET 1 of 1	
REVISIONS: Reference to the DR-304, have been changed to the DR-305.			
APPROVED BY DESIGN METHOD ENGINEER <i>Brian Smith</i>			
SUBDRAINS			
FOR FILL OR FOUNDATION DRAINAGE			
(STANDARD)			

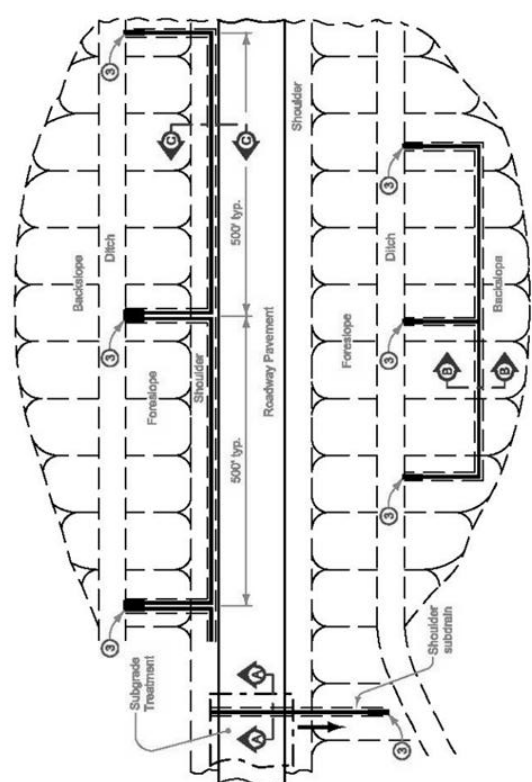




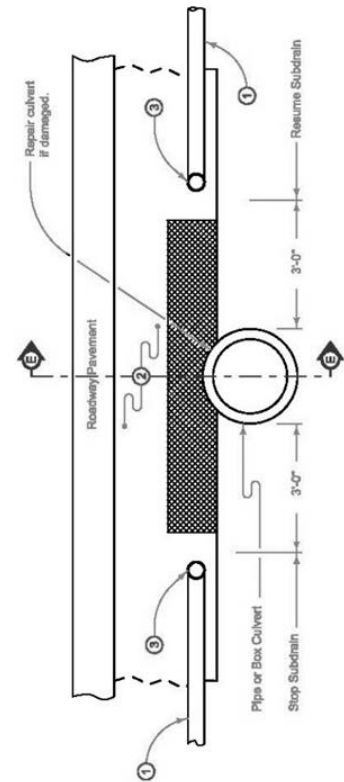
INTAKE OUTLET



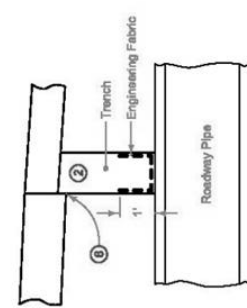
TUBING PLACEMENT
ALL TYPES



PLAN



TRENCH REPAIR AT PIPE CULVERT
⑦



SECTION E-E

When culverts which are less than 1 foot below the trench bottom are encountered within a tabulated subdrain, stop the trench 3 feet from the culvert and resume 3 feet beyond the culvert.

On new construction projects, place the subdrain after the special backfill. If required, and prior to granular or paved shoulder material.

Except for backslope installations, if the Contractor's operations result in a trench, place and compact granular shoulder material in the trench to be level with the adjacent surface prior to opening lanes to traffic.

- ① Perforated Subdrain (Corrugated Polyethylene Tubing).
- ② Porous Backfill for Subdrain (compacted).
- ③ Subdrain outlets. See DR-306.

- ④ 2 foot section of corrugated metal pipe of diameter 2" larger than subdrain or 2 foot section of double-walled PE or PVC pipe of the same diameter as subdrain. Pipe will be paid for as "Subdrain Outlet (DR-303)".

- ⑤ Connect PE or PVC outlet with an appropriate coupler. Connect CMP outlet one of two ways: (1) Inside-fit reducer coupler (1 foot minimum fit inside CMP); or (2) Insert 1 foot of the 4 inch subdrain into 6 inch CMP and fully seal entire opening with grout.

- ⑥ Place porous backfill in direct contact with a minimum of 2 inches of pavement and continuous to shoulder material as per note 10 or 11.

- ⑦ If the trench is inadvertently carried over the culvert, repair the trench as detailed on this sheet. If obstruction is 1 foot or more below trench bottom, carry subdrain line over in continuous alignment. No payment will be made for trench repair.

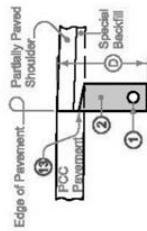
- ⑧ 10 inches for 4 inch subdrain, 12 inches for 6 inch subdrain.

Possible Contract Items:
Subdrain, Longitudinal, (Backslope)
Subdrain, Longitudinal, (Shoulder)
Subdrain Outlet (DR-303)
Subdrain Outlet (DR-306)

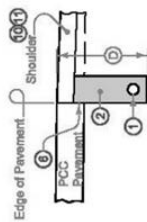
Possible Tabulation:
104-9

	REVISION	3	10-17-17
	DR-303		
STANDARD ROAD PLAN		SHEET 1 of 2	
REVISIONS: Reference to the DR-303 have been changed to the DR-306.			
APPROVED BY DESIGN:			
SUBDRAINS (LONGITUDINAL)			

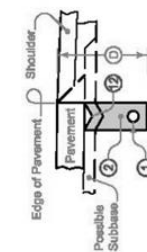
- ① Perforated Subdrain (Corrugated Polyethylene Tubing).
- ② Porous Backfill for Subdrain (compacted).
- ③ Place porous backfill in direct contact with a minimum of 2 inches of pavement and continuous to shoulder material as per notes 11 or 12.
- ④ Install subdrain as cut proceeds.
- ⑤ On existing Granular or Earth Shoulders, replace with 4 inch minimum depth granular shoulder material.
- ⑥ On Paved Shoulders, refer to Section 2502 of the Standard Specifications for finishing shoulder.
- ⑦ Cut "V" notch just prior to subbase (if proposed) or pavement placement to assure unconfined contact.
- ⑧ Place top of subdrain trench at the bottom of pavement. Backfill trench so that a wedge of porous backfill has a minimum vertical contact of 2 inches with the pavement.



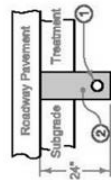
TYPE 7B INSTALLATION
SECTION C-C



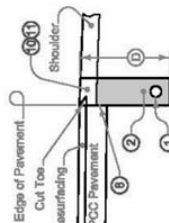
TYPE 7A INSTALLATION
SECTION C-C



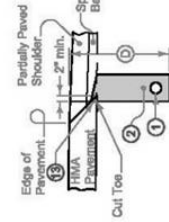
TYPE 9 INSTALLATION
SECTION C-C
For Drain Placement Prior to
Subbase or Pavement Placement



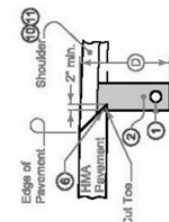
TYPE 5 INSTALLATION
SECTION A-A
Subgrade Treatment Subdrain



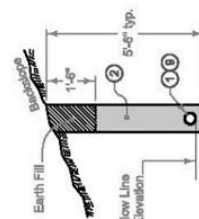
TYPE 9 INSTALLATION
SECTION C-C
Composite Pavement
with Existing Shoulder



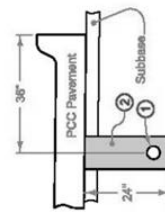
TYPE 8B INSTALLATION
SECTION C-C



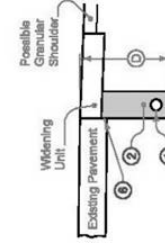
TYPE 8A INSTALLATION
SECTION C-C



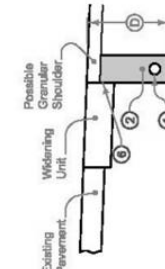
TYPE 11 INSTALLATION
SECTION B-B
Backslope



TYPE 12 INSTALLATION
SECTION D-D

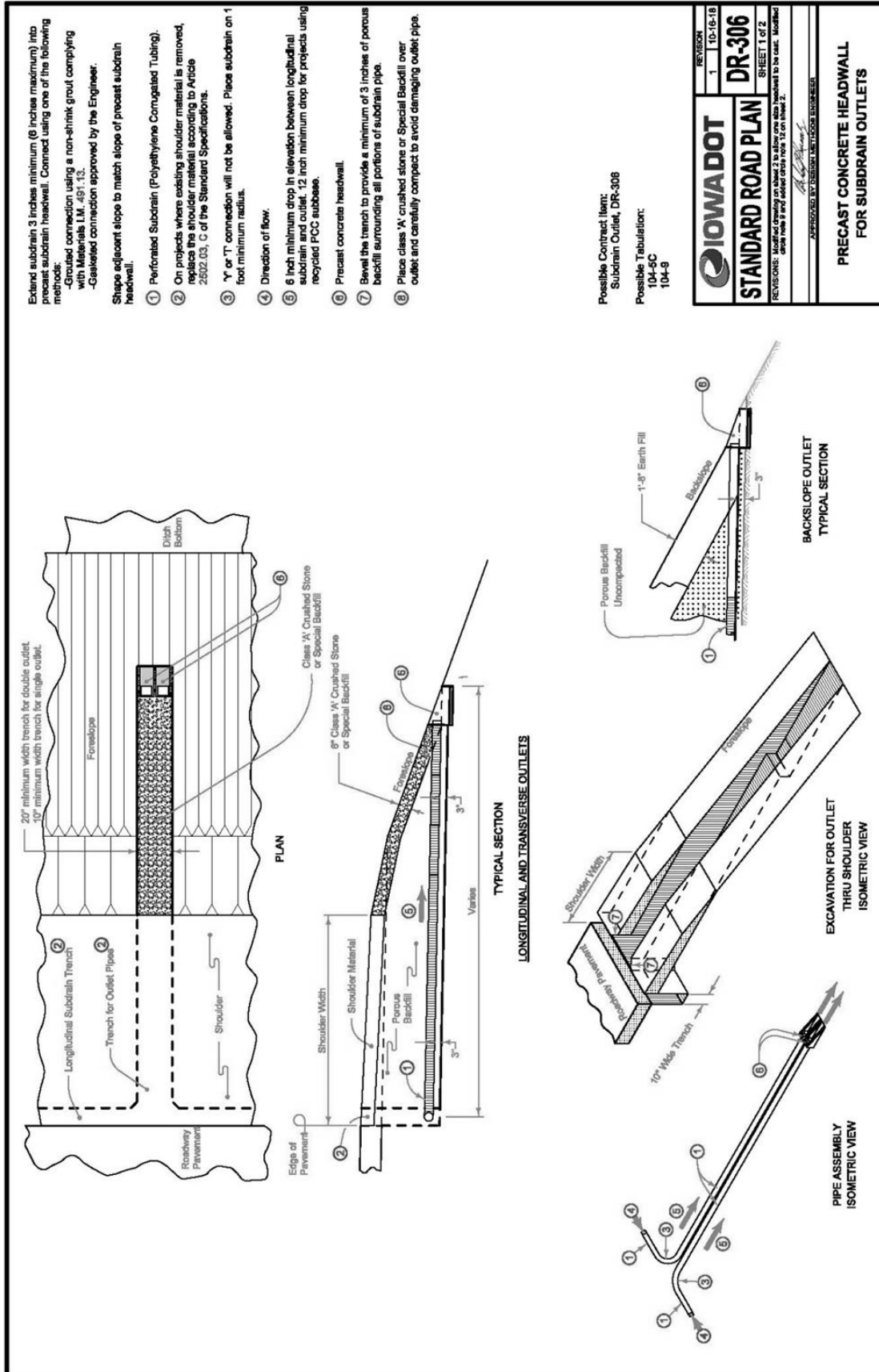


TYPE 13 INSTALLATION
SECTION C-C
For New Widening Unit if
Thinner than Existing Pavement

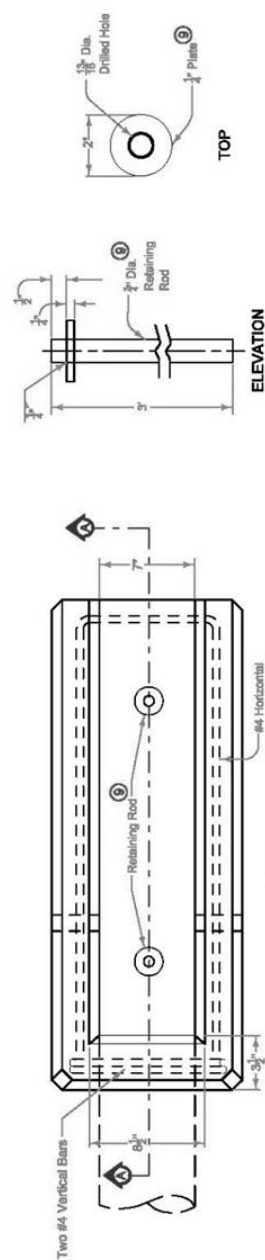


TYPE 14 INSTALLATION
SECTION C-C
For New Widening Unit if
Thicker than Existing Pavement

IOWA DOT	REVISION	3	10-12-17
	STANDARD ROAD PLAN	DR-303	SHEET 2 of 2
REVISIONS: Reference to the DR-301 have been changed to the DR-303.			
APPROVED BY DESIGN DIVISION SUPERVISOR			
<i>Barbara Smith</i>			
SUBDRAINS (LONGITUDINAL)			



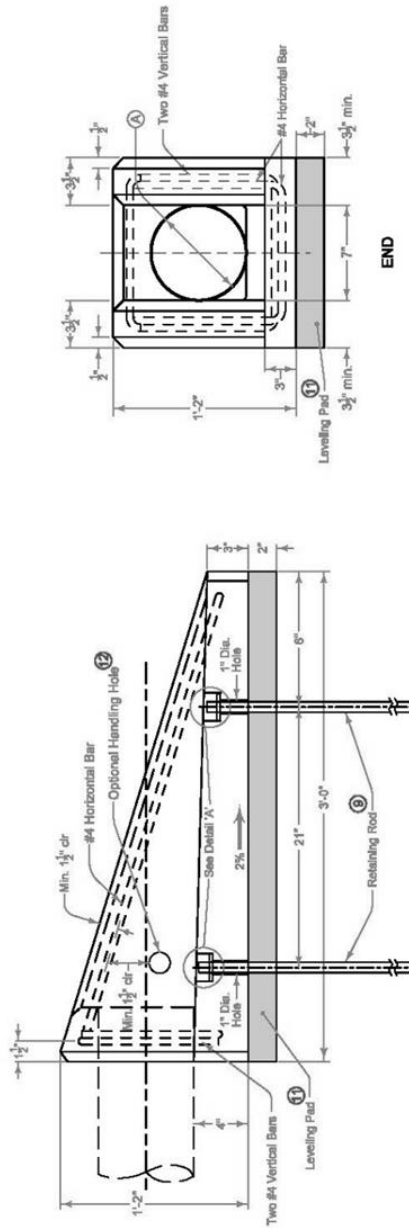
Comply with Section 2418 of the Standard Specifications.



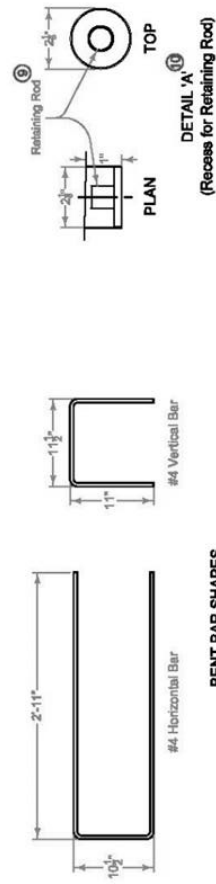
RETAINING ROD

- ⑨ ASTM A36 Steel galvanized according to ASTM A123 or ASTM F2329 after shop welding is complete.
- ⑩ After installing retaining rod, fill recess with bituminous material complying with ASTM C990 to prevent moisture infiltration.
- ⑪ Granular material complying with Section 4133 of the Standard Specifications.
- ⑫ Maximum diameter 2 inches. Fill hole with soil tight plug after placing headwall and before placing backfill.

DIMENSION	4" DIA PIPE	6" DIA PIPE	7"
①	5"	5"	7"



SECTION A-A



IOWA DOT

STANDARD ROAD PLAN

REVISIONS: Modified existing on sheet 2 to allow one also headwall to be cast. Modified sheet 2 to add additional details. See sheet 2.

APPROVED BY: *[Signature]* ENGINEER

REVISION

1 10-16-18

DR-306

SHEET 2 OF 2

PRECAST CONCRETE HEADWALL FOR SUBDRAIN OUTLETS

SECTION 4050 - PIPE REHABILITATION

PART 1 - GENERAL

NO REVISIONS

PART 2 – PRODUCTS

NO REVISIONS

PART 3 – EXECUTION

NO REVISIONS

SECTION 4060 - CLEANING, INSPECTION, AND TESTING OF SEWERS

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

2.02 (ADD) FORCE MAIN CLEANING PIG

- A. The force main cleaning pigs shall be light-density crisscross pigs constructed of a minimum of two (2) pounds per cubic foot density foam and coated with polyurethane elastomer in crisscross pattern.
- B. The force main cleaning pigs shall have an open nose design for maximum jetting action and pressure equalization. The pigs shall have the ability to scratch, scrape, plow and jet to assist in cleaning and flushing debris from the force main. The pig units shall be sized to the pipe in accordance with the manufacturer's recommendations and shall have a length two times the diameter. The nose shall be parabolic shaped in order that it may better enter restrictions. The pigs shall have the ability to negotiate mitered and short radius bends, short radius elbows, tees, crosses, and multi-dimensional pipe sizes and valves.
- C. All pipeline pig ingredients shall be certified by the manufacturer as having been successfully used in similar applications and comply with these specifications.

PART 3 – EXECUTION

3.03 VIDEO INSPECTION

A. (DELETE) General:

- ~~1. Unless otherwise specified in the contract documents conduct video inspection of all new and rehabilitated sanitary and storm sewers after all backfill and compaction operations are completed, but prior to paving.~~
- ~~2. Notify the Engineer the day prior to inspection so the Engineer may be~~

~~present during the inspection.~~

~~3. Notify the Engineer of the extent of noncompliance with the low spot depth tolerances in Section 4010 for sanitary sewers and Section 4020 for storm sewers.~~

~~4. Re-inspect sewers after any corrective action has been completed.~~

B. (DELETE) Inspection Procedure:

~~1. Prior to video inspection, run sufficient water through the pipe to saturate potential low spots so they may be detected during inspection.~~

~~2. Inspect each pipe segment between manholes or access points in a single, continuous run. Progress through the entire project in a uniform direction.~~

~~3. Inspect all lateral connections and other observations at right angles utilizing the pan and tilt capabilities of the camera.~~

~~4. Center the video camera in the pipe during the inspection.~~

~~5. Do not exceed 30 feet of inspection per minute.~~

C. (DELETE) Inspection Reporting:

~~1. Provide a copy of the video inspection including on-screen continuous footage, pipe diameter, direction of viewing, and manhole and street location references in the recording. Affix labels to the recording media to include the name of the project, the date, and the location of the inspection.~~

~~2. Provide a written report of the inspection. In the report, include true-to-scale drawings of all sewer defects and observation locations. Reference the time stamp on each line item entry on the written report.~~

A. (ADD) Prior to acceptance by the City, a television inspection on Sanitary Sewers shall be completed by the contractor. Said TV inspection shall be performed 30 days after backfilling. The TV inspection shall be with a pan & tilt color camera and a footage meter that accurately displays the camera's location on tape.

B. (ADD) The developer/contractor will be required to ensure that an informational meeting is set up between the entity performing the television inspection on the new construction and the City Engineer and/or Sewer Superintendent. The meeting is used to educate the entity's television operator on the proper inspection techniques while televising for the City of Marshalltown. Proper techniques are, but not limited to the following:

1. Identify each structure by proper structure number

2. Separate reports for each line segment televised

3. Pipe preparation before televising, to include cleaning or putting water down the line to show sags

4. Video tape procedures, including procedures for viewing laterals or connections

5. Timeliness in returning videos and paper reports

- C. (ADD) All television inspections shall be provided in digital format (.MPEG, .MPG, or .WMV), PDF written report and in Wincan digital CD format. If not provided in Wincan digital format, the contractor shall pay \$20 per line segment for the information to be data entered into the City system.
- D. (ADD) After review of the videos and written reports, the City of Marshalltown will contact the developer or contractor of a positive review or identify areas that need to be repaired prior to final acceptance. Any repairs will need to be re-televised.

3.07 (ADD) FORCE MAIN CLEANING

- A. All lines shall be thoroughly cleaned before acceptance until all traces of construction materials, soil or other foreign matter have been removed.
- B. The Contractor shall take all necessary measures to protect adjacent facilities and property. Damages caused by water or water carried material shall be the responsibility of the Contractor.
- C. All cleaning shall be completed prior to the initiation of the testing process described in Part 3.06.
- D. Force main cleaning shall be accomplished using a hydraulically propelled polyurethane pig, conforming to the requirements of Part 2 above, to remove all construction debris from the force main.

SUPPLEMENTAL DIVISION 5 – WATER MAINS AND APPURTENANCES

(SEE MARSHALLTOWN WATER WORKS RULES AND REGULATIONS)

SUPPLEMENTAL DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWER

SECTION 6010 - STRUCTURES FOR SANITARY AND STORM SEWERS

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

D. Casting Extension Rings:

1. Measurement: (DELETE) ~~Each casting extension ring will be counted (ADD) None.~~
2. Payment: (DELETE) ~~Payment will be at the unit price for each casting extension ring (ADD) Incidental to manhole.~~

1.09 (ADD) ACCEPTANCE CHECKLIST & WARRANTY BOND

Prior to final acceptance of the work, the contractor shall file with the City Clerk of the City of Marshalltown a maintenance bond guaranteeing suitable repairs of any defects or failures due to deficiencies in materials or inadequacies in workmanship for a period of 4 years for all improvements following completion of construction. The bond shall be for a sum equal to the total amount of the project. The contractor shall also file with the City Engineer all other required acceptance checklist items including testing/inspection forms, lateral construction forms, as-built drawings, construction costs and engineering certificate of completion forms. The acceptance checklist and warranty bond form are provided at end of section.

PART 2 - PRODUCTS

2.02 PRECAST

- B. (ADD) Pre-cast manholes or parts of pre-cast manholes are preferred in lieu of building on the site.

2.03 CAST-IN-PLACE

- C. (ADD) Manholes will be constructed with no lift holes in the manhole sections.
- D. (ADD) Manholes shall be provided with gasketed joints conforming to ASTM C-443 for rubber "O" ring joints or be sealed with a double layer of a cold-applied mastic joint sealing compound recommended by the manufacturer for the intended use and approved by the Engineer. Comply with ASTM C 990.

2.09 MANHOLE OR INTAKE ADJUSTMENT RINGS (Grade Rings)

- A. Use one of the following materials for grade adjustments of manhole or intake frame and cover assemblies:
1. Reinforced Concrete Adjustment Rings: Comply with ASTM C 478. Provide rings free from cracks, voids, and other defects. (ADD) Concrete adjustment rings will be sealed with a butyl mastic seal between each ring installed and

between rings and casting.

2. High Density Polyethylene Adjustment Rings: Comply with ASTM D 1248 for recycled plastic.
 - d. Install adjustment rings on clean, flat surfaces according to the manufacturer's recommendations with the proper butyl rubber sealant/adhesive (ADD) between each ring and manhole structure/casting.
3. Expanded Polypropylene Adjustment Rings: Comply with ASTM D 4819 for expanded polypropylene when tested according to ASTM D 2375.
 - d. (ADD) EPP adjustment rings shall be sealed with a moisture curing, polyether adhesive/sealant approved by the manufacturer between each ring and manhole structure/casting.

2.10 CASTINGS (Ring, Cover, Grate, and Extensions)

D. Casting Types:

4. (ADD) Manhole castings shall be provided with a minimum 24-inches clear opening.
5. (ADD) Standard sanitary manhole castings shall meet the requirements of MP-7.2, Type A. Manhole covers shall be provided with a rubber gasket to provide a self-sealing water tight lid when installed. Lids will be furnished with concealed pick holes. Floating castings shall be Type B and may be used with paving projects. Pre-Approved Type A castings are Neenah Foundry Company R-1642, R-1796-E, and R-1900-C; Deeter Foundry Inc. 1247; and East Jordan Iron Works 1040. Pre-Approved Type B castings are Neenah Foundry Company R-1673-B; Deeter Foundry Inc. 1185; and East Jordan Iron Works 1795 and Selflevel 1205 and 3025.
6. (ADD) Castings for manholes in waterways and flood plain locations shall meet the requirements of MP-7.2, Type C. Pre-Approved Type C castings are Neenah Foundry Company R-1916-F, Deeter Foundry Inc. 1247-B, and East Jordan Iron Works 1040 bolted.

2.11 ADDITIONAL MATERIALS FOR SANITARY SEWER MANHOLES

A. Infiltration Barrier:

5. (ADD) Manhole castings with EPP and HDPE adjustment rings properly assembled and sealed will not be required to have a separate casting seal. Manhole castings with concrete adjustment rings will require a separate casting seal.

2.13 STEPS

- A. ~~(DELETE) Provide steps in all circular, precast manholes unless otherwise specified in the contract documents~~ (ADD) Manhole steps will not be installed unless specifically called for on the detailed drawings. When called out on the plans, steps shall conform to the requirements shown thereon and as supplemented herein.

PART 3 - EXECUTION

3.01 GENERAL REQUIREMENTS FOR INSTALLATION OF MANHOLES AND INTAKES

F. Joint Sealant:

1. Sanitary Sewer Manholes:
 - a. Install rubber O-ring or profile gasket (precast structures) (ADD) or a double layer of a cold-applied mastic joint sealing compound.

3.08 (ADD) MARSHALLTOWN STANDARD DETAILS

A. Added the following details:

1. MP-5 Typical Sanitary Sewer Manhole Detail
2. MP-6 Typical Sanitary Sewer Drop Manhole Detail
3. MP-7.2 Typical Sanitary Sewer Manhole Casting Seal Detail

3.09 (ADD) DELETED SUDAS FIGURES

A. 6010.306 Chimney Seals for Sanitary Sewer Manholes

B. 6010.307 Drop Connection for Sanitary Sewer Manholes

C. 6010.513 Open-sided Area Intake (Note: May be used with preapproval of Engineer if capacity cannot be matched by another inlet)

MARSHALLTOWN SPECIAL PROVISIONS
FINAL ACCEPTANCE CHECKLIST

- A. Manhole Vacuum testing – for Sanitary Sewers
- B. Warranty Bond – Storm Sewers (See Specifications Part I)
- C. TV Inspection – For Storm Sewer Pipe.
- D. As-Built Drawings – For Storm Sewers
- E. Engineering Certificate of Completion in accordance with the Plans and Specifications – Storm Sewers
- F. Contractors Cost of Construction Report - This is to meet the financial reporting requirements of the city (GASB 34)

LOW PRESSURE/VACUUM TESTING OF SANITARY MANHOLES

PROJECT NAME: _____

LOCATION: _____

CONTRACTOR: _____

LIST MANHOLE TESTED: DATE _____

Manhole No.: _____ Station: _____
 Barrel Size: _____ or Dia.: _____
 Depth: _____ (Rim to F/L)
 Poured in Place ____ or Precast ____
 No. of adjusting rings: _____
 Manufacturer of Test Device: _____
 Manufacturer's test procedure recommendations

TEST INFORMATION:

Low Pressure Method:

Initial Pressure: _____ psi
 Starting Test Pressure: _____ psi
 Ending Test Pressure: _____ psi
 Test Duration: _____ Sec(s)

CONCLUSION: Complies: Yes _____ No _____

Vacuum Method

Initial Vacuum: _____ Hg
 Starting Test Vacuum: _____ Hg
 Ending Test Vacuum: _____ Hg
 Test Duration: _____ Sec(s)

CONCLUSION: Complies: Yes _____ No _____

LIST MANHOLE TESTED: DATE _____

Manhole No.: _____ Station: _____
 Barrel Size: _____ or Dia.: _____
 Depth: _____ (Rim to F/L)
 Poured in Place ____ or Precast ____
 No. of adjusting rings: _____
 Manufacturer of Test Device: _____
 Manufacturer's test procedure recommendations

TEST INFORMATION:

Low Pressure Method:

Initial Pressure: _____ psi
 Starting Test Pressure: _____ psi
 Ending Test Pressure: _____ psi
 Test Duration: _____ Sec(s)

CONCLUSION: Complies: Yes _____ No _____

Vacuum Method

Initial Vacuum: _____ Hg
 Starting Test Vacuum: _____ Hg
 Ending Test Vacuum: _____ Hg
 Test Duration: _____ Sec(s)

CONCLUSION: Complies: Yes _____ No _____

LIST MANHOLE TESTED: DATE _____

Manhole No.: _____ Station: _____
 Barrel Size: _____ or Dia.: _____
 Depth: _____ (Rim to F/L)
 Poured in Place ____ or Precast ____
 No. of adjusting rings: _____
 Manufacturer of Test Device: _____
 Manufacturer's test procedure recommendations

TEST INFORMATION:

Low Pressure Method:

Initial Pressure: _____ psi
 Starting Test Pressure: _____ psi
 Ending Test Pressure: _____ psi
 Test Duration: _____ Sec(s)

CONCLUSION: Complies: Yes _____ No _____

Vacuum Method

Initial Vacuum: _____ Hg
 Starting Test Vacuum: _____ Hg
 Ending Test Vacuum: _____ Hg
 Test Duration: _____ Sec(s)

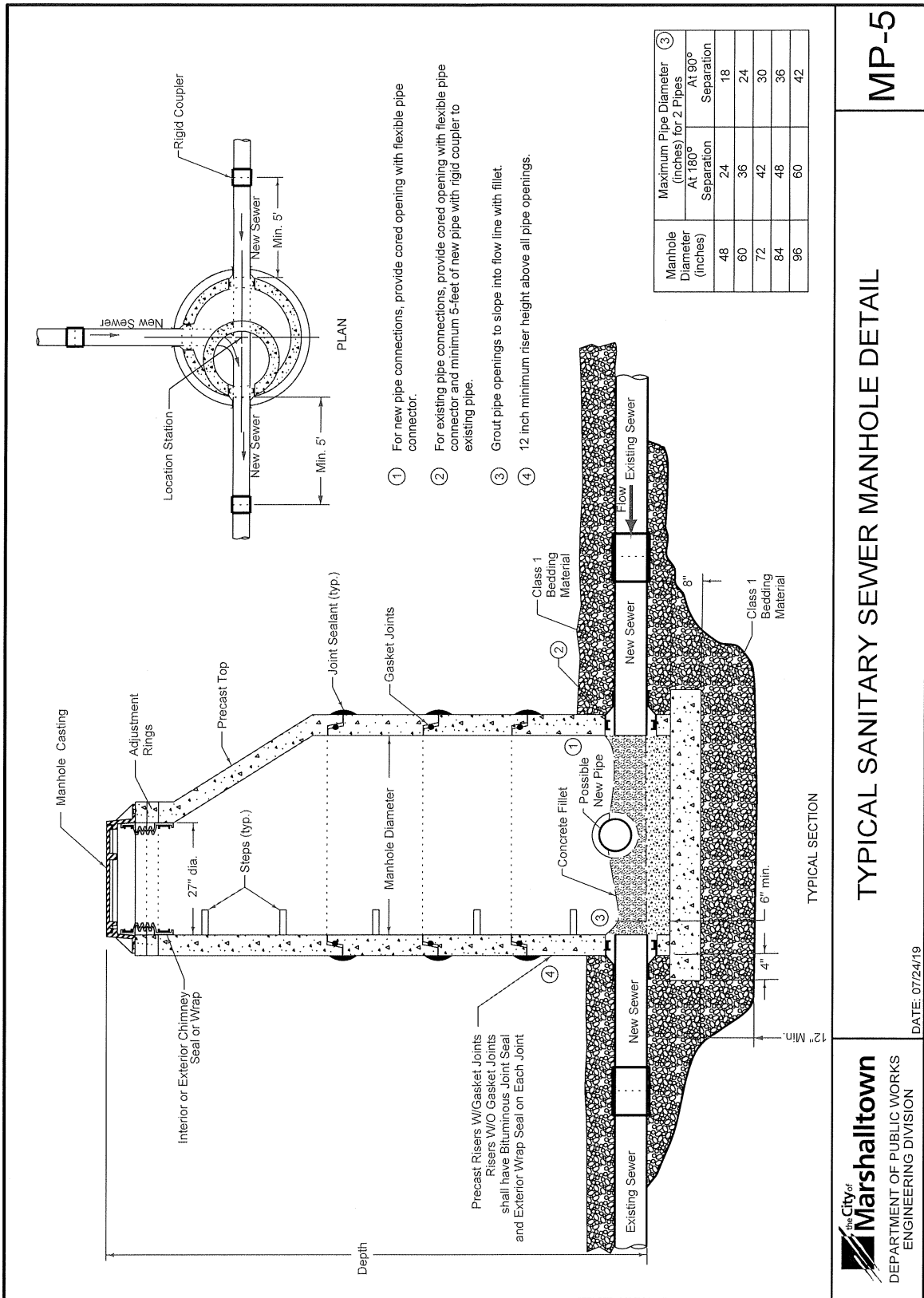
CONCLUSION: Complies: Yes _____ No _____

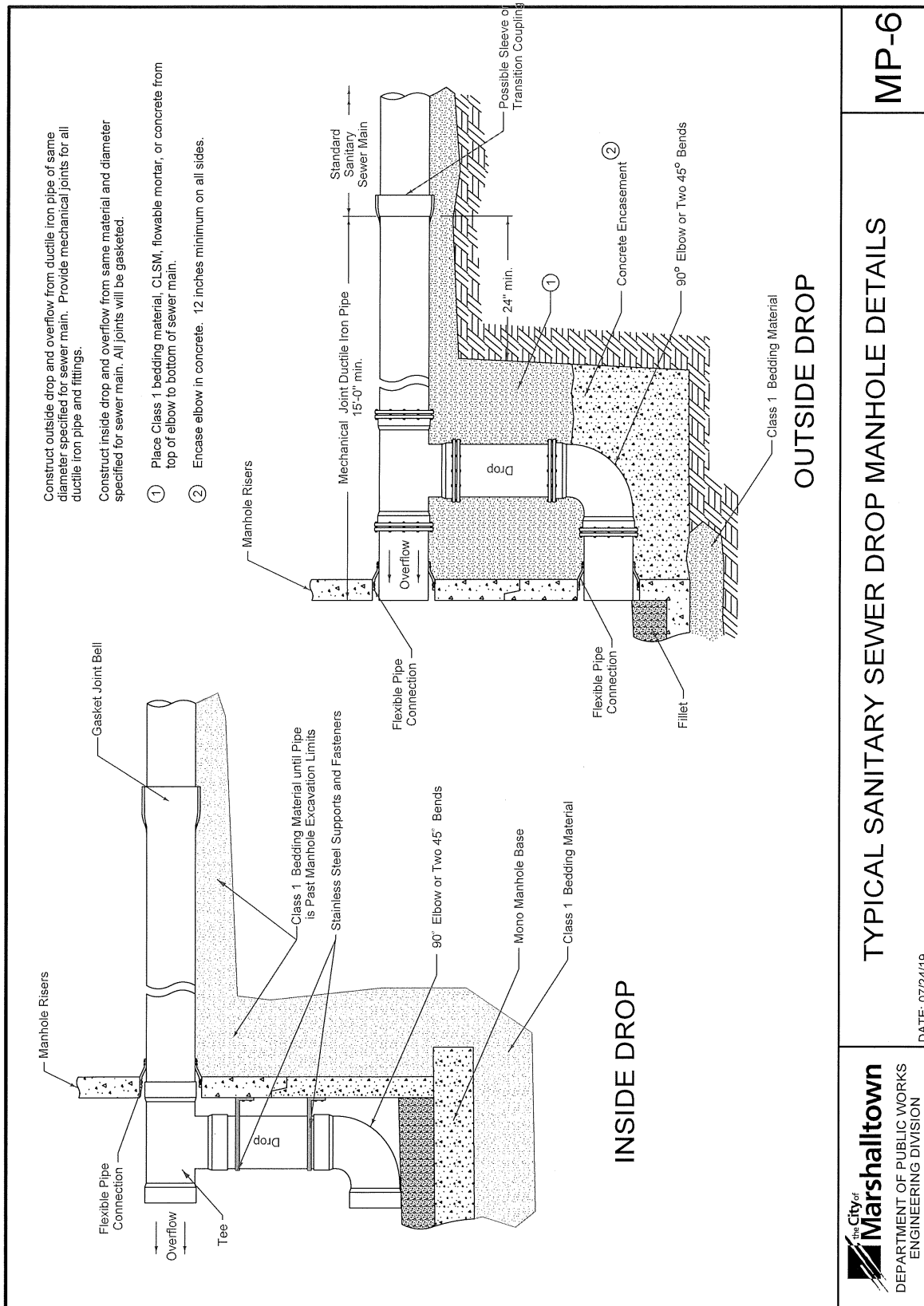
Testing procedures observed and
 Information recorded by:

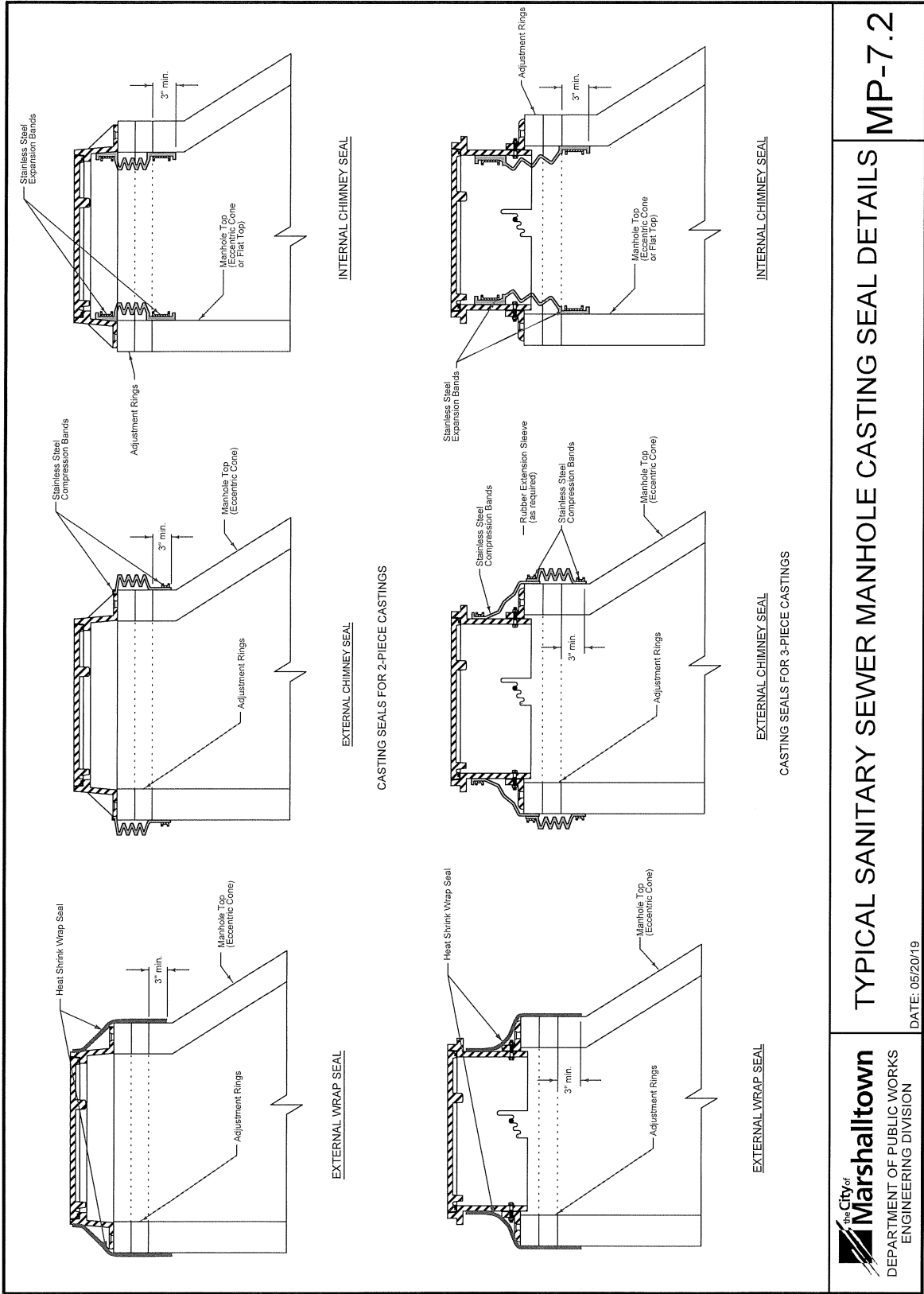
Results reviewed and affirmed by:

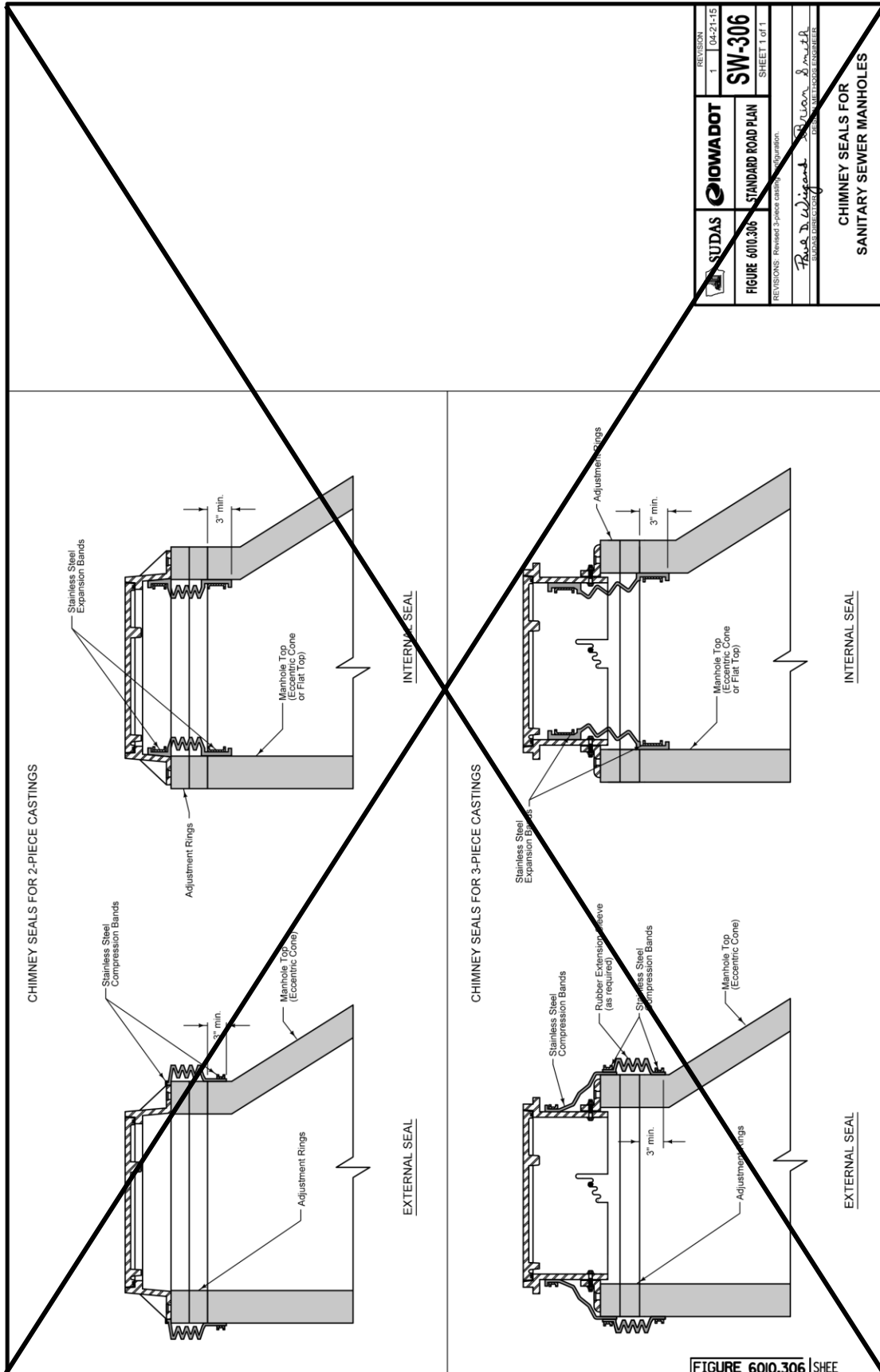
 Project Representative

 Project Engineer
 City of Marshalltown, Iowa

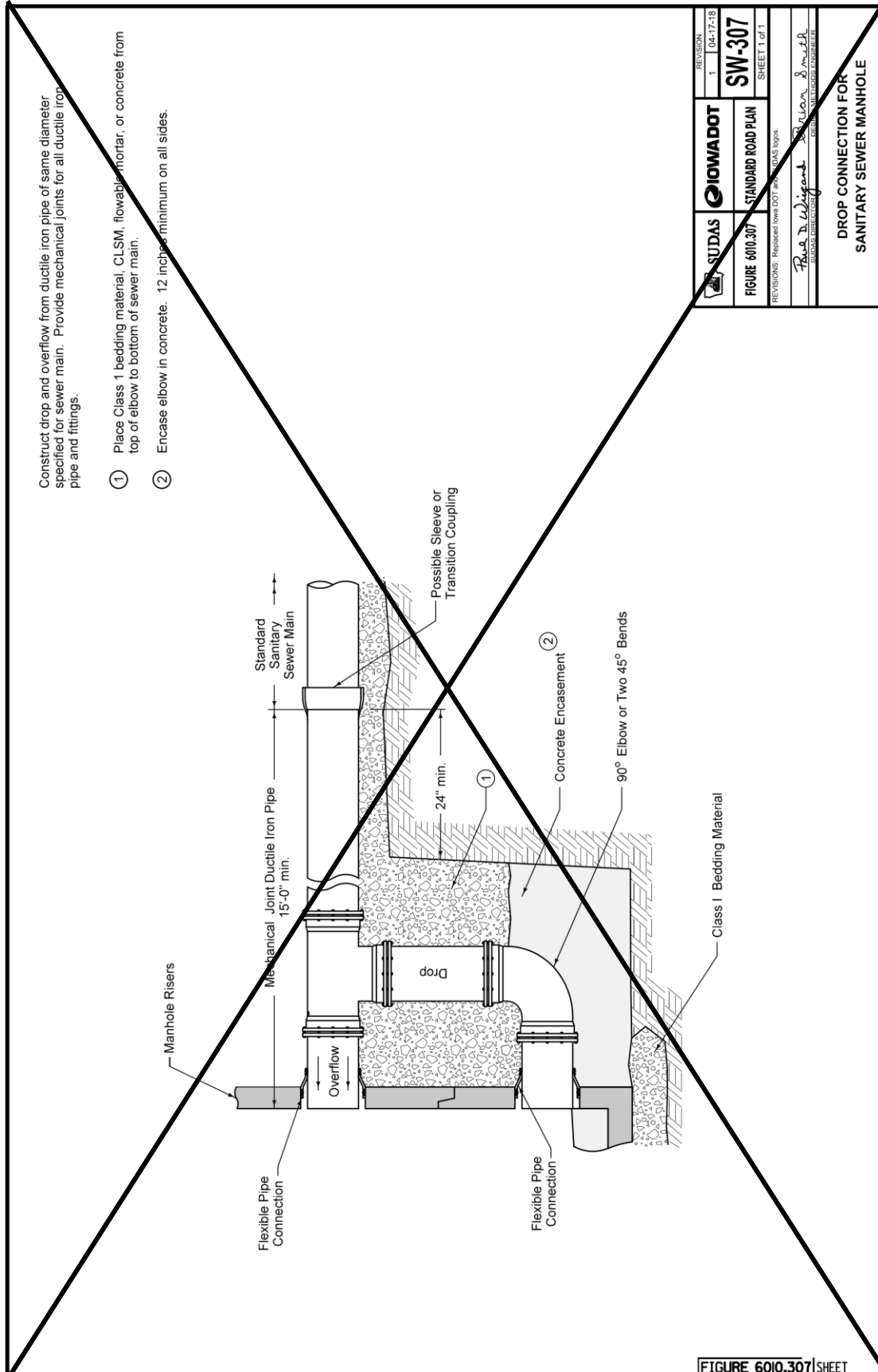


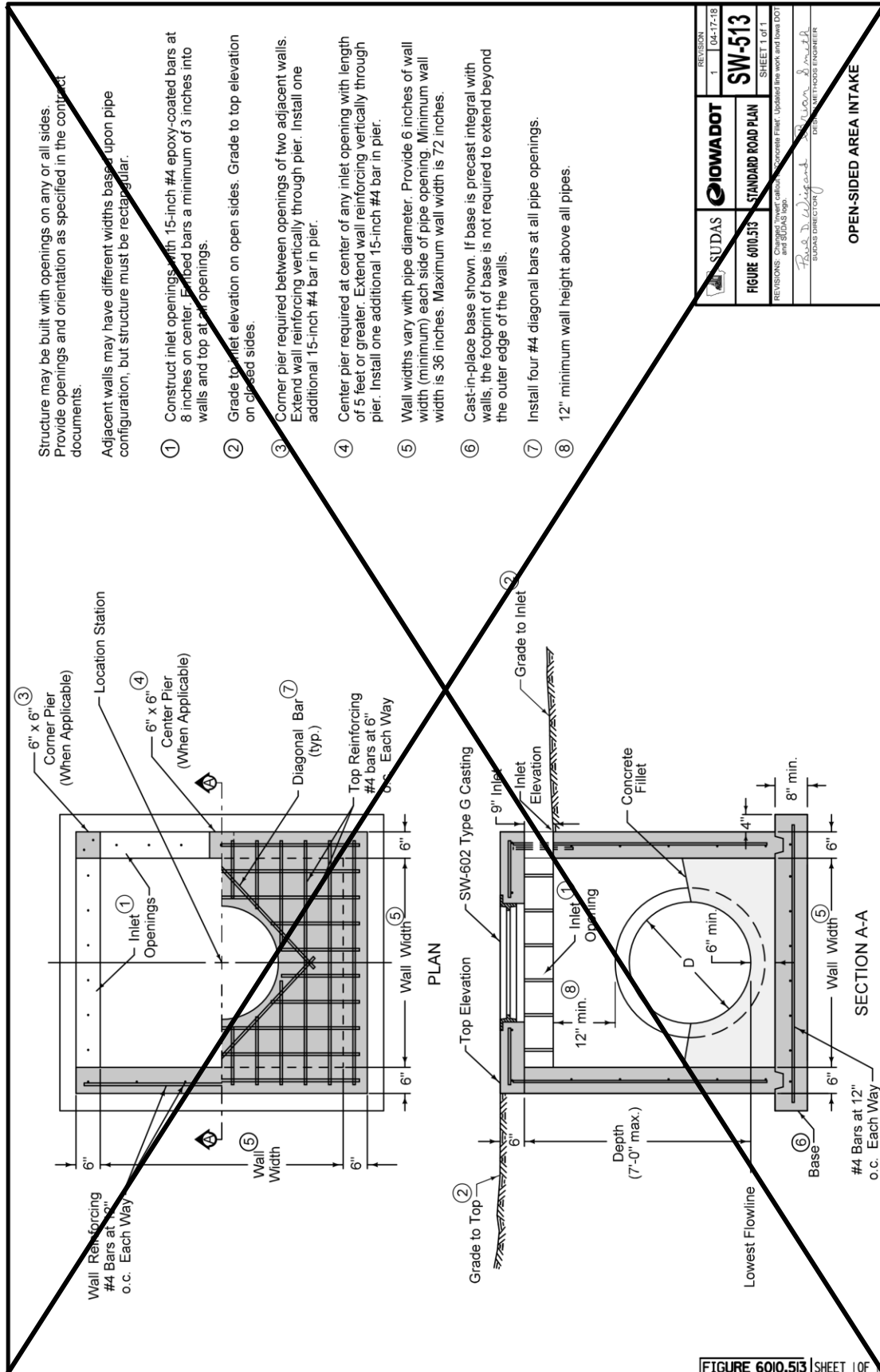






		REVISION	1	04-21-15
		FIGURE 6010.306	STANDARD ROAD PLAN	SW-306
REVISIONS: Revised 3-piece casting configuration.			SHEET 1 of 1	
 BRAD WIEGAND			BRAD WIEGAND PROJECT MANAGER	
CHIMNEY SEALS FOR SANITARY SEWER MANHOLES				





REVISION	1	04-12-18
SUDAS	IOWA DOT	
FIGURE 6010.513	STANDARD ROAD PLAN	
SW-513		
SHEET 1 of 1		
REVISIONS: Changed lower concrete fillet, updated line work and flow DOT and SUDAS logo.		
<i>Brad Wingard</i> SUDAS DIRECTOR DETROIT, MICHIGAN		
OPEN-SIDED AREA INTAKE		

SECTION 6020 - REHABILITATION OF EXISTING MANHOLES

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 6030 - CLEANING, INSPECTION, AND TESTING OF STRUCTURES

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 7 - STREETS AND RELATED WORK

SECTION 7010 -PORTLAND CEMENT CONCRETE PAVEMENT

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

2.01 (ADD) MATERIALS

P. Fiber Reinforcement – See Section 7011, 2.01. E.

PART 3 - EXECUTION

3.02 PAVEMENT CONSTRUCTION

C. Surface Fixture Adjustment:

1. Adjust manhole frames and other fixtures within area to be paved to conform to finished surface. Comply with Section 6010 (DELETE), 3.04 (ADD) and 6020 for manhole adjustments (DELETE) and Section 5020, 3.04 for water fixture adjustments.

E. (ADD) Bar and Reinforcement Placement:

5. If noted on the plans, fiber mesh reinforcing shall be used with all concrete sidewalk and pavement. See Section 7011 for dosage rates. The fiber shall be added directly to the truck at the time of mixing.

I. Finishing:

5. Surface Treatment:

- ~~b. (DELETE) Surface Tining:~~ When surface tining is specified, use a longitudinal tining. Under special circumstances, when specified in the contract documents, transverse tining may be required.

~~1) Longitudinal:~~

- ~~a) Complete longitudinal surface tining using a machine with a wire broom or comb. For small or irregular areas, or during equipment breakdown, hand methods may be used. Use a broom or comb with a single row of tines 1/8 inch (+/- 1/64 inch) in width and uniformly spaced at 3/4 inch intervals. The depth of the grooves must be a minimum of 1/8 inch to a maximum of 3/16 inch in the plastic concrete.~~
- ~~b) Use equipment with horizontal and vertical string line controls to ensure straight grooves.~~

- ~~c) Conduct this operation at such time and in such manner that the desired surface texture will be achieved while minimizing displacement of the larger aggregate particles and before the surface permanently sets.~~
- ~~d) At longitudinal joints, leave a 2 to 3 inch wide strip of pavement surface (centered along the joint) that is not grooved for the length of the joint.~~

2) Transverse:

- ~~a) If transverse surface tining is required or allowed, use a machine with a wire broom or comb. For small or irregular areas, or during equipment breakdown, hand methods may be used. Use a broom or comb with a single row of tines 1/8 inch (+/- 1/64 inch) in width and randomly spaced from 3/8 inch to 1 5/8 inch with no more than 50% of the spacing exceeding 1 inch. The depth of the grooves must be a minimum of 1/8 inch to a maximum of approximately 3/16 inch in the plastic concrete.~~
- ~~b) Conduct this operation at such time and in such manner that the desired surface texture will be achieved while minimizing displacement of the larger aggregate particles and before the surface permanently sets.~~
- ~~c) Where abutting pavement is to be placed, the tining should extend as close to the edge as possible without damaging the edge.~~
- ~~d) If abutting pavement is not to be placed, do not tine the 6 inch area nearest the edge or 1 foot from the face of the curb.~~

3.03 CURB AND GUTTER CONSTRUCTION (DELETE) (See Figure 7010.102 (ADD) MD-2 Curb and Gutter Details.)

- B. Use a paving machine for curb and gutter. For curb and gutter sections less than 250 feet, hand finish methods may be used (ADD) if approved by the City Engineer.

3.04 PAVEMENT PROTECTION

- A. Weather Conditions: Do not place concrete when stormy or inclement weather or temperature prevents good workmanship. Temperature restrictions and protection requirements may be modified by the Engineer under unusual conditions.

1. Cold Weather:

- 2) Stop mixing and placing when the air temperature is 38°F or less and falling or if the temperature stops rising and does not reach 38°F.
 - a) (ADD) When air temperature falls below 38°F, paving may continue if Contractor follows the requirements set forth in ACI 306 for cold weather concrete.

- b) (ADD) ACI 306 will require specific temperatures of the concrete mixture for placement and curing. If these minimum temperatures cannot be maintained, concrete placement will not be allowed to continue.
- c) (ADD) For reference, the temperature requirements are provided in the following table from ACI 306R-10:

(ADD) Table 5.1—Recommended Concrete Temperatures

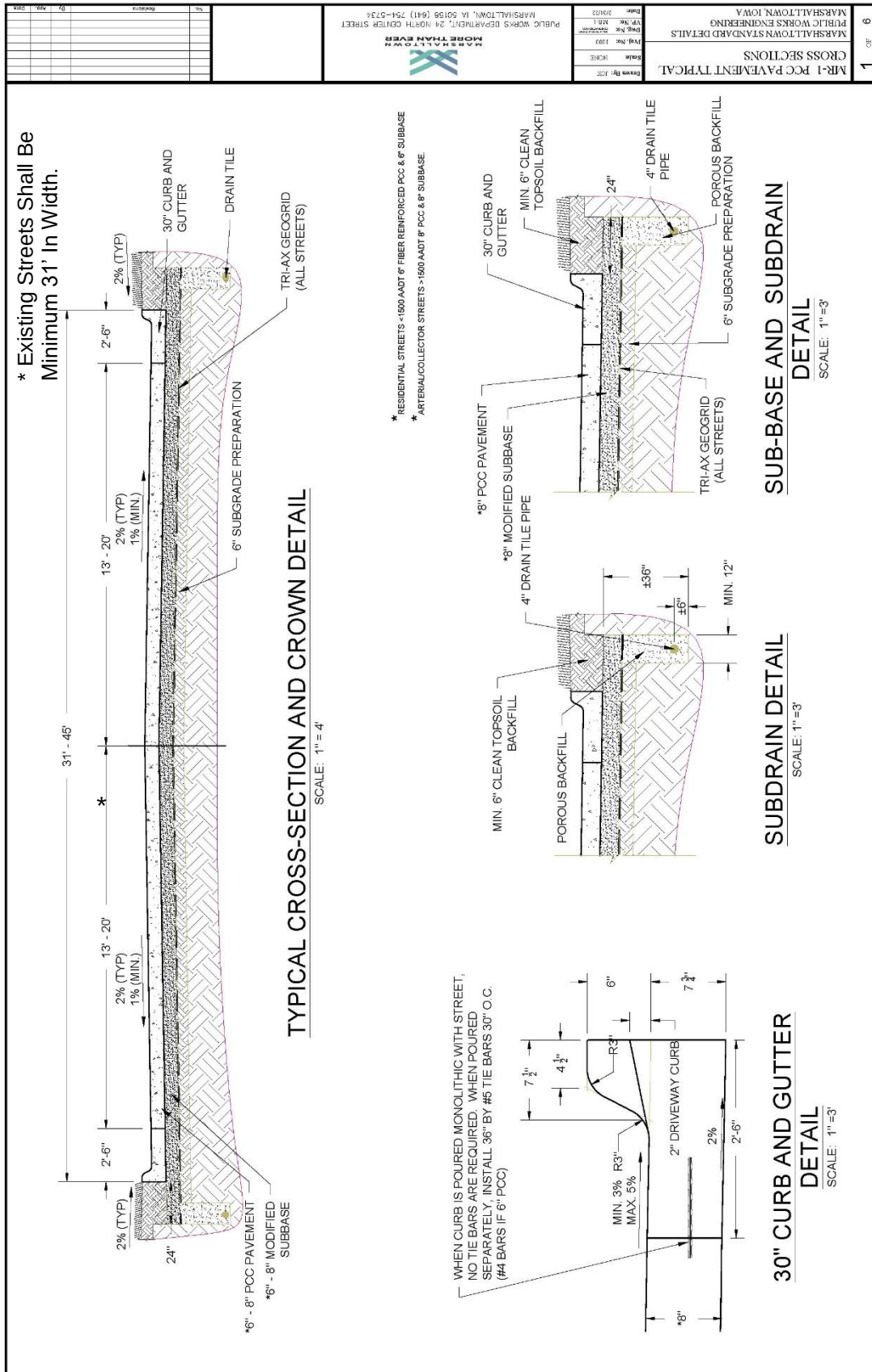
		Section size, minimum dimension			
		< 12 in. (300 mm)	12 to 36 in. (300 to 900 mm)	36 to 72 in. (900 to 1800 mm)	> 72 in. (1800 mm)
Line	Air Temperature	Minimum concrete temperature as placed and maintained			
1		55°F (13°C)	50°F (10°C)	45°F (7°C)	40°F (5°C)
		Minimum concrete temperature as mixed for indicated air temperature *			
2	Above 30°F (-1°C)	60°F (16°C)	55°F (13°C)	50°F (10°C)	45°F (7°C)
3	0 to 30°F (-18 to -1°C)	65°F (18°C)	60°F (16°C)	55°F (13°C)	50°F (10°C)
4	Below 0°F (-18°C)	70°F (21°C)	65°F (18°C)	60°F (16°C)	55°F (13°C)
5		Maximum allowable gradual temperature drop in first 24 hours after end of protection			
		50°F (28°C)	40° (22°C)	30°F (17°C)	20°F (11°C)

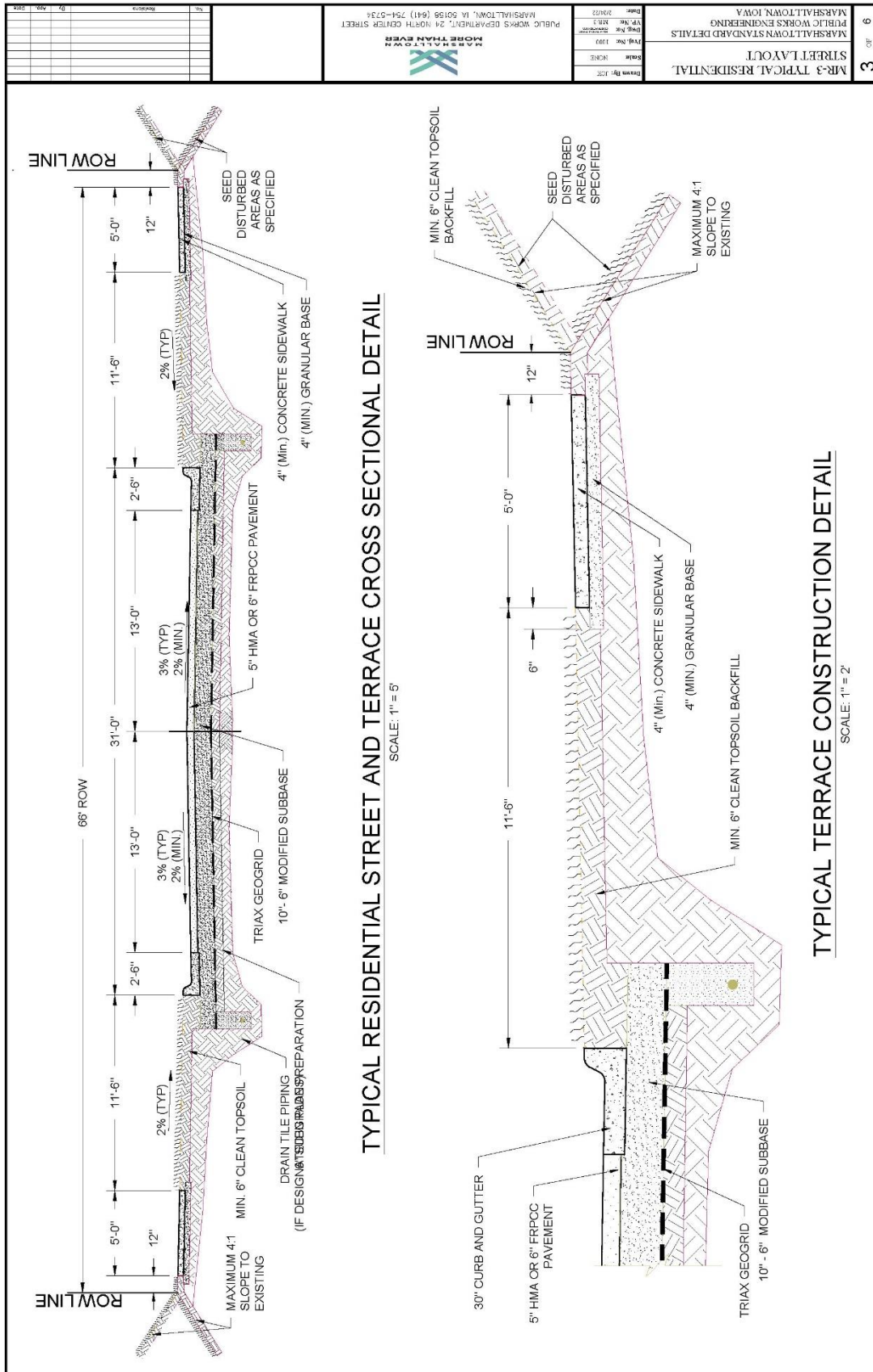
* For colder weather, a greater margin in temperature is provided between concrete as mixed and required minimum temperature of fresh concrete in place.

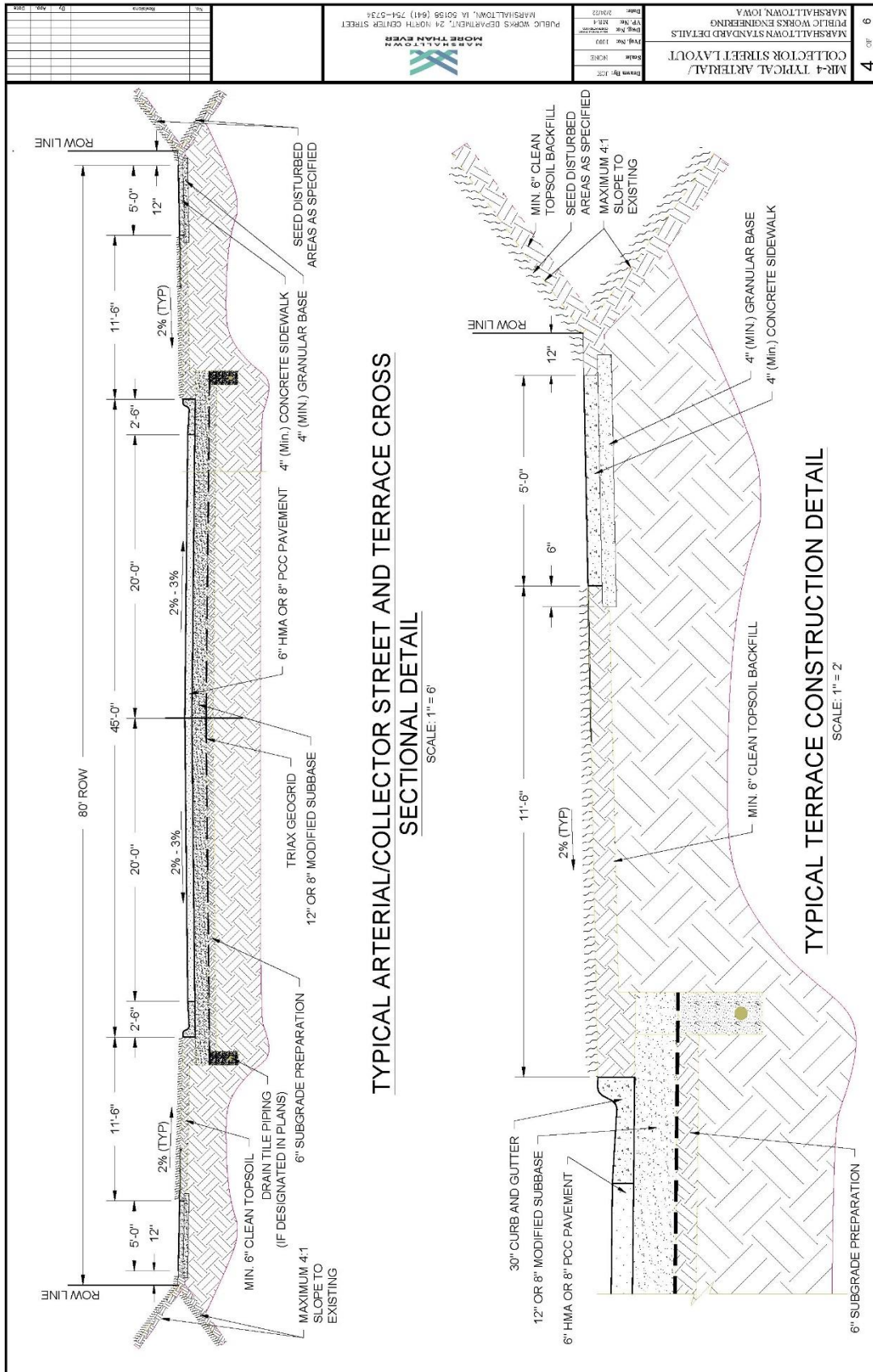
3.08 (ADD) MARSHALLTOWN STANDARD DETAILS

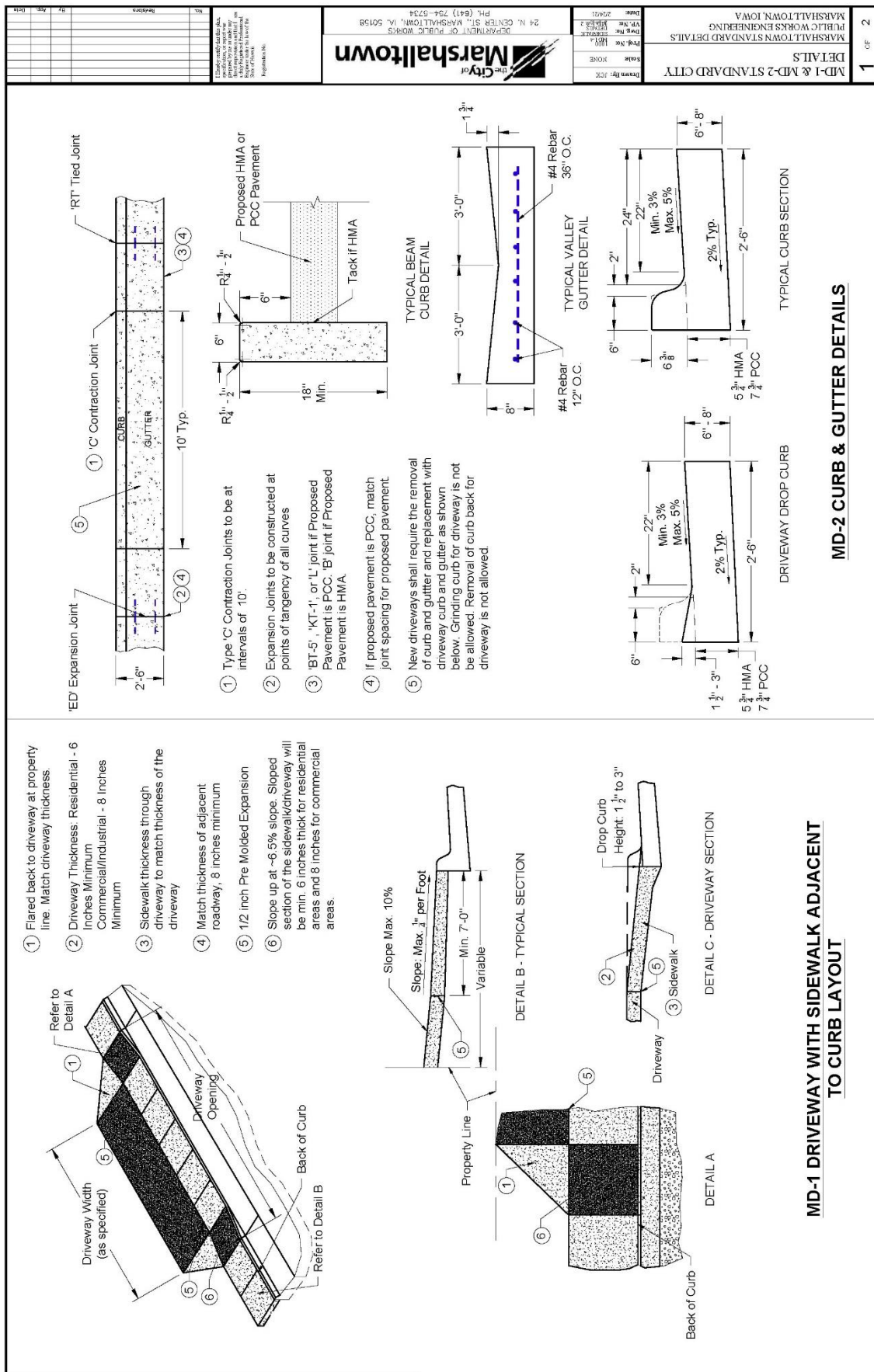
A. Added the following details:

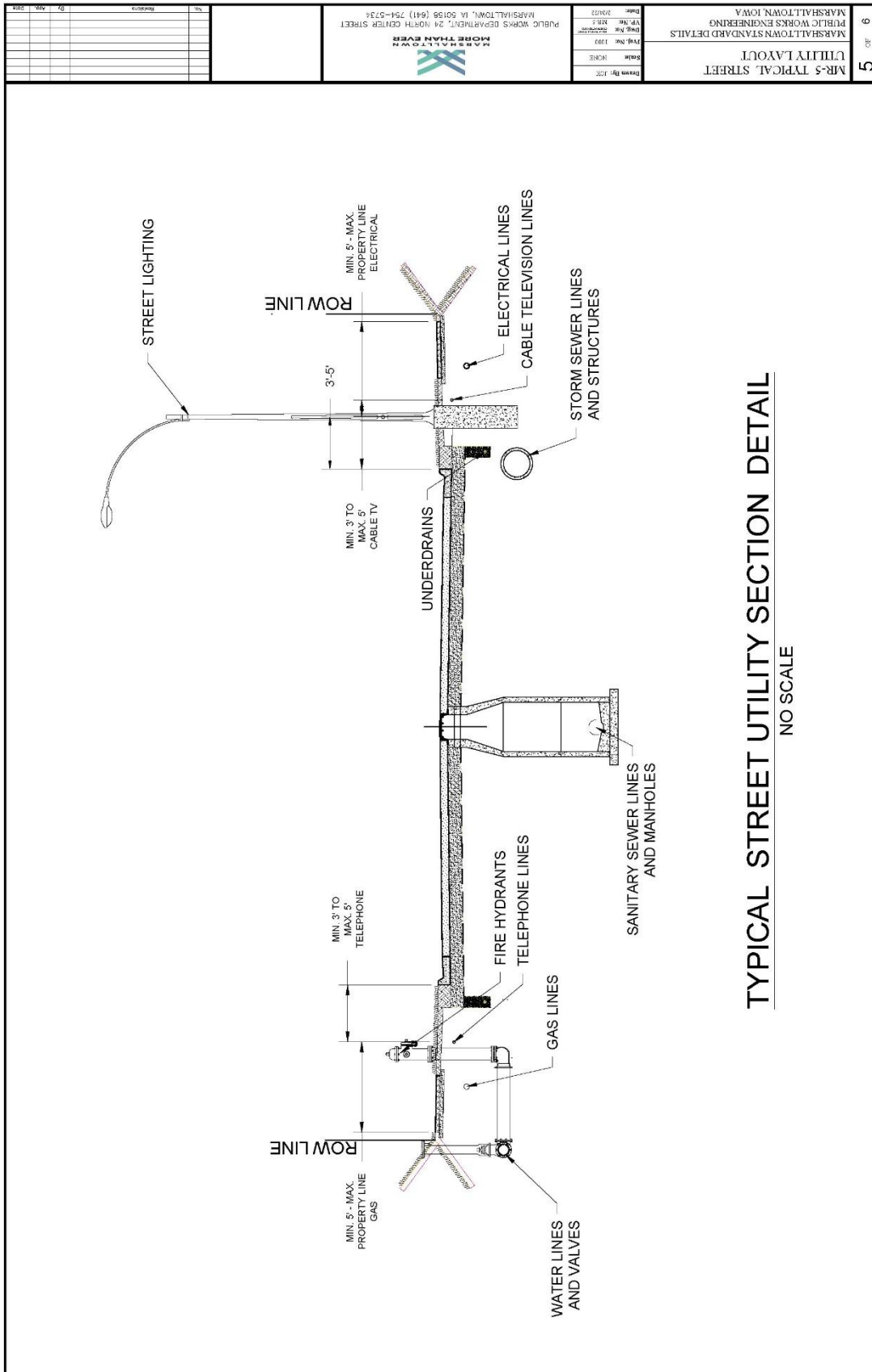
1. MR-1 PCC Pavement Typical Cross Sections
2. MR-3 Typical Residential Street Layout
3. MR-4 Typical Arterial/Collector Street Layout
4. MD-2 Typical Curb and Gutter Details
5. MR-5 Typical Street Utility Section Detail
6. MR-6 Typical Street Intersection Detail











SECTION 7011 - PORTLAND CEMENT CONCRETE OVERLAYS

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7020 - HOT MIX ASPHALT PAVEMENT

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

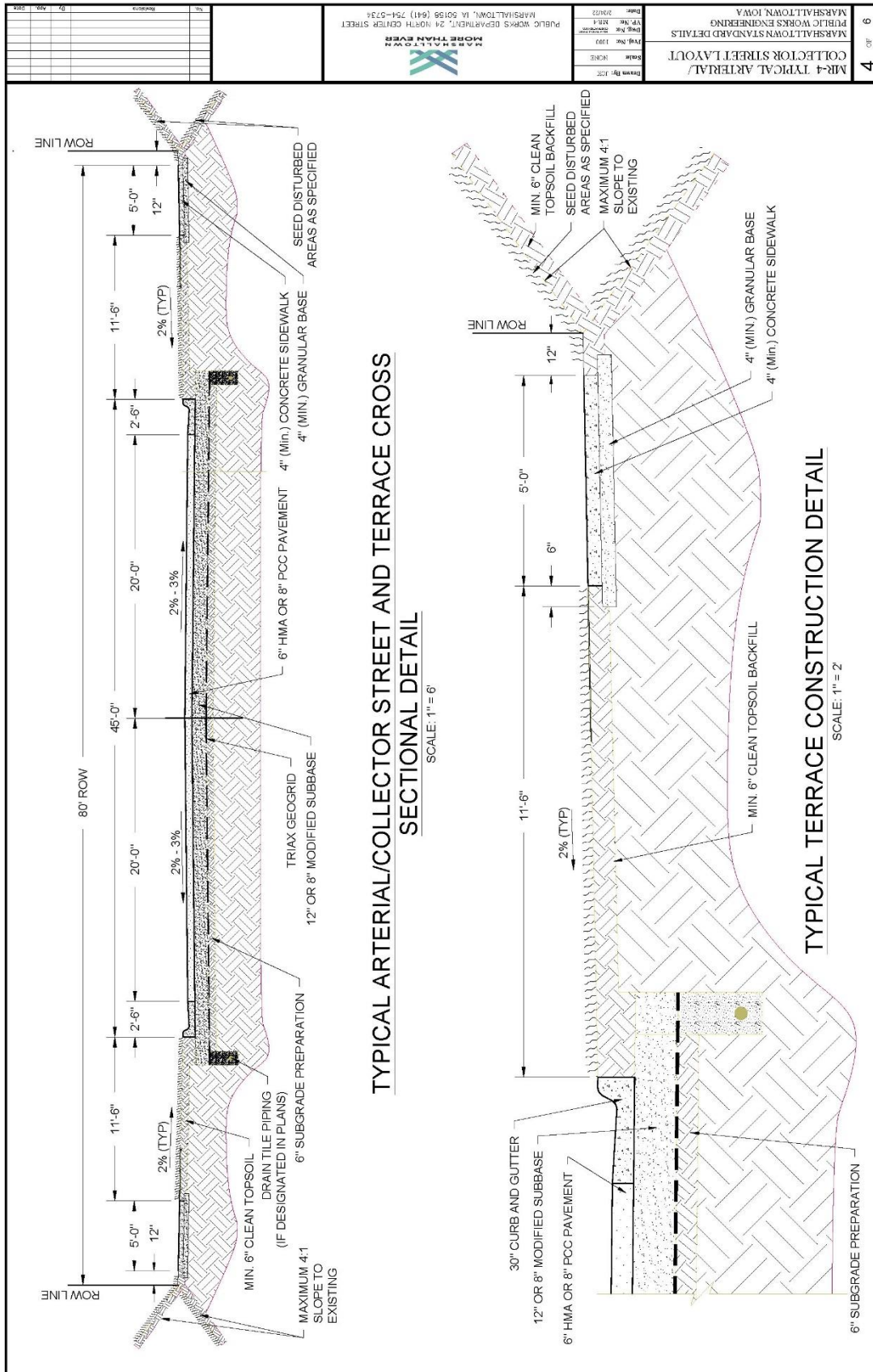
PART 3 - EXECUTION

3.09 (ADD) MARSHALLTOWN STANDARD DETAILS

A. Added the following details:

1. MR-2 HMA Pavement Typical Cross Sections
2. MR-3 Typical Residential Street Layout
3. MR-4 Typical Arterial/Collector Street Layout
4. MR-6 Typical Street Intersection Detail

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SECTION 7021 - HOT MIX ASPHALT OVERLAYS

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7030 - SIDEWALKS, SHARED USE PATHS, AND DRIVEWAYS

PART 1 - GENERAL

NO REVISIONS

PART 2 - PRODUCTS

2.01 PORTLAND CEMENT CONCRETE

- A. Class (DELETE) B or C concrete with materials complying with Section 7010. Use coarse aggregate of Class 2 durability or better.
- B. Comply with the following for PCC mixes for sidewalks, shared use paths, and driveways unless otherwise approved by the Engineer.

Table 7030.01: PCC Mixes

Type of Concrete	Machine Finish	Hand Finish
	Class (DELETE) B or C	Class (DELETE) B or C
Slump Minimum	1/2 in.	1/2 in.
Slump Maximum	2 1/2 in.	4 in.
Percent Air Content		
• Target	7%	7%
• Minimum	6%	6%
• Maximum	8 1/2%	8 1/2%

- C. (ADD) Fiber Reinforcement – See Section 7011, 2.01. E.

2.07 DETECTABLE WARNINGS

- A. (DELETE) ~~Use manufactured detectable warning panels with a non-slip surface and raised truncated domes. Comply with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right of Way (also known as PROWAG) for~~

~~contrast and dimension requirements. Also comply with Iowa DOT Materials I.M. 411.~~

- A. (ADD) Detectable warning surfaces are a requirement of the Americans with Disabilities Act (ADA) and required when construction and altering curb ramps and street pavement. The Truncated domes are the only detectable warnings allowed by ADA.
- B. (ADD) Detectable warnings shall consist of cast-iron or steel panels with a minimum width of 24-inches and lengths of 24-inches and/or 30-inches. The panels shall be slip resistant and extend the full width of the curb ramp.
- C. (ADD) Panels shall be provided with anchors for casting into concrete surfacing.
- D. (ADD) Per ADA guidelines, the truncated domes shall be aligned in a square pattern and have a maximum 1.4-inch base diameter and a height of 0.2-inch. They shall be spaced 2.4-inches apart from one another and have a base-to-base spacing of at least 0.65-inch.
- E. (ADD) The visual contrast between adjoining surfaces shall be satisfied with a natural patina.

2.10 (ADD) CONCRETE CURING COMPOUND

A. General:

- 1. Comply with ASTM C 309. White pigmented compounds are typically used for most construction. However, clear compounds may be used adjacent to businesses and homes to reduce tracking problems.

B. Sprayability:

- 1. Use compounds of a consistency that they can be readily applied by spraying to a uniform coating at a material temperature above 40°F.
- 2. Moisture Retention:
- 3. White pigmented liquid curing compounds, when tested in accordance with ASTM C156 using an application rate of 200 square feet per gallon shall restrict the loss of water to not more than 0.20 kg/m² in 24 hours or 0.40 kg/m² in 72 hours.

C. Drying Time:

- 1. Use liquid curing compounds that:
 - a. Dry to the touch in no more than 4 hours, and
 - b. Do not track off the concrete when walked upon after 12 hours.
- D. White Pigmented Compounds.
- 1. Use compounds consisting of finely ground white pigment and vehicle, ready mixed for use without alteration.
- 2. Ensure the pigment does not settle excessively or cake in the container, and thicken in storage to cause a change in consistency which may result in a

non-uniform spray.

3. Use a compound that after being sprayed on a test slab and drying has an apparent daylight reflectance no less than 60% relative to magnesium oxide.
4. Agitate the compound just prior to it being removed from the container. Agitate it continuously during application.

E. Clear Compounds:

1. Apply the following in lieu of other requirements of this section:
2. Use clear liquid membrane curing compounds complying with the requirements of ASTM C309, Type 1-D, Class A. Use only one type of compound on a structure. Do not use different compounds on the same structure.
3. Agitate the compound just prior to it being removed from the container. Agitate it continuously during application.

2.11 (ADD) GRANULAR SUBBASE MATERIAL

A. Aggregate of the following types:

1. Crushed stone.
2. Gravels of which 30% or more of the particles retained on the 3/8-inch sieve have at least one fractured face as specified in Iowa DOT Materials I.M. 305.
3. Crushed PCC pavement meeting the requirements specified in Iowa DOT Materials I.M. 210, or
4. Uniformly blended combinations of these materials.

B. Gradation:

1. Crushed material: Meet the requirements for Gradation No. 12a of the Aggregate Gradation Table, specified in Iowa DOT Article 4109.02.
2. Gravel: Meet the requirements for Gradation No. 12b of the Aggregate Gradation Table, specified in Iowa DOT Article 4109.02.

C. Quality:

1. The requirements of the following table apply to the individual virgin aggregates before combining:

(ADD) Coarse Aggregate Quality (Virgin Material)

Coarse Aggregate Quality	Maximum Percent Allowed	Test Method
Abrasion	50	AASHTO T 96
Alumina ^(a)	1.5	Office of Materials Test Method No. Iowa 222
A Freeze	25	Office of Materials Test Method No. Iowa 211, Method A

(ADD) Coarse Aggregate Quality (Virgin Material)

Coarse Aggregate Quality	Maximum Percent Allowed	Test Method
(a) If the Alumina value fails, determine the A Freeze value for specification compliance. Office of Materials Test Method No. Iowa 222 does not apply to gravel.		

PART 3 - EXECUTION

3.04 PCC SIDEWALKS, SHARED USE PATHS, AND DRIVEWAYS

- A. Form Setting: Comply with Section 7010 with the following additional requirements and exceptions.
2. Wood forms are allowed. (ADD) Wood forms shall be full height of concrete depth, i.e., wood forms for 4-inches depth sidewalk shall not be a standard industry 1x4 or 2x4.
 5. Measure or stake as required to construct project elements. If either of the following is met and construction survey is not a bid item, the Contracting Authority will verify that form work complies with the design requirements:
 - c. (ADD) The design cross slope of the sidewalk, turning space, or shared use path shall not exceed 2.0% or be less than 1.0%.
 - d. (ADD) The design cross slope of any driveway crossing a sidewalk or shared use path shall not exceed 2.0% or be less than 1.0%.
 - e. (ADD) The design cross slope of driveways located between the street and the sidewalk shall not be more than 10% nor less than 1.0%.
- B. Concrete Pavement Placement:
3. Driveways: Comply with Figures (ADD) MD-1, MD-2, 7030.101 and 7030.102 and Section 7010. The use of a paving machine is not required.
- E. Form Removal: Comply with Section 7010 (ADD) and.
1. (ADD) Timing:
 - a. Remove forms after the initial set of the concrete has taken place.
 - b. Remove stakes and forms with care to prevent cracking, spalling, or over stressing concrete. If damage does occur, repairs will be made as required by the Engineer.
 2. (ADD) Honeycomb Repair:
 - a. When the forms are removed, fill honeycombs with mortar composed of one (1) part cement and two (2) parts fine aggregate by weight.
 - b. If the honeycombing is to the degree and nature that it is considered by the Engineer as defective work, remove and replace at no additional cost to the City.

3. (ADD) Remove all excess concrete from areas along forms and/or backfill area. No excess concrete shall be allowed along edges of sidewalks, trails or curbing.
4. (ADD) In the area adjacent to the new concrete, immediately place backfill after the forms are removed. Construct dams or other protection to ensure that no saturation or erosion of the subgrade under or near the surfacing occurs. This may include check dams, pumping, etc.
5. (ADD) Material used for backfilling shall be free from spongy or vegetative substances, rocks, asphalt, broken concrete, frozen material or any other debris. The top six (6) inches shall be a soil suitable for growing grass.

F. Jointing:

2. Transverse Contraction Joints:

a. Shared Use Paths (ADD) and Sidewalks:

- 1) Space transverse joints equal to the width of the shared use path, or as specified in the contract documents.
- ~~2) (DELETE) Saw contraction joints according to Section 7010.~~
- 2) Saw contraction joints within 12-hours of placement with a 1/8-inch blade saw to a depth of 1/3 the pavement thickness.
- 3) Use a straightedge if joints are sawed with a hand-held saw.

b. ~~(DELETE) Sidewalks and Driveways:~~

- 1) ~~(DELETE) Space sidewalk contraction joints equal to the width of the sidewalk.~~ (ADD) Space driveway contraction joints to match sidewalk joints whenever possible. Joints shall be spaced to form rectangular panels where the long dimension does not exceed 1-½ times the short dimension. In no case will the panel length exceed 9-feet for 6-inches of concrete or 12-feet for 8-inches of concrete.
- 2) ~~(DELETE) Space driveway contraction joints so panel length does not exceed 12 feet.~~ (ADD) Contraction joints shall be sawn within 12-hours of placement with a 1/8-inch blade saw to a depth of 1/3 the pavement thickness.
- 3) ~~(DELETE) Form transverse contraction joints to a depth of 1 1/4 inches with a pointed trowel or jointing tool. In lieu of forming, joints may be sawed within 12 hours of placement with a 1/8 inch blade saw to a depth of 1/3 the pavement thickness.~~ (ADD) Use a straightedge if joints are sawn with a hand-held saw.

3. Longitudinal Contraction Joints:

- a. Shared Use Paths and Sidewalks: Saw joint to 1/8 inch wide and to a depth of 1/3 the pavement thickness.

- 1) (ADD) Longitudinal contraction joints will be placed when the width of the path/sidewalk exceeds 6-feet for 4-inches concrete or 9-feet for 6-inches concrete.
- 2) (ADD) Contraction joints shall be sawn within 12-hours of placement with a 1/8-inch blade saw to a depth of 1/3 the pavement thickness. Use a straightedge if joints are sawn with a hand-held saw.

b. Driveways:

- 1) (DELETE) ~~Space longitudinal contraction joints so panel width does not exceed 12 feet.~~ (ADD) Space longitudinal contraction joints so panel length or width does not exceed 9-feet for 6-inches of concrete or 12-feet for 8-inches of concrete.
- 2) (DELETE) ~~Form longitudinal contraction joints to a depth of 1 1/4 inches with a pointed trowel or jointing tool. In lieu of forming, joints may be sawed with a 1/8 inch blade saw to a depth of 1/3 the pavement thickness. Use a straightedge if joints are sawed with a hand-held saw.~~ (ADD) Contraction joints shall be sawn within 12 hours of placement with a 1/8-inch blade saw to a depth of 1/3 the pavement thickness. Use a straightedge if joints are sawn with a hand-held saw.

G. (ADD) Granular Base:

1. (ADD) Shared Use Paths and Sidewalks will be placed on a minimum of 4-inches of compacted granular base.
2. (ADD) Driveways shall be placed on a minimum of 6-inches of compacted granular base.
3. (ADD) Granular Base shall be compacted to a minimum 98% Standard proctor density at a moisture content of $\pm 3\%$ of optimum moisture as determined by ASTM D698.

3.13 (ADD) SIDEWALK GRADES

- A. All staking for sidewalk grades, grading subgrade preparation and form installation will be the full responsibility of the contractor. The City Engineers office will inspect the forms and subgrade preparation prior to concrete placement.
- B. When a new sidewalk is being constructed and the grade is different than the present adjoining sidewalks, the following shall apply:
- C. Beginning at the property line the slope of the sidewalk shall be a maximum 8.3% from the adjoining sidewalk to the grade of the new sidewalk. When the existing sidewalk cross slope does not meet requirements, a transition segment shall be installed to match existing slope. See SUDAS Figures 7030.204, 7030.206, 7030.207, 7030.208 and 7030.209.

3.14 (ADD) SIDEWALK ALIGNMENT:

- A. Unless otherwise approved by the City Engineer the back of the sidewalk shall match the adjoining property line.
- B. All private sidewalks joining the City Sidewalk will be built to the new sidewalk grade. Driveway sidewalks may remain at the present grade unless they are being replaced, and if they are being replaced they will be built to the proper grade.
- C. The Standard City Sidewalk grade is a quarter ($\frac{1}{4}$) inch per foot maximum across the sidewalk and half ($\frac{1}{2}$) inch per foot across the terrace to the street. Deviations from this standard grade will be allowed only with the approval of the City Engineer and only in areas where existing walks are at a nonstandard grade or where a standard grade will cause a severe hardship to the adjacent property owners.

3.15 (ADD) INSPECTIONS

When the Contractor is ready to pour the sidewalk, an inspection shall be requested from the City Engineer's office. Enough advance notice shall be given to provide ample time for the inspector to get to the job site and inspect the work so the contractor can make any changes required, before the concrete arrives.

3.16 (ADD) CURB CUTS

- A. It shall be unlawful for any person, firm, or corporation to cut or remove any curbing for any purpose without first securing a written permit from the City Engineer.
- B. Grinding of curbs for driveway entrances are not allowed. Removal of back of curb and extending driveway to gutter pan is not allowed.
- C. All curb cuts shall be made by removal of existing curb (if required) and replacement with either driveway curb (and gutter) or handicap curb (and gutter) as provided in the City of Marshalltown MD-1, MD-2 Details and SUDAS Figures 730.101R, 7030.102R, 7030.204, 7030.205, 7030.206, 7030.207, 7030.208 and 7030.209.

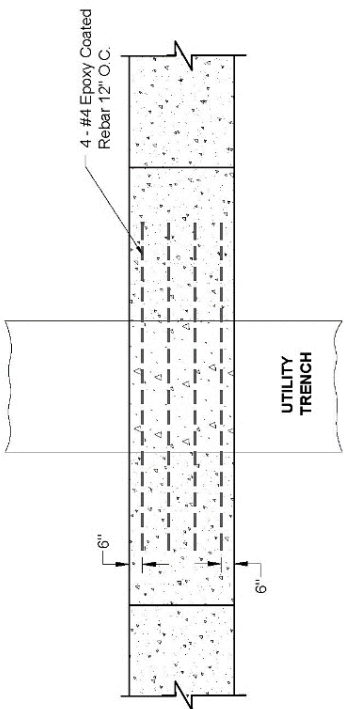
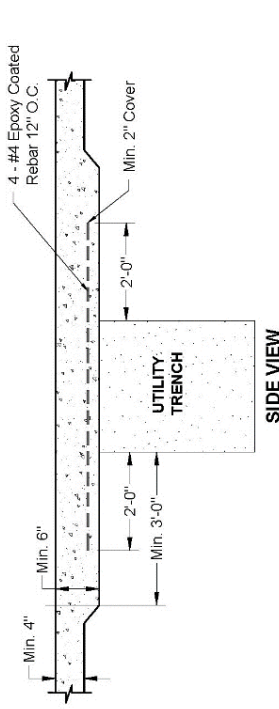
3.17 (ADD) CURB AND GUTTER CONSTRUCTION

Comply with Section 7010, 3.03 and MD-2.

3.18 (ADD) MARSHALLTOWN STANDARD DETAILS

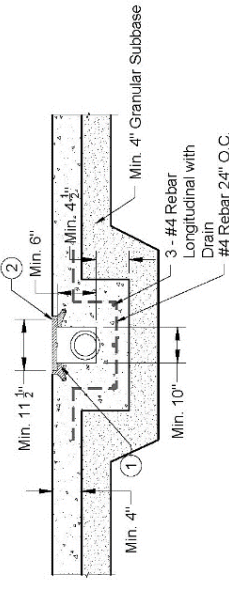
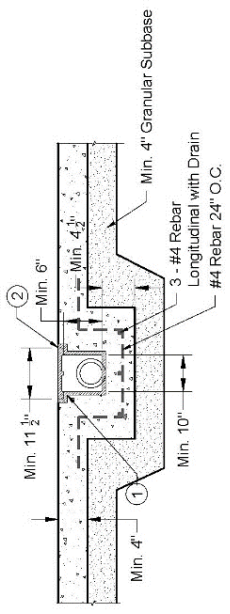
- A. Added the following details:
 - 1. MD-1 Driveway with Sidewalk Adjacent to Curb Details
 - 2. MD-2 Curb & Gutter Details
 - 3. MD-3 Sidewalk over Utility Trench Detail
 - 4. MD-5 Sidewalk Trench Drain with Cover Plate
- B. See modifications to SUDAS Standard Details as listed on each detail and provided below:

1. Figure 7030.101 – Revised sidewalk adjacent to driveway to add section for transition. Added curb replacement for new driveways.
2. Figure 7030.102 - Revised sidewalk adjacent to driveway to add section for transition. Added curb replacement for new driveways.
3. Figure 7030.103 – Revision to sidewalk location and property line. Added target slope to sidewalk.
4. Figure 7030.201 – Revised Class A sidewalk layout and added premolded expansion material.
5. Figure 7030.202 – Removed Detail 1 and Revised Detail 2.
6. Figure 7030.206 – Change sidewalk/ramp width to 5'-0" min. Changed curb side sidewalk to min. 7'-0" width.
7. Figure 7030.207 – Added detail for preformed expansion joints.
8. Figure 7030.2.08 - Added detail for preformed expansion joints.
9. Figure 7030.209 – Changed minimum ramp and turning width to 5'-0".



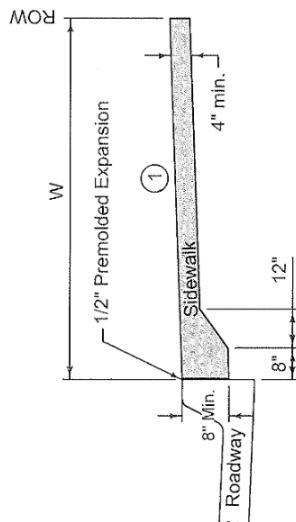
NOTE:
All sidewalk over utility trenches shall be reinforced with #4 bars at 12 inch centers starting 6 inches from the edge of the sidewalk and extending across the utility trench and 2 feet into the abutting sections.

MD-3 SIDEWALK OVER UTILITY TRENCH

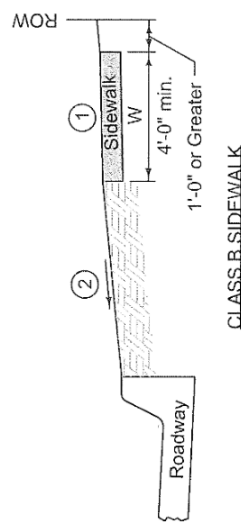


NOTES:
1.) Trench casting shall be a Neenah R-4995-B1, R-4999-DX or an Engineer approved equal.
2.) Trench cover shall be Neenah Type D solid lid or Type E vented lid. Trench cover shall be anchored/bolted to prevent displacement during snow removal operations.

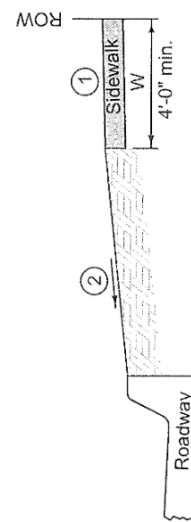
MD-4 SIDEWALK TRENCH DRAIN WITH COVER PLATE



CLASS A SIDEWALK
(Sidewalk extends from back of curb to ROW)



CLASS B SIDEWALK



CLASS C SIDEWALK

- ① Target cross slope of 1.5% with a maximum cross slope of 2.0% (including sidewalk through driveway).
- ② Parking Slopes:
If parking width is less than 10 feet wide, slope at $\frac{1}{4}$ inch per foot.
If parking width is 10 feet wide and greater, slope at $\frac{1}{2}$ inch per foot.
Special grade may be specified in the contract documents.

W = Sidewalk width as specified in the contract documents.

FIGURE 7030.201R	STANDARD ROAD PLAN	REVISION	2	10-20-15
		7030.201		
		SHEET 1 of 1		
REVISIONS: Revised Class A sidewalk layout and added premolded expansion material (City of Marshfield)				
		CLASSES OF SIDEWALKS		

For new sidewalk with new curb and gutter, comply with Detail 2. Comply with Detail 3 for new sidewalk adjacent to existing pavement or when specified in the contract documents.

- ① Target cross slope of 1.5% with a maximum cross slope of 2.0%.

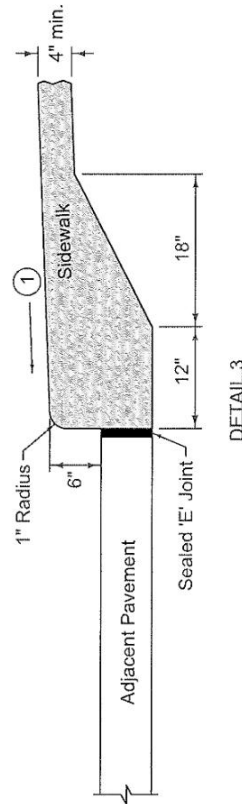
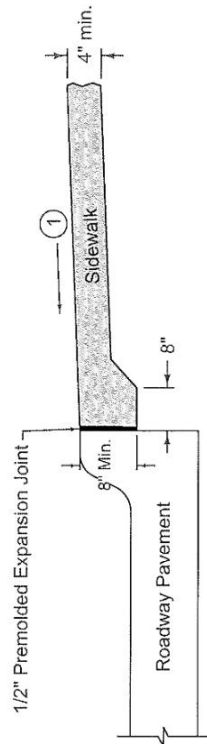
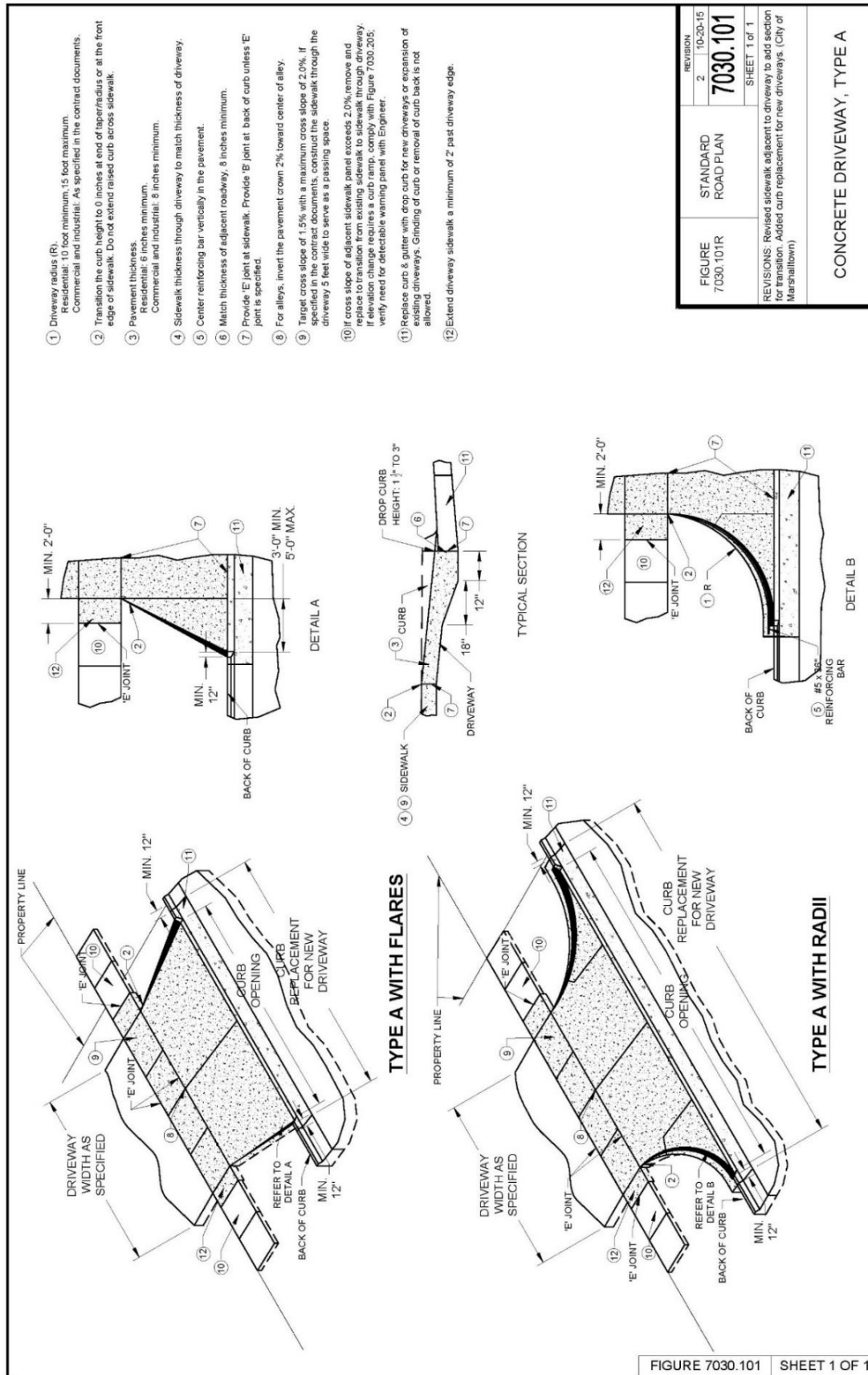
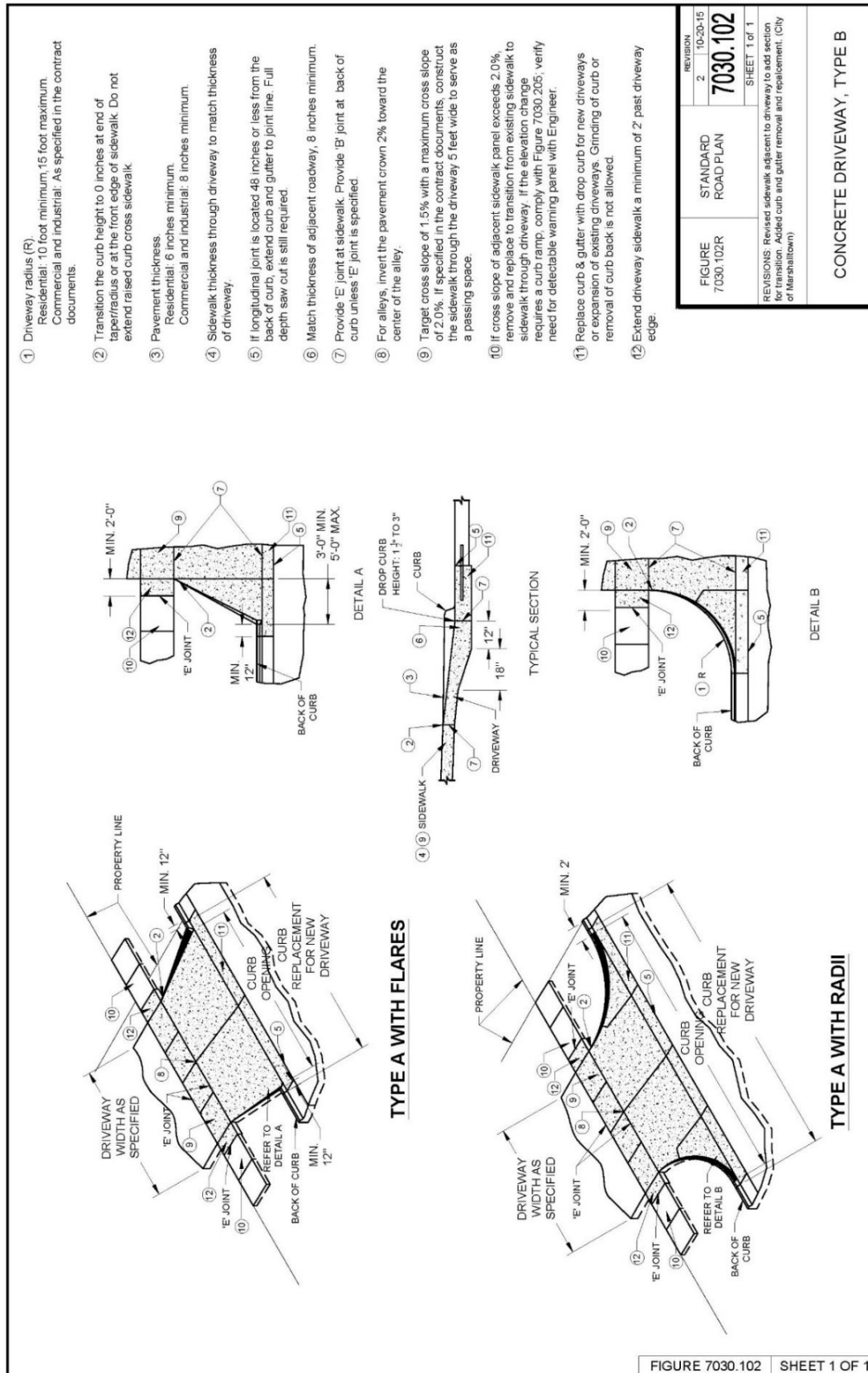
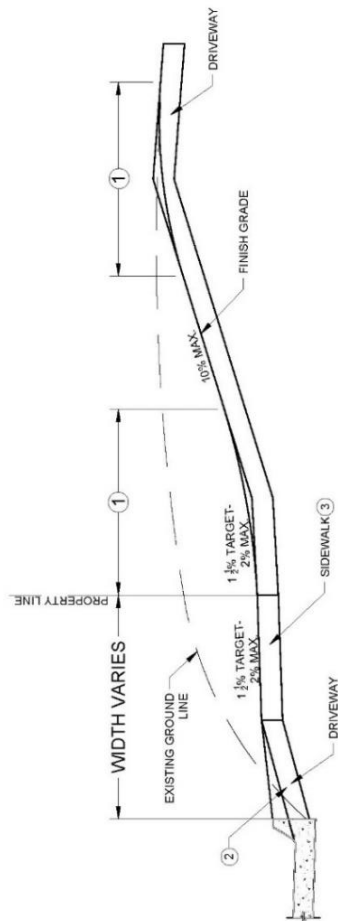


FIGURE 7030.202R	STANDARD ROAD PLAN	REVISION	
		3	10-20-15
		7030.202	
		SHEET 1 of 1	
REVISIONS: Removed Detail 1, Revised Detail 2 (City of Marshalltown)			

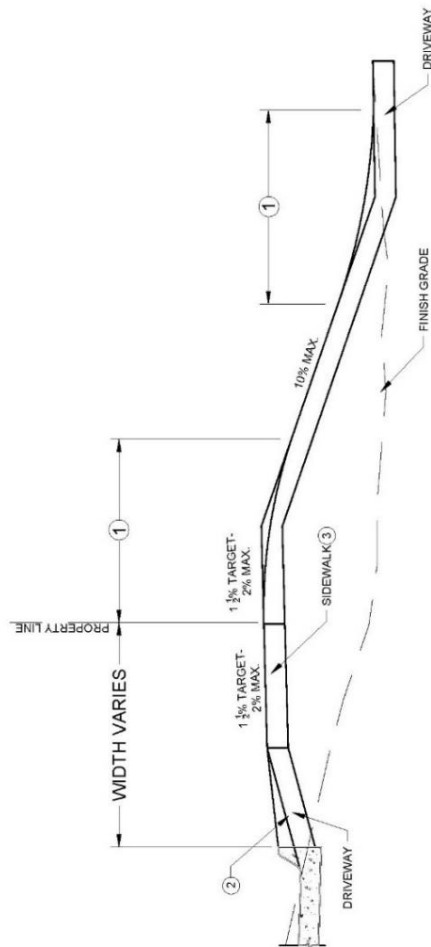
CURB DETAILS FOR
CLASS A SIDEWALK







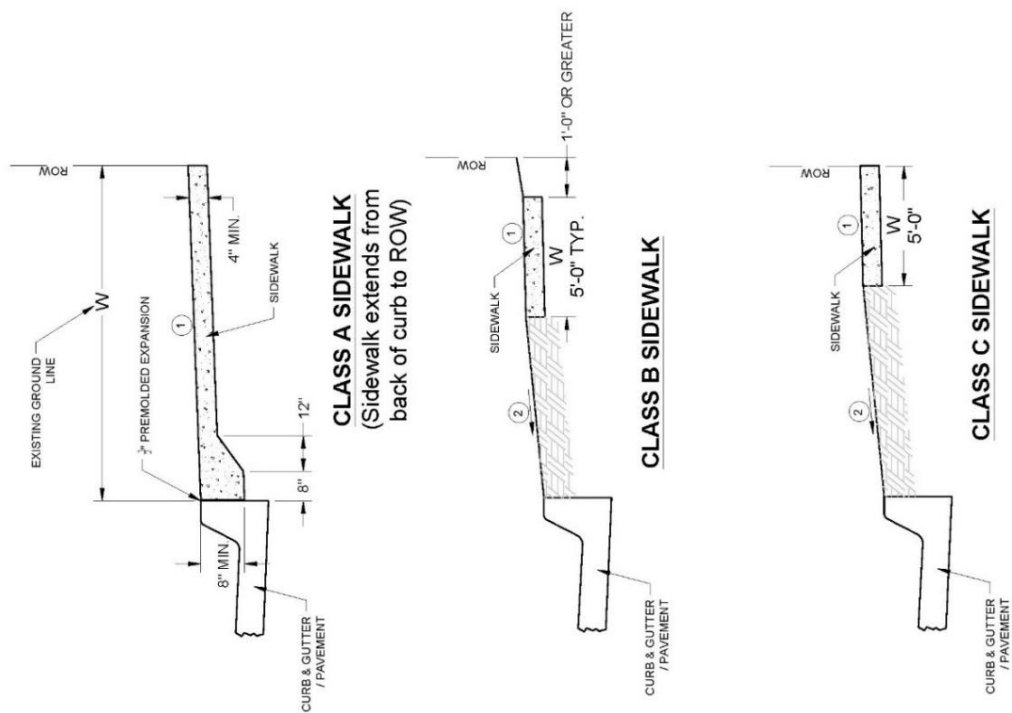
TYPICAL CUT SECTION



TYPICAL FILL SECTION

- ① 10 foot vertical curve required for 5% or greater change in grade.
- ② Slope varies. See contract documents.
- ③ Target cross slope of 1.5% with a maximum cross slope of 2.0%

FIGURE 7030.103R		STANDARD ROAD PLAN	REVISION 2	10-20-15
			7030.103	
			SHEET 1 of 1	
			REVISIONS: Revision to sidewalk location and property line. Added target slope to sidewalk. (City of Marshalltown)	
			DRIVEWAY GRADING	



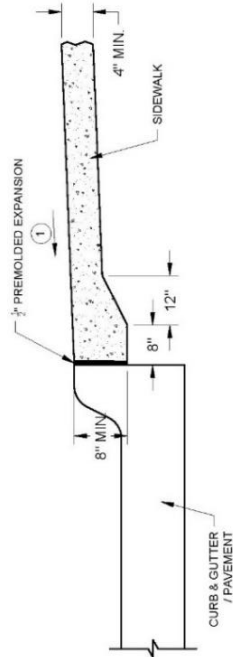
- ① Target cross slope of 1.5% with a maximum cross slope of 2.0% (including sidewalk through driveway).
- ② Parking Slopes:
If parking width is less than 10 feet wide, slope at $\frac{1}{4}$ inch per foot.
If parking width is 10 feet wide and greater, slope at $\frac{1}{2}$ inch per foot.
Special grade may be specified in the contract documents.
W = Sidewalk width as specified in the contract documents.

FIGURE 7030.201R	STANDARD ROAD PLAN	REVISION 1 10-20-15
		7030.201 SHEET 1 of 1
REVISIONS: Revised Class A sidewalk layout and added premolled expansion material (City of Marshalltown)		
CLASSES OF SIDEWALKS		

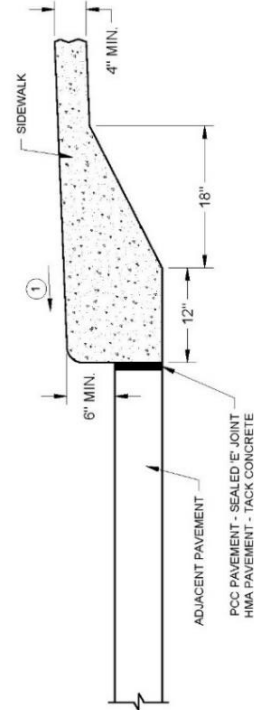
FIGURE 7030.201 SHEET 1 OF 1

For new sidewalk with new curb and gutter, comply with Detail 2. Comply with Detail 3 for new sidewalk adjacent to existing pavement or when specified in the contract documents.

- ① Target cross slope of 1.5% with a maximum cross slope of 2.0%

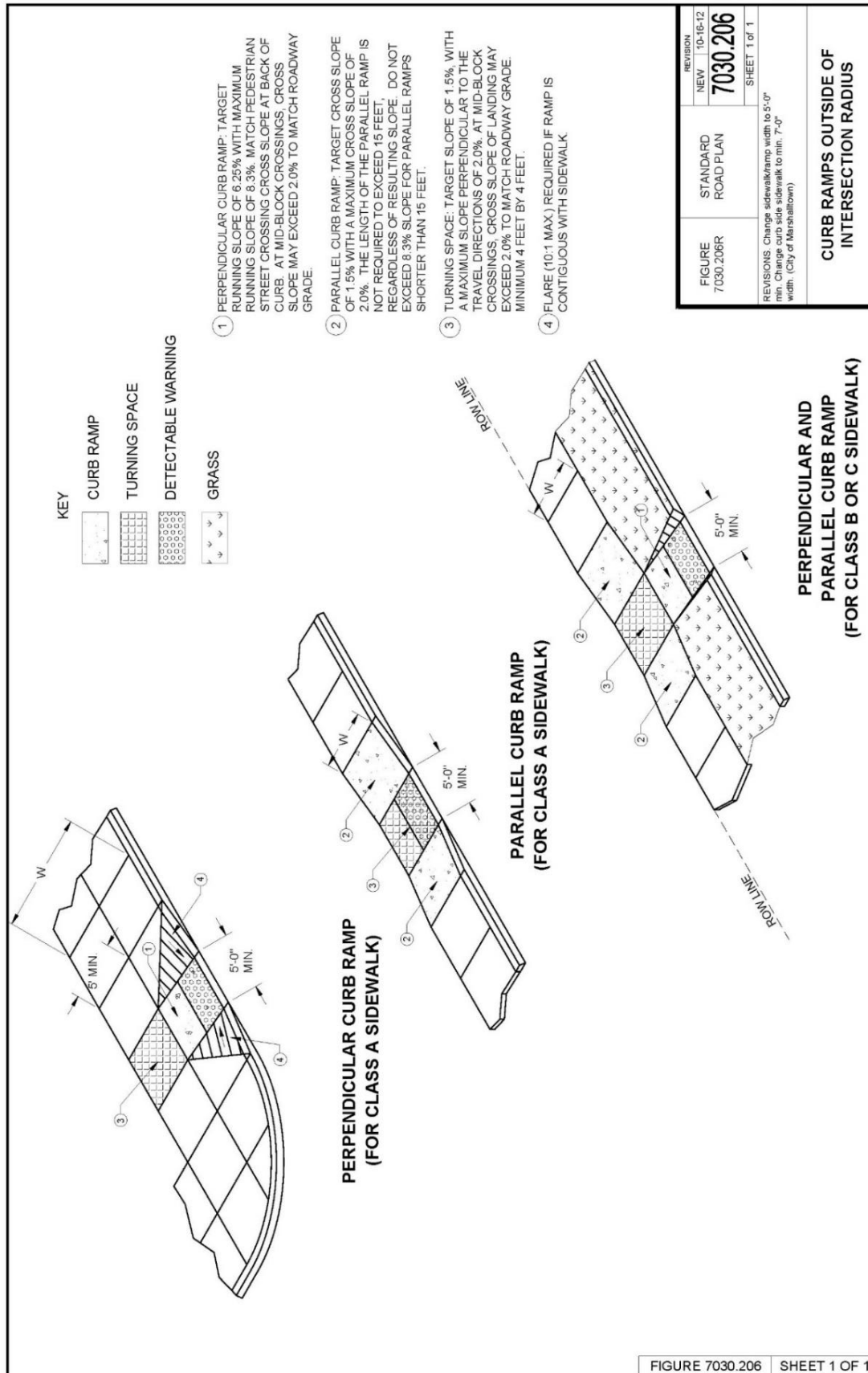


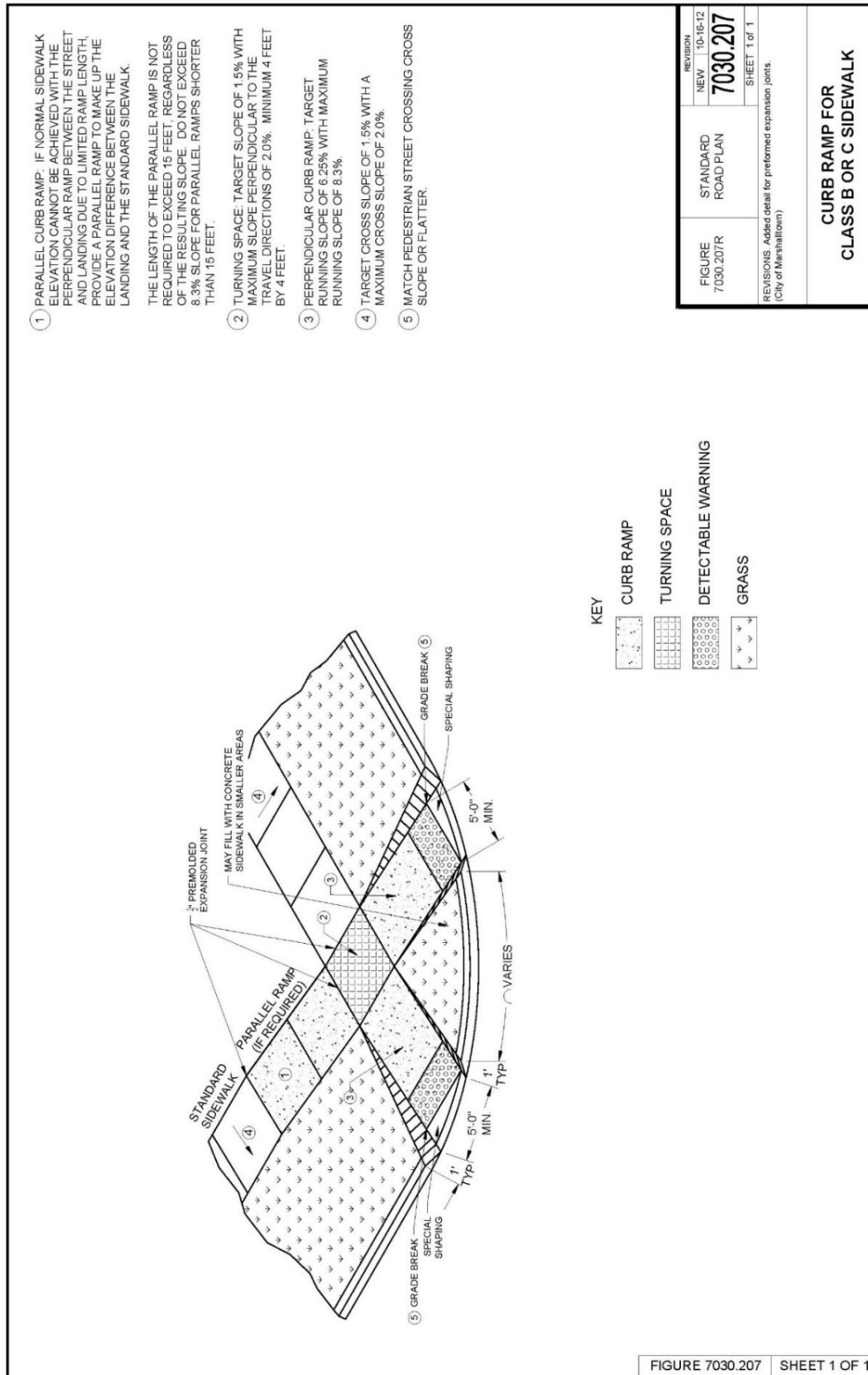
DETAIL 2

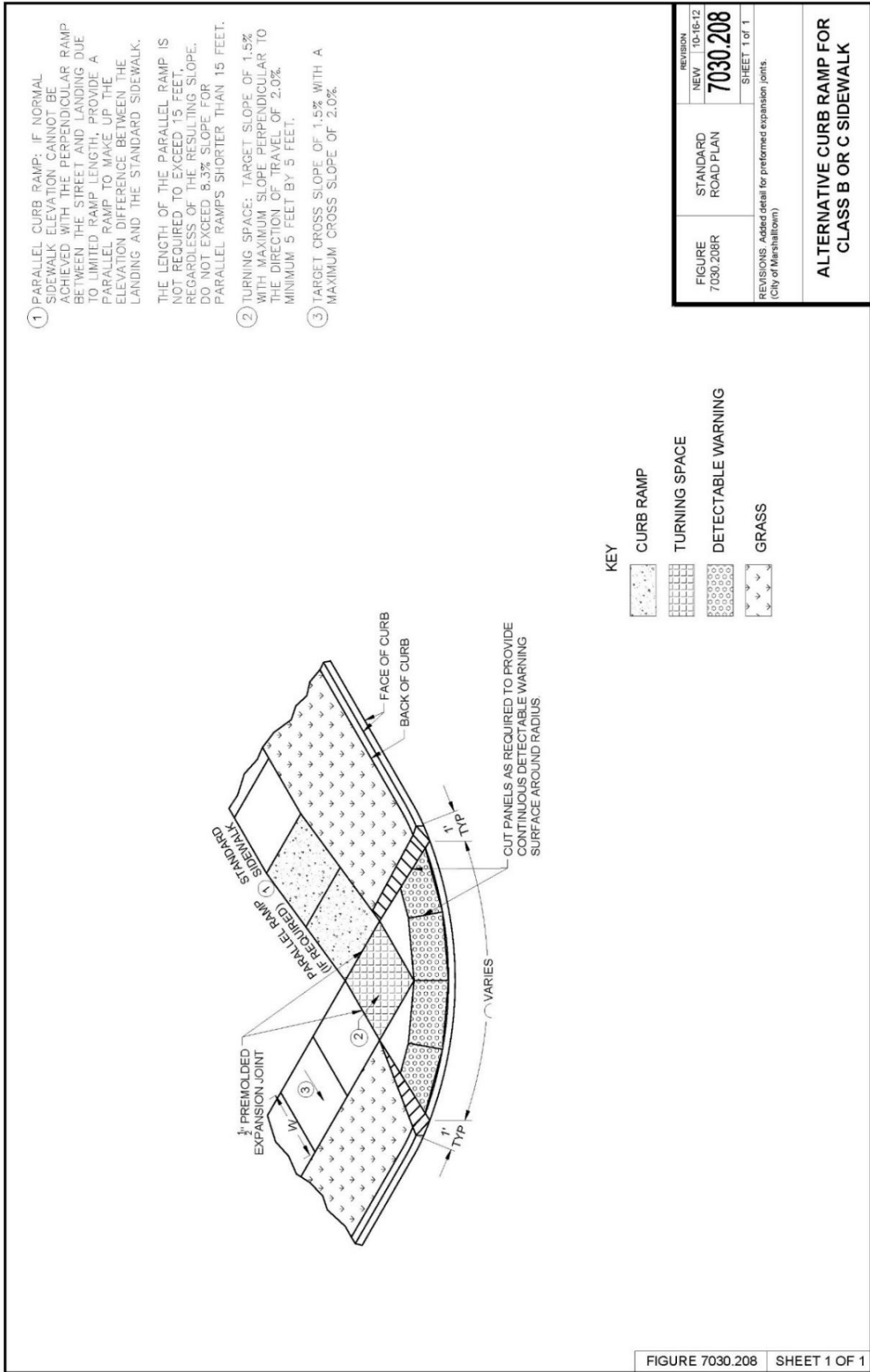


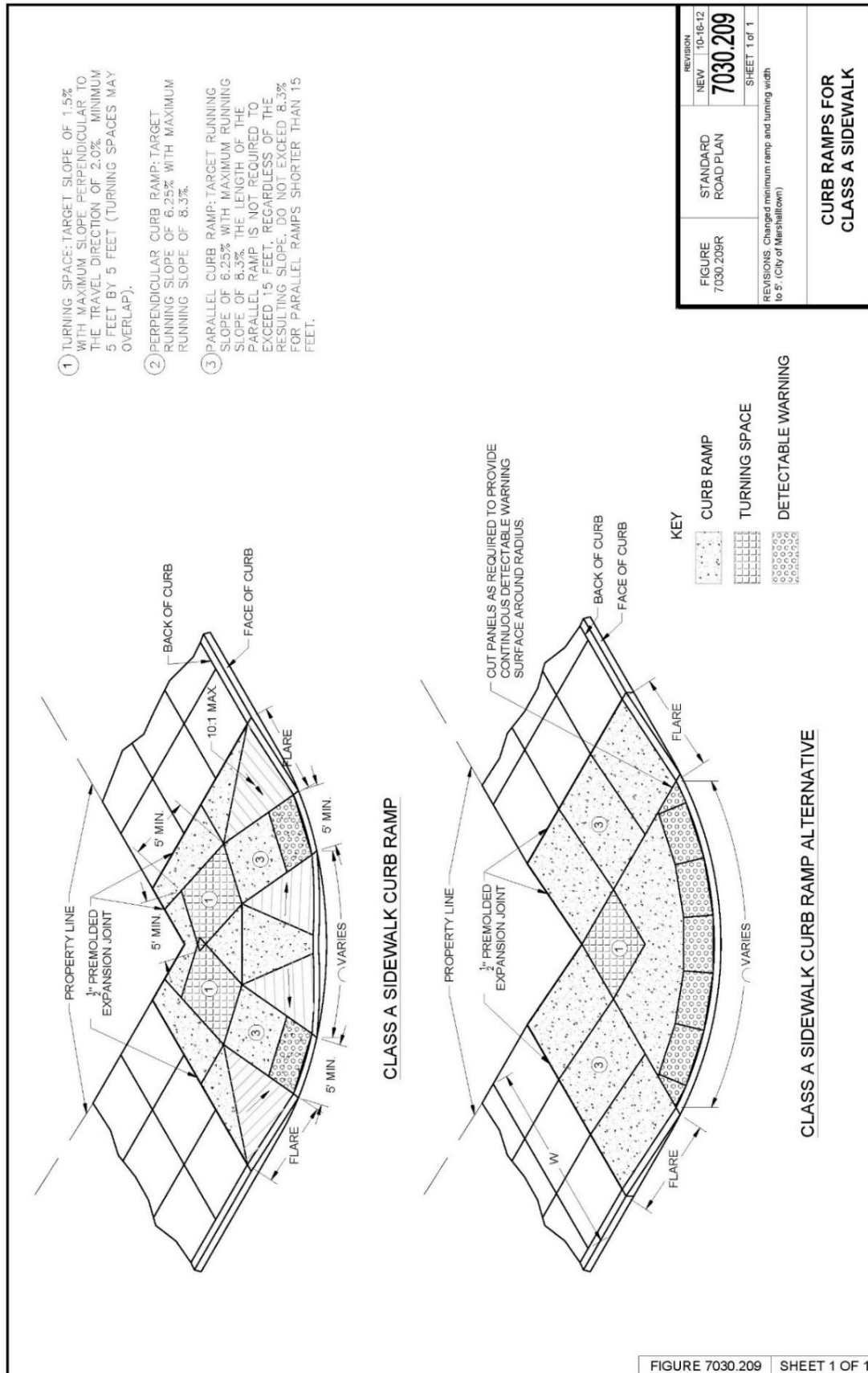
DETAIL 3

FIGURE 7030.202R	STANDARD ROAD PLAN	REVISION	10-20-15
		3	
		7030.202	
		SHEET 1 of 1	
REVISIONS: Removed Detail 1. Revised Detail 2. (City of Marshalltown)			
		CURB DETAILS FOR CLASS A SIDEWALK	









SECTION 7040 - PAVEMENT REHABILITATION

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

B. Subbase Over-excavation:

1. **Measurement:** Measurement will be in tons of subbase material placed for authorized over-excavation. (ADD) Measurement for geogrid shall be per 2010.1.08.H.
2. **Payment:** Payment will be made at the unit price per ton of subbase material. (ADD) Payment for geogrid shall be per 2010.1.08.H.

PART 2 - PRODUCTS

2.01 MATERIALS

A. PCC:

2. High Early Strength Patching: Use Class M mix complying with Section 7010. Do not use calcium chloride unless (DELETE) ~~otherwise specified in the contract documents~~ (ADD) approved by the City Engineer.

G. Subbase Material: Unless otherwise specified in the contract documents (DELETE) ~~, use modified subbase complying with Section 2010.~~ (ADD) See MS-4 Pavement Restoration for Subbase requirements.

PART 3 – EXECUTION

3.02 FULL DEPTH PATCHING

B. Restoring Subgrade or Subbase:

1. Excavate (DELETE) ~~2~~ (ADD) 12 to 18 inches below the bottom of the existing pavement. (DELETE) ~~If more than 2 inches is excavated,~~ (ADD) Install geogrid on subgrade and place and compact new subbase material as required to bring the subbase to (DELETE) ~~a level 2 inches below~~ the bottom of the existing pavement. Correct unauthorized over excavation at no additional cost to the Contracting Authority.
5. Place and compact new subbase material as required to bring the subbase to (DELETE) ~~a level 2 inches below~~ the bottom of the existing pavement.

C. Placing PCC Patches:

2. **Tie Bars and Dowel Bars:** Comply with Section 7010 (ADD), Figures MS-1 and MS-2 in this section, and the figures in Sections 7010 and 7040.

3.11 (ADD) MARSHALLTOWN STANDARD DETAILS

Added the following details:

A. MS-1 & MS-2 Pavement Restoration Joint Layout

B. MS-3 Manhole Boxout Details

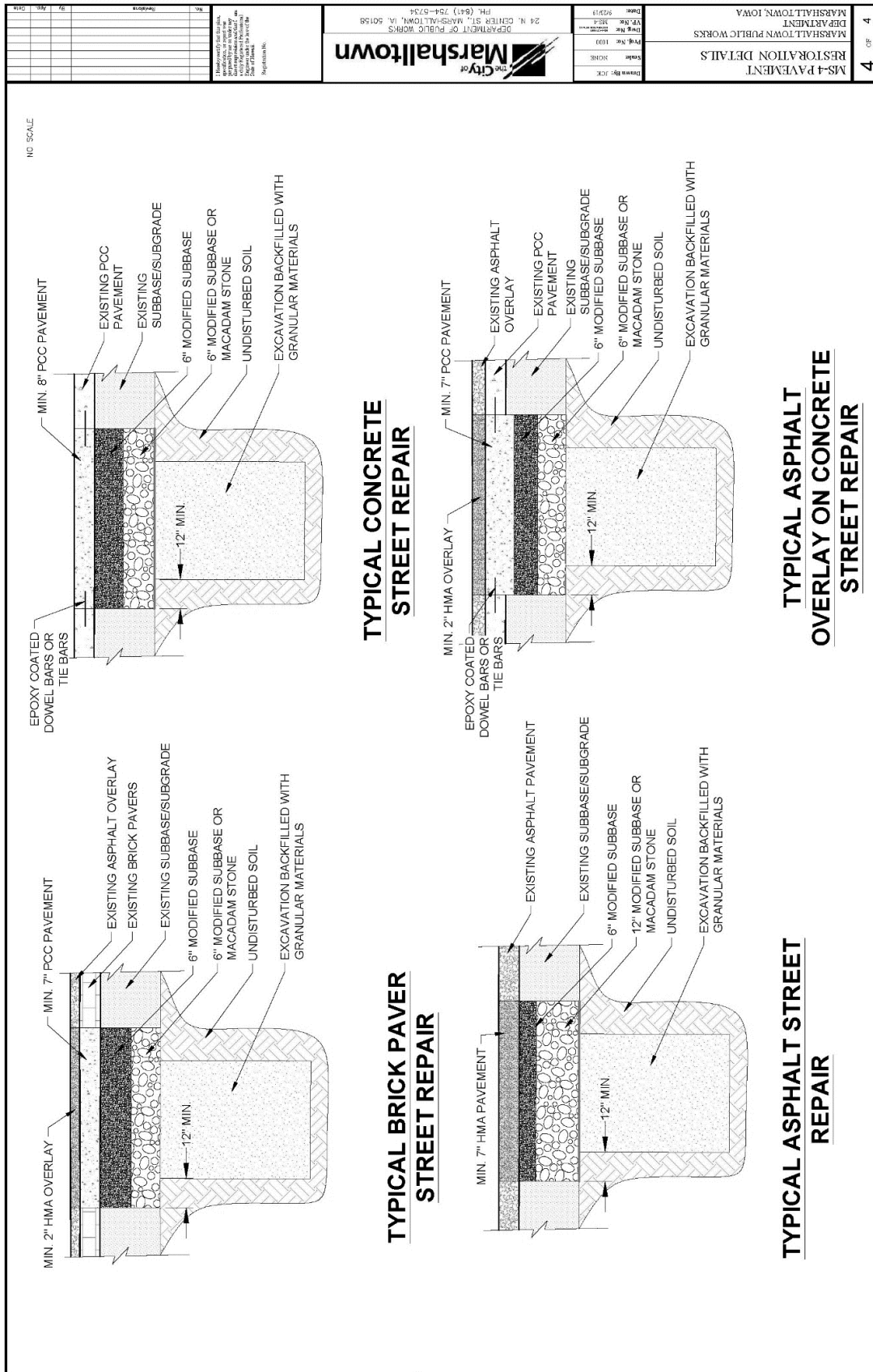
C. MS-4 Pavement Restoration Details

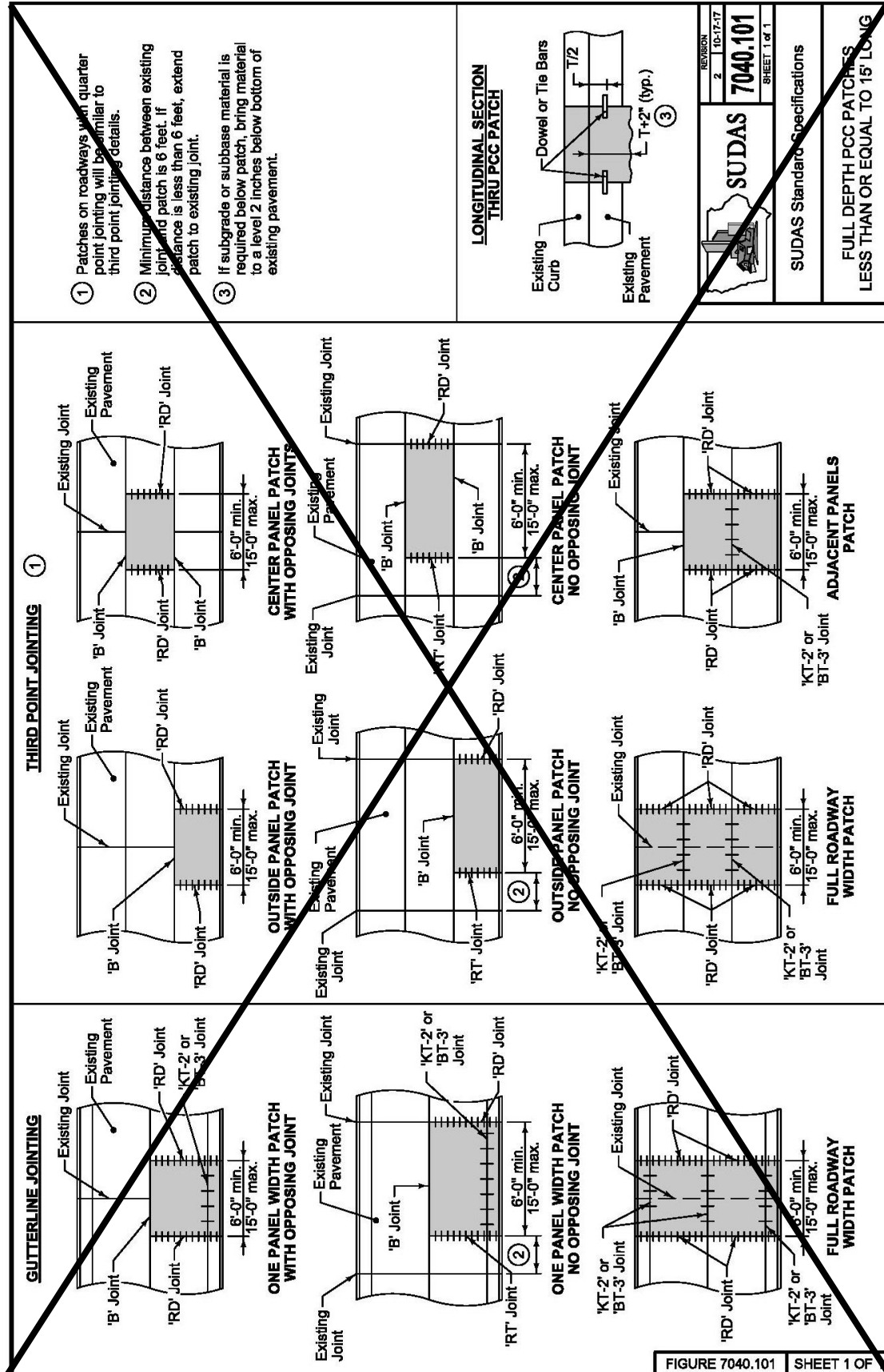
3.12 (ADD) DELETED SUDAS STANDARD DETAILS

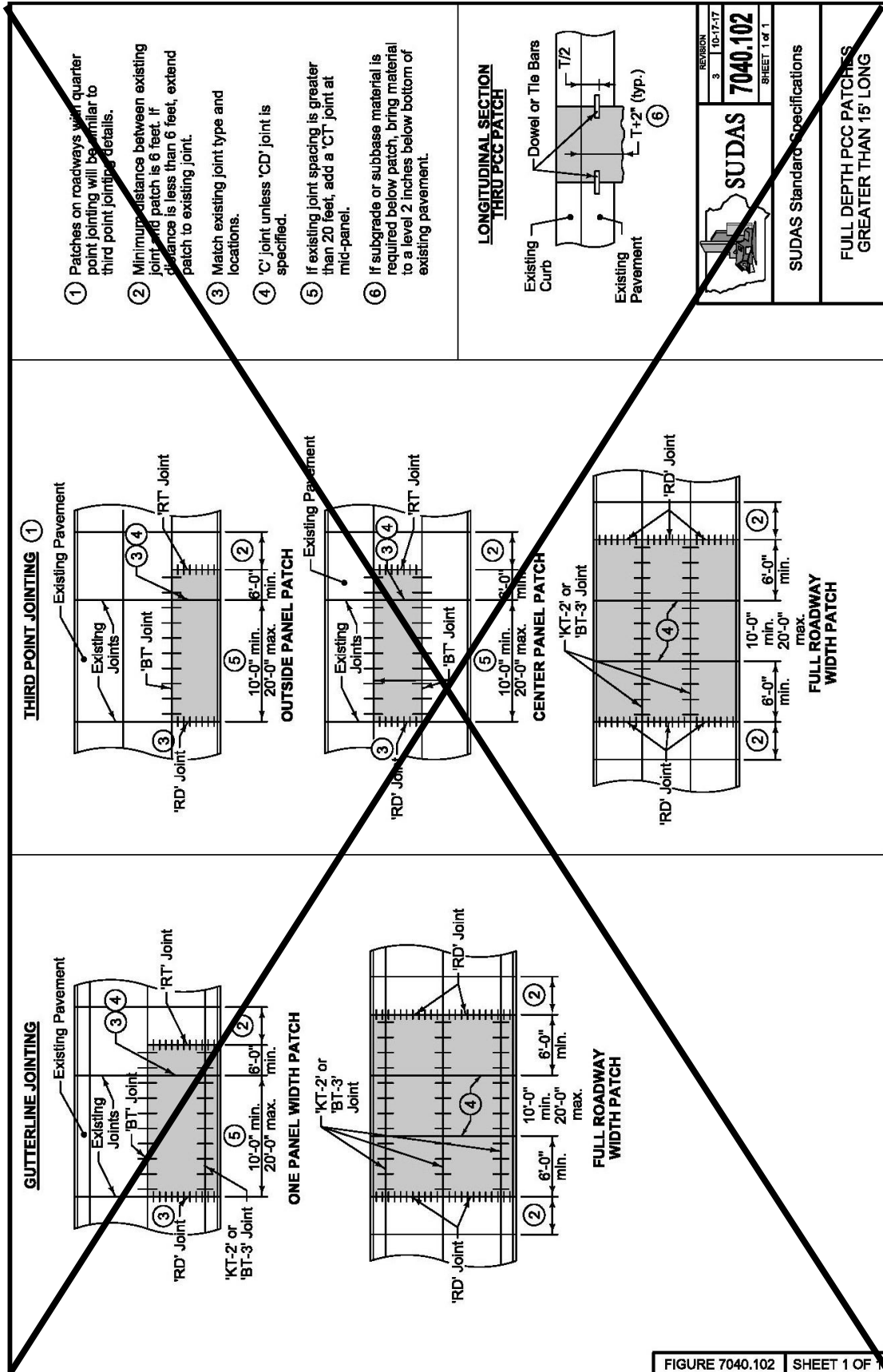
A. 7040.101 Full Depth PCC Patches Less Than or Equal to 15' Long

B. 7040.102 Full Depth PCC Patches Greater Than 15' Long

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SECTION 7050 - ASPHALT STABILIZATION

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

- B. Fixture Adjustment: Comply with Section 6010 (ADD) and 6020 for adjustment of manholes and intakes and (DELETE) ~~Section 5020~~ (ADD) Marshalltown Water Works Requirements for adjustment of water valves and fire hydrants.

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7060 - BITUMINOUS SEAL COAT

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

A. Bituminous Seal Coat by Area:

3. Includes: Unit price includes, but is not limited to, surface preparation including protection of street fixtures; furnishing and placing of materials, including fillets at intersecting streets, driveways, and turnouts; (ADD) sweeping; fog seal; and final clean up.

C. (ADD) Bituminous Material Fog Seal: Unless the Engineer directs otherwise, use asphalt emulsion grade CQS-1, CQS-1H, CSS-1, or SS-1.

1. Dilute the asphalt emulsion with water prior to application to the pavement surface. The dilution rate is one part of asphalt emulsion to four parts water.
2. Dilute the asphalt emulsion with water prior to application to the pavement surface. The dilution rate is one part of asphalt emulsion to four parts water.
3. Uniformly apply dilute asphalt emulsion at the rate of 0.12 gallon per square yard of pavement surface.

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

3.01 EQUIPMENT

- C. **Brooms:** A power-driven (DELETE) ~~rotary~~ or pick-up broom is required for cleaning surfaces before the bitumen is applied (ADD), in between applications, and after final application.

3.06 TWO COURSE SEAL COATS

B. Second Course Construction:

4. (ADD) Complete rolling operations as specified in 3.05.
5. (ADD) After a minimum of 24 hours, lightly broom surface with power sweeper to remove excess aggregate. All aggregate shall be removed with a vacuum machine.

3.08 (ADD) BITUMINOUS FOG SEAL

- A. A bituminous fog seal shall be applied to all sealed streets after completion of the final seal coat layer.
- B. Immediately prior to placing the emulsion, clean the entire pavement surface. Use scrapers, compressed air, or other approved methods.
- C. Uniformly apply dilute asphalt emulsion at the rate of 0.12 gallon per square yard of pavement surface. The application rate may be reduced if directed by the Engineer. For excessive application rates, the Engineer may require a light coat of sand. The Engineer may require brooming of ponded areas prior to placing traffic on the pavement.

SECTION 7070 - EMULSIFIED ASPHALT SLURRY SEAL

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7080 - PERMEABLE INTERLOCKING PAVERS

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7090 - COLD-IN-PLACE PAVEMENT RECYCLING

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7091 - FULL DEPTH RECLAMATION

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 7092 - CRACK AND SEAT EXISTING PCC PAVEMENT

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 8 – TRAFFIC CONTROL

SECTION 8010 - TRAFFIC SIGNALS

PART 1 - GENERAL

1.07 SPECIAL REQUIREMENTS

- B. (ADD) Coordinate all design and construction work with the City of Marshalltown's Public Works Electrical Superintendent.

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 8020 - PAVEMENT MARKINGS

PART 1 - GENERAL

1.06 SCHEDULING AND CONFLICTS

- B. (ADD) Schedule and coordinate all line markings with the Public Works Street Superintendent.

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

3.02 CONSTRUCTION

C. Painted Pavement Markings:

5. (ADD) Coordinate all painted pavement markings with Marshalltown's Public Works Street Department. Paint markings shall be calibrated to the City's standard marking spacing and widths.

SECTION 8030 - TEMPORARY TRAFFIC CONTROL

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 9 – SITE WORK AND LANDSCAPING

SECTION 9010 - SEEDING

PART 1 - GENERAL

1.08 MEASUREMENT AND PAYMENT

A. Conventional Seeding:

1. Seeding:
 - a. Measurement: Measurement will be in acres (ADD) or square yards for each type of seed.
 - b. Payment: Payment will be in unit price per acre (ADD) or square yards for each type of seed.
2. Fertilizing:
 - a. Measurement: Measurement will be in acres (ADD) or square yards of fertilizer.
 - b. Payment: Payment will be at unit price per acre (ADD) or square yards of fertilizer.
3. Mulching:
 - a. Measurement: Measurement will be in acres (ADD) or square yards of mulch.
 - b. Payment: Payment will be in unit price per acre (ADD) or square yards of mulch.

B. Seeding, Fertilizing, and Mulching for Hydraulic Seeding:

1. Measurement: Measurement will be in acres (ADD) or square yards for each type of seed.
2. Payment: Payment will be in unit price per acre (ADD) or square yards for each type of seed.

C. Seeding, Fertilizing, and Mulching for Pneumatic Seeding:

1. Measurement: Measurement will be in acres (ADD) or square yards for each type of seed.
2. Payment: Payment will be in unit price per acre (ADD) or square yards for each type of seed.

PART 2 - PRODUCTS

2.02 SEED MIXTURES AND SEEDING DATES

- A. **Type 1 (Permanent Lawn Mixture):** Used for residential and commercial turf site, fertilized, and typically mowed. Use between March 1 and May 31 and between August 10 and September 30. (ADD) Dormant seeding from September 30 to freeze-up will be allowed if approved by City Engineer. Type 1 seed mixture will be used in all terrace or boulevard areas within the City of Marshalltown.

PART 3 - EXECUTION

3.05 HYDRAULIC SEEDING

A. **Seed Application, Fertilizing, and Mulching:**

8. Hydromulching (ADD) is required (DELETE) ~~may be done~~ over conventional seeding and/or fertilizing, (ADD) unless straw mulch is (DELETE) if approved by the Engineer.

SECTION 9020 - SODDING

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 9030 - PLANT MATERIAL AND PLANTING

PART 1 - GENERAL

1.03 SUBMITTALS

- F. (ADD) Provide trees and shrubs planted in terrace areas in accordance with the City of Marshalltown's Code of Ordinances, Chapter 58 – Vegetation. A list of prohibited trees and recommended trees is provided in Table 1 at the end of this section.
- G. (ADD) The placement of trees shall be in accordance with Chapter 10B-1 of the SUDAS Design Manual.

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

3.06 PLANTING

A. Bare Root Plants: (ADD) Not allowed without written approval of the City Engineer.

Table 1 - Tree List for Planting on Terrace or Other Public Right-of-Way

Prohibited Species

- All evergreen trees and shrub species except those with a mature height of 12 inches or less.
- All deciduous shrubs
- All Poplars (*Populus* spp.), including, but not limited to Cottonwood, White Poplar, Lombardy Poplar, and hybrids thereof
- American Elm (*Ulmus americana*) & Elm hybrids
- Birch (*Betula* spp.)
- Blue Ash (*Fraxinus quadrangulata*)
- Green Ash and cultivars (*Fraxinus pennsylvanica lanceolata*)
- White Ash and cultivars (*Fraxinus Americana*)
- Box Elder (*Acer negundo*)
- Bradford Pear (*Pyrus calleryana* 'Bradford')
- Catalpa (*Catalpa speciosa*)
- Crab Apples with exception of Spring Snow or male sterile varieties
- Female Ginkgo (*Ginkgo biloba*).
- Hawthorn (*Crataegus* spp.)(except thornless cutlivars)
- Honey Locust (*Gleditsia triacanthos*) and all cultivars
- Japanese Tree Lilac (*Syringa reticulata*)
- Oriental Elms (*Ulmus pumila* & *U. parvifolia*)
- Pin Oak (*Quercus palustris*)
- Purple Leaf Plum (*Prunus cerasifera*)
- Red Mulberry, White Mulberry (*Morus rubra* & *Morus alba*)
- Russian Olive (*Elaeagnus angnstifolia*)
- Serviceberry (*Amelanchier* spp.)
- Silver Maple – Autumn Blaze Maple (*Acer saccharinum*) and all cultivars including Freeman cultivars

- Sycamore (*Plantanus spp*) and all cultivars
- Willow (*Salix spp.*)

Suggested trees for terrace area 8' wide or greater

- Basswood/Linden (*Tilia spp.*)
- Kentucky Coffeetree (*Gymnocladus dioicus*)
- White Oak (*Quercus alba*)
- Bur Oak (*Quercus macrocarpa*)
- Swamp White Oak (*Quercus bicolor*)
- Northern Red Oak (*Quecrus rubra*)
- Sugar Maple (*Acer saccharum*)
- Red Maple (*Acer rubrum*)
- Black Maple (*Acer nigrum*)
- Hackberry (*Celtis occidentalis*)
- Male Ginkgo (*Ginkgo biloba*)

Suggested trees for terrace area less than 8' in width

- Amur Maple (*Acer ginnala*) (Tree form only)
- Tatarian Maple (*Acer tataricum*)
- American Hophornbeam (*Ostrya virginiana*)
- Thornless Cockspur Hawthorn (*Crataegus crus-galli inermis*)
- American Hornbeam (*Carpinus caroliniana*)
- Crabapple (*Malus sp.*) (Male sterile varieties only)
- Red Bud (*Cercis Canadensis*)

SECTION 9040 - EROSION AND SEDIMENT CONTROL

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

3.13 RIP RAP (Figures 9040.110 and 9040.111)

- B. (ADD) Contractor shall construct an anchor trench along the toe of the slope prior to placement of riprap. Anchor trench shall be 2' deep, 4' wide, and extend along the entire length of slope.

SECTION 9050 - GABIONS AND REVET MATTRESSES

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 9060 - CHAIN LINK FENCE

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 9070 - LANDSCAPE RETAINING WALLS

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

3.02 INSTALLATION

B. Modular Block Retaining Wall:

3. Tieback Reinforcement Installation: Install tieback reinforcement (ADD) every 24" of elevation. Geogrid shall conform to the manufacturer's requirements

and be installed according to the manufacturer's requirements.

3.03 (ADD) NOTES ADDED TO FIGURES

- A. SUDAS 9070.101 - Tie backs will be required for each 2-feet of vertical wall elevation constructed.
- B. SUDAS 9070.102 - Geogrid reinforcement will be required for each 2-feet of vertical wall elevation constructed.
- C. SUDAS 9070.103 - Geogrid reinforcement will be required for each 2-feet of vertical wall elevation constructed.

SECTION 9071 - SEGMENTAL BLOCK RETAINING WALLS

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 9072 - COMBINED CONCRETE SIDEWALK AND RETAINING WALL

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 9080 - CONCRETE STEPS, HANDRAILS, AND SAFETY RAIL

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 10 – DEMOLITION

SECTION 10,010 - DEMOLITION OF BUILDING STRUCTURES

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SUPPLEMENTAL DIVISION 11 – MISCELLANEOUS

SECTION 11,010 - CONSTRUCTION SURVEY

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 11,020 – MOBILIZATION

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 11,030 - TEMPORARY SERVICES DURING CONSTRUCTION

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 11,040 - TEMPORARY SIDEWALK ACCESS

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

SECTION 11,050 - CONCRETE WASHOUT

PART 1 – GENERAL

NO REVISIONS

PART 2 - PRODUCTS

NO REVISIONS

PART 3 - EXECUTION

NO REVISIONS

LEGEND	
POWER POLE	
LIGHT POLE	
TELEPHONE PEDESTAL	
PROPERTY PIN	
CONC. MONUMENT	
I.D.O.T. R.O.W. RAIL	
MANHOLE	
FIRE HYDRANT	
SIGN	
GAS VALVE	
WATER VALVE	
TRAFFIC SIGNAL	
TREE	
BUSH	
FENCE	
CULVERT	
CENTERLINE	
CONC. CURB & GUTTER	

18TH AVENUE BRIDGE APPROACH SLAB REPAIR PROJECT

CITY OF MARSHALLTOWN

PROJECT NO - STR20-004

THE IDOT STANDARD SPECIFICATIONS, THE
MARSHALLTOWN SUPPLEMENTARY CONDITIONS,
AND THE 2022 SUDAS SPECIFICATIONS SHALL
APPLY TO CONSTRUCTION ON THIS PROJECT.

PROJECT LOCATION



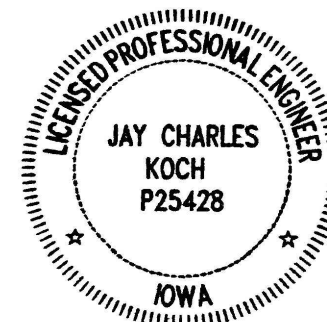
UTILITY CONTACTS
GAS & ELECTRIC: ALLIANT ENERGY
PHONE: IOWA ONE CALL -1-800-292-8989

TELEPHONE: CENTURY LINK
PHONE: IOWA ONE CALL -1-800-292-8989

WATER: MARSHALLTOWN WATER WORKS
CONTACT: ZACH MAXFIELD
PHONE: (641) 753-7913

SEWER: CITY OF MARSHALLTOWN
CONTACT: TROY McGAHUEY
PHONE: (641) 754-5749

TRAFFIC SIGNALS & CITY STREET LIGHTS
CITY OF MARSHALLTOWN
CONTACT: RICK EARLY
PHONE: (641) 754-5734



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2	PLAN NOTES AND ESTIMATED QUANTITIES
3	LOCATION MAP
4-6	APPROACH SLAB REMOVAL SHEETS
7-9	APPROACH SLAB INSTALLATION SHEETS
10-12	TYPICAL CONSTRUCTION DETAIL SHEETS

I hereby certify that this engineering document was prepared by me or
under my personal supervision and that I am a duly Registered
Professional Engineer under laws of the State of Iowa

Name : Jay C. Koch, P.E. Iowa Reg. No. P25428

Signature Jay C. Koch Date 03/01/2022
My registration expires December 21st, 2022
Sheet covered by this seal : ALL

DEPARTMENT OF PUBLIC WORKS
24 N. CENTER ST.,
MARSHALLTOWN, IA. 50158
PH. (641) 754-5734



Drawn By: JCK
Chk By: JCK
Proj. No: STR20-004
Dwg. No: 0001
VP. No: COVER
Date: 3/2/22

COVER AND UTILITY
CONTACTS
18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA

CITY OF MARSHALLTOWN

18TH AVENUE BRIDGE

SCALE
1"=1000'



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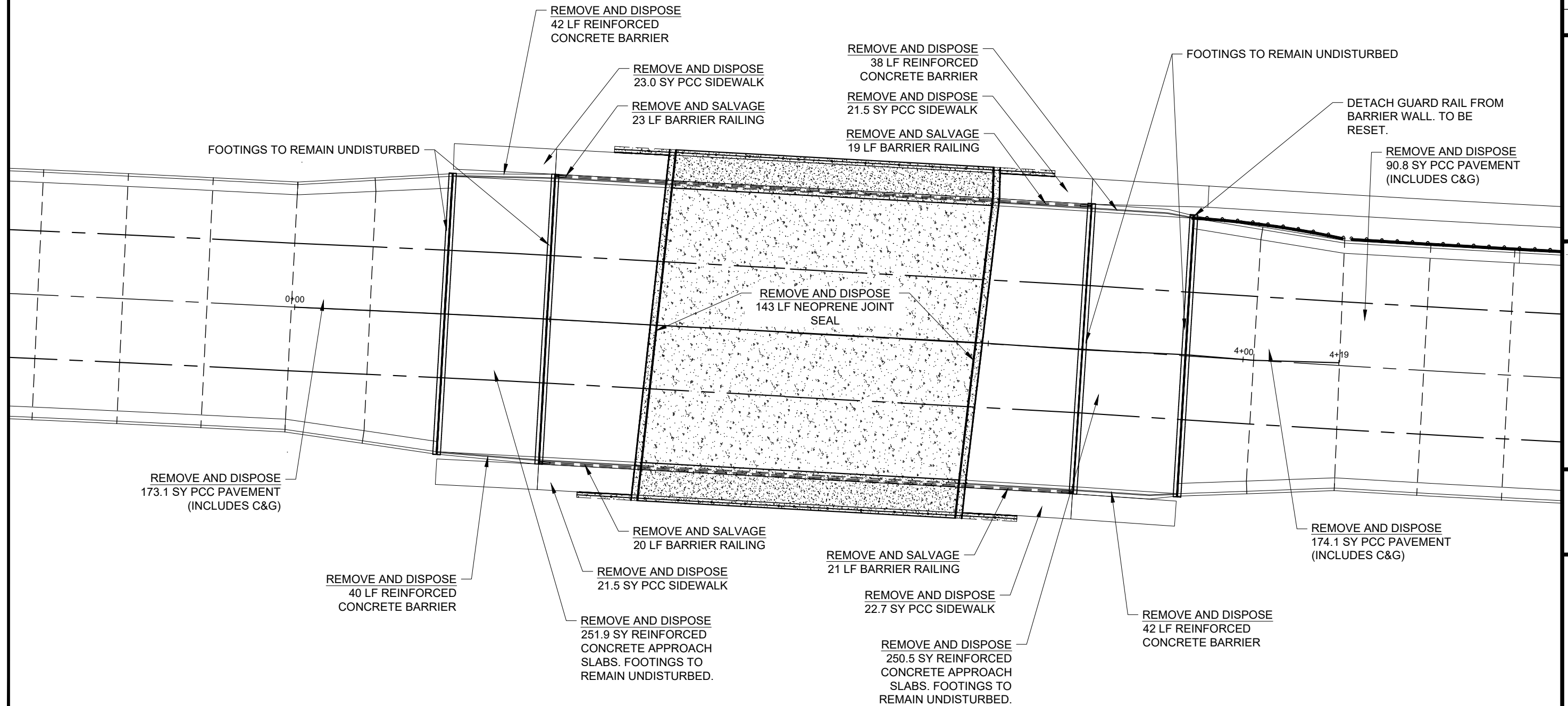
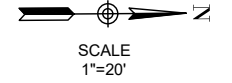
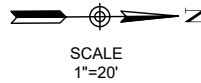


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LOCATION MAP

18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA

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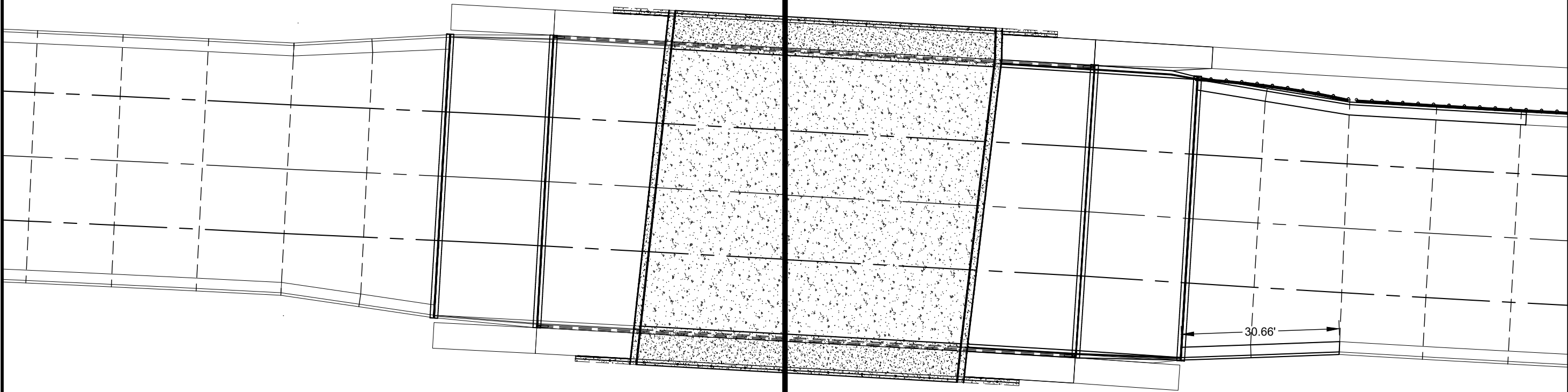
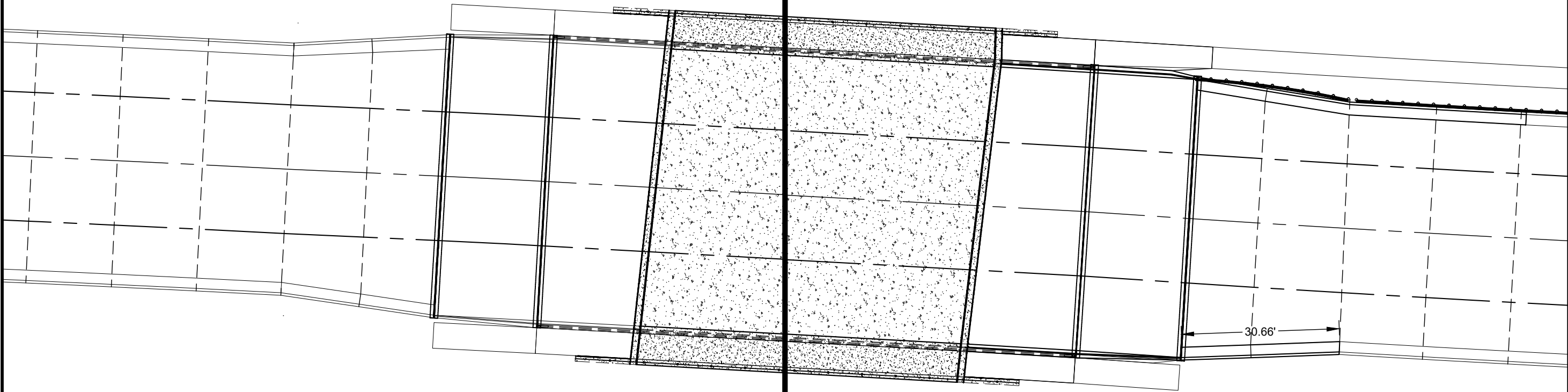


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VP. No: REMOVAL-1
Date: 3/2/22

BRIDGE APPROACH REMOVAL
QUANTITIES
18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA



BRIDGE APPROACH REMOVAL DIMENSIONS

18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA

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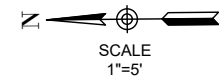
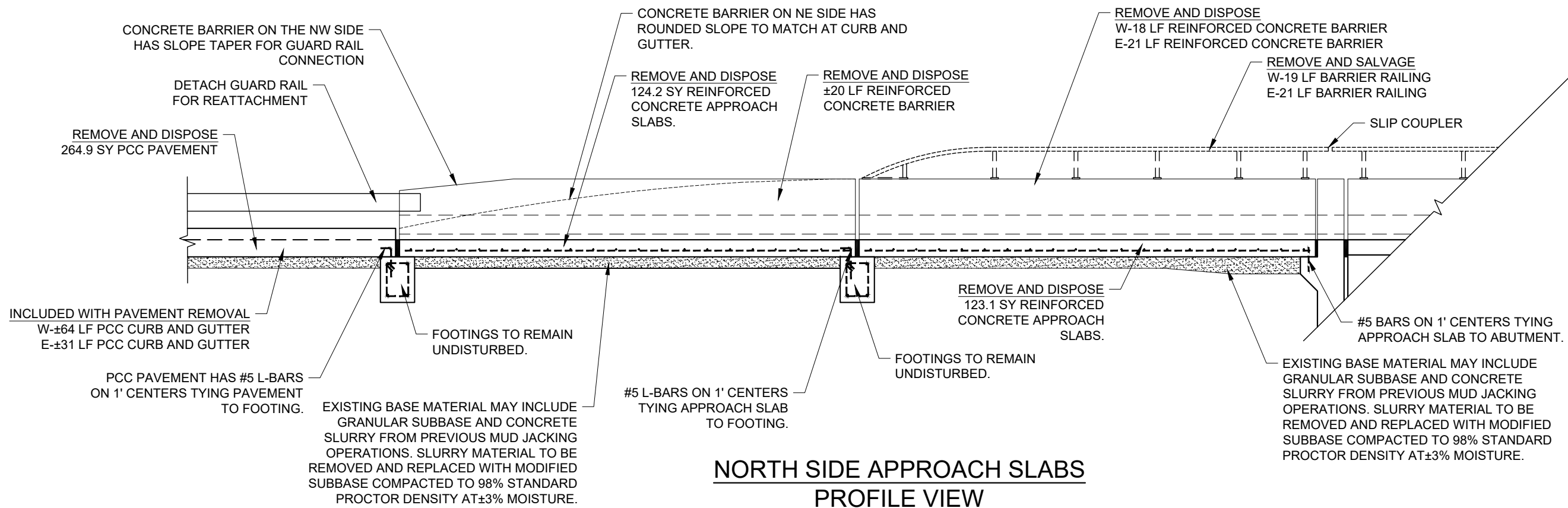
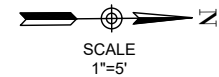
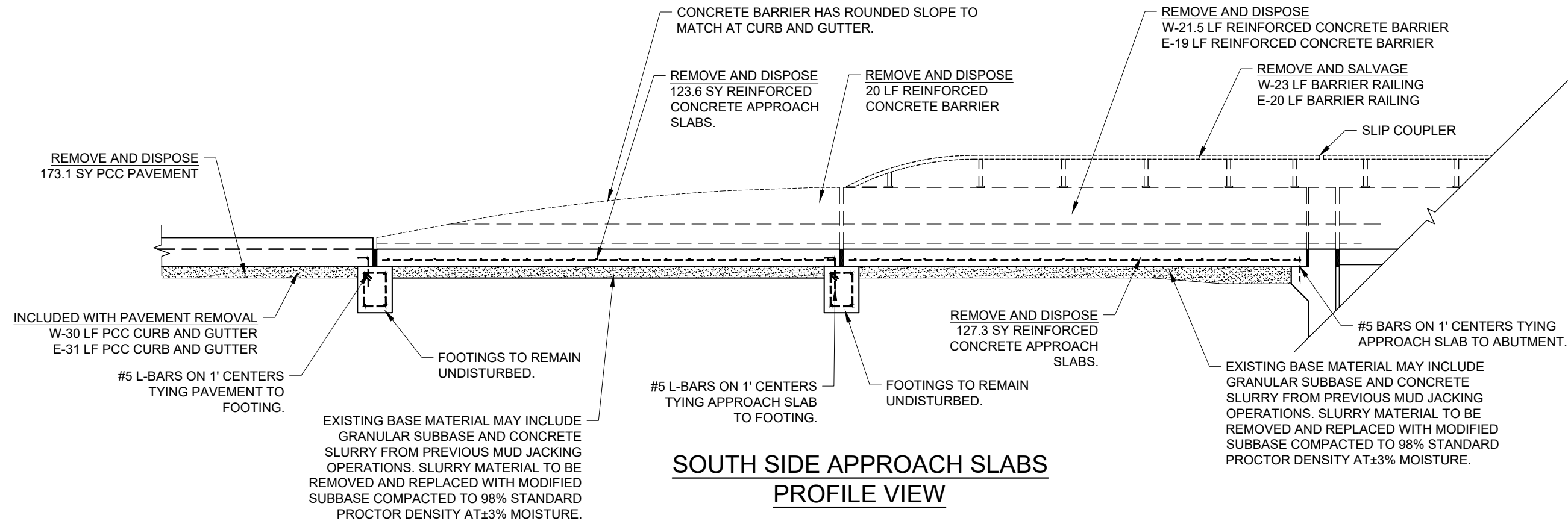
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Dwg. No:	BRIDGE APPR
VP. No:	REMOVAL-2
Date:	3/2/22



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PH. (641) 754-5734

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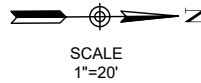


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PH. (641) 754-5734

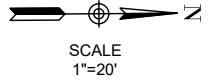


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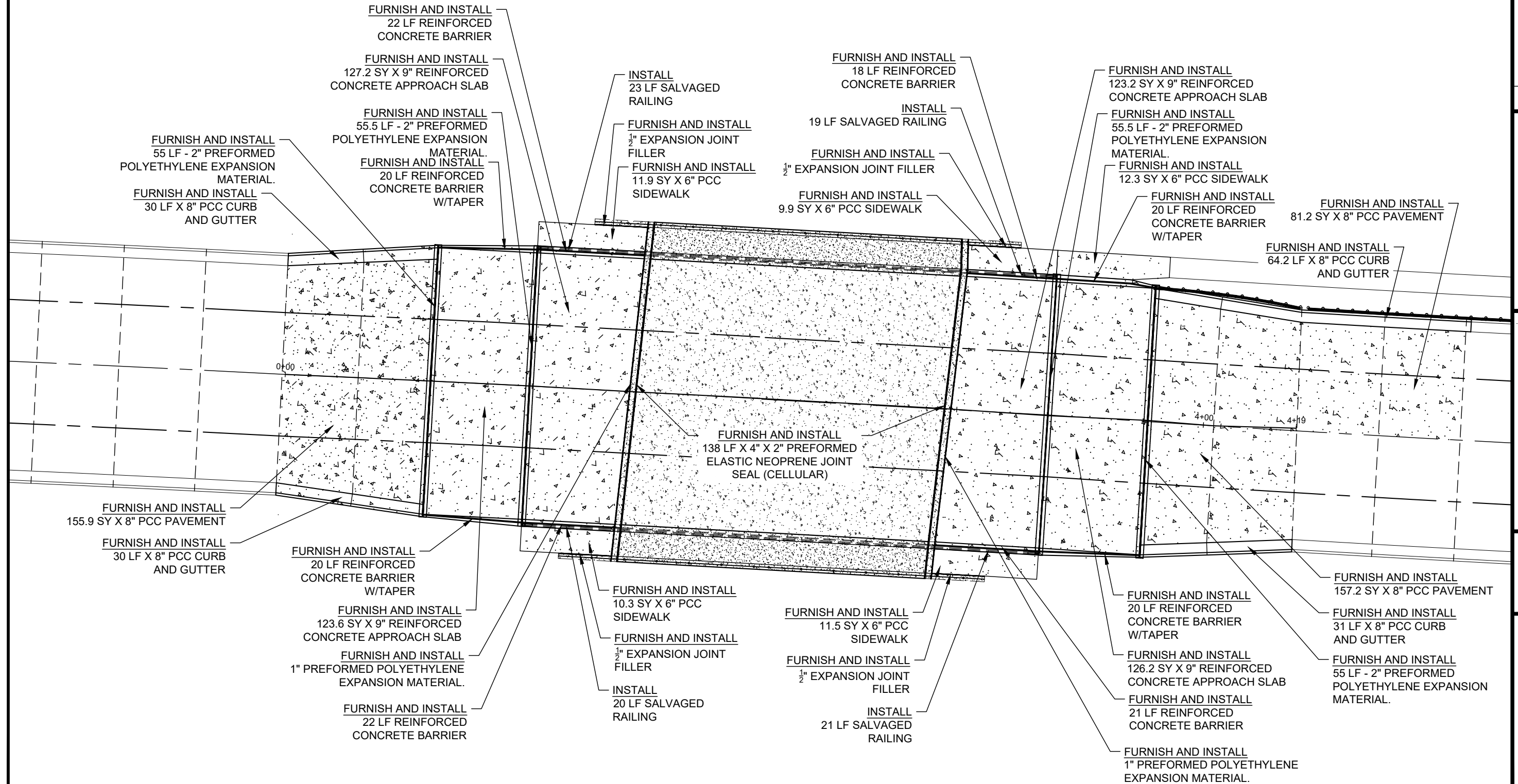
BRIDGE APPROACH REMOVALS
DIMENSIONS
18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA



SCALE
1"=20'



SCALE
1"=20'

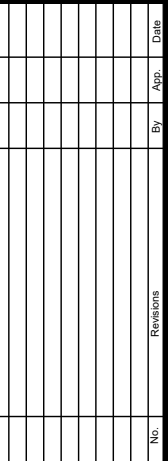
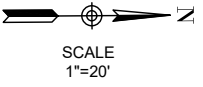


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PH. (641) 754-5734



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DWG. No: BRIDGE/APP
VP. No: INSTALL1
Date: 3/2/22

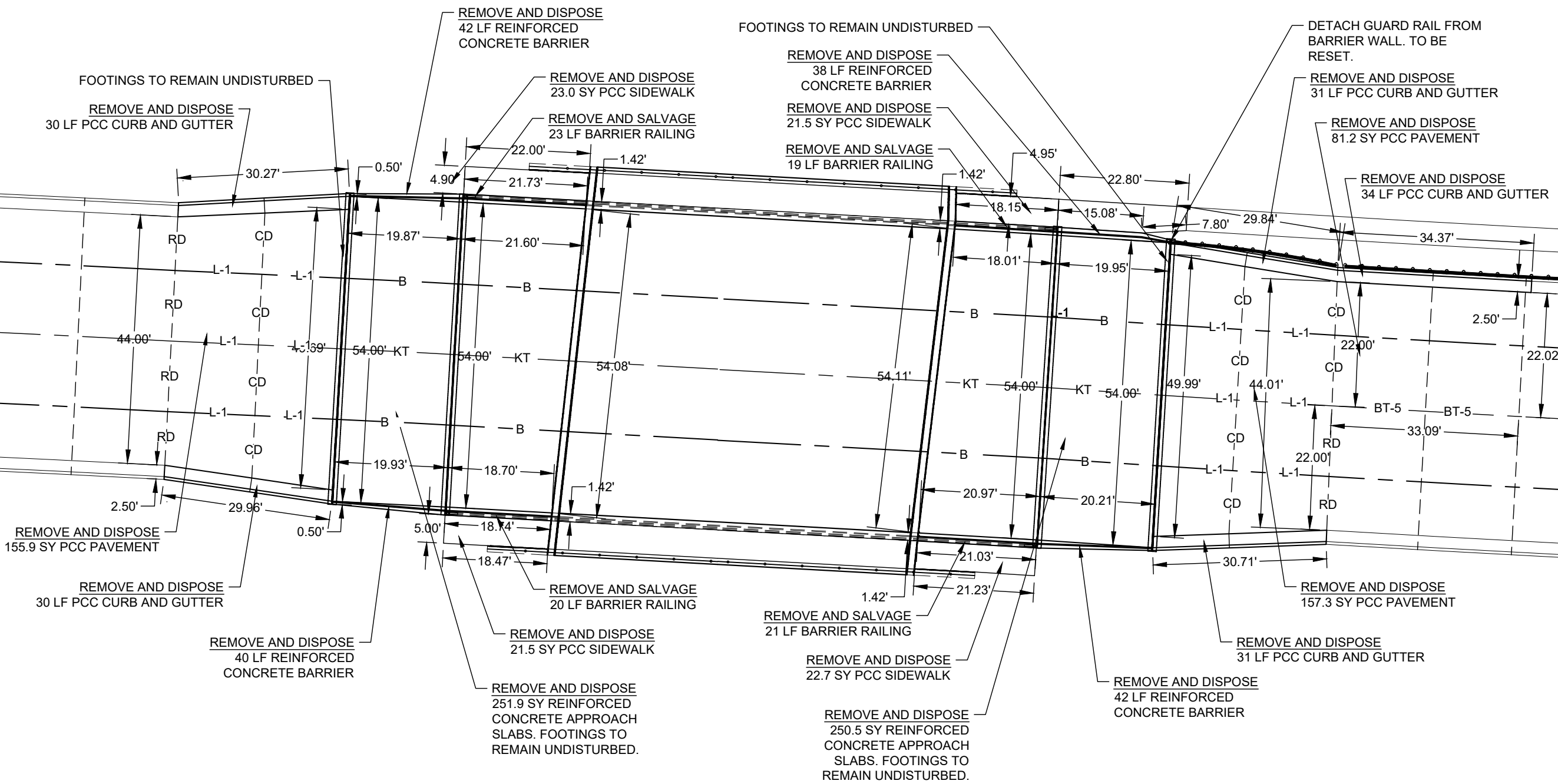
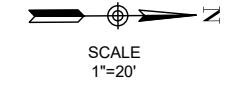
INSTALLATION - BRIDGE
APPROACH QUANTITIES
18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA



MARSHALLTOWN
MORE THAN EVER

INSTALLATION - BRIDGE
APPROACH INSTALL ELEVATIONS

18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA

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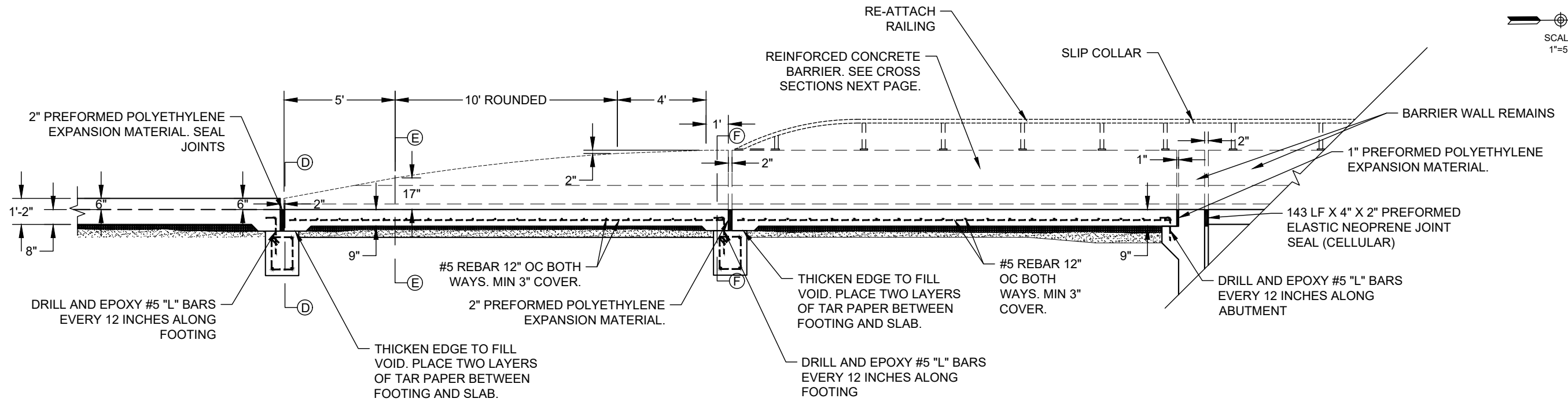
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MARSHALLTOWN, IA. 50158
PH. (641) 754-5734



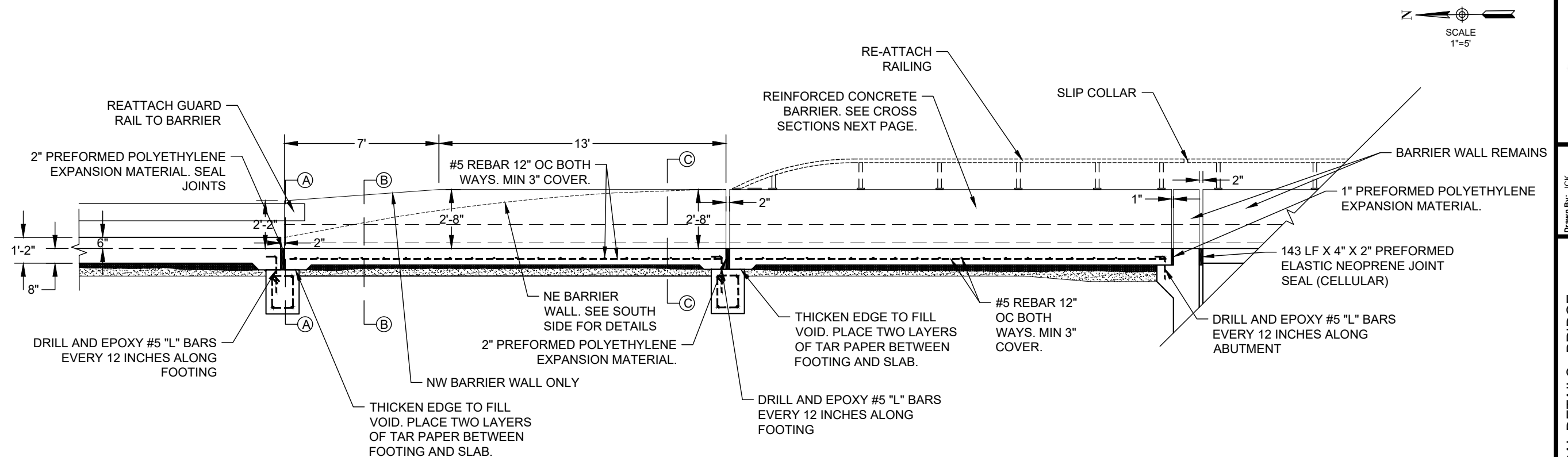
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Dwg. No: BRIDGEAPPR
VP. No: INSTALL-3
Date: 3/2/22

INSTALLATION - BRIDGE APPROACH
INSTALL JOINTS AND DIMENSIONS

18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA



**SOUTH SIDE APPROACH SLABS
PROFILE VIEW**



**NORTH SIDE APPROACH SLABS
PROFILE VIEW**

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24 N. CENTER ST.,
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MARSHALLTOWN
MORE THAN EVER

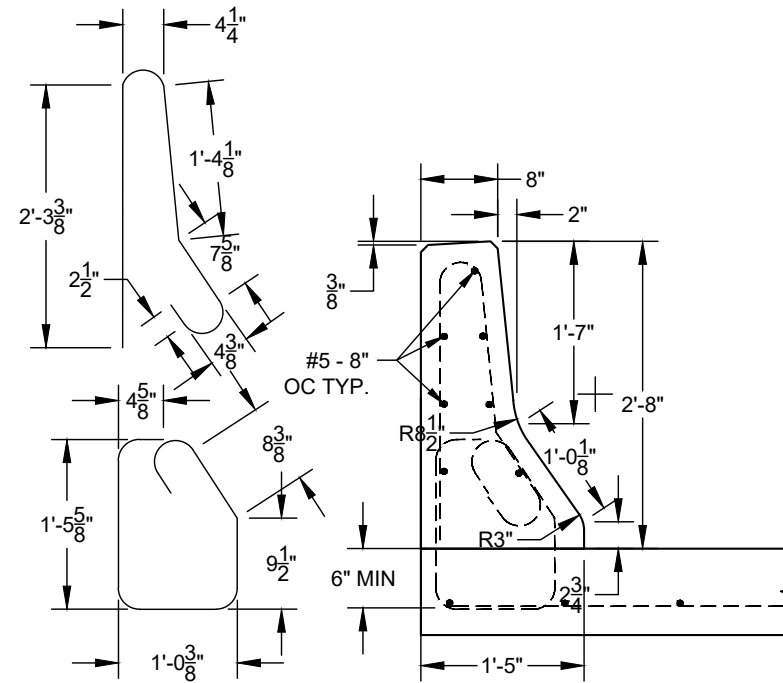
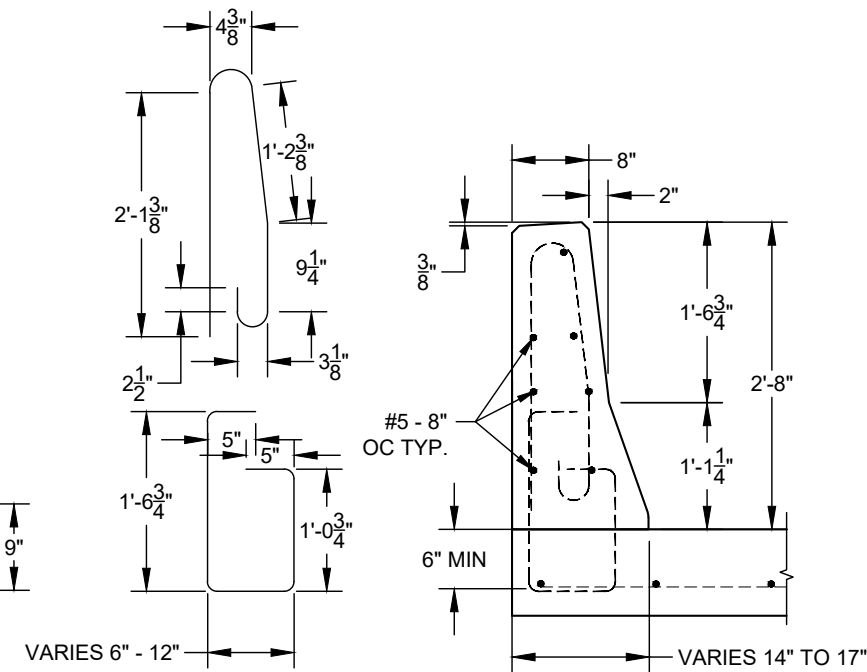
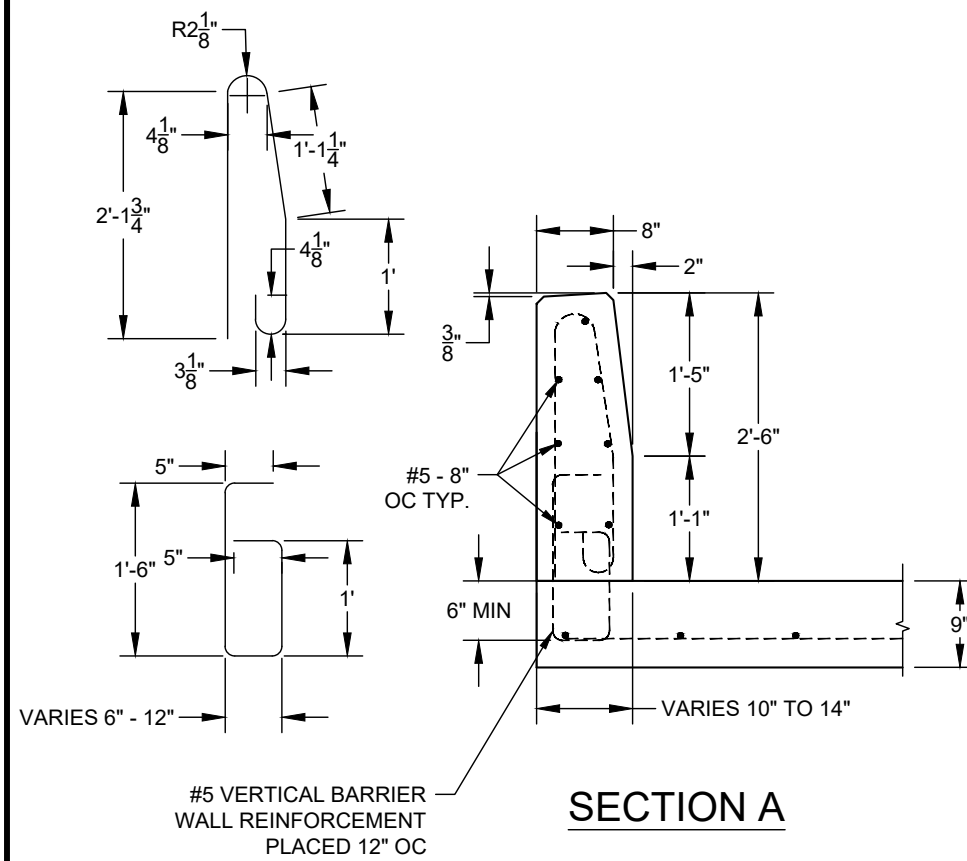
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VP. No: TYP DETAILS
Date: 3/2/22

TYPICAL DETAILS - BRIDGE
APPROACH PROFILE VIEWS
18TH AVENUE BRIDGE APPROACH SLAB
REPAIRS
MARSHALLTOWN, IOWA

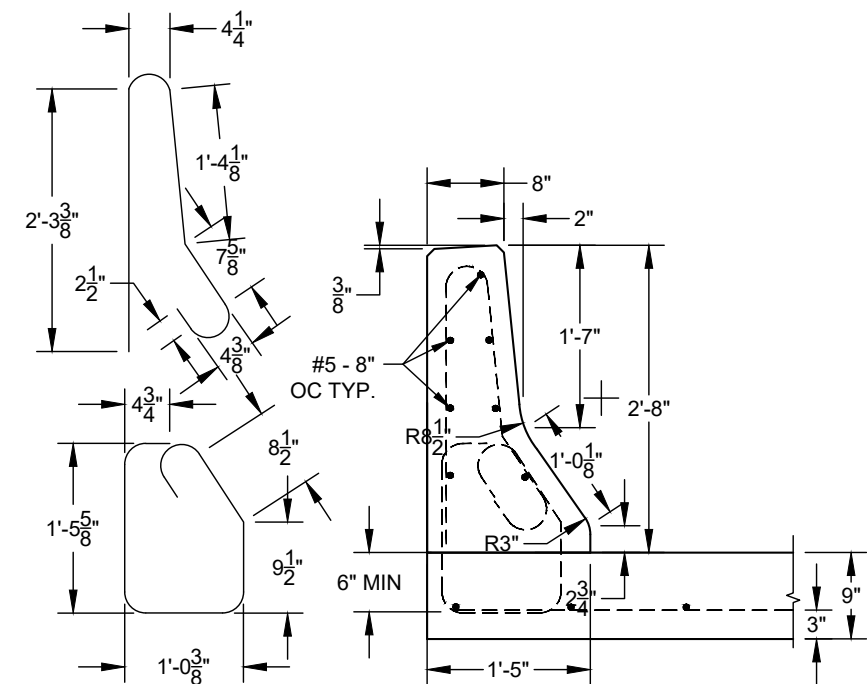
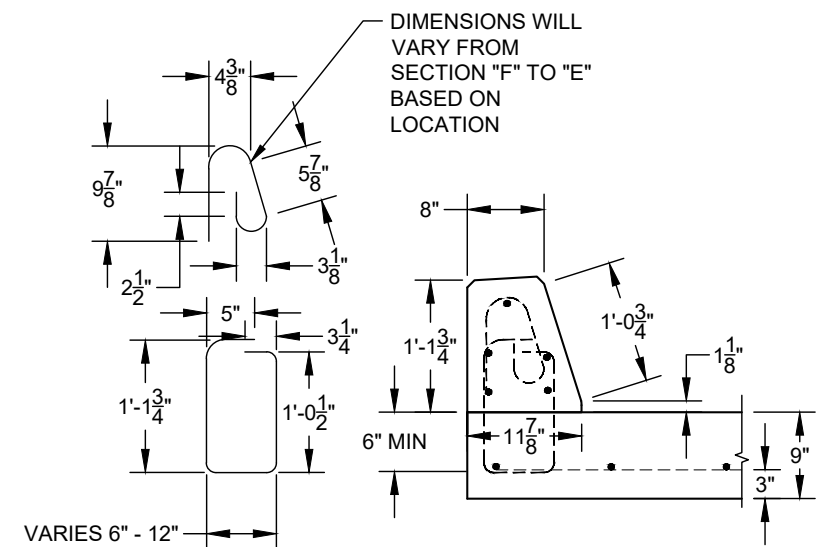
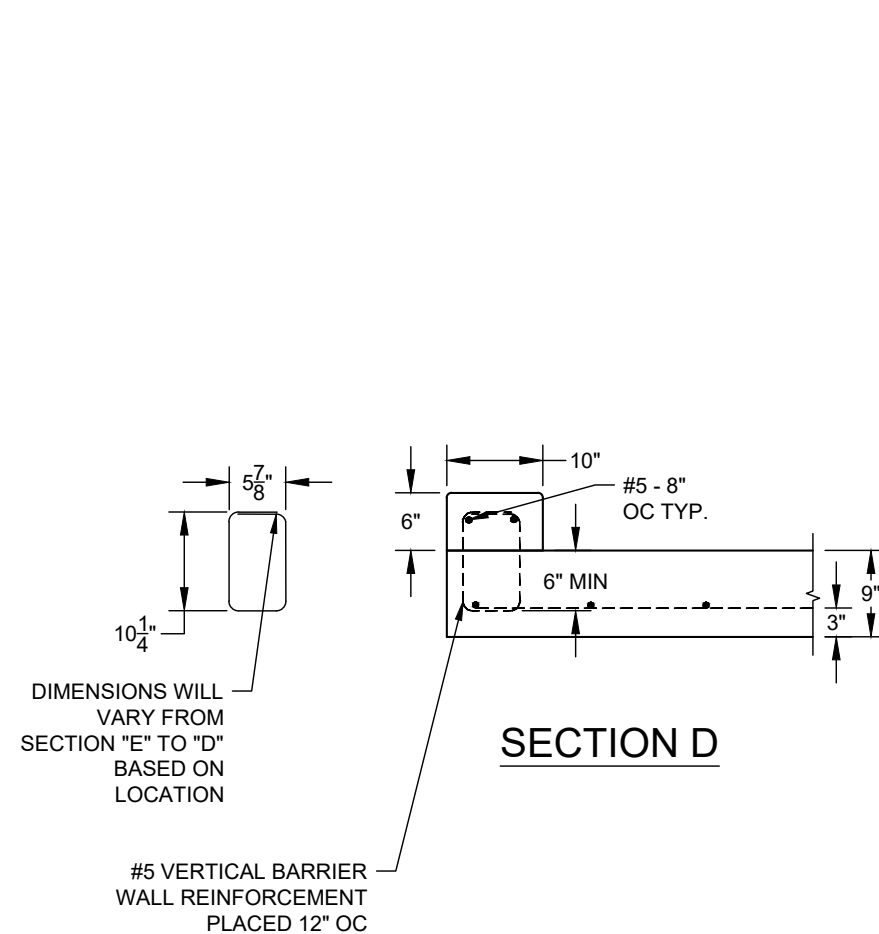
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MARSHALLTOWN
MORE THAN EVER

TYPICAL DETAILS - BRIDGE
BARRIER RAIL PROFILE VIEW



NORTHWEST BARRIER RAIL DETAILS



MARSHALLTOWN

I O W A

TO: Mayor, City Council Members, and City Administrator

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: March 14, 2022 Meeting

RE: **Zoning Ordinance and Zoning Map**

Policy Issue: The City of Marshalltown is responsible for the administration and maintenance of the Zoning Ordinance for the community. This ordinance includes the text and a map.

Background: At the end of 2020 the Council approved a contract with Kendig Keast Collaborative (KKC) to complete a comprehensive re-write of the ordinance. In the past we have handled updates in-house but the need for experienced code developers was determined a priority for this project. Staff has spent the past year working closely with KKC to complete the project and present the proposed ordinance and map.

The ordinance includes 13 articles, the table of contents and the map. Project information can be found on the City website: <https://www.marshalltown-ia.gov/708/Zoning-Ordinance-Re-write-Project>

The Plan and Zoning Commission has reviewed the proposed ordinance and map and held a public hearing on Thursday, March 10, 2022. The Commission received public comments and made several changes to the proposal which have been incorporated into the attached document. A revised draft will also be posted on the project website.

Recommendation: Proposed Adoption Schedule

- Thursday, February 24, 2022 at 5:00 PM - Plan and Zoning Commission - Initial Presentation and Review. Include a virtual presentation from Kendig Keast Collaborative.
- Thursday, March 3, 2022 at 5:00 PM – Plan and Zoning Commission – Work Session
- Thursday, March 10, 2022 at 5:00 PM - Plan and Zoning Commission - PUBLIC HEARING and Recommendation to the City Council.
- Monday, March 14, 2022 at 5:30 PM - City Council - 1st Reading of the Ordinance
- Monday, March 28, 2022 at 5:30 PM - City Council - 2nd Reading of the Ordinance
- Monday, April 11, 2022 at 5:30 PM - City Council - PUBLIC HEARING and 3rd Reading of the Ordinance

Budget Impact: None

Attachment: Ordinance which includes Chapter 156: Zoning and the Zoning Map

ORDINANCE 15039

AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 156, ENTITLED ZONING, AND ENACTING AND ADOPTING A NEW CHAPTER 156, ENTITLED ZONING, INCLUDING THE ZONING MAP, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THERE WITH

WHEREAS, the City of Marshalltown has in place a Zoning Ordinance to protect the public health and safety, quality of life, economic development, and fiscal and functional health of the City and its present and future inhabitants in accordance with the goals of the Comprehensive Plan; and

WHEREAS, the Zoning Ordinance and Zoning Map have been rewritten by Kendig-Keast Collaborative working with the Housing & Community Development Department to address changes in development standards, community goals and changes in local, State and Federal laws; and

WHEREAS, the Plan and Zoning Commission has reviewed the proposed Zoning Ordinance and Zoning Map, held a public hearing on March 10, 2022, and is recommending approval of the proposed Zoning Ordinance and Zoning Map; and

WHEREAS the City Council is required to hold a public hearing before adoption of the proposed Zoning Ordinance; and

WHEREAS the City Council has fully examined the same and has found the same to be in the best interests of the City of Marshalltown, Iowa and that the same should now be adopted and enacted.

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

Section 1. The Code of Ordinances of the City of Marshalltown is hereby amended by repealing in its entirety Chapter 156: Zoning and enacting and adopting Chapter 156, entitled “Zoning” and the corresponding Zoning Map.

Section 2. The public hearing required on this Ordinance amendment shall be held in the Council Chambers of City Hall, 10 West State Street, Marshalltown, Iowa at 5:30 p.m., local time, on the 11th day of April 2022, and the City Clerk is directed to cause a publication of the notice of the public hearing in one issue of the Marshalltown Times-Republican, a newspaper published in Marshalltown, Marshall County, Iowa, not less than 7 days nor more than 20 days prior to the date of the public hearing fixed herein.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Council on this ____ day of _____, 2022, and signed on the ____ day of _____, 2022.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

I, Alicia Hunter, City Clerk of the City of Marshalltown, Iowa, do hereby certify that the foregoing ORDINANCE was passed and approved by the City Council of the City of Marshalltown, Iowa, on the ____ day of _____, 2022 and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the ____ day of _____, 2022.

Alicia Hunter, City Clerk

ORDINANCE SUMMARY

Marshalltown Ordinance 15039 repeals Chapter 156: Zoning from the Code of Ordinances in its entirety and replaces it with a new Chapter 156: Zoning and corresponding Zoning Map. This ordinance becomes effective upon publication of this summary. A full copy of the ordinance is available online at www.marshalltown-ia.gov.

Alicia Hunter, City Clerk

City of Marshalltown Zoning Ordinance

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CHAPTER 156 – ZONING

ARTICLE A – GENERAL PROVISIONS

Section 156.A.001, Title

- A. **Title.** This document is known, and may be cited as, the City of Marshalltown, Iowa, Zoning Ordinance.
- B. **Short Title.** References to "this Ordinance", "this Code", or "this Chapter" are interpreted as references to this Zoning Ordinance.

Section 156.A.002, Purposes

The City Council adopts this Zoning Ordinance to protect the public health and safety, quality of life, economic development, and fiscal and functional health of the City and its present and future inhabitants in accordance with the goals of the Comprehensive Plan. The provisions of this Ordinance are specifically intended to:

- A. **Public Health and Safety.** Protect public health and safety and environmental quality by:
 - 1. *Open Space.* Ensuring the provision of adequate public and private open space for light, air, environmental protection, recreation, and fire safety;
 - 2. *Density and Intensity.* Preventing both the overcrowding of land and urban sprawl by regulating the density and intensity of development;
 - 3. *Screening and Buffering.* Establishing reasonable screening and buffering of residential, nonresidential, and mixed-use areas from incompatible uses; and
- B. **Quality of Life.** Protect the quality of life of City residents, business owners, employees, and visitors by:
 - 1. *Character.* Protecting and enhancing the character and property values of all parts of the City;
 - 2. *Environmental Assets.* Preserving and protecting existing trees and vegetation, woodlands, floodplains, stream and riparian corridors, scenic views, and other areas of scenic and environmental significance from adverse impacts of land development; and
 - 3. *Appearance.* Improving the City's appearance through the regulation of design, where such regulations are appropriate.
- C. **Economic Development.**
 - 1. *Commercial and Industrial Districts.* Encourage a diverse and stable economy with employment opportunities, particularly those that have meaningful multiplier effects in the local economy, by promoting the vitality and development of commercial and industrial districts;
 - 2. *Entrepreneurship.* Enable and encourage entrepreneurship and local business growth; and
 - 3. *Business Retention and Expansion.* Enable retention and sensitive expansion of local businesses.
- D. **Fiscal and Functional Health.** Protect the fiscal and functional health of the City by:
 - 1. *Compatibility.* Encouraging the most appropriate, efficient, and compatible use of land, buildings, and other structures throughout the City;
 - 2. *Efficiency.* Securing economy in government-private sector expenditures by promoting efficiency in development review;
 - 3. *Housing Stock.* Promoting a diverse housing stock in new developments and maintaining such diversity where it currently exists;
 - 4. *Promote Equitable, Affordable Housing.* Encourage location-efficient housing options to increase mobility and lower the combined cost of housing and transportation;
 - 5. *Reinvestment, Redevelopment, and Infill.* Protecting property against blight and depreciation by facilitating reinvestment, redevelopment, and infill development; and

6. *Supply of Land*. Promoting a balanced supply of residential, commercial, industrial, agricultural, and mixed land uses for conservation and development.
- E. **Encourage Contextually Sensitive Development and Redevelopment.**
1. *Redevelopment and Infill*. Promote contextually compatible redevelopment and infill development of vacant or underutilized properties;
 2. *Mixed-Use*. Enable and encourage efficient development patterns, including by-right mixed-use development; and
 3. *Historic Character*. Facilitate orderly and harmonious development with the visual and historical character of Marshalltown.
- F. **Clear Regulations and Processes.** Establish transparent regulations and review procedures for development, the duties and powers of responsible administrative bodies, and reasonable penalties and enforcement mechanisms for violations of this Ordinance.

Section 156.A.003, Authority

The City Council adopts this Zoning Ordinance pursuant to:

- A. **Constitutional Authority.** The powers granted and limitations imposed by the U.S. and the Iowa Constitutions;
- B. **Iowa Code.** The authority granted by the Iowa Code including, but not limited to:
1. [Chapter 364](#), *Powers and Duties of Cities*;
 2. [Chapter 368](#), *City Development*;
 3. [Chapter 372](#), *Organization of City Government*;
 4. [Chapter 380](#), *City Legislation*;
 5. [Chapter 414](#), *City Zoning*;
 6. [Chapter 18B](#), *Land Use - Smart Planning*; and
 7. Such additional authority as may be conferred by the Iowa Code.
- C. **City Charter and Code of Ordinances.** The [City's Charter](#) and the ordinances, resolutions, rules, and regulations set forth in the City's Code of Ordinances.

Section 156.A.004, Applicability

- A. **Generally.** No person may use, occupy, subdivide, or develop land, or use, occupy, erect or modify buildings, signs, or other structures, except in accordance with all applicable provisions of this Ordinance. The “use” or “occupancy” of a building or land relates to anything and everything that is done to, on, or in that building or land.
- B. **Specific Exceptions.** Specific exceptions to the requirements of this Ordinance may be set out in individual Sections.

Section 156.A.005, Jurisdiction

All provisions of this Zoning Ordinance apply within the corporate limits of the City of Marshalltown, as may be expanded, contracted, or modified from time to time.

Section 156.A.006, Abrogation, Conflict, and Private Restrictions

- A. **Abrogation.** It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions.
- B. **Conflict.**
1. *Conflict with State or Federal Regulations.* If the provisions of this Ordinance conflict with those of the state or federal government, the more restrictive provision, as determined by the Zoning Administrator, controls, to the extent permitted by law.

2. *Conflict with Other City Regulations.* If the provisions of this Ordinance are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the City, the provisions of this Ordinance control.
 3. *Conflicts within this Ordinance.* Where the text of this Ordinance conflicts with its tables or illustrative material, the text controls. Where a table of this Ordinance conflicts with an illustration, the table controls.
- C. **Private Restrictions.** The City does not interpret or enforce private restrictions, including, but not limited to, deed restrictions, covenants, or easements.

Section 156.A.007, Minimum Requirements

- A. **Compliance.** No structure or land shall be used and no structure shall be located, extended, converted, or structurally altered without the impacted area being brought into full compliance with the terms of this Ordinance and other applicable regulations that apply to uses and structures within the jurisdiction of this Ordinance.
- B. **Interpretation.** In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be literally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

Section 156.A.008, Severability

- A. **Generally.** If a court of competent jurisdiction holds any Article, Section, Subsection, clause, provision, or portion of this Chapter as unconstitutional or invalid, the remainder of this Ordinance shall not be affected.
- B. **As-Applied.** If a court of competent jurisdiction holds any application of a provision of this Chapter to a particular structure, land, or water to be invalid or unconstitutional "as-applied", such judgment shall not be applicable to any other structure, land, or water not specifically included in the judgment.

Section 156.A.009, Effective Date and Repeal

- A. **Effective Date.** This Ordinance is effective on [insert effective date], unless otherwise expressly indicated.
- B. **Repeal.** The Zoning Ordinance existing prior to adoption of this Ordinance is deemed repealed and replaced upon the effective date of this Ordinance.

Section 156.A.010, Transitional Provisions

- A. **Generally.** It is the intent of the City Council to respect the property rights of applicants with existing or pending development approvals.
- B. **Effect on Existing Ordinances.** The City's ordinances in effect prior to the effective date of this Ordinance, unless expressly repealed or amended by this Ordinance, or by some other Council action, remain in effect. Where this Ordinance is more restrictive or where it includes additional provisions (including those that are inconsistent or in conflict with existing ordinances) the City shall enforce this Ordinance as set out in [Section 156.A.006, Abrogation, Conflict, and Private Restrictions](#).
- C. **Pending Applications.**
 1. *Generally.* Each development review application shall be evaluated only in light of the adopted ordinances and technical regulations in effect at the time that each complete application is submitted.
 2. *Inactive Applications.* Pending development review applications that are not pursued with due diligence may expire pursuant to [Section 156.J.002, Common Review Procedures](#).
- D. **Development Approvals that Precede this Zoning Ordinance.** Development approved prior to the effective date of this Ordinance may be carried out within the scope of the development approval, including applicable standards in effect at the time of approval, provided that the approval is valid and has not expired.
- E. **Duration of Approvals.** Development approvals that are valid on the effective date of this Ordinance are valid until their expiration date; or, if no expiration date is specified in the approval documents or prior regulations, pursuant to [Table 156.J.002.12-1, Development Review Summary Table](#).

ARTICLE B – DISTRICT DEVELOPMENT STANDARDS

Section 156.B.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Article is to establish zoning districts and the Official Zoning Map, set out the development standards for each district, establish development and civic and open space types, and provide explanations and by-right permitted modifications for such development standards.
- B. **Applicability.** No structure may be erected, altered, or moved and placed on a property other than as provided in this Article.

Section 156.B.002, Zoning Districts Established

This Section divides the City into the districts set forth in Table 156.B.002-1, *Zoning Districts*, below. In addition, the table shows the planned future land use category from the [Marshalltown Comprehensive Plan 2030](#) that each zoning district implements, provides the available development types as further articulated in this [Section 156.B.006, Development Types](#), and establishes purpose statements for each district and development type combination.

Table 156.B.002-1 Zoning Districts				
Planned Future Land Use Category	Zoning District	Development Type ¹	Purpose: The purpose of this zoning district is to provide for:	Former Zoning District ²
Residential Districts				
Agricultural	AG, Agricultural	Conventional	Preservation of land suitable for eventual development until such time as the necessary facilities and services are provided to such areas.	A-1
Rural Residential	RR, Rural Residential	Conventional	Existing residential or future residential areas in areas of difficult topography that will develop at a density of 2-3 units per acre.	R-1
Low-Density Residential	RL, Low-Density Residential	Conventional	Single-family and duplex homes at a density of 4-8 units per acre. A conventional development is characterized by private open space on each lot while a cluster development has smaller lots with a required percentage of common open space. Common open space may be used for parks, trails, or natural areas, to preserve environmental resources, provide for recreational amenities, provide for use compatibility, or provide natural drainage features.	R-2, R-2A
		Cluster		
Medium-Density Residential	RM, Medium Density Residential	Conventional	Single-family and duplex homes, townhomes, or small multiple-family developments at a density of 6-18 units per acre. The infill option promotes efficient use of land, infrastructure, and other resources and allows for additional density and land uses compared to conventional.	R-3, R-4
		Infill		
Mobile Home Park		Manufactured	Manufactured homes within a manufactured home park setting.	R-6
High-Density Residential	RH, High-Density Residential	Conventional	Duplexes, townhomes, multiple-family developments, and similar high-density dwellings at a density of 12-24 units per acre. Architecture and	R-5
		Infill		

**Table 156.B.002-1
Zoning Districts**

Planned Future Land Use Category	Zoning District	Development Type ¹	Purpose: The purpose of this zoning district is to provide for:	Former Zoning District ²
			landscaping are important to ensure appropriate and consistent character.	
Mixed-Use Districts				
Mixed-Use	MU, Mixed-Use	Mixed-Use	Mixed office, retail, and residential uses in neighborhood centers or in close proximity to residential areas.	TN, NC
Commercial				
Downtown Mixed-Use	UC, Urban Core		Mixed office, retail, medical, institutional, and residential uses in the more intense setting of the urban core, including downtown.	CBD, OP (in Downtown areas)
Nonresidential Districts				
Commercial	GC, General Commercial	Nonresidential	General commercial and businesses such as restaurants, retail, office, hotels, banks, and other mixture of uses in areas along major road corridors and further from residential areas.	GC, PC, CC, RC, OP (properties outside of Downtown)
Light Industrial	GI, General Industrial		Manufacturing, processing, storage, and distribution activities generally incompatible with residential, civic, and other public uses. Certain industrial uses that produce off-site noise, odor, dust and/or other visible and sensory impacts are permitted only after public hearings and review to assure protection of surrounding property, persons, and the general public interest.	M1, M2
Heavy Industrial				
Special Purpose				
Multiple	PUD, Planned Unit Development	Mixed-Use	The unified and coordinated development of parcels or tracts of land. Certain freedom of choice as to intended land uses shall be permitted, provided that the essential site development regulations are complied with and that the intended uses are not in conflict with the general purpose and intent of either this Ordinance or the Comprehensive Plan.	PUD
Public/Semi-Public	PI, Public and Institutional		Primarily religious, medical governmental, institutional, or education facilities.	ED, OP (Medical properties outside of Downtown)
Medical				
Cemetery	REC, Recreational		Areas of public or private ownership that will remain undeveloped as open space or developed as parks (including trails) or golf courses with varying facilities depending on the need and location.	Multiple
Parks/Open Space				Multiple
Golf Course				Multiple

**Table 156.B.002-1
Zoning Districts**

Planned Future Land Use Category	Zoning District	Development Type ¹	Purpose: The purpose of this zoning district is to provide for:	Former Zoning District ²
Overlay Districts				
<u>Downtown Mixed-Use</u>	<u>UC-HD, Urban Core-Historic District</u>	<u>Mixed-Use</u>	<u>Protecting specific characteristics of the historic core of the downtown area while facilitating new construction designed to harmonize with the district's visual character.</u>	<u>CBD</u>

Table Notes:

1. Refer to [Section 156.B.006, Development Types](#), for more details.
2. The former zoning districts are from the Marshalltown Zoning Ordinance of 2010 (Ord. 14871, adopted April 12, 2010) which is repealed on the effective date of this Ordinance.

Section 156.B.003, Official Zoning Map

- Generally.** The zoning districts set out in [Section 156.B.002, Zoning Districts Establishment](#), are shown on the Official Zoning Map, which is a part of this Ordinance as fully as if it were written out in detail. The Official Zoning Map is on file in the office of the Engineering Department and is available for inspection during regular business hours.
- Force and Effect.** The Official Zoning Map and all notations, references, and other information shown on it have the same force and effect as the text of this Zoning Ordinance.
- Status of the Zoning Map.** The Official Zoning Map on file controls in the event of a conflict between the map on file and any other paper or digital reproduction of the map.
- Omitted or Annexed Land.** Any area not shown as being included in a zoning district or annexed to the City of Marshalltown shall be deemed to be in the RL, Low-Density Residential zoning district unless the City Council changes the zoning district.
- Boundaries.** Where there is uncertainty as to the boundaries of the districts as shown on the District Map of the City, the Zoning Administrator shall make a determination using the following criteria:
 - Rights-of-Way or Easements.* Where boundaries appear to follow existing streets, alleys, railroad tracks, utility lines, or similar features, the Zoning Administrator shall construe the zoning boundary to follow the center line of the rights-of-way or easement. Where the location of these features on the ground differs from that shown on the Official Zoning Map, the features on the ground control are shown approximately following street and alley lines, such street and alley lines shall be interpreted to be the boundaries.
 - City Limits.* Where district boundaries are indicated as approximately following City limits, the Zoning Administrator shall consider the City limits as the district boundaries.
 - Property Lines.* Where boundaries are indicated so that they approximately follow lot lines and are not more than 15 feet distant therefrom, such lot lines shall be interpreted to be the boundaries.
 - Unsubdivided Property.* In unsubdivided property where a district boundary divides a parcel of land, the boundary shall be determined by the use of the scale appearing thereon.
 - Watercourses.* The Zoning Administrator shall construe boundaries shown as following, or approximately following, the centerline of drainageways, streams, water bodies, or other watercourses, as following the centerline. In the event of a natural change in the location of such streams or other watercourses, the Zoning Administrator shall construe the zoning district boundary as moving with the centerline.
 - Vacation or Abandonment.* Whenever any street, alley, or other public way is vacated by the action of the City Council, the zoning district adjoining each side of such street, alley, or public way shall be extended automatically to the center of such vacated area.

7. **Ownership.** When a lot held in one ownership is divided by a district boundary line, the entire lot will be construed to be within the district in which the majority of the lot is located.
- F. **Conflicts Resolved.** In case of a conflict between the district boundaries on the Official Zoning Map and the zoning of property provided by an adopted ordinance, the ordinance controls. In case of doubt or dispute, the Board of Adjustment shall determine the boundary lines upon receiving an appeal from a ruling of the Zoning Administrator.

Section 156.B.004, Residential District Development Standards

- A. **Generally.** Table 156.B.004-1, *Residential District Lot and Building Standards*, establishes the dimensional standards for the various housing/building and development types in the residential zoning districts. Except as provided in Section 156.B.008, *Measurements and Allowances*, and Section 156.B.006, *Development Types*, no lot shall be reduced in size so that its area, width, setback requirements, gross density, or other requirements of Table 156.B.004-1 are not maintained.
- B. **Setbacks Related to Driveways and Garages.** A minimum setback of 20 feet shall apply where a driveway provides access on a residential property from a street, other than an alley. This maintains an adequately sized parking space on the driveway between the structure and the street and helps to avoid encroachment into public sidewalks, despite lower minimum setback standards in Table 156.B.004-1 for the remainder of the building. See Section 156.D.003.D for specific requirements for garage orientation and placement.
- C. **Measurements and Allowances Reference.** Refer to Section 156.B.008, *Measurements and Allowances*, for explanations of, and special provisions related to, the measurements and standards in Table 156.B.004-1.

Table 156.B.004-1 Residential District Lot and Building Standards (See Figures 156.B.004-1 through -6, below)									
Housing/Building Type ¹	Maximum Gross Density (Units / Acre)	Common Civic or Open Space / Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building Height	Minimum/Maximum Setbacks			
			Area	Width		Front	Side Street	Side ⁴	Rear
Graphic Legend			A	B	C	D	E	F	G
AG - Agricultural Residential Conventional Development Type									
Single-Family Detached ⁵	0.04	N/A	25 Acres	120	35 ft.	50 ft.	20 ft.	15 ft.	50 ft.
Permitted Nonresidential Uses	N/A	N/A	25 Acres	120	35 ft.	50 ft.	20 ft.	15 ft.	50 ft.
RR - Rural Residential Conventional Development Type									
Single-Family Detached	2.82	N/A	14,375 s.f.	85 ft.	35 ft.	35 ft.	10 ft.	8 ft.	35 ft.
Permitted Nonresidential Uses	N/A	N/A	14,375 s.f.	85 ft.	35 ft.	35 ft.	10 ft.	8 ft.	35 ft.
RL - Low Density Residential Conventional Development Type									
Single-Family Detached	4.40	N/A	9,000 s.f.	75 ft.	35 ft.	30 ft.	8 ft.	7 ft.	35 ft.
Single-Family Attached	4.90	N/A	8,000 s.f.	60 ft.	35 ft.	30 ft.	8 ft.	7 ft.	35 ft.
Duplex	5.64	N/A	7,000 s.f.	60 ft.	35 ft.	30 ft.	8 ft.	8 ft.	35 ft.
Permitted Nonresidential Uses	N/A	N/A	9,000 s.f.	75 ft.	35 ft.	30 ft.	15 ft.	10 ft.	35 ft.

Table 156.B.004-1
Residential District Lot and Building Standards
 (See Figures 156.B.004-1 through -6, below)

Housing/Building Type ¹	Maximum Gross Density (Units / Acre)	Common Civic or Open Space / Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building Height	Minimum/Maximum Setbacks			
			Area	Width		Front	Side Street	Side ⁴	Rear
Graphic Legend			A	B	C	D	E	F	G
RL - Low Density Residential Cluster Development Type									
Single-Family Detached	5.58	15%	6,500 s.f.	60 ft.	35 ft.	15 ft.	7 ft.	7 ft.	25 ft.
Single-Family Attached	5.64	15%	6,000 s.f.	50 ft.	35 ft.	15 ft.	7 ft.	7 ft.	20 ft.
Duplex	5.98	20%	5,250 s.f.	50 ft.	35 ft.	20 ft.	8 ft.	8 ft.	20 ft.
Permitted Nonresidential Uses ⁷	N/A	20%	6,500 s.f.	60 ft.	35 ft.	15 ft.	7 ft.	7 ft.	25 ft.
RM - Medium Residential Density Conventional Development Type									
Single-Family Detached	7.15	N/A	5,000 s.f.	60 ft.	35 ft.	30 ft.	10 ft.	5 ft.	25 ft.
Single-Family Attached	8.56	N/A	4,500 s.f.	50 ft.	35 ft.	20 ft.	10 ft.	5 ft.	25 ft.
Duplex	10.47	N/A	4,000 s.f.	50 ft.	35 ft.	20 ft.	8 ft.	5 ft.	20 ft.
Multiplex	11.54	N/A	3,500 s.f.	75 ft.	45 ft.	20 ft.	8 ft.	5 ft.	20 ft.
Manufactured Home Park	Refer to Section 156.C.005.D.1, Manufactured Home Park								
Permitted Nonresidential Uses ⁷	N/A	N/A	5,000 s.f.	75 ft.	35 ft.	20 ft.	10 ft.	10 ft.	25 ft.
RM - Medium Residential Density Infill Development Type									
Single-Family Detached	11.40	N/A	2,750 s.f.	40 ft.	35 ft.	20 ft.	5 ft.	5 ft.	20 ft.
Duplex	11.91	N/A	3,000 s.f.	30 ft.	35 ft.	10 ft.	5 ft.	5 ft.	20 ft.
Townhouse	11.44	N/A	3,500 s.f.	25 ft.	45 ft.	10 ft.	5 ft.	5 ft.	25 ft.
Multiplex	13.33	N/A	3,000 s.f.	75 ft.	45 ft.	10 ft.	5 ft.	5 ft.	25 ft.
RM - Medium Residential Density Tiny House or Cottage Development Type									
Cottage Court	9.48	30%	2,000 s.f.	45 ft.	20 ft.	20 ft.	8 ft.	5 ft.	20 ft.
Tiny House	14.5	30%	1,000 s.f.	40 ft.	20 ft.	20 ft.	8 ft.	5 ft.	20 ft.

Table 156.B.004-1
Residential District Lot and Building Standards
 (See Figures 156.B.004-1 through -6, below)

Housing/Building Type ¹	Maximum Gross Density (Units / Acre)	Common Civic or Open Space / Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building Height	Minimum/Maximum Setbacks			
			Area	Width		Front	Side Street	Side ⁴	Rear
Graphic Legend			A	B	C	D	E	F	G
RH - High Density Residential Conventional Development Type									
Townhouse	18.18	N/A	2,000 s.f.	20 ft.	45 ft.	10 ft.	10 ft.	5 ft.	15 ft.
Multiplex	21.50	N/A	2,000 s.f.	45 ft.	45 ft.	10 ft.	10 ft.	10 ft.	25 ft.
All Permitted Nonresidential Uses ⁷	N/A	N/A	7,500 s.f.	50 ft.	40 ft.	10 ft.	10 ft.	10 ft.	25 ft.
RH - High Density Residential Infill Development Type									
Multiplex	21.39	N/A	1,875 s.f.	45 ft.	45 ft.	10 ft.	8 ft.	5 ft.	25 ft.
Townhouse	21.87	N/A	1,600 s.f.	18 ft.	45 ft.	5 ft.	5 ft.	5 ft.	15 ft.
Apartment	30.66	N/A	1,200 s.f.	60 ft.	45 ft. ⁶	5 ft.	5 ft.	5 ft.	10 ft.
All Permitted Nonresidential Uses ⁷	N/A	N/A	N/A	N/A	40 ft.	10 ft.	10 ft.	10 ft.	25 ft.
Notes:									
1. Refer to Section 156.C.004, Limited Use Standards , and Section 156.C.005, Special Use Standards , for additional standards that may apply to a given housing type. 2. Minimum common civic or open space is calculated based on a percentage of the overall subdivision and applies to residential and mixed-use districts. Landscape surface area ratio is calculated based on a percentage of the lot and applies to nonresidential developments. 3. Minimum lot area is calculated on a "per dwelling unit" basis. Minimum lot width is calculated for the entire lot. 4. Zero feet is the side setback for the shared party wall between single-family attached units and between townhouse units. 5. Including a manufactured or modular home on its own lot (applies to all districts). 6. The maximum height of an apartment building may be increased by Special Use Permit as set forth in Section 156.C.005, Special Use Permit Standards . 7. Refer to Table 156.C.003-1 for list of uses.									

Figure 156.B.004-1
Housing and Building Type Illustrations

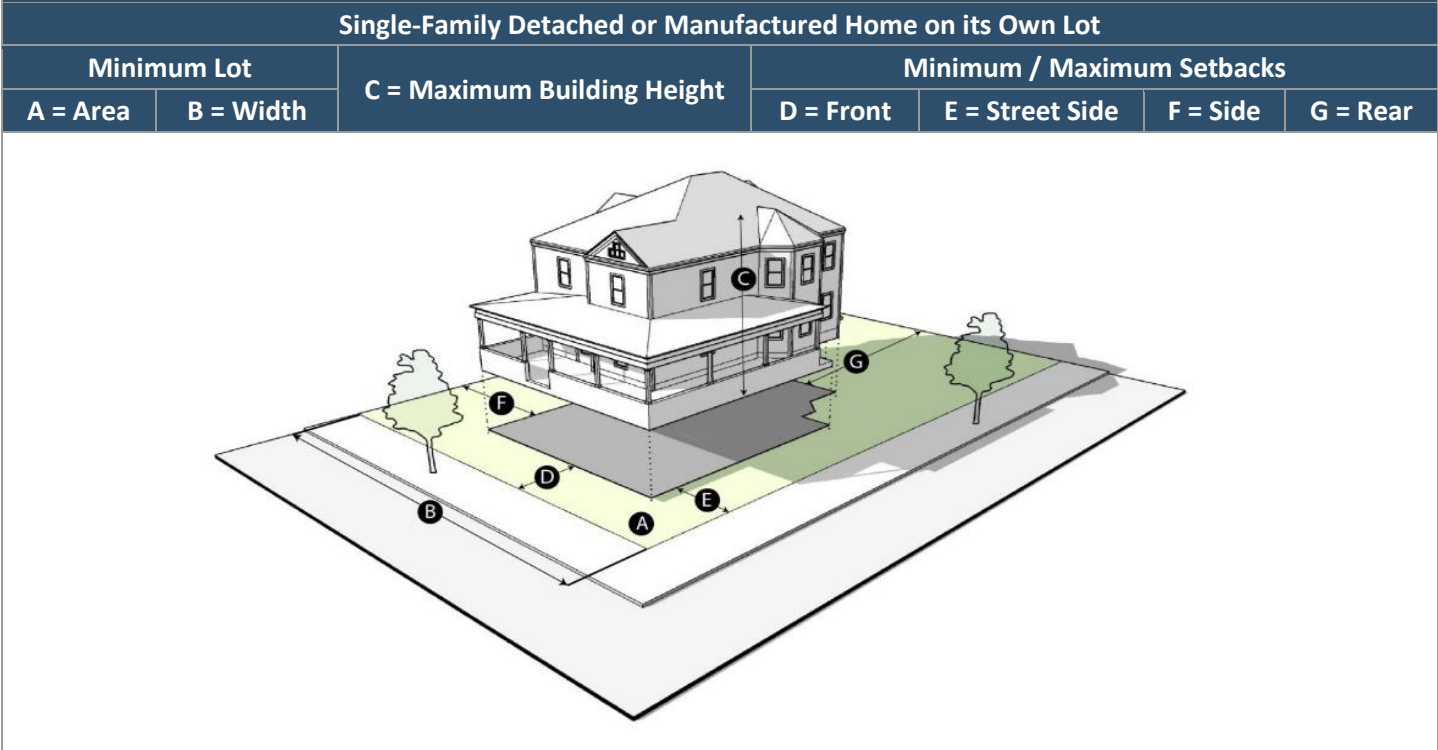


Figure 156.B.004-2
Housing and Building Type Illustrations

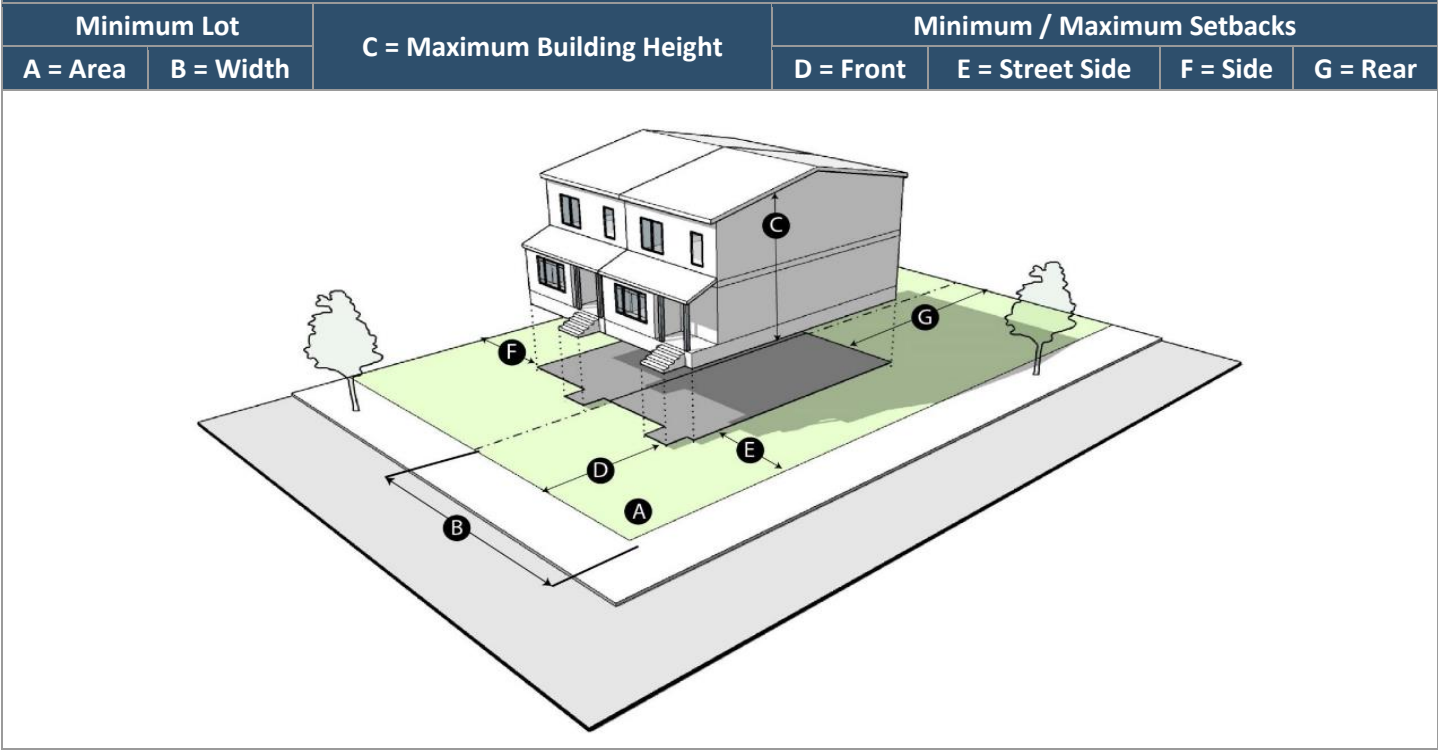


Figure 156.B.004-3
Housing and Building Type Illustrations

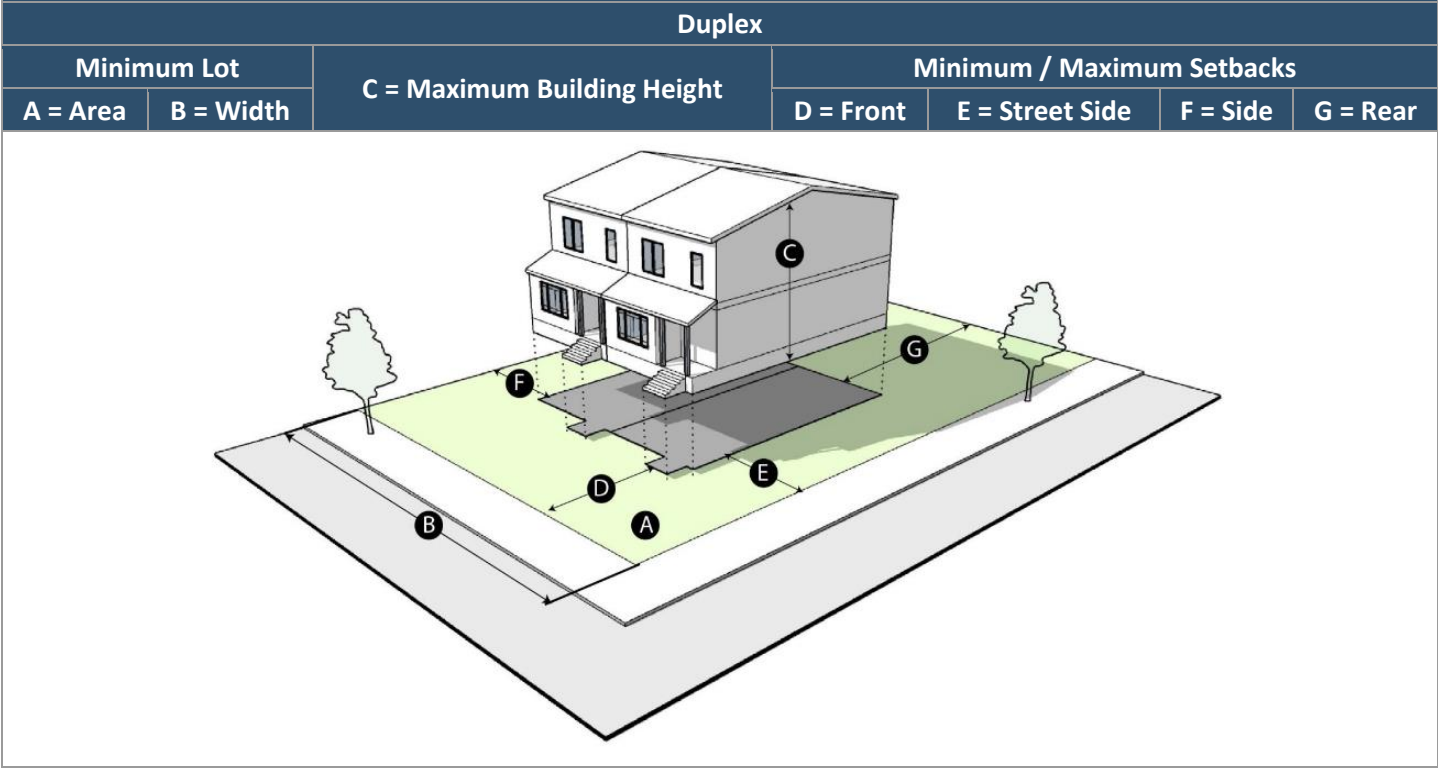


Figure 156.B.004-4
Housing and Building Type Illustrations

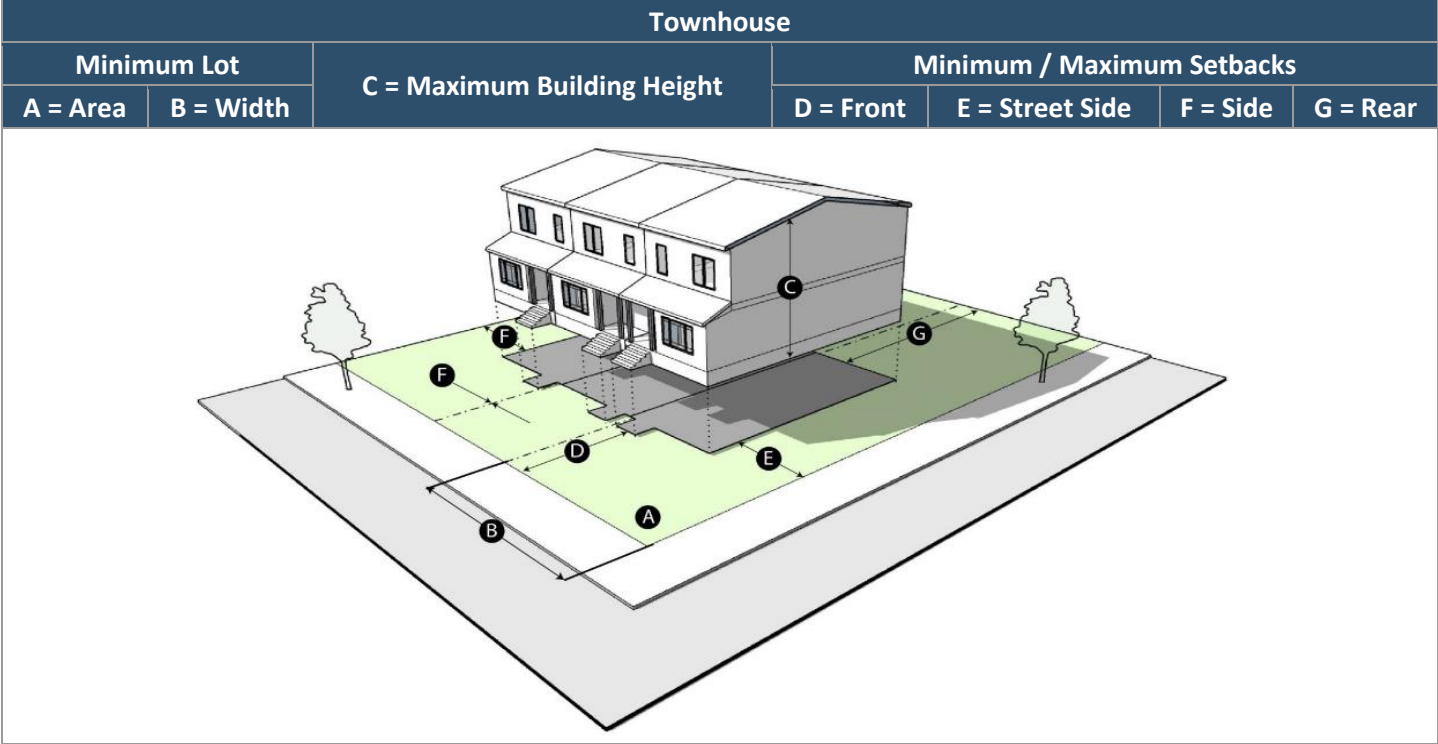


Figure 156.B.004-5
Housing and Building Type Illustrations

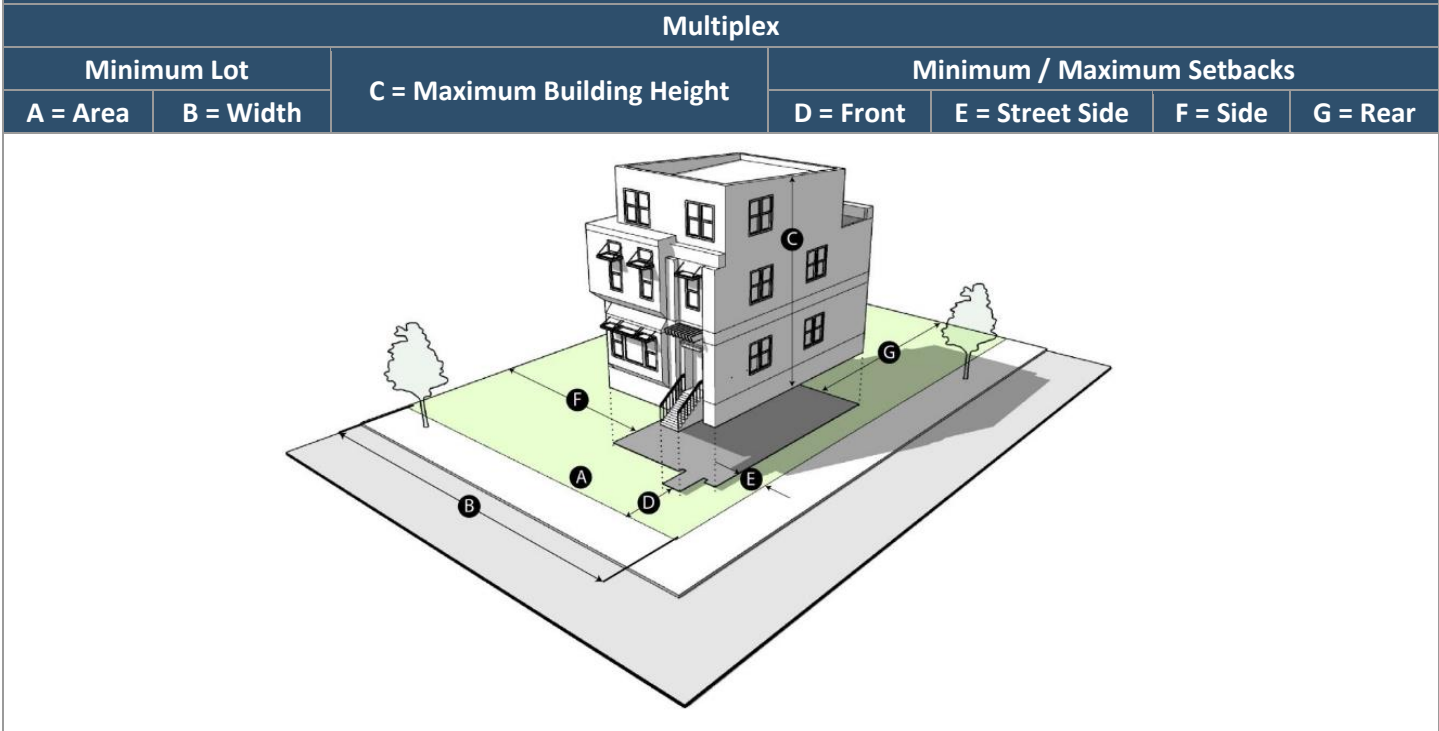


Figure 156.B.004-6
Housing and Building Type Illustrations



Section 156.B.005, Nonresidential and Mixed-Use District Development Standards

- A. **Generally.** Table 156.B.005-1, *Nonresidential and Mixed-Use District Lot and Building Standards*, establishes the dimensional standards for the various housing/building types in the nonresidential and mixed-use zoning districts. Except as provided in Section 156.B.008, *Measurements and Allowances*, and Section 156.B.006, *Development Types*, no lot shall be reduced in size so that its area, width, setback requirements, gross density, or other requirements of Table 156.B.005-1 are not maintained.
- B. **Setbacks Related to Driveways and Garages.** A minimum setback of 20 feet shall apply where a driveway provides access on a residential property from a street, other than an alley. This maintains an adequately sized parking space on the driveway between the structure and the street and helps to avoid encroachment into public sidewalks, despite lower minimum setback standards in Table 156.B.005-1 for the remainder of the building.
- C. **Measurements and Allowances Reference.** Refer to Section 156.B.008, *Measurements and Allowances*, for explanations of, and special provisions related to, the measurements and standards in Table 156.B.005-1.

Table 156.B.005-1
Nonresidential and Mixed-Use District Lot and Building Standards
(See Figures 156.B.005-1 and -2, below)

Housing/Building Type ¹	Maximum Gross Density (Units / Acre)	Common Civic or Open Space / Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building		Minimum/Maximum Setbacks ⁴			
			Area	Width	Height	Frontage Build Out	Front	Side Street	Side ^{5,6}	Rear ⁶
Graphic Legend			A	B	C	D	E	F	G	H
GC - General Commercial										
Permitted Nonresidential Use	NA	15%	NA	NA	50 ft.	N/A	40 ft.	30 ft.	10ft.	10 ft.
Multiplex	21.50	N/A	1,500 s.f.	45 ft.	45 ft.	N/A	30 ft.	30 ft.	10 ft.	10 ft.
Townhouse	18.18	N/A	2,000 s.f.	20 ft.	45 ft.	N/A	30 ft.	30 ft.	5 ft.	10 ft.
Apartment	30.66	15%	1,120 s.f.	60 ft.	50 ft. ⁸	N/A	30 ft.	30 ft.	5 ft.	10 ft.
MU - Mixed-Use										
Single-Family Detached	14.30	N/A	2,500 s.f.	25 ft.	35 ft.	90%	10 ft.	10 ft.	5 ft.	15 ft.
Single-Family Attached	20.77	N/A	1,250 s.f.	25 ft.	35 ft.	90%	10 ft.	10 ft.	5 ft.	15 ft.
Townhouse	21.87	N/A	1,600 s.f.	18 ft.	45 ft.	90%	5 ft.	5 ft.	5 ft.	15 ft.
Multiplex	22.34	N/A	1,250 s.f.	40 ft.	45 ft.	90%	5 ft.	5 ft.	5 ft.	15 ft.
Apartment	30.66	15%	1,120 s.f.	60 ft.	50 ft. ⁷	90%	5 ft.	5 ft.	5 ft.	15 ft.
Mixed-Use Building	45.00	10%	N/A	N/A	75 ft. ⁷	90%	5 ft.	5 ft.	0 ft.	0 ft.
Commercial Building	N/A	15%	N/A	N/A	50 ft. ⁷	90%	5 ft.	5 ft.	0 ft.	0 ft.
Other Permitted Uses	N/A	15%	N/A	N/A	75 ft. ⁷	90 %	5 ft.	5 ft.	5 ft.	0 ft.
UC- Urban Core										

Table 156.B.005-1
Nonresidential and Mixed-Use District Lot and Building Standards
 (See Figures 156.B.005-1 and -2, below)

Housing/Building Type ¹	Maximum Gross Density (Units / Acre)	Common Civic or Open Space / Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building		Minimum/Maximum Setbacks ⁴			
			Area	Width	Height	Frontage Build Out	Front	Side Street	Side ^{5,6}	Rear ⁶
Graphic Legend			A	B	C	D	E	F	G	H
Single-Family Attached	N/A/	N/A	1,250 s.f.	25 ft.	35 ft.	90%	0 ft. / 10 ft.	0 ft. / 10 ft.	0 ft.	10 ft.
Duplex	N/A	N/A	2,500 s.f.	25 ft.	35 ft.	90%	0 ft./10 ft.	0 ft. / 10 ft.	0 ft.	10 ft.
Townhouse	N/A	N/A	2,000 s.f.	20 ft.	45 ft.	100%	0 ft. / 10 ft.	0 ft. / 10 ft.	0 ft.	0 ft.
Multiplex	N/A	N/A	1,600 s.f.	40 ft.	45 ft.	100%	0 ft./10 ft.	0 ft./10 ft.	0 ft.	0 ft.
Apartment	N/A	5%	1,600 s.f.	60 ft.	50 ft. ⁷	100%	0 ft. / 10 ft.	0 ft. / 10 ft.	0 ft.	0 ft.
Mixed-Use Building	N/A	5%	N/A	N/A	75 ft. ⁷	100%	0 ft. / 10 ft.	0 ft. / 10 ft.	0 ft.	0 ft.
Commercial Building	N/A	N/A	N/A	N/A	50 ft. ⁷	100%	0 ft. / 15 ft.	0 ft. / 30 ft.	0 ft.	0 ft.
Other Permitted Uses	N/A	5%	N/A	N/A	125 ft.	100%	0 ft. / 10 ft.	0 ft. / 10 ft.	0 ft.	0 ft.
UC-HD - Urban Core Historic District Overlay										
Apartment	21.87	5%	1,600 s.f.	60 ft.	50 ft. ⁷	100%	0 ft./5 ft.	0 ft.	0 ft.	0 ft.
Mixed-Use Building	45.00	5%	N/A	N/A	75 ft. ⁷	100%	0 ft./5 ft.	0 ft.	0 ft.	0 ft.
Commercial Building	N/A	N/A	N/A	N/A	50 ft. ⁷	100%	0 ft./5 ft.	0 ft.	0 ft.	0 ft.
Other Permitted Uses	N/A	5%	N/A	N/A	125 ft.	100%	0 ft./5 ft.	0 ft.	0 ft.	0 ft.
GI - General Industrial										
Permitted Use	N/A	10%	N/A	N/A	75 ft.	N/A	30 ft.	15 ft.	10 ft.	10 ft.

Notes:

1. Refer to Sections [156.C.004](#), *Limited Use Standards*, and [156.C.005](#), *Special Use Permit Standards*, for additional standards that may apply to a given housing type.

Table 156.B.005-1
Nonresidential and Mixed-Use District Lot and Building Standards
(See Figures 156.B.005-1 and -2, below)

Housing/Building Type ¹	Maximum Gross Density (Units / Acre)	Common Civic or Open Space / Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building		Minimum/Maximum Setbacks ⁴			
			Area	Width	Height	Frontage Build Out	Front	Side Street	Side ^{5,6}	Rear ⁶
Graphic Legend			A	B	C	D	E	F	G	H

- Minimum common civic or open space is calculated based on a percentage of the overall subdivision and applies to residential and mixed-use districts. Landscape surface area ratio is calculated based on a percentage of the lot and applies to nonresidential developments.
- Minimum lot area is calculated on a "per dwelling unit" basis. Minimum lot width is calculated for the entire lot.
- Where "##/##" is shown, the first number (including zero) is the minimum setback and the second number is the maximum. If only one number is shown, then maximum setback does not apply.
- Zero feet is the side setback for the shared party wall between townhouse units.
- For nonresidential uses, applies if adjacent to a residential use or zoning district. 0' for nonresidential uses if adjacent to any other use or zoning district.
- The maximum number of stories and/or height of an apartment, commercial, or mixed-use buildings may be increased by Special Use Permit as set forth in [Section 156.C.005, Special Use Permit Standards](#).

Figure 156.B.005-1
Housing and Building Type Illustrations

Commercial Building

Minimum Lot		Maximum Building		Minimum / Maximum Setbacks			
A = Area	B = Width	C = Height	D = Frontage Build Out	E = Front	F = Street Side	G = Side	H = Rear

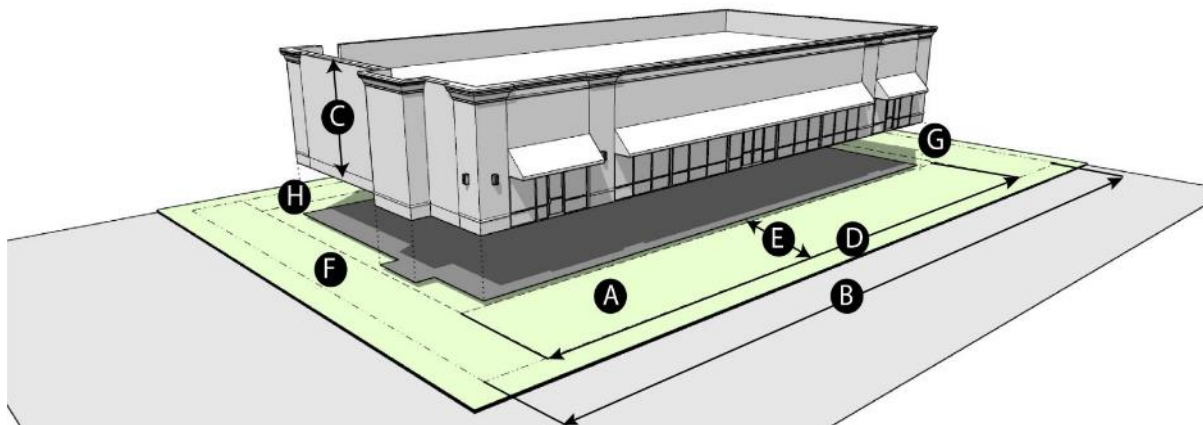
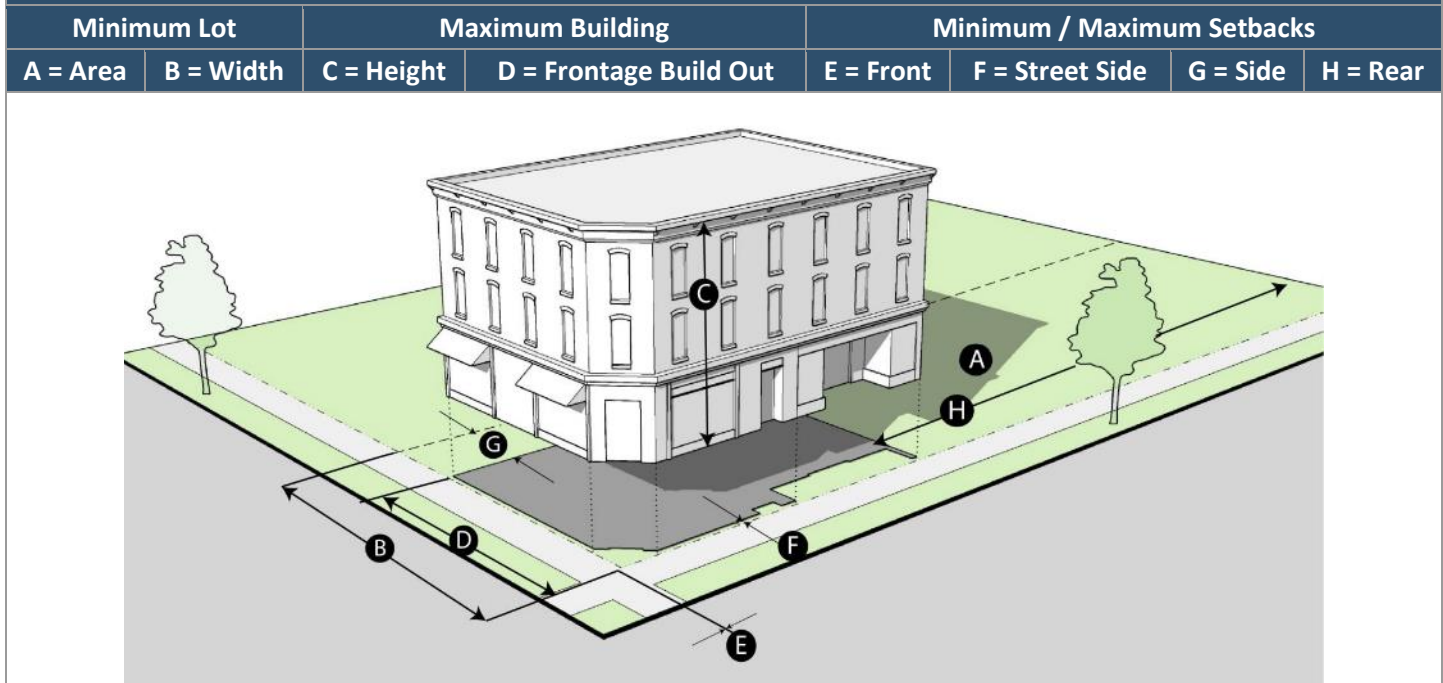


Figure 156.B.005-2
Housing and Building Type Illustrations

Mixed Use Building



Section 156.B.006, Development Types

- A. **Development Types.** New developments that are primarily residential or mixed-use are classified into conventional, cluster, and infill. Development of any development type permitted in the zoning district is at the option of the applicant. Where more than one development type is permitted in a zoning district, no development type is mandatory. Refer to Section 156.B.004, *Residential District Development Standards*, for lot density and dimension standards related to each permitted development and housing type combination.
- B. **Permitted Residential Districts.** Table 156.B.006-1, *Permitted Development Types by Residential District*, establishes the development types that are permitted in each residential zoning district.

Table 156.B.006-1
Permitted Development Types by Residential District

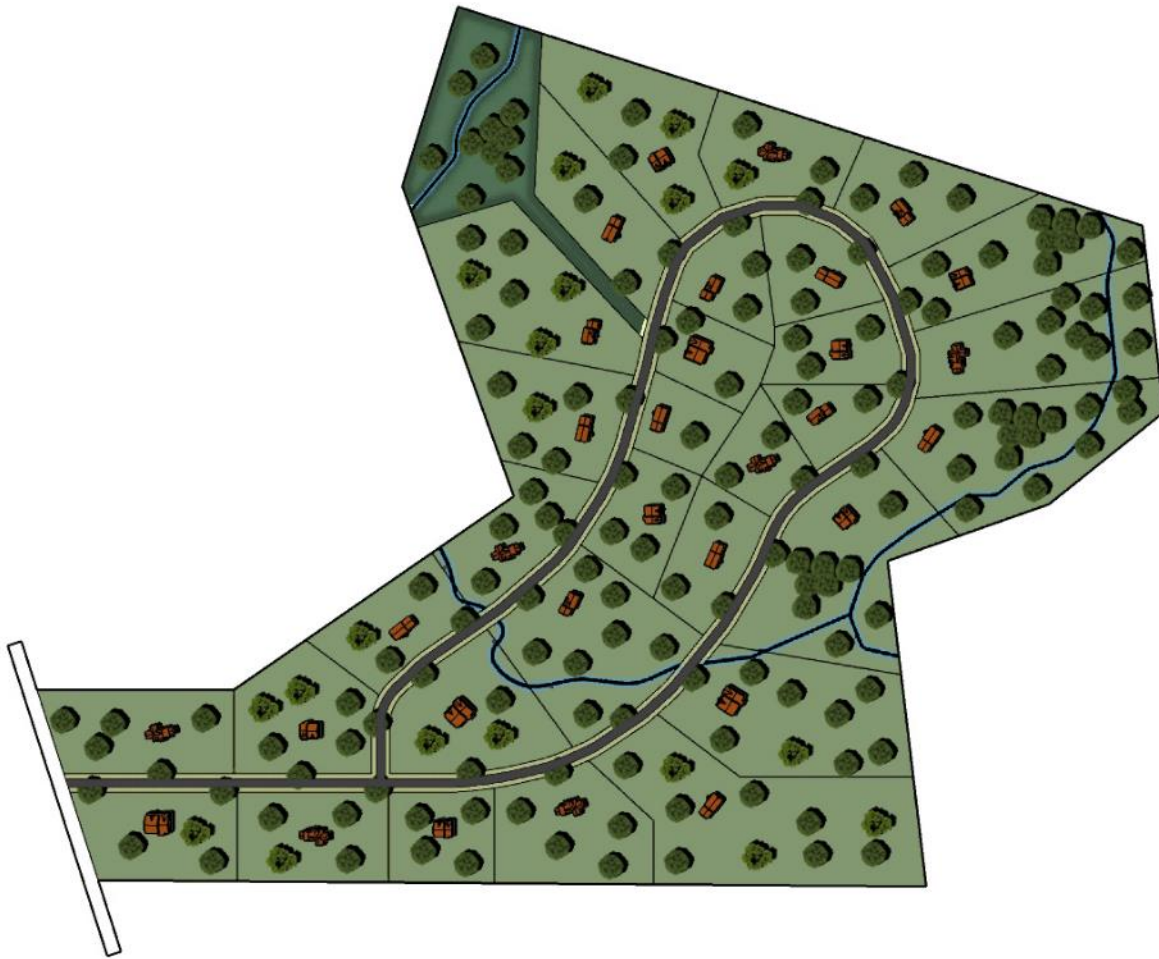
Development Types	AG	RR	RL	RM	RH
	"P" = Permitted "--" = Not Permitted				
Conventional	P	P	P	P	P
Cluster	--	--	P	--	--
Infill	--	--	--	P	P
Tiny House or Cottage Court	--	--	--	P	--

- C. **Applicability.** This Section established standards that are specific or unique to the various permitted development types.
- D. **Development Types.**
1. *Conventional.*
 - a. *Description.* The conventional development type, as depicted in Figure 156.B.006-1, is a pattern that allows primarily residential uses and that provides the majority of residential property owners with private open

space on their own property. A conventional development type consists of varying housing types depending on the zoning district and minimum lot size is a primary factor in the character built environment of the development.

- b. *Standards.* All the requirements of this Article shall apply to conventional development types unless otherwise specified.

Figure 156.B.006-1
Conventional Development Type



2. *Cluster.*

- a. *Description.* A cluster development type, as depicted in Figure 156.B.006-2, consists of smaller lots than conventional development that are clustered together in order to provide for common civic and open spaces. The common open space may be set-aside for resource features such as private parks, recreation areas, woodlands, creeks, streams, and their riparian areas, floodplains, and similar features. Cluster development may be used to preserve environmental resources by clustering lots on the buildable portions of the property.
- b. *Housing Types.* At least two permitted housing types as listed in Table 156.C.003-1, *Use Table*, shall be provided and no one lot size/configuration dwelling type may exceed a total of 70 percent of all the residential units in the development.
- c. *Minimum Site Area.* The minimum site area required for a cluster development is 5 acres.
- d. *Common Civic and Open Space Requirements.*

- i. Regardless of whether common open space is on privately or publicly owned property, the space shall be open to the public at the same hours as a comparable City park.
 - ii. A minimum of 75 percent of the required civic and open space shall consist of the natural area open space type per [Section 156.B.006, Civic and Open Space Types](#). Open space shall be integrated into the development design so as to bring access to significant open space to the maximum number of properties; provided, however, that physical access may be limited if such limitation would materially enhance natural resource management.
 - iii. Land area within the cluster development dedicated to permitted Public and Institutional, Office, and Retail, Sales, and Service use categories shall not exceed 10 percent of the total land area of the development. In addition, such uses may be counted toward 10 percent of the common open space requirement established in [Section 156.B.004, Residential District Development Standards](#). For example, a 20-acre cluster development with single-family attached and detached dwellings requires three acres (15% of the development) of civic and common open space. The development may have up to two acres of nonresidential uses and 13,068 square feet of the nonresidential development counts toward the civic and open space requirement.
- e. *Minimum Lot Area Adjacent to Other Development.* Where adjacent to existing conventional single-family development, cluster development lots on the perimeter shall be:
- i. Equal to or greater than the lot area and width of the adjacent lots;
 - ii. Separated from adjacent lots by a Type A bufferyard; or
 - iii. The dwelling units on the perimeter cluster lots shall be set back from the boundary of the cluster development a minimum of the following distances based on the number of cluster lots being developed:
 - (A) One to 10 lots: 30 feet;
 - (B) 11 to 30 lots: 40 feet; and
 - (C) 31 or more lots: 50 feet.
- f. *Distance from Residential Lots.* All required common open space types shall be located a minimum of 1,200 feet from any residential lot within the cluster development, measured along a sidewalk or trail from the nearest property line of the lot to the nearest property line of the open space.
- g. *Buffering Requirements.* A bufferyard along the perimeter of the cluster development may count toward the required common open space. However, no more than 25% of the total required open space may be within the perimeter buffer yard.
- h. *Shoulders and Drainage Swales.* Improved shoulders and drainage swales, designed in accordance with design standards approved by the City Engineer, may be utilized rather than curbs.

Figure 156.B.006-2
Cluster Development Type



3. *Infill.*

- a. *Description.* An infill development type, as depicted in Figure 156.B.006-3, consists of smaller lots and greater densities than conventional or cluster developments that make efficient use of land and infrastructure on vacant or underutilized lots in already developed areas.

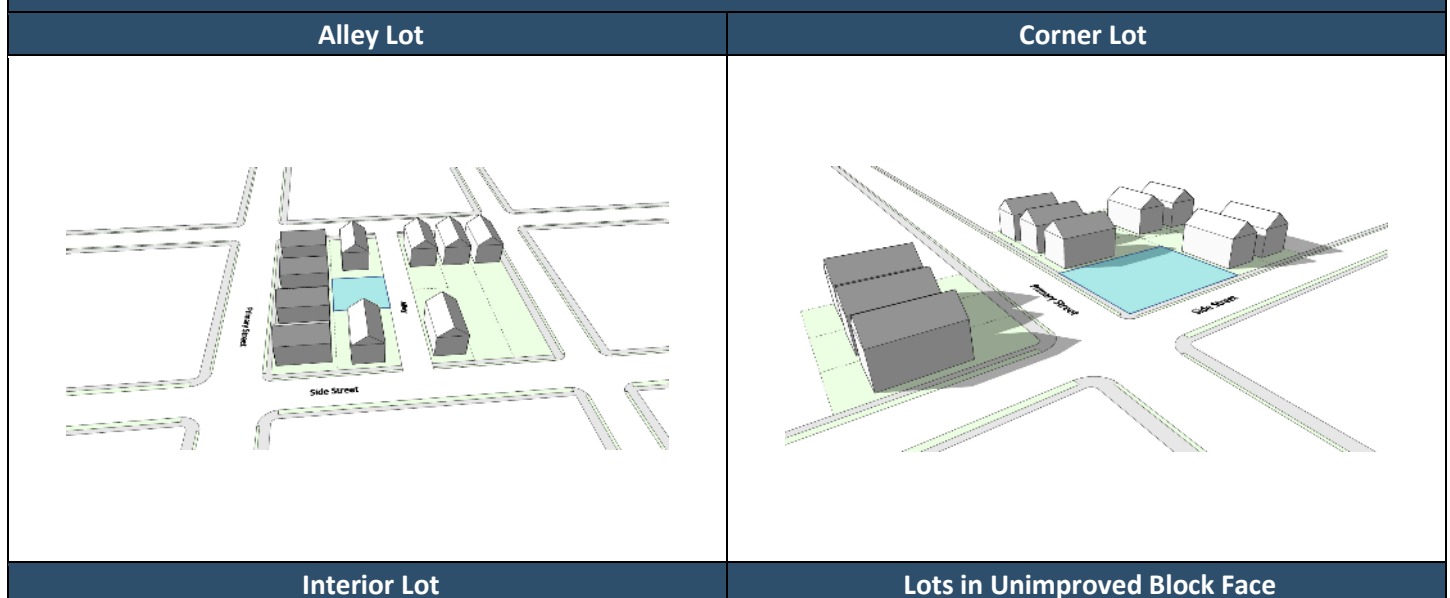
Figure 156.B.006-3
Infill Development Type

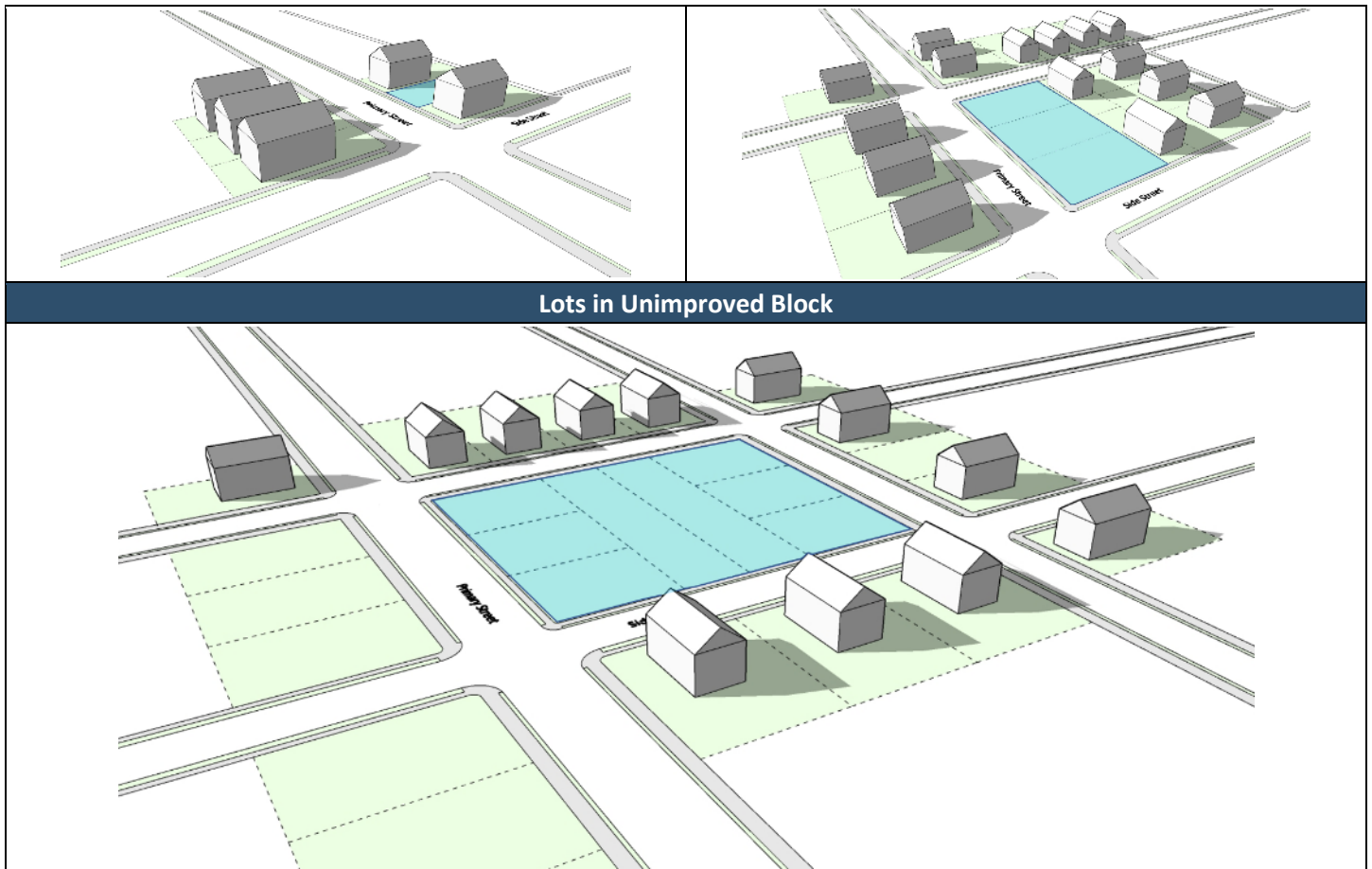


- b. *Eligibility for Infill.* An infill development type may be located on any parcel:
- Vacant or Unoccupied.* That is surrounded by existing developed properties and has been vacant or unoccupied for more than one year;
 - Utility Easements.* Where adjacent properties abutting at least 50 percent of the non-street perimeter of the subject property are utility easements that create a substantial break in development or redevelopment potential;
 - Environmental Constraints.* Where adjacent properties abutting at least 50 percent of the non-street perimeter of the subject property are encumbered by environmentally sensitive or constrained areas such as floodplains; or
 - Existing Development.* Where adjacent properties abutting at least 50 percent of the non-street perimeter of the subject property are developed with single-family dwellings of higher density or intensity uses.
- c. *Appearance.* Infill development shall be constructed to be generally compatible in appearance with other existing structures in the context, as established in Paragraph e, *Context*, below, that comply with this Ordinance.
- d. *Alternative Standards.* In place of the standards in [Section 156.B.004, Residential District Development Standards](#), and other standards of this Ordinance, the applicant may utilize the following alternative standards.
- e. *Lot Area and Width.* The minimum lot area may be that of the smallest lot in the context of the development, as defined in Paragraph e, *Context*, below. The minimum lot width may be that of the narrowest lot in the context of the development. Refer to [Chapter 157, Land Subdivision Regulations](#), for requirements related to replatting existing lots.
- f. *Maximum Building Height.* The maximum building height may be that of the tallest building in the context, plus 15 percent of the height.
- g. *Minimum / Maximum Setbacks.*
- The minimum front or street side setback may be that of 80 percent of the average front or street side setbacks in the context of the development.
 - The maximum front and street side setback, where applicable, may be that of the average of the front and street side setbacks of the context of the development, plus 10 percent.

- iii. The minimum side and rear setbacks may be that of 80 percent of the average side or rear setbacks in the context of the development.
- h. *Buffering*. Except as required for specific uses in [Article C, Use Standards](#), where a buffer is required along a street or parking area, or between zoning districts, the buffer width and planting materials per 100 feet may be reduced by 50%.
- i. *Parking*. The development may take advantage of the parking credits and reductions in [Section 156.E.006, Parking Credits and Reductions](#).
- j. *Context*. This Subsection identifies various contexts that inform the allowances provided in Subsection d., *Alternative Standards*, above, and as depicted in Figure 156.B.006-4, *Context Illustrations*.
 - iv. *Alley Lot*. If the infill site is an alley lot (shown in blue), then the context consists of other adjacent alley lots and the surrounding lots within the block that includes the infill site (shown in green).
 - v. *Corner Lot*. If the infill site is a corner lot, then the context consists of both block faces that include the infill site and the lots directly across the street from the infill site.
 - vi. *Interior Lot*. If the infill site is an interior lot, then the context consists of the block face that includes the infill site and the lots directly across the street from the infill site.
 - vii. *Lots in Unimproved Block Face*. If the infill site is within a block face that does not include other lots improved with buildings, then the context consists of the opposing block faces (being immediately opposite the same street as the project site) and the remaining lots on the block of the infill site.
 - viii. *Lots in Unimproved Block*. If the infill site is within a block that does not include other lots improved with buildings, and the block face opposite the given project site does not include other lots improved with buildings, then the context consists of the block faces surrounding the block that includes the infill site.

**Figure 156.B.006-4
Context Illustrations**





4. *Tiny House Neighborhood or Cottage Court.*

- a. *Description.* A tiny house neighborhood or cottage court development type, as depicted in Figure 156.B.006-5, broadens the diversity of housing options available in the community to provide accessible, adequate, and affordable housing. This development type contains single-family detached housing units typically arranged in a cluster of four to 12 dwelling units around a common open space, and may include a common building as an amenity (e.g., a common kitchen or meeting area) and accessory building. Vehicular access may be provided by a shared parking lot.
- b. *Building Requirements.*
 - i. *Tiny House.*
 - (A) *General Standards.* Tiny houses shall comply with the building requirements established in Appendix Q of the ICC International Residential Code, as updated.
 - (B) *Maximum Floor Area.* Tiny houses shall include a total maximum floor area of 400 square feet, excluding any loft space.
 - (C) *Permanent Foundations.* Tiny Houses that are part of a tiny house neighborhood shall be constructed on a permanent foundation. Tiny Houses on wheels or other non-permanent foundations are regulated as Recreational Vehicles and are prohibited from being part of a tiny house neighborhood.
 - (D) *Prefabricated Tiny Houses.* A Prefabricated tiny house is required to be skirted.
 - (E) *Tiny Houses on Wheels.* Tiny Houses on Wheels sited as a component of a tiny house neighborhood that built upon a mobile chassis where the suspension/axle components remain are considered semi-permanent and the chassis shall be attached on an approved foundation system.

- ii. *Cottage Court.*
 - (A) *Maximum Floor Area.* Cottage court units shall include a total maximum floor area of 1,200 square feet.
- c. *Minimum Site Area.* The minimum site area for the development of a tiny house neighborhood or cottage court development type shall be one-half acre. The maximum site area shall be no greater than five acres.
- d. *Common Areas.* The following shall apply to both tiny house neighborhood and cottage court development types:
 - i. Common open space shall be a minimum of 30 percent of the overall site and shall include a central green, lawn or garden area, playground, or plaza as a central focal point of all dwellings.
 - ii. Common improvements of common area shall include pedestrian walkways connecting each dwelling unit to a community-wide sidewalk network, shared parking areas or garages, and a Type A bufferyard around the perimeter of the site that preserves existing vegetation and incorporates landscape materials, earthen berm, or a wall or fence to provide a visual buffer from adjacent development. See Section [156.F.004](#), *Buffering*.
 - iii. If a common building is permitted as accessory to a tiny house neighborhood and may serve all residents. Its gross floor area shall be no greater than 10 percent of the site area. A common building may include a kitchen and meeting and/or indoor recreation facilities (but no bedrooms).
- e. *Bufferyard Requirements.* Where located adjacent to a separate property in an AG, RR, RL, or mixed use district, a Type B bufferyard in accordance with Section [156.F.004](#), *Buffering*, shall be planted around the outer perimeter of the community.
- f. *Required Vehicular Access to Tiny House Neighborhood or Cottage Court Development Types.* A tiny house neighborhood or cottage court development types require direct access from a local, minor, or collector street type.
- g. *Garages.* The following garage structure requirements shall apply to both tiny house neighborhood and cottage court development types:
 - i. If provided, detached garages serving more than one dwelling unit shall be accessed via a private drive or alley.
 - ii. Garage doors are prohibited from facing public streets rights-of-way unless screened by a Type B bufferyard.
 - iii. A garage shall not exceed four car bays.
 - iv. Garage buildings shall be consistent in architecture, materials, and color to the principal dwellings.

Figure 156.B.006-5,
Tiny House Neighborhood or Cottage Court Development Type



Section 156.B.007 Civic and Open Space Types

- A. **Generally.** In order to ensure that a variety of functional, well-designed civic and open spaces are distributed throughout the City, cluster developments shall have a civic and open space component as required in [Section 156.B.004, Residential District Development Standards](#), and [Section 156.B.005, Nonresidential and Mixed-Use District Development Standards](#).
- B. **Function.** Open space may be integrated into the on-site stormwater management system to maximize the usable portion of a property. Low-impact development improvements may be used and count toward the open space requirements of the development. Such improvements include, but are not limited to, bioretention, enhanced detention, and infiltration basins, such as inverted vegetated islands within parking lots, rain gardens, reduced impervious areas, vegetated swales, rain barrels and cisterns, and pervious pavements.
- C. **Location.** Civic and open space shall be readily accessible to and visible from the street and connected to a public sidewalk.
- D. **Perimeter Access.** A minimum of 25 percent of the perimeter of required open space shall abut a street.
- E. **Accessibility.** The civic and open space shall be designed in accordance with the Americans with Disabilities Act requirements.
- F. **Availability.** If the open space permits general public access, the space shall include signage posting the hours available for public usage. The signage shall not count against total signage permitted as set forth in [Article G, Signs](#).
- G. **Exclusions.** The following areas shall not be counted as open space:
1. *Yards.* Private yards on individual lots;
 2. *Driveways and Landscaping.* Driveways, parking areas, and required landscape islands;
 3. *Stormwater Management.* Stormwater management areas that do not count as stormwater best management practices according to the requirements of [Statewide Urban Design and Specifications \(SUDAS\)](#) requirements and the water quality management provisions of [Iowa Stormwater Management Manual, Chapter 2](#).
 4. *Structures.* Land covered by structures not designated for active or passive recreational uses; and
 5. *Outdoor Display and Storage.* Designated outdoor display and storage areas, as permitted.
- H. **Open Space Categories.** Permitted public civic and open spaces include any open space in [Table 156.B.007-1, Public Civic and Open Space Standards](#). Permitted private open space includes such amenities as forecourts, courtyards, or other amenities acceptable to the Zoning Administrator.

Table 156.B.007-1
Public Civic and Open Space Standards

Type	Standard
Plaza 	General Character - Formal open space - Defined seating areas - Balance of hardscape and plantings - Spatially defined by building entries Location and Size - Minimum area: 900 square feet - Maximum area: 22,000 square feet - Minimum width: 30 feet - Minimum pervious cover: 25 percent - Permitted zoning districts: MU, UC, GC, PI
Pocket Park 	General Character - Formal open space - Spatially defined by buildings or streets - Open shelters, paths, lawns, and trees - Walkways and plantings at all edges - Abundant seating opportunities Location and Size - Minimum area 2,500 square feet - Maximum area: 10,000 square feet - Minimum width: 60 feet - Minimum pervious cover: 60 percent - Permitted zoning districts: MU, UC, GC
Common Green 	General Character - Small semi-urban open space responding to specific user groups and space available - Range of character can be for intense use or aesthetic enjoyment Location and Size - Minimum area 5,000 square feet - Maximum area: 2 acres - Minimum pervious cover: 75%; the remainder may consist of amenities, crushed stone, pavers, or other materials and features acceptable to the Zoning Administrator - Within a ¼ mile of all residences - Permitted zoning districts: MU, UC, GC, PI

Table 156.B.007-1
Public Civic and Open Space Standards

Type	Standard
Promenade 	General Character - Linear shaded public open space - Allow for social and commercial activity to spill into the public realm - Consist of a hardscape pathway with permeable and/or impermeable pavers and surfaces, and activated by building entries that face onto it - Landscaped, and activated with seating areas, patios, sidewalks, fountains, and similar amenities Location and Size - Minimum width: 16 feet - Maximum width: 30 feet - Minimum pedestrian passage width: 8 feet - Minimum pervious cover: 20 percent - Located to provide inter-block connections from one street to another - Permitted zoning districts: MU, UC, GC
Rooftop Garden 	General Character - Vegetated space on top of a flat or gently-sloped roof - Space is usable by the general public, residents, employees, or customers Location and Size - Roof load: A registered professional engineer shall certify that the roof can support any proposed new loads and whether any additional steps are required to keep new roof components in place when subjected to a wind speed of more than 90 mph. - Roof edge protection: To avoid loose material from falling, a perimeter opaque barrier shall be established on the perimeter of the garden with a minimum height of 42 inches. - Permitted zoning districts: MU, UC, GC
Parklet 	General Character - Sidewalk extension that provides seating, plantings, and other amenities. - Typically installed in parallel, on-street parking spaces - Extend out from the sidewalk at the level of the sidewalk to the width of the parking space(s) Location and Size - Minimum area: 180 square feet - Maximum area: 360 square feet - Minimum planted area: 25 percent - Encroachment: Temporary or permanent right of Way Permit required

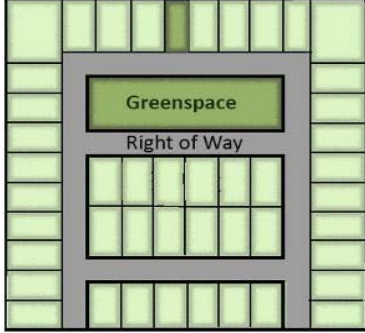
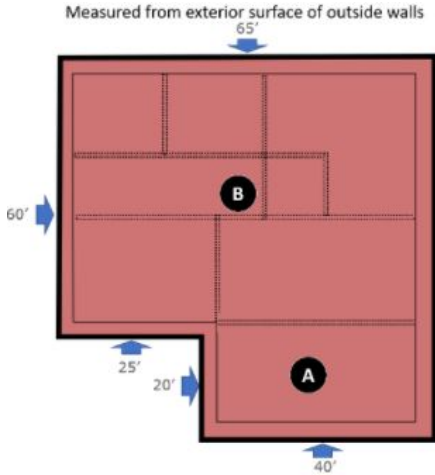
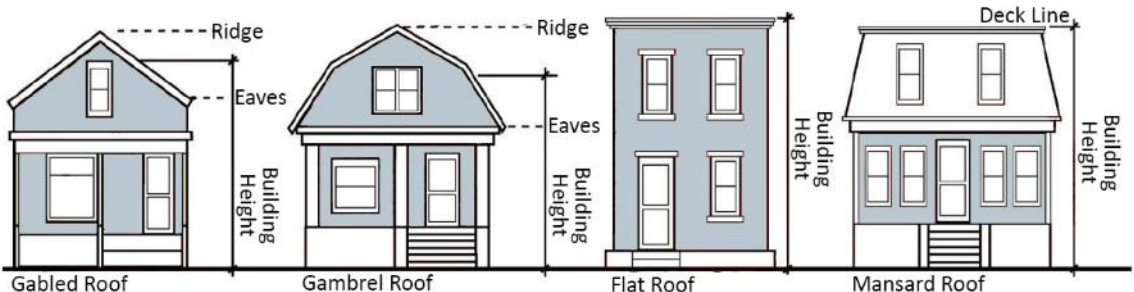
Table 156.B.007-1
Public Civic and Open Space Standards

Type	Standard
	- Protection: A perimeter barrier shall be established with a minimum height of 36 inches and a maximum height of 42 inches. - Permitted zoning districts: MU, UC
Civic Space 	General Character - Consists of permitted uses for the district in the Government Facilities, Office, and Retail Repair, Sales, and Service use categories - Serves as a focal point in the development. - In a cluster development may only consist of 10 percent of the site area and may only count toward a maximum of 10 percent of required open space Location and Size - Minimum area: Minimum lot size for the district - Maximum area: 7,500 square feet - Minimum landscaped area: 25 percent - Permitted zoning districts: RL, MU, UC, GC, PI
Natural Area 	General Character - Informal natural space and/or green infrastructure for stormwater treatment purposes - Spatially defined by natural features - Paths, meadows, and wooded areas are designed to reflect the natural and cultural heritage of the site - Potential to interconnect with other natural areas Location and Size - Minimum area: 1 acre - Minimum width: 25 feet at its narrowest point - Located in areas of sensitive environmental resources, including but not limited to woodlands, waterways and riparian buffers, steep slopes, and floodplains - Permitted zoning districts: RL (Must comprise 75% of open space in a cluster development), RM

Section 156.B.008, Measurements and Allowances

Subsection 156.B.008.a Measurements

Table 156.B.008.a-1, *Measurements*, below, provides the method of measurement for the developmental standards in this Ordinance.

Table 156.B.008.a-1 Measurements		
Measurement	Methodology	Illustration
Gross Density	The number of dwelling units divided by gross acres. With gross acres being the site area minus the area of open space.	 Gross Density 12 acres of land including 2 acres of open space and right-of-way 45 Units/10 Gross Acres = 4.5 Units per Acre
Gross Floor Area	The total area of all the floors of a building, including intermediately floored tiers, mezzanines, etc., as measured from the exterior surfaces of the outside walls of the building.	 Measured from exterior surface of outside walls A: 40' x 20' = 800 sq. ft. B: 60' x 65' = 3,900 sq. ft. A + B = 4,700 sq. ft. Gross Floor Area = 4,700 sq. ft.
Height	Buildings: The vertical distance from the grade level of that portion of a parcel covered by the building to the highest point of the coping of a flat roof, or the deck line of a mansard roof, or to the average height between eaves and the ridge of a gable, hip or gambrel roof.	
	 Gabled Roof Gambrel Roof Flat Roof Mansard Roof	

**Table 156.B.008.a-1
Measurements**

Measurement	Methodology	Illustration
	Walls or Fences: The height of a wall or fence is measured from the lowest grade level within three feet of either side of the wall or fence to the top of the wall or fence.	
Lot Area	The total horizontal area included within property lines.	
Lot Width	The horizontal distance between the side property lines, measured at the minimum front setback line.	
Lot Types	Alley Lot. A lot abutting an alley right-of-way and that does not abut any other street at any point. Corner Lot. A lot abutting two streets at their intersection. Through or Double-Frontage Lot. An interior lot that fronts on two streets that do not intersect at the boundaries of such a lot. The required front yard setback shall be provided on both street frontages. Interior Lot. A lot whose side lot lines abut alley rights-of-way or other lots instead of non-alley public or private rights-of-way.	

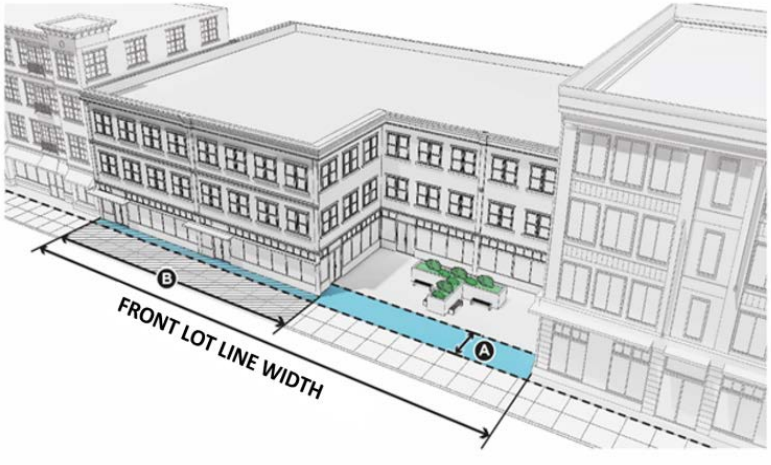
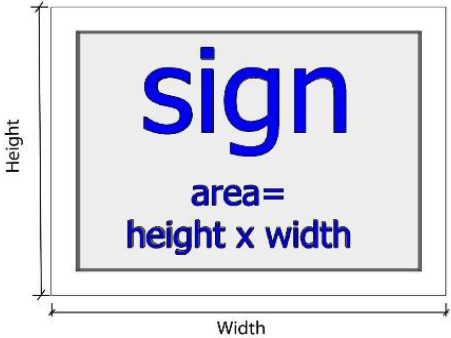
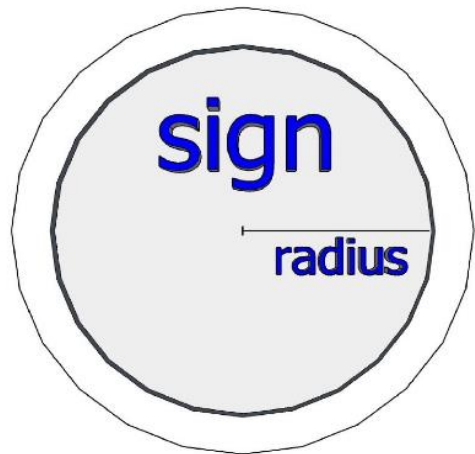
**Table 156.B.008.a-1
Measurements**

Measurement	Methodology	Illustration
	Triple- / Multi-frontage Lot. A lot abutting more than two non-alley street rights-of-way.	
Setback, Required	The horizontal distance of a required open space at grade between the outer wall of a building or structure and the adjoining property lines, unoccupied and unobstructed by any portion of a structure from the ground upward. The front and rear setback lines span the entire width or length of the property. The side and side street setback lines extend from the required front setback line to the required rear setback line. Setbacks are defined in TABLE 156.B.004-1 and TABLE 156.B.005-1.	

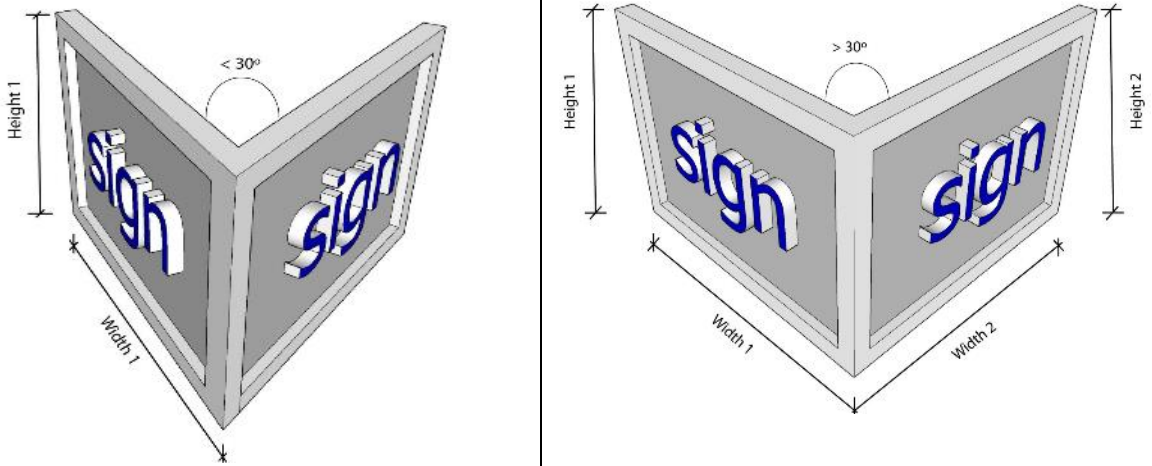
**Table 156.B.008.a-1
Measurements**

Measurement	Methodology	Illustration
Visibility Triangle	A triangular area that includes that portion of public right-of-way and any private property within a triangle formed by a diagonal line extending through points on the two property lines 20 feet from the street corner intersection of the property lines. The vertical dimensions of this triangle are two feet to six and one-half feet above finished grade.	The top diagram illustrates the visibility triangle at a street corner. A diagonal line extends from a point 20 feet from the corner on one property line to a point 20 feet from the corner on the other property line. The area within this triangle is the visibility triangle. Dimensions A and B are both 20 feet. The bottom diagram illustrates the vertical dimensions of the visibility triangle. A tree is shown in a street corner. The vertical dimension A is 6 feet 6 inches, and the horizontal dimension B is 2 feet.

**Table 156.B.008.a-1
Measurements**

Measurement	Methodology	Illustration
Frontage Buildout	The minimum percentage of the lot width that must be occupied by building façade (B) within the minimum and maximum setback (A). For example, a property which is 100 feet wide with a Frontage Buildout of 60% would require that at least 60 feet of façade length be maintained within the minimum and maximum setback. Any additional length of front façade would be allowed to step back further from the setback range, if desired. The intent of this requirement is to encourage development to maximize its front façade exposure along the Street.	 A Area between the minimum and maximum front street setback B Building width between minimum and maximum setback
Sign Area	Frame or Cabinet Signs: Where a sign is enclosed in a frame or cabinet, the area of the entire surface of the sign face within a single continuous perimeter enclosing the extreme limits of the sign and not passing through or between any adjacent elements of the sign. That perimeter does not include any structural or framing elements lying outside the limits of the sign face unless such elements consist of a corporate logo that is part of the face, frame, or cabinet of the sign.	 Height Width area= height x width  radius Area: 3.14 x radius²

**Table 156.B.008.a-1
Measurements**

Measurement	Methodology	Illustration
	Channel Letters: Where a sign consists of individual letters, words or symbols attached to a surface, the area of the smallest rectangle that completely encompasses all such letters, words or symbols and any accompanying background of a color different than the color of the wall or sign face.	
	Multi-Sided Signs: For projecting or double-faced signs, only one display face is measured in computing sign area when the sign faces are parallel, or where the interior angle formed by the faces is 30 degrees or less, provided that the signs are mounted on the same structure. If the sign faces are not parallel or within 30 degrees of parallel, each sign face is counted as a separate sign. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be taken as the area of the larger face.	

**Table 156.B.008.a-1
Measurements**

Measurement	Methodology	Illustration
Sign Height	The distance from the topmost point of the sign to the lowest grade level adjacent to the sign (A). The base and sign supports are included as part of the sign height.	
Sign Setback	The distance from a property line (C) to the nearest part of the sign (B).	

Subsection 156.B.008.b Allowances

- A. **Generally.** The provisions of this Section set forth any special cases that warrant flexibility in the developmental standards in this Zoning Ordinance.
- B. **Lot Width and Area.** At the option of the applicant, the minimum lot area and width dimensions in Section 156.B.004, *Residential District Development Standards*, may be considered averages for an individual conventional development in each zoning district or cluster development in the RL district. Lot averaging may only be applied where both of the following conditions apply:
 1. The average lot area and average lot width of the development are equal to or greater than the lot area and lot width specified in Section 156.B.004.
 2. No lot shall have a lot area or lot width that is less than 90 percent of the minimum lot area or lot width specified in Section 156.B.004 (see Figure 156.B.008.b-1, *Lot Averaging*).

Figure 156.B.008.b-1
Lot Averaging

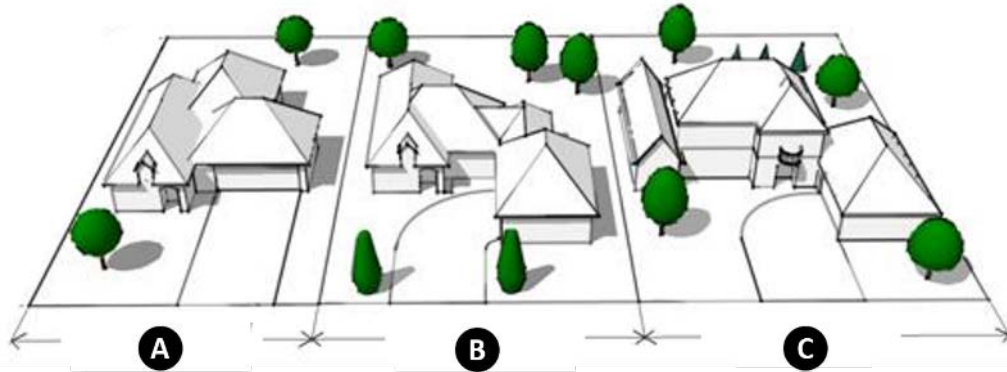


Figure Notes:

A = Narrow Lot | B = Normal Lot | C = Wide Lot

C. Height Requirements.

1. *Exemptions.* Unless otherwise expressly stated, the height regulations in this Ordinance do not apply to penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers attached to a building, steeples, flagpoles attached to a building, chimneys, smokestacks, water tanks, silos, grain elevators, or similar structures.
2. *Floor Space Calculation.* No penthouse, roof structure, or any space above the height limit shall be allowed for the purpose of providing additional floor space.
3. *Setback Plane.* As depicted in Figure 156.B.008.b-2, *Setback Plane*, where a multi-family, nonresidential, or mixed-use building adjoins a property with a single-family detached or attached dwelling, the building height may be increased beyond the maximum permitted if the setback nearest the adjoining residence is increased one foot for each one foot of height above the maximum permitted height.

Figure 156.B.008.b-2
Setback Plane

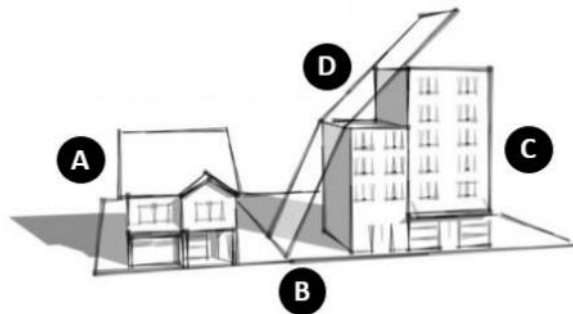


Figure Notes:

A = Single-Family or Duplex | B = Zoning District and Property Line | C = Multi-family, Nonresidential, or Mixed Use | D = Total Setback is the Minimum Setback Plus 1 Foot for Every 1 Foot the Structure Exceeds the Maximum Height of the District

D. **Yard Requirements.** The yard requirements in this Ordinance do not apply to the following projections into required yards:

1. *Fire Escapes, Stairs, and Balconies.* Unenclosed fire escapes, stairways, and/or balconies, covered or uncovered, shall extend not more than four feet into the required front or rear yard.

2. *Architectural Features.* Cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, headers, sills, pilasters, lintels, ornamental features, box windows, or other similar architectural features that do not bear on the foundation shall project not more than two feet into any required yard.
 3. *Bay Windows and Chimneys.* Within any residential district, bay windows (with a gross floor area of less than or equal to 12 square feet) shall extend not more than two feet into any required yard.
 4. *Cul-de-Sacs.* For lots fronting on cul-de-sacs, the minimum front yard shall be five feet.
 5. *Garages.* Front-loaded garages shall have a minimum setback of 20 feet, regardless of the required minimum setback for the remainder of the building.
- E. **Lots.** Regardless of the lot area or width, all lots in the RM and RH districts that existed prior to April 12, 2010, are deemed "conforming" with respect to lot area and lot width if they contain an existing, permanent, permitted residential dwelling. The lot width and area requirements of [Section 156.B.004, Residential District Development Standards](#), apply only in the event of a replatting of the property.

ARTICLE C – USE STANDARDS

Section 156.C.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Article is to establish the allowable land uses in each base zoning district and to provide standards for principal, accessory, and temporary uses.
- B. **Applicability.** No building shall be erected, or structurally altered, nor shall any building or land be used, except for a use permitted in the district in which the building or land is located.

Section 156.C.002, Use Table Legend

- A. **Using the Use Table.** Table 156.C.003-1, *Use Table*, lists land uses in rows, organized by use category. The base zoning districts are arranged in columns. Where rows and columns intersect, a letter indicates if the use is permitted, permitted with limitations, special, or prohibited in the district.
- B. **Use Categories.** Uses are grouped in Table 156.C.003-1 by use category. Use categories are defined, and specific uses that make up a use category are listed, in [Section 156.M.002, Definitions](#).
- C. **Abbreviations.** Table 156.C.003-1 uses the following abbreviations:
 - 1. "P" means that the land use is permitted by right, subject to the standards that apply to all permitted uses.
 - 2. "L" means that the land use is permitted with limitations, in the same manner as a Permitted Use, but is also subject to [Section 156.C.004, Limited Use Standards](#).
 - 3. "S" means that the use is allowed as a Special Use, which may be approved following a public hearing by the Plan and Zoning Commission and the City Council, subject to:
 - a. [Section 156.C.005, Special Use Permit Standards](#); and
 - b. The procedures set forth in [Section 156.J.003, Legislative Review Procedures](#).
 - 4. "--" means that the use is a Prohibited Use in the specified district.
 - 5. "Cv" means the Conventional development type.
 - 6. "Cl" means the Cluster development type.
 - 7. "In" means the Infill development type.
- D. **Special and Limited Uses.** Where a specific use is a Special Use in a given district and permitted with limitations in another district then the standards for the use are located in [Section 156.C.005](#).
- E. **Standards.** The "Standards" column provides a reference to associated standards for uses permitted with limitations and for special uses. Where "N/A" is in the column, there is no associated standard because the use is permitted by right or there is no specific special use standard.

Section. 156.C.003, Use Table

 Permitted uses for all base zoning districts are identified in Table 156.C.003-1, *Use Table*, below.

Table 156.C.003-1, Use Table																	
Use Category	Specific Use¹	Cv = Conventional CI = Cluster In = Infill	Residential								Mixed- Use		Nonresidential				Standards
			AG	RR	RL		RM		RH		MU	UC	GC	PI	REC	GI	
Cv	CI	Cv			In	Cv	In										
Agriculture																	
Agriculture and Animal-Related Services	Community Garden	P	L	L	L	L	L	L	L	L	L	L	L	L	--	156.C.004	
	Kennel	--	--	--	--	--	--	--	--	--	--	L	--	--	P	156.C.004	
	Plant Nursery, Greenhouse, and Landscaping Business	P	P	--	--	--	--	--	--	--	--	--	--	L	P	156.C.004	
	Veterinary Clinic	--	--	--	--	--	--	--	--	P	P	P	--	--	--	N/A	
	Veterinary Hospital	--	--	--	--	--	--	--	--	S	S	P	--	--	P	N/A	
	All Other Agriculture and Animal-Related Services	L	L	--	L	--	--	--	--	--	--	--	--	--	P	156.C.004	
Residential																	
Household Living	Dwelling, Accessory	P	P	P	P	S	S	S	S	--	--	--	--	--	--	156.C.007.E	
	Dwelling, Apartment	--	--	--	--	P	P	P	P	P	P	P	--	--	--	N/A	
	Dwelling, Single-Family Attached	--	--	P	P	P	P	P	P	P	P	--	--	--	--	N/A	
	Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P	P	--	--	--	--	--	N/A	
	Dwelling, Duplex	--	--	P	P	P	P	P	P	P	P	P	--	--	--	N/A	
	Dwelling, Townhouse	--	--	--	--	P	P	P	P	P	P	P	--	--	--	N/A	
	Dwelling, Multiplex	--	--	--	--	P	P	P	P	P	P	P	--	--	--	N/A	
	Manufactured Home Park	--	--	--	--	S	S	--	--	--	--	--	--	--	--	156.C.005	
	Upper-Story Residential	--	--	--	--	--	--	L	L	P	P	L	--	--	--	156.C.004	
Group Living	Boarding or Rooming House	--	--	--	--	--	--	S	S	--	--	--	--	--	S	156.C.005	
	Group Home	P	P	P	P	P	P	P	P	P	P					N/A	
	Halfway Houses and Ex-Offender Rehabilitation Services	--	--	--	--	--	--	S	S	--	--	--	--	--	S	156.C.005	
	All Other Group Living Uses	--	--	P	P	P	P	P	P	P	P	P	P	--	--	156.C.005	
Public and Institutional																	
Day Care	All Day Care Uses	--	S	S	S	S	L	L	L	P	P	L	L	--	--	156.C.004	
Educational Facilities	College or University	--	--	--	--	--	--	P	P	P	P	P	P	--	P	N/A	
	Training Facility or Vocational School	--	--	--	--	--	--	--	--	P	P	P	P	--	P	N/A	
	All Other Educational Facilities	L	L	L	L	L	L	P	P	P	P	P	P	P	P	156.C.004	

**Table 156.C.003-1,
Use Table**

Use Category	Specific Use¹	Cv = Conventional Cl = Cluster In = Infill	Residential								Mixed-Use		Nonresidential				Standards
			AG	RR	RL		RM		RH		MU	UC	GC	PI	REC	GI	
					Cv	Cl	Cv	In	Cv	In							
Government Facilities	All Government Facilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Medical Facilities	Hospital		--	--	--	--	--	--	S	S	--	--	--	P	--	P	156.C.005
	All Other Medical Facilities		--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
Parks and Open Areas	Cemetery, Columbarium, Mausoleum, or Memorial Park		P	S	S	S	S	S	S	S	--	--	--	--	P	--	156.C.005
	Golf Course		P	P	P	P	P	P	P	P	--	--	--	--	P	--	N/A
	All Other Parks and Open Areas		P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Passenger Terminal	Airport or Heliport		--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
	All Other Passenger Terminal Uses		--	--	--	--	--	--	--	--	--	--	P	S	--	P	156.C.005
Public Assembly	All Public Assembly Uses		L	L	L	L	P	P	P	P	P	P	P	P	P	P	156.C.004
Social Service	Correctional Facility		--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
	All Other Social Service Uses		--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
Utilities	Solar Panel Arrays (Principal Use)		L	--	--	--	--	--	--	--	--	--	S	--	--	L	156.C.004 156.C.005
	Utilities, Minor		P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
	Wireless Telecommunications Facilities		Refer to Table 156.C.009-1, Permitted Wireless Telecommunications Facilities by District														N/A
	All Other Utilities, Major		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Commercial and Office																	
Adult Business	Adult Entertainment Businesses		--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
Entertainment, Indoor	Archery / Firearms Range (Indoor)		--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	Convention Center		--	--	--	--	--	--	--	--	P	P	P	P	--	--	156.C.005
	All Indoor Entertainment Uses		--	--	--	--	--	--	--	--	P	P	P	P	P	P	N/A
Entertainment, Outdoor	Farmers Market		--	--	--	--	L	--	L	--	L	P	L	L	L	--	156.C.004
	Recreational Vehicle Park		--	--	--	--	--	--	--	--	--	--	L	--	P	--	156.C.004
	All Other Outdoor Entertainment Uses		--	--	--	--	--	--	--	--	P	P	L	P	P	--	156.C.004
Office	Bank or Credit Union		--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
	Radio or Television Station or Studio		--	--	--	--	--	--	--	--	P	P	P	P	--	P	N/A
	All Other Offices		--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005

**Table 156.C.003-1,
Use Table**

Use Category	Specific Use ¹	Cv = Conventional CI = Cluster In = Infill	Residential								Mixed- Use		Nonresidential				Standards
			AG	RR	RL		RM		RH		MU	UC	GC	PI	REC	GI	
					Cv	CI	Cv	In	Cv	In							
Overnight Accommodations	All Overnight Accommodations Uses		--	--	--	--	S	S	P	P	P	P	P	P	--	--	156.C.005
Parking, Commercial	All Commercial Parking		--	--	--	--	S	S	S	S	L	L	L	L	L	P	156.C.004, 156.C.005
Restaurant	Restaurant, Drive-In or Drive-Through		--	--	--	--	--	--	--	--	P	P	P	--	--	P	N/A
	All Other Restaurant Uses		--	--	--	--	--	--	--	--	P	P	P	--	--	P	N/A
Retail Repair, Sales, and Service	Repair-Oriented Uses		--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	Sales-Oriented Uses		--	--	--	--	--	--	--	--	P	P	P	--	--	P	N/A
	Service-Oriented Uses		--	--	--	--	--	--	S	S	P	P	P	--	--	P	156.C.005
Self-Service Storage	Boat or Recreational Vehicle Outdoor Storage		--	--	--	--	--	--	--	--	--	--	--	--	--	P	N/A
	Mini-Warehouse		--	--	--	--	--	--	--	--	--	--	--	--	--	P	N/A
Vehicle Sales and Service	Car Wash		--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	Heavy Vehicular Equipment Sales, Service, and Repair		--	--	--	--	--	--	--	--	--	--	S	--	--	P	156.C.005
	Vehicle Fuel Station		--	--	--	--	--	--	--	--	P	P	P	--	--	P	N/A
	Vehicle Repair, Major		--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	Vehicle Service, Minor		--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	All Other Vehicle Sales and Service		--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
Industrial																	
Heavy Industrial	All Heavy Industrial Uses		--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
Light Industrial	Building or Development Contractor		--	--	--	--	--	--	--	--	--	--	L	--	--	P	156.C.004
	Micro-Manufacturing		--	--	--	--	--	--	--	--	--	--	L	--	--	P	156.C.004
	Research and Development Laboratory		--	--	--	--	--	--	--	--	L	L	L	--	--	P	156.C.004
	All Other Light Industrial Uses		--	--	--	--	--	--	--	--	--	--	L	--	--	P	156.C.004
Warehousing and Freight Movement	All Warehousing and Freight Movement Uses		--	--	--	--	--	--	--	--	--	--	S	--	--	P	156.C.005
Waste-Related Service	Recycling Facility		--	--	--	--	--	--	--	--	--	--	--	--	--	P	N/A
	All Other Waste-Related Service Uses		--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
Wholesale Trade	All Wholesale Trade		--	--	--	--	--	--	--	--	--	--	S	--	--	P	156.C.005

TABLE NOTES:

"Cv" = Conventional Development Type Option; "CI" = Cluster Development Type Option; "In" = Infill Development Type Option

¹Specific uses and use categories are defined in Section 156.M.002, *Definitions*.

Section 156.C.004, Limited Use Standards

- A. **Purpose.** The purpose of this Section is to promote compatibility among land uses in the City by establishing specific standards for the establishment of limited uses which are indicated in the use tables in [Section 156.C.003, Use Table](#).
- B. **Application.** Limited uses may be authorized by the Zoning Administrator, or designee, for uses shown as limited "L" and only if they meet the standards of this Section and other applicable standards and requirements of this Ordinance.
- C. **Timing of Compliance.** The standards of this Section apply at the time a limited use is requested to be established in an existing or new structure, or when an existing limited use is proposed to be expanded by more than 10 percent of the existing square footage currently devoted to the use. This Section applies to an expansion of use whether it is to or within an existing building, in an outdoor area devoted to the use, or a combination of these characteristics.
- D. **Standards for All Limited Uses.** An application for limited use permit may be approved if, in addition to the specific standards of this Section that apply to the use, it is demonstrated that:
1. The proposed limited use in its proposed location shall not conflict with the implementation of current adopted plans of the City; and
 2. The limited use is compatible with surrounding land uses and natural environment, and shall not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment trajectory (for example, by creating a critical mass of similar limited uses that is likely to discourage permitted uses by making the vicinity less desirable for them).
- E. **Specific Standards for Limited Uses.**
1. *Community Garden.*
 - a. No sale of items grown or any other items may take place on-site.
 - b. Storage of equipment and materials shall be inside a structure or screened.
 - c. Compost storage, if utilized, shall have a setback of a minimum of 30 feet from the front and 10 feet from any side or rear property line. Compost storage shall be used only to support onsite operations.
 - d. Community gardens that have ceased permanent operation or been abandoned, shall be cleared, all associated structures removed, and the area re-vegetated no more than 30 days after the date of discontinued operations, unless otherwise specified by the Zoning Administrator, not to exceed 90 days.
 2. *Kennel.* Outdoor runs shall be prohibited.
 3. *Plant Nursery, Greenhouse, and Landscaping Business.* Outdoor storage areas shall be enclosed with a fence or wall that is in compliance with [Section 156.F.005, Screening](#).
 4. *All Other Agriculture and Animal-Related Services.*
 - a. The use shall not include activity which may be considered a public nuisance which is offensive to adjacent properties due to increased noise, traffic or odors.
 5. *Upper-Story Residential.*
 - a. The use shall comply with the development standards of a mixed-use building.
 - b. The minimum floor area of the use shall be 300 square feet.
 - c. The maximum density of the district shall not apply.
 6. *Day Care Uses (Child and Adult).*
 - a. The use shall be operated in accordance with all applicable laws and, if a state permit is required, such permit shall be obtained prior to beginning operation.
 - b. The use may be part of a place of public assembly, provided the place of public assembly is in conformance with the standards of this Ordinance.
 - c. Primary access to the site shall be from a public roadway.
 7. *All Other Educational Facilities.* All buildings shall be located at least 50 feet from any adjoining property line, including right-of-way lines.

8. *Public Assembly Uses.*
 - a. Parking shall be provided on-site or off-site with Zoning Administrator approval.
 - b. The use shall be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.
 - c. Expansion to abutting lots or parcels shall meet the following standards:
 - i. The applicant shall control the property onto which the expansion is proposed;
 - ii. It shall allow the use to take access from a public roadway;
 - iii. It will involve the installation of a Type B Bufferyard between the use and abutting residential uses, unless equivalent buffering is already provided; and
 - iv. The expansion will not involve the location of buildings or parking within 50 feet of residential property.
9. *Solar Panel Array (as principal use).* Solar panel arrays installed as a utility-scale solar energy system and as the principal use shall conform to all height, setback, and landscaping requirements within the underlying district. The following additional standards apply to all solar panel arrays as a principle use:
 - a. *Prohibited.* Concentrating solar power (CSP) systems shall be prohibited.
 - b. *Site Plan.* A site plan shall be submitted to the Zoning Administrator demonstrating compliance with:
 - i. Setback and height limitations as established in the underlying zoning district;
 - ii. Applicable zoning district requirements such as landscape surface area ratio; and
 - iii. Applicable solar requirements per this Section.
 - c. *Compliance.* Solar arrays installed as utility-scale solar energy system installations shall comply with applicable local, state, and federal regulations;
 - d. *Building Code Compliant.* All solar panel array systems shall be compliant with all currently adopted building codes;
 - e. *Stormwater Management.* Solar panel arrays shall be considered pervious and therefore shall be exempt from the calculation of the landscape surface ratio requirements in the underlying zoning district. The support or mounting posts, footings, impervious driveway surfaces, parking areas, and buildings on the site shall count toward the coverage requirements.
 - f. *Solar Glare.* Solar panel arrays that use concentrator technologies and have not incorporated antiglare measures into the system or installation shall be placed in areas so that the concentrated solar glare shall not be directed onto inhabited adjacent properties or roadways; and
 - g. *Design.* The design of the solar panel arrays shall use materials, colors, textures, screening, and landscaping similar to their background or the existing natural environment to the most reasonable extent possible without prohibiting the installation.
 - h. *Fencing.* A security fence must be installed along all exterior sides of the utility-scale solar array installation and be equipped with a minimum of one gate and locking mechanism on the primary access side. Security fences, gates, and warning signs must be maintained in good condition until the installation is dismantled and removed from the site according to the decommissioning plan as established in paragraph k, below.
 - i. *Signs.* Signs shall comply with [Article G, Signs](#).
 - j. *Buffering.* The site shall be constructed with buffering as required in [Section 156.F.004, Buffering](#).
 - k. *Decommissioning Plan.*
 - i. The applicant shall submit a decommissioning plan signed by the party responsible for decommissioning and the landowner addressing the following with the permit application.
 - (A) Defined conditions upon which decommissioning will be initiated (e.g. end of land lease, no power production for 12 months, etc.)
 - (B) Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations

- (C) Restoration of property to the condition prior to the development of the utility-scale solar panel array system.
- (D) The timeframe for completion of decommissioning activities.
- (E) Description of any agreement (e.g. lease) with the landowner regarding decommissioning.
- (F) The party currently responsible for decommissioning.
- (G) Plans for updating this decommissioning plan.

10. *Farmers Market.*

- a. The site shall be supplied with electrical power at secured, in-ground stations that may be accessed by temporary users.
- b. The use is separated from all residential property by a Type B Bufferyard, in accordance with [Section 156.F.004, Buffering](#), or a local street or collector roadway.
- c. The use will be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.

11. *Recreational Vehicle Parks.* Site plans shall include information related to the following criteria which must be approved by the Zoning Administrator.

- a. Utility plan showing service to the site and individual spots.
- b. Fire access throughout the park which meets approval of the Fire Department.
- c. Compliance with buffering, landscaping and screening requirements.
- d. Plan for disposal of waste.

12. *All Commercial Parking.*

- a. All lots must comply with the parking lot design and landscaping standards.
- b. Lots shall be within 600 feet of the primary use property.

13. *Building or Development Contractor.*

- a. *Screening.* Outdoor storage shall be fully screened from adjacent nonindustrial uses.
- b. *Bufferyard.* The use shall be separated from a nonindustrial use by a Type C Bufferyard, in accordance with [Section 156.F.004, Buffering](#).

14. *Micro-Manufacturing.*

- a. *Gross Floor Area.* The maximum gross floor area of a micro-manufacturing facility shall not exceed 5,000 square feet.
- b. *Outdoor Storage.* No outdoor storage is permitted.

15. *Research and Development Laboratory.*

- a. All testing conducted onsite is within a fully enclosed building.
- b. All materials and equipment are stored in areas screened from public view.

16. *Other Light Industrial Uses.*

- a. *Indoor Operations.* All operations shall be conducted completely within a building, except limited daily outdoor operations and storage may occur behind the building and a minimum of 50 feet from any property line.
- b. *Nuisances.* No impacts or by-products of the use, including noise, dust, or odor shall be discernible from abutting property.
- c. *Outdoor Storage.* Outdoor storage shall be screened from view from the public-right-of-way and adjacent properties with a Type C Bufferyard. in accordance with [Section 156.F.004, Buffering](#).

Section 156.C.005, Special Use Permit Standards

- A. **Generally.** The standards of this Section apply to all special uses set out in [Section 156.C.003, Use Table](#).

B. Permit Required. A Special Use Permit is required for:

1. All land uses identified as a Special Use (S) in either Table [156.C.003-1, Use Table](#); or
2. A land use that is being proposed to be transferred from a nonconforming use to another nonconforming use per [Section 156.K.007, Conversion of Nonconformities](#).

C. Review and Approval.

1. *Standards.* In the review of Special Use Permit applications, the Zoning Administrator, the Plan and Zoning Commission, and the Board of Adjustment shall utilize the following standards:
 - a. *Surrounding Properties.* The proposed special use will operate or be designed in a manner that does not diminish the use or functionality of surrounding properties;
 - b. *Hours of Operation and Site Improvements.* Provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements have been provided;
 - c. *Public Services.* Adequate public services (such as: streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police and fire protection) must be available without the reduction of services to any existing uses;
 - d. *Nuisance.* If, in the opinion of Plan and Zoning Commission or Board of Adjustment, the special use becomes a nuisance, the Special Use Permit may be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.
 - e. *Design Features.* The proposed use will incorporate design features to sufficiently protect adjacent uses including but not limited to: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing, and building placement; and
 - f. *Compatibility.* The proposed use is compatible with adjacent existing uses. Compatibility shall be expressed in terms of appearance, architectural scale and features, site design and scope, landscaping, as well as the control of adverse environmental impacts, including noise and lighting, or other undesirable conditions.
2. *Conditional Approval.* The Board of Adjustment may require additional conditions beyond the general standards listed in Paragraph 1, above, to reasonably mitigate any adverse impacts upon surrounding properties in the zoning district of the property for which the special use is requested.

D. Standards for Residential Uses.

1. *Manufactured Home Park.*
 - a. *Area and Dimensional Regulations.* The area and dimensional regulations in Table [156.C.005-1, Manufactured Home Park Development Standards](#).

Table 156.C.005-1, Manufactured Home Park Development Standards									
Manufactured Home Type	Min. Site Area	Min. Lot Area per Dwelling	Min. Lot Width	Min. Lot Depth	Min. Front Setback	Min. Street Side Setback	Min. Side Setback	Min. Rear Setback	Max. Height
Single-Wide	10 acres	5,500 sf.	55 ft.	80 ft.	4 ft.	14 ft.	14 ft.	10 ft.	1 story / 15 ft.
Double-Wide	10 acres	6,000 sf.	60 ft.	80 ft.	4 ft.	14 ft.	14 ft.	10 ft.	1 story / 15 ft.

- b. *Buffering and Open Space.* The manufactured home park shall be surrounded by a Type C bufferyard, in accordance with [Section 156.F.004, Buffering](#), along all street frontages and along all other park perimeter property lines. This space shall be in addition to the space required for each manufactured home site and shall not be used for other park facilities, recreation area, accessory storage structures, or parking areas. The park shall include a minimum of eight percent of the site dedicated to open space with shade trees and

ground cover with tree maintenance in wooded portions. Continued maintenance of the open area and its planting shall be the responsibility of the property owner or operator of the park.

- c. *Manufactured Home Space.* All manufactured homes shall be placed in a designed manufactured home space and shall not obstruct the use of or project over, any driveway, walkway, or public utility easement.
- d. *Accessory Buildings.* Private accessory buildings may be located in the rear yard of a manufactured home space and set back a minimum of five feet from any lot line and shall not exceed 10 feet in height. Accessory buildings, porches, decks, awnings, or canopies shall be located at least five feet from the boundaries of the individual manufactured home site.
- e. *Skirting.* All manufactured homes shall be completely skirted with materials approved by the Zoning Administrator.
- f. *Emergency Shelter.* All manufactured home parks shall have a structure to provide shelter from tornadoes and other weather-related storms. This structure shall either have a basement or shall itself be underground for storm protection. This structure shall be required to have a minimum occupancy ratio of seven square feet of floor area per each individual lot in the manufactured home park.
- g. *Signs.* One main identification sign shall be permitted with an area not to exceed 48 square feet and six feet in height. Freestanding signs must be set back a minimum of ten feet from any property line.
- h. *Other Regulations.*
 - i. Number and location of access drives shall be controlled for traffic safety and protection of surrounding properties, and no manufactured home site space shall be designed for direct access to a street outside the boundaries of the park. Interior access drives shall be properly lighted, with right-of-way at least 50 feet in width that acts as a public utility easement, and paved in accordance with City Engineering and Fire Access standards.
 - ii. At least one off-street parking space shall be provided on each manufactured home site, and, in addition, one off-street space shall be provided per manufactured home in other locations convenient to groups of homes. No parking shall be permitted on the street. A special area shall be designed for accessory storage of boats and boat trailers, campers and other recreational vehicles. All required parking shall be clearly defined in accordance with [Section 156.E.003, Parking Design](#).

- 2. *Boarding or Rooming House.* Boarding or Rooming Houses that existed as of the effective date of this Ordinance shall be:
 - a. Registered with the State of Iowa and shall have submitted occupancy reports to the Department of Inspections and Appeals, in accordance with [Chapter 1350, Boarding Homes, Iowa Code](#);
 - b. In full compliance with [Section 152.024, Rooming House, Boarding House, Dormitory Rooms and Other Rooming Units](#) of the City's Code of Ordinances and all applicable building and fire codes of the City, as amended from time to time;
 - c. Subject to the City's rental registration and inspection program;
 - d. Responsible for making an application for a Special Use Permit as set forth in [Section 156.J.003, Legislative Review Procedures](#), which requires that the boarding home:
 - i. Has not more than six occupants;
 - ii. Has sleeping rooms that have no less than 50 square feet per person for multiple occupancy or 70 square feet of floor space per sleeping room for single occupancy;
 - iii. Has on-site staff supervision if there are three or more occupants;
- 3. *Halfway Houses and Ex-Offender Rehabilitation Services.* A halfway house or ex-offender rehabilitation is prohibited within 750 feet of any other such business, any school, place of public assembly, library, public park, public playground, or areas zoned or used for residential use.

E. Standards for Public and Institutional Uses.

- 1. *Day Care Uses (Adult and Child).*

- a. *Street Access.* In the RR, RL, and RM zoning districts, the facility shall be located on and have access to a public street.
 - b. *Outdoor Activities.* Outdoor activities and activity areas, including play lots, shall be:
 - i. Located a minimum of 25 feet from any residentially used lot line or separated by a Type A bufferyard, in accordance with [Section 156.F.004, Buffering](#); and
 - ii. Completely secured and enclosed by a fence.
 - c. *Internal Circulation.* Internal traffic circulation patterns are established and signed so that:
 - i. Dedicated client drop-off and pick-up areas are safe for clients leaving and re-entering vehicles the site and so that vehicle stacking does not impede traffic on- or off-site; and
 - ii. A bus, if applicable, can drop-off and pick-up clients in designated areas and is able to either turn around within the drop-off area or alternatively re-access the street via a circular drive.
2. *Cemetery, Columbarium, Mausoleum, or Memorial Park.*
- a. *Location.* A mausoleum structure shall be separated from a residential use by a Type C bufferyard, in accordance with [Section 156.F.004, Buffering](#).
 - b. *Design.* The site shall be located on and have access to a public street.
 - c. *Existing Cemeteries.* Nothing in this subsection shall be construed to make an existing cemetery a nonconforming use with respect to the requirements of this Ordinance.
3. *Solar Panel Arrays (Principal Use).* For special use standards required for the installation of solar panel arrays as the principal use, see [Section 156.C.004.G.4, Solar Panel Arrays \(as principal use\)](#).

F. Standards for Commercial Uses.

1. *Adult Entertainment Businesses.*
- a. *Establishment.* The establishment of an adult entertainment business shall include the opening of such business as a new business, the relocation of such business, the addition of such business activity to that of any other business, or a conversion of an existing business location to any of the uses and activities herein described and defined.
 - b. *Expansion.* It shall also include any addition to or expansion of an existing adult entertainment business that causes said business to occupy over 20% more space than before such addition or expansion.
 - c. *Location and Operation.*
 - i. No person shall cause or permit the establishment of any adult entertainment business as herein defined within 750 feet of any other such business, any school, place of public assembly, library, public park, public playground, or areas zoned or used for residential use.
 - ii. Measurement shall be taken on a direct line from the property line of such adult entertainment business to the property line of such other business, school, place of public assembly, library, public park, public playground, or area zoned or used for residential use.
 - iii. All building openings, entries, windows and the like shall be constructed, located, covered, or screened in such a manner as to prevent a view of display areas from, or a view into the interior of the adult entertainment business from, any pedestrian sidewalk, walkway, street, or other public or semi-public areas.
 - iv. Any adult entertainment business in existence on the effective date of this chapter that does not comply with the minimum separation requirements defined in paragraph c.1 and c.2, above, may be continued as a non-conforming. Such nonconforming use shall not be expanded, extended, or altered with regard to the land area, building, or structure involved in such use. The provisions of paragraph c.3, above, shall apply to all adult entertainment businesses, including said nonconforming uses, upon adoption of this Chapter.
2. *Commercial Parking.*
- a. *Generally.* The use shall comply with applicable requirements of [Article E, Parking, Loading, and Stacking](#).

- b. *Surface Parking.*
 - i. The use shall be separated from a residential use by a Type B bufferyard, in accordance with [Section 156.F.004, Buffering](#).
 - ii. The location of ingress and egress shall minimize traffic congestion and the effect of headlights on residential uses.
- c. *Structured Parking.*
 - i. Structured parking is prohibited in the AG, RR, RL, and RM residential zoning districts.
 - ii. Structured parking design standards in [Section 156.E.003, Parking Design](#).

G. Heavy Industrial Uses. All uses in the heavy industrial use category shall:

- 1. Employ the best practical disposal of refuse matter or water-carried waste;
- 2. Effectively control obnoxious or offensive odor, dust, smoke, gas, noise, or similar nuisances;
- 3. Locate and screen, fence, and landscape with a Type C bufferyard as set out in [Section 156.F.004, Buffering](#), all outdoor storage of equipment not intended for over-the-road or rail use, supplies or materials intended for refabrication, waste materials, industrial by-products, or items intended for junkyards. The property owner may appeal to the Board of Adjustment relating to any requested relief of this requirement; and
- 4. New and expanding structures used for the principal heavy industrial activity are subject to review under the Special Use Permit standards and additional setbacks from any district zoned AG, RR, RL, RM, RH, MU, UC, GC, PI, and REC districts may be required.

Section 156.C.006, Flood Hazard Districts Standards

- A. **Authority.** The Legislature of the State of Iowa has, in [Chapter 414, Code of Iowa](#), as amended, delegated the power to cities to enact zoning regulations to secure safety from floods and to promote health and the general welfare.
- B. **Flooding.** The flood hazard areas of the city are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the health, safety and general welfare of the community. These losses, hazards, and related adverse effects are caused by:
 - 1. The cumulative effect of floodplain construction on flood flows, which causes increases in flood heights and flood water velocities; and
 - 2. The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding.
- C. **Methodology.** This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Iowa Department of Natural Resources.
- D. **Intent.** The provisions of this Section are designed to:
 - 1. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially;
 - 2. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flood or which cause excessive increases in flood heights or velocities;
 - 3. Require that uses vulnerable to floods, including public utilities which serve such uses, be protected against flood damage at the time of initial construction;
 - 4. Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard; and
 - 5. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.
- E. **Applicability.** The regulations of the Flood Hazard Districts shall apply to all lands within the jurisdiction of the City shown on the Floodway Boundary and Floodway Map to be within the 100-year flood boundaries.
- F. **Establishment of Official Floodplain Zoning Map.** The Flood Boundary and Floodway Maps prepared as part of the "Flood Insurance Study for the City of Marshalltown, Iowa", dated April 17, 1984, are hereby adopted by reference

and declared to be the Official Floodplain Zoning Map. The flood profiles and all explanatory material provided with the "Flood Insurance Study" and the Flood Insurance Rate Maps are also declared to be a part of this Section.

- G. **Rules for Flood Hazard Overlay Districts Boundaries Interpretation.** The boundaries of the Flood Hazard Overlay Districts shall be determined by scaling distances on the Official Floodplain Map. Where interpretation is needed as to the exact location of the boundaries of the district as shown on the Official Zoning Map, the Floodplain Administrator or Engineering Department shall make the necessary interpretation. The person contesting the location of the overlay boundary shall be given a reasonable opportunity to present their case and submit technical evidence.
- H. **Compliance.** No structure or land shall be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.
- I. **Abrogation and Greater Restrictions.** It is not intended by this Section to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Section imposes greater restrictions, the provisions of this Section shall prevail. All other ordinances inconsistent with this Section are hereby repealed to the extent of the inconsistency only.
- J. **Interpretation.** In their interpretation and application, the provisions of this Section shall be held to be minimum requirements and shall be literally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.
- K. **Warning and Disclaimer of Liability.** The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by human-made or natural causes, such as ice jams and bridge openings restricted by debris. This Section does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This regulation shall not create liability on the part of the City of Marshalltown for any flood damages that result from reliance on this Section or any administrative decision resulting from this Section.
- L. **Severability.** If any section, clause, provision, or portion of this Section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected by such judgement.
- M. **Flood Hazard Overlay Districts Established.** The floodplain areas within the jurisdiction of this Ordinance are divided into the following subdistricts:
 - 1. *Floodway Overlay District.* The Floodway Overlay District shall be consistent with the boundaries of the floodway as shown on the Official Floodplain Map.
 - 2. *Floodway Fringe Overlay District.* The Floodway Fringe Overlay District shall be those areas shown as floodway fringe on the Official Floodplain Zoning Map designated as Zones A2 - A4, A6, and A8.
 - 3. *General Floodplain Overlay District.* The General Floodplain Overlay District shall be those areas shown on the Official Floodplain Zoning Map as being within the approximate 100-year flood boundary designated as Zone A.
- N. **Floodway Overlay District.**
 - 1. *Permitted Uses.* All uses within the Floodway Overlay District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district), and provided they meet applicable performance standards of the Floodway Overlay District.
 - 2. *Performance Standards.* All floodway subdistrict uses allowed as a permitted or special use shall meet the following standards:
 - a. No use shall be permitted in the floodway subdistrict that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 - b. All uses within the floodway subdistrict shall:
 - i. Be consistent with the need to minimize flood damage;
 - ii. Use construction methods and practices that will minimize flood damage; and

- iii. Use construction materials and utility equipment that are resistant to flood damage. No use shall affect the capacity or conveyance of the channel or floodway or any tributary to the main stream, drainage ditch, swale, or any other drainage facility or system.
- c. Structures, buildings, and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the floodway fringe subdistrict, and shall be constructed or aligned to present the minimum possible resistance to flood flows.
- d. If permitted, buildings, shall have a low flood damage potential, and shall not be for human habitation, and shall adhere to all applicable provisions of this Section.
- e. Storage of equipment or materials that are buoyant, flammable, explosive, or injurious to human, animal, or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway subdistrict within the time available after flood warning.
- f. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Iowa Department of Natural Resources, the United States Corps of Engineers, and other applicable agencies.
- g. Any fill allowed in the floodway must be permitted by the Iowa Department of Natural Resources and shall be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
- h. Subject to all applicable permits of regulating agencies, pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently stabilized and protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

O. Floodway Fringe Overlay District.

- 1. *Permitted Uses.* All uses within the floodway fringe subdistrict shall be permitted to the extent that they are not prohibited by any other ordinance or underlying zoning district, and provided they meet applicable performance standards of the floodway fringe subdistrict.
- 2. *Performance standards.* All uses must be consistent with the need to minimize flood damage and shall meet the following applicable performance standards.
 - a. *All Structures.* All structures shall:
 - i. Be adequately anchored to prevent flotation, collapse, or lateral movement of the structure;
 - ii. Be constructed with materials and utility equipment resistant to flood damage; and
 - iii. Be constructed by methods and practices that minimize flood damage.
 - b. *Residential Buildings.* All new or substantially improved residential structures shall have the lowest floor, including basements, elevated a minimum of one foot above the 100-year flood level. Construction shall be upon compacted fill which shall, at all points, be no lower than one foot above the 100-year flood level and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed, subject to favorable consideration by the Floodplain Administrator, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding. All new residential buildings shall be provided with a means of access that will be passable by wheeled vehicles during the 100-year flood.
 - c. *Non-residential Buildings.* All new or substantially improved non-residential buildings shall have the first floor (including basement) elevated a minimum of one foot above the 100-year flood level, or together with attendant utility and sanitary systems, be flood-proofed to such a level. When floodproofing is utilized, a professional engineer registered in the state shall certify that the flood-proofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood, and that the structure, below the 100-year flood level, is water-tight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to National Geodetic Vertical Datum) to which any structures are flood-proofed shall be maintained by the Floodplain Administrator.

- d. *New and Improved Structures.* All new and substantially improved structures:
 - i. Fully enclosed areas below the “lowest floor” (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
 - (A) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (B) The bottom of all openings shall be no higher than one foot above grade.
 - (C) Openings may be equipped with screens, louvers, valves, or other coverings or devices; provided that, they permit the automatic entry and exit of flood waters.
 - ii. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - iii. New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- e. *Factory-Built Homes.*
 - i. Factory-built homes including those placed in existing factory-built home parks or subdivisions shall be anchored to resist flotation, collapse, or lateral movement.
 - ii. Factory-built homes including those placed in existing factory-built home parks or subdivisions shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one foot above the 100-year flood level.
- f. *Utility and sanitary systems.*
 - i. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities shall be provided with a level of flood protection equal to or greater than one foot above the 100-year flood elevation.
 - ii. On-site waste disposal systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
 - iii. New or replacement water supply systems and water supply treatment facilities shall be designed in accordance with Iowa DNR requirements and protected to a level equal to or greater than one foot above the 100-year flood elevation.
 - iv. Utilities such as gas and electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.
- g. *Flammable Materials and the Like.* Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one foot above the 100-year flood level. Other material and equipment must either be similarly elevated, or:
 - i. Not be subject to major flood damage and be anchored to prevent movement due to flood waters; or
 - ii. Be readily removable from the area within the time available after flood warning.
- h. *Flood Control Structural Works.* Private flood control structural works such as levees, private flood walls and the like shall provide, at a minimum, protection from a 100-year flood with a minimum of three feet of design freeboard and shall provide for adequate interior drainage. In addition, private structural flood control works shall be approved by the state’s Department of Natural Resources.
- i. *Affect.* No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or other drainage facility or system.

- j. *Subdivisions.* Subdivisions (including manufactured home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals shall meet the applicable performance standards. Subdivision proposals shall meet City Standard Specifications in regards to flood protection and storm water conveyance.
- k. *Detached Structures.* The exemption of detached garages, sheds and similar structures from the 100-year flood elevation requirements may result in increased premium rates for insurance coverage of the structure and contents, however, said detached garages, sheds and similar accessory type structures are exempt from the 100-year flood elevation requirements when:
 - i. The structure shall not be used for human habitation;
 - ii. The structure shall be designed to have low flood damage potential;
 - iii. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of flood waters;
 - iv. Structures shall be firmly anchored to prevent flotation which may result in damage to other structures; and
 - v. The structure's service facilities such as electrical and heating equipment shall be elevated or flood-proofed to at least one foot above the 100-year flood level.
- l. *Recreational Vehicles.* Recreation vehicles placed on sites within this district shall either:
 - i. Be on the site for fewer than 180 consecutive days;
 - ii. Be fully licensed and ready for highway use; or
 - iii. Meet the requirements the section.

P. General Floodplain Overlay District.

- 1. *Permitted Uses.* The following uses shall be permitted within the general flood plain subdistrict to the extent they are not prohibited by any other ordinance or underlying zoning district; and provided they meet the applicable performance standards of the General Floodplain District:
 - a. Any uses which involve placement of structures, factory-built homes, fill or other obstructions, storage of materials or equipment, excavation or alteration of a watercourse may be allowed only upon approval by the Floodplain Administrator.
 - b. All such uses shall be reviewed by the Iowa Department of Natural Resources to determine: whether the land involved is either wholly or partly within the floodway or floodway fringe and the base flood elevation. The applicant shall be responsible for providing the Iowa Department of Natural Resources with sufficient technical information to make the determination.
- 2. *Bridges and Culverts.* Whereby the United States Army Corps of Engineers may require review, review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where:
 - a. the bridge or culvert is located on a stream that drains less than two square miles; and
 - b. the bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(2), Iowa Administrative Code.
- 3. *Performance Standards.*
 - a. All uses, or portions thereof, to be located in the floodway as determined by the Iowa Department of Natural Resources shall meet the applicable provisions and standards of the Floodway Overlay District.
 - b. All uses, or portions thereof, to be located in the floodway fringe as determined by the Iowa Department of Natural Resources shall meet the applicable standards of the Floodway Fringe Overlay District.

Q. Appeals.

- 1. *Appeals to Board of Adjustment.* Where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this chapter, the aggrieved party may

appeal such action. A request for an appeal shall be filed with the Zoning Administrator and shall set forth the specific reason for the appeal. The official from whom the appeal is taken shall transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

2. *Appeals to the Court.* Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the office of the Board.
- R. **Hearings.** A public hearing is not required by the Board of Adjustment when acting on an appeal.
- S. **Decisions.** The Board shall arrive at a decision on an appeal, within a reasonable time. In passing upon an appeal, the Board may, so long as such action is in conformity with the provisions of this subchapter, reverse or affirm, wholly or in part, or modify the order, requirement, decision or determination appealed from and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision.
- T. **Floodplain Administrator Decision Factors.** The Floodplain Administrator shall consider all relevant factors specified in other sections of this Ordinance and:
1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 2. The danger that materials may be swept onto other lands or downstream to the injury of others.
 3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
 4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 5. The importance of the services provided by the proposed facility to the community.
 6. The requirements of the facility for a flood plain location.
 7. The availability of alternative locations not subject to flooding for the proposed use.
 8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 9. The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.
 10. The safety of access to the property in times of flood for ordinary and emergency vehicles.
The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
 11. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical, and water systems), facilities, streets, and bridges.
 12. Such other factors which are relevant to the purpose of this chapter.
- U. **Conditions.**
1. Upon consideration of the factors listed above, the Floodplain Administrator may attach such conditions to the approval as deemed necessary to further the purpose of this subchapter.
 2. Such conditions may include, but not necessarily be limited to:
 - a. Modification of waste disposal and water supply facilities;
 - b. Limitation on periods of use and operation;
 - c. Imposition of operational controls, sureties, and deed restrictions; and
 - d. Requirements for construction of channel modifications, dikes, levees, and other protective measures; provided, such are approved by the state's Department of Natural Resources and are deemed the only practical alternative to achieving the purposes of this subchapter.
- V. **Flood-proofing Measures.** Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Floodplain Administrator shall require that the applicant submit a plan for

document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area. Such floodproofing measures may include, but are not necessarily limited to the following:

1. Anchorage to resist flotation and lateral movement.
 2. Installation of watertight doors, bulkheads, and shutters, or similar methods of construction.
 3. Reinforcement of walls to resist water pressures.
 4. Use of paints, membranes, or mortars to reduce seepage of water through walls.
 5. Addition of mass or weight structures to resist flotation.
 6. Installation of pumps to lower water levels in structures.
 7. Construction of water supply and waste treatment systems so as to prevent the entrance of flood waters.
 8. Pumping facilities or comparable practices for subsurface drainage systems for building to relieve external foundation wall and basement flood pressures.
 9. Construction to resist rupture or collapse caused by water pressure or floating debris.
 10. Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent backup of sewage and stormwaters into the buildings or structures.
 11. Location of all electrical equipment, circuits, and installed electrical appliances in a manner that will assure they are not subject to flooding.
- W. **Penalties for Violations.** Violations of the provisions of this Article or failure to comply with any of the requirements shall be considered a municipal infraction punishable by civil penalty provided in [Section 10.999 of the Marshalltown Code of Ordinances](#).
- X. **Amendments.** The regulations, restrictions and boundaries set forth in this chapter may from time to time be amended, supplemented, changed, or repealed as provided in Sections 414.4, 414.5, and 414.21, Code of Iowa, 1977 as amended. No amendment, supplement, change, or modification to this chapter shall be undertaken without prior approval from the Iowa Department of Natural Resources.

Section 156.C.007, Accessory Uses and Structures

- A. **Purpose.** The purpose of this Section is to authorize certain uses of property that are incidental to, and customarily associated with, the principal use, which require standards to manage impacts on the principal and adjacent uses.
- B. **Applicability.**
1. *Establishment.* Accessory uses and structures may only be established or constructed if they meet the standards of this Section and all other applicable standards of this Zoning Ordinance. These standards apply when:
 - a. *Establishment or Construction.* An accessory use or structure is established or constructed;
 - b. *Structure Expansion.* An existing accessory structure is expanded by more than 10 percent of its gross floor area; and
 - c. *Use Expansion.* There is an expansion of the accessory use to or within an existing building, in an outdoor area devoted to the use, or a combination thereof.
 2. *Unlisted Accessory Uses.* Refer to [Section 156.C.010, New and Unlisted Uses](#), as the same means of interpretation apply to accessory uses as apply to principal uses.
- C. **Standards that Apply to All Accessory Uses and Structures.**
1. *Use.* An accessory use or structure may be established provided that it is associated with a primary use permitted in [Section 156.C.003, Use Table](#) and the associated Use Category definitions in [Section 156.M.002, Definitions](#), and that it complies with the standards of this Section. No accessory structure may be used unless the primary structure also is being used.
 2. *Subordinate.*
 - a. An accessory use or structure shall be subordinate to and serve a principal use or structure.

- b. A non-agricultural accessory structure shall be subordinate in height and gross floor area to the principal structure.
 3. *Commercial Use.* Accessory structures located on residentially zoned or used property shall not be used for commercial purposes other than home occupations that comply with this Section.
 4. *Timing of Construction.* No detached accessory structure shall be constructed until the construction of the rafters, or general equivalent, of the primary structure has commenced.
 5. *Same Property and Ownership.* An accessory use or structure shall be located on the same property and shall be under the same ownership as that of the principal use or structure served.
 6. *Separation.* No accessory structure shall be located closer than five feet to any other structure.
 7. *Setbacks.* Accessory structures shall comply with the front, side street, and side setback standards for the primary structure established in [Article B, District Development Standards](#). Detached accessory structures have a minimum rear setback of 10 feet and attached accessory structures shall comply with the rear setback that applies to the primary structure.
 8. *Height.* The maximum height for a residential or nonresidential accessory structure is 18 feet, unless specified within this Section.
 9. *Easements.* Accessory structures permanently affixed to the ground shall not encroach into an easement.
 10. *Compatibility.* Accessory buildings (in excess of 120 square feet) shall be designed to be compatible with the surrounding neighborhood and shall use building materials as set forth in [Section 156.D.002, General Requirements](#).
- D. Decks and Patio.**
1. Front yard decks and patios may extend into the required front yard setback ten additional feet.
 2. Rear and side yard decks must comply with the setbacks listed in their respective district.
 3. Fences and screening for decks, patios, pools and other structures on the interior of the yard shall not exceed six feet above the floor or ground level of said structure; provided, they are attached or directly adjacent to the primary building on the lot and meet the underlying primary building setbacks.
- E. Residential Accessory Uses and Structures.** Residential accessory uses and structures include dwelling units, sheds for the storage of household items and equipment, garages, pergolas, and similar structures. Except as provided in the standards of this subsection, the following standards shall apply to residential accessory uses and structures:
1. *Location.*
 - a. No accessory building or part thereof shall be located in the front yard.
 - b. Any accessory building that is not a part of the main building shall be located not less than five feet from any portion of the main building or any other structure on the lot (not including fences).
 2. *Front Setbacks.* Accessory structures shall comply with the front setback standards for the principal structure established in [Section 156.B.004, Residential District Development Standards](#).
 3. *Dimensional Requirements.* Residential accessory uses and structures shall comply with the dimensional requirements established in [Table 156.C.007-1, Accessory Structure Dimensional Requirements](#), below.
 4. *Side Yard Setback.* Any accessory building located entirely or in part in a side yard shall be erected in conformity with the side yard regulations of the zoning district in which the building is located. On a corner lot in any dwelling district, the width of the yard along the side street line shall not be less than one-half of the depth of the front yard.
 5. *Rear Lot Line.* Where the rear lot line of a corner lot is the side lot line of the adjoining lot, the side yard regulations of the district shall apply to the location of the accessory building.
 6. *Attached Structures.* Attached accessory structures, such as attached garages, shall comply with the setbacks of the principal structure.
 7. *Storage.* Semi-trailers and shipping containers shall not be used for storage in residential zoning districts.

Table 156.C.007-1, Accessory Structure Dimensional Requirements

Housing Type	Lot Size	Max. Footprint ¹	Maximum Floor Area	Minimum Setback ²	Max. Wall Height	Max. Structure Height
Single-Family and Duplex Residencies	0.5 acre or less	30%	1,000 s.f.	5 ft.	10 ft.	15 ft.
	0.5 - 1 acre	30%	1,600 s.f.	5 ft.	12 ft.	15 ft.
	1 - 5 acres	30%	3,000 s.f.	5 ft.	12 ft.	20 ft.
	5 acres or more	30% plus	5,000 s.f. plus 1,000 s.f. per acre over 5 acres not to exceed 10,000 s.f.	10 ft.	14 ft.	20 ft.
Multi-family Residencies (Multiplex, Townhouse, Apartment)	Any Size	30%	300 s.f. per unit	10 ft.	10 ft.	15 ft.

TABLE NOTES:

¹Calculated as a percentage of the permitted rear yard.

²Minimum setback from property lines when structure located entirely in the rear yard. Refer to 156.C.007.E for setback on corner lots.

F. **Accessory Dwelling Units (ADUs).** Accessory dwelling units shall be permitted in all residential zoning districts as an accessory use to single-family detached on lots greater than or equal to 15,000 square feet, or the single-family attached housing type in the Mixed-Use (MU) and Urban Core (UC) zoning districts, subject to the following standards:

9. *ADU Types.* There are two types of ADUs:

- c. Integrated ADUs; and
- d. Detached ADUs.

10. *Integrated ADUs.*

- a. Integrated ADUs are located within a permitted building and shall comply with the building placement standards for the permitted and associated principal building type.
- b. Integrated ADUs may be established by dividing space within a principal building (See (A) in Figure 156.C.007-1, below), or by adding floor area to an existing building (See (B), below). Integrated ADUs may be accessed from within the principal building or from outside, according to the standards of this Section.
- c. Integrated ADUs appearance:
 - i. Integrated ADUs shall not involve design modifications to the exterior of the principal building that make their presence obvious.
 - ii. Where exterior doors provide direct access to the integrated unit, such doors shall be designed, located, and configured in a manner that is typical for secondary access to a residential dwelling (e.g. side doors, French doors, etc.).
 - iii. Any exterior stairs that would serve as the primary entrance to the ADU shall be located on the side or rear of the principal structure and are prohibited from being located on the front of the principal structure.
 - iv. If a principal building is expanded to accommodate an integrated ADU, the expansion shall be designed in a manner that is comparable to the principal building.

- v. Only one entrance may be located on the front facade of the principal building facing the street unless the building contained additional front entrances prior to the ADU's construction.

11. *Detached ADUs.*

- a. Detached ADUs are dwelling units that are located inside of an accessory structure, such as a detached residential garage (See (C) in Figure 156.C.007-1, below) or detached structure (D).
- b. Where an improved alley adjacent to the lot exists, vehicular access to the ADU shall take place from the alley.
- c. Generally, access to second-floor units shall be from internal stairs. External stairs may be permitted where they are not located parallel to an interior side property line or where the Administrator determines that screening features are in place to protect the privacy of an adjacent lot's side yard.
- d. In the RL, RM, RH, and in the Single-Family Attached building type in the Mixed-Use (MU) zoning districts, where a detached ADU is proposed, the owner of the subject property shall live in either the principal residence or the ADU.
- e. *Prohibited Locations.* ADUs may not be established within manufactured homes or structures and vehicles that do not have a permanent foundation, including, but not limited to recreational vehicles, travel trailers, or campers.
- f. *Maximum Floor Area of the ADU.*
 - i. *Measurement.* The floor area is measured as the area within the ADU itself and does not include areas of an accessory building that are used for other purposes, such as a detached garage or a workshop that is not incorporated into the ADU.
 - ii. *Standard.* The floor area of an ADU shall not exceed 50 percent of the total square footage of the principal residential building to which it is accessory, or 1,000 square feet, whichever is less.
- g. *Required Parking for ADUs.* In the RL, RM, and RH districts, in addition to the parking requirements for the principal residential use set out in Section 156.E.004, *Required Off-Street Parking*, one off-street parking space for the ADU shall be provided.

Figure 156.C.007-1
Accessory Dwelling Unit Types



G. **Additional Standards for Specific Accessory Uses or Structures.**

- 1 *Home-Based Business.*
 - a. *Permitted Home-Based Businesses.* All no-impact home-based businesses are permitted.
 - b. *Prohibited Home-Based Businesses.* The following home-based businesses are considered prohibited:
 - i. Animal hospitals;
 - ii. Private clubs;
 - iii. Restaurants;
 - iv. Stables and kennels;
 - v. Automobile repair or auto body shops. More than two vehicles per year that are not registered at the residence and are rebuilt, repaired, or reconstructed shall constitute an automobile repair or auto body shop;
 - vi. Automobile paint shop;
 - vii. Any occupation which is considered illegal by law; and
 - viii. Any use which does not meet the standards in subsection (e), below.
 - c. *Home-Based Businesses Other Than Listed Above.* Any home-based business which is not considered “permitted” or “prohibited” shall use and abide by the special use process as described in Subsec. [156.J.005.1](#), *Special Use Permit*, with the exception of a review by the Plan & Zoning Commission. A special fee for a special use permit for a home-based business shall be set by resolution. The Board of Adjustment shall review the home-based business in regards to the standards listed in subsection (e), below. The Board shall take into account concerns by neighbors and the possible negative impacts to the residential character of the neighborhood. The Board may place any restrictions on the home-based business and the Board shall be critical when evaluating requests for additional employees.
 - d. *Standards for All Home-Based Businesses.*
 - i. *Area Limitation.* The occupation may not exceed 25 percent of the gross floor area of the principal dwelling.
 - ii. *Safety.* The occupation may not be more dangerous to life, personal safety, or property than any other activity ordinarily carried on with respect to a dwelling used solely for residential purposes.
 - iii. *Non-compliance.* Any home-occupation which does not abide by the terms of this section shall be punishable under [Article L](#), *Enforcement and Remedies*.
 - iv. *Modifications or Additions.* Structural modifications or additions to the residence for the expansion of a home-based business shall be constructed to be compatible with the primary structure and remain residential in appearance.
 - v. *Traffic and Parking.* Traffic generated by the home-based business shall not be objectionable to the neighboring residents. Off-street parking shall be adequate to accommodate the parking demand generated by the home-based business.
 - vi. *Deliveries.* The occupation shall not require the delivery or shipment of materials, merchandise, goods, or equipment by other than passenger motor vehicles, one-ton step-up vans, or similar-sized trucks that are less than 10 tons gross vehicle weight.
 - vii. *Equipment.* Any merchandise or stock in trade sold, repaired or displayed shall be stored entirely within the residential structure or in an accessory building.
 - viii. *Signs.* Any sign utilized by a home-based businesses in an residential district shall be limited to one building-mounted sign which shall not exceed one square foot in area.
 - ix. *Residential Character.* The building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance or by the emission of dust, gas, noise, odor or smoke, or in any other way.
 - x. *Residential Design Features.* The building shall include no features of design not customary for residential use.

- xi. *No Exterior Display.* No use shall indicate from the exterior any display that the building is being used in part for any purpose other than that of a dwelling, with the exception of permitted signage.
 - e. *Existing Home-Based Businesses.* Existing home-based businesses that are in conformance at the time of adoption of this chapter shall remain in conformance. If an existing business is vacated, any new business must meet current regulations.
- 3. *Solar Panel Array (Small-Scale).*
 - a. *Ground-Mounted Solar Panels.* Ground-mounted solar panels shall be:
 - i. Located in the interior side or rear yard and screened from adjacent residential property and all public rights-of-way with Type B bufferyard (see [Section 156.F.004, Buffering](#)); and
 - ii. Set back from lot lines as if they were detached accessory buildings if the highest point on the panels is more than six feet above grade.
 - b. *Roof-Mounted Arrays.* Roof-mounted solar panels may be located on principal and accessory buildings.
 - i. A roof-mounted array on a pitched roof may not extend more than 12 inches above the roof surface if the roof is visible from the public right-of-way or from a residential property, nor may it extend more than 12 inches beyond any edge of the roof;
 - ii. Where an array is placed atop a flat roof, it may not extend more than five feet above the roof and shall be screened from the public right-of-way with the building's façade parapet or similar mechanism;
 - iii. Installed roof-mounted arrays shall meet the International Building Code standards for wind loads; and
 - iv. A roof-mounted solar panel array that cannot meet these placement standards requires a Special Use Permit.
- 4. *Small Wind Energy Conversion System (SWECS).*
 - a. *General Regulations.*
 - i. *Other Permits Required.* The owner/operator of the SWECS shall also obtain any other permits required by other federal, state, and local agencies/departments prior to constructing the system.
 - ii. *Number of Systems Per Lot.*
 - (A) No more than one freestanding SWECS may be placed on any parcel or lot for residential use. Building-mounted SWECS are prohibited on any parcel or lot containing a single-family detached or attached use.
 - (B) No more than one freestanding SWECS may be placed on any parcel or lot with a non-residential use that is taller than the tallest existing principal building located on the parcel or lot. Additional freestanding SWECS which conform to setback requirements contained in this Subsection and which are no taller than the tallest existing principal building located on the parcel or lot may be allowed. Additional building-mounted SWECS may be allowed within the parameters of this Section.
 - (C) Any mixed-use building shall be considered a non-residential use for the purposes of this Subsection.
 - iii. *Tower.* Only monopole towers may be permitted for freestanding SWECS. Lattice, guyed or towers of any other type may not be considered to be in compliance with this Subsection. SWECS towers shall be utilized for the sole purpose of supporting wind energy conversion systems. No other uses may be permitted on SWECS towers.
 - iv. *Color.* Freestanding SWECS shall be a neutral color such as white, sky blue, or light gray. Building-mounted SWECS shall match the color of the building on which it is mounted. Other colors may be allowed at the discretion of the Board of Adjustment. The surface shall be non-reflective.
 - v. *Lighting.* No lights may be installed on the tower, unless required to meet FAA regulations.

- vi. *Signage.* No signage or advertising of any kind may be permitted on the tower or any associated structures.
- vii. *Climbing Apparatus.* The tower shall be designed to prevent climbing within the first 10 feet.
- viii. *Maintenance.* Facilities shall be well-maintained in accordance with manufacturer's specifications and shall remain in an operational condition that poses no potential safety hazard nor is in violation of any provisions contained within this Subsection or elsewhere within this Zoning Ordinance.
- ix. *Displacement of Parking Prohibited.* The location of the SWECS shall not result in the net loss of required parking as set out in [Section 156.E.004, Required Off-Street Parking](#).
- x. *Utility Notification.* The City will notify the utility of receipt of an application to install an interconnected customer-owned generator. Off-grid systems are exempt from this notification requirement.
- xi. *Interconnection.* If connected to the grid, the SWECS shall meet the requirements for interconnection and operation as set forth by the utility and the Iowa Utilities Board. No permit of any kind may be issued until the City of Marshalltown has been provided with a copy of an executed interconnection agreement. Off-grid systems are exempt from this requirement.
- xii. *Restriction on Use of Electricity Generated.* A SWECS shall be used exclusively to supply electrical power to the owner for on-site consumption, except that excess electrical power generated by the SWECS and not presently needed for use by the owner may be used by the utility company in accordance with Section 199, Chapter 15.11(5) of the Iowa Administrative Code, as may be subsequently amended.
- xiii. *Shadow Flicker.* No SWECS may be installed and operated so to cause a shadow flicker to fall on or in any existing residential structure.
- xiv. *Safety Controls.* Each SWECS shall be equipped with both an automatic and manual braking, governing, or feathering system to prevent uncontrolled rotation, over-speeding, and excessive pressure on the tower structure, rotor blades, or turbine components. Said automatic braking system shall also be capable of stopping turbine rotation in the event of a power outage so as to prevent back feeding of the grid.
- xv. *Noise.* All SWES shall not emit more than 60 dB in residential zones and 75 dB in any other zone. This shall be proven through provided engineered specification.
- xvi. *Shut Off.* A clearly marked and easily accessible shut off for the wind turbine will be required as determined by the Building Official of the City of Marshalltown.
- xvii. *Electromagnetic Interference.* All SWECS shall be designed and constructed so as not to cause radio and television interference. If it is determined that the SWECS is causing electromagnetic interference, the owner/operator shall take the necessary corrective action to eliminate this interference including relocation or removal of the facilities, subject to the approval of the City of Marshalltown. A permit granting a SWECS may be revoked if electromagnetic interference from the SWECS becomes evident.
- xviii. *Wind Access Easements.* The enactment of this Subsection does not constitute the granting of an easement by the City of Marshalltown. The SWECS owner/operator shall have the sole responsibility to acquire any covenants, easements, or similar documentation to assure and/or protect access to sufficient wind as may or may not be necessary to operate the SWECS.
- xix. *Engineer Certification.* Applications for any freestanding or building-mounted SWECS shall be accompanied by standard drawings of the wind turbine support structure, including the tower, base, and footings, or existing structure if applicable. An engineering analysis of all components of the SWECS showing compliance with the applicable regulations and certified by an Iowa licensed professional engineer shall also be submitted.

- xx. *Installation.* Installation shall be done according to manufacturer's recommendations. All wiring and electrical work shall be completed according to the applicable building and electric codes. All electrical components shall meet code recognized test standards.
- xxi. *Removal.* If a site, or any wind turbine, is not used for a period of one year or is in a state of disrepair as determined by the Zoning Administrator, it shall be the duty and obligation of the party then in possession and control of the site to have the unused structure completely dismantled and removed from the site.
- xxii. *Right of Entrance.* As a condition of approval of a Special Use Permit, an applicant seeking to install SWECS is required to sign a petition and waiver agreement which shall be recorded and run with the land granting permission to the City of Marshalltown to enter the property to remove the SWECS pursuant to the terms of approval and to assure compliance with the other conditions set forth in the permit. Removal will be at the expense of the owner/operator and the cost may be assessed against the property.
- xxiii. *Feasibility Study.* A feasibility study shall be made of any site prior to installing a wind turbine. The feasibility study shall include measuring actual wind speeds at the proposed turbine site for at least three months.
- b. *Bulk Regulations.*
 - i. *Setbacks.* The minimum distance between any freestanding SWECS and any property line shall be a distance that is equivalent to:
 - (A) 150 percent of the total system height for towers up to 65 feet in height.
 - (B) 200 percent of the total system height for towers that are 65 feet and up to 80 feet in height.
 - (C) 250 percent of the total system height for towers that are 80 feet and up to 100 feet in height.
 - (D) 300 percent of the total system height for towers that are 100 feet and taller in height.
 - (E) The setback shall be measured from the property line to the point of the SWECS closest to the property line.
 - (F) The required setback for any building-mounted SWECS shall be equal to the required setback of the principal building to which the SWECS is to be attached at such time that the application to install a building-mounted SWECS is received by the City of Marshalltown.
- c. *Maximum Height.* Height is measured from the ground to the top of the tower, including the wind turbine generator and blades.
 - i. For lots of more than three and fewer than five acres, the maximum height shall be 65 feet.
 - ii. For lots of five and up to 40 acres, the maximum height shall be 80 feet.
 - iii. For lots of 40 acres and up to 100 acres, the maximum height shall be 100 feet.
 - iv. For lots that are 100 acres and larger, the maximum height shall be 140 feet.
 - v. Building-mounted SWECS may be a maximum of 10 feet higher than the point of attachment to the building on which they are attached.
- d. *Minimum Lot Size.*
 - i. The minimum lot size for a freestanding SWECS is three acres.
 - ii. The minimum lot size for a building-mounted SWECS is one acre for any building of less than five stories in height.
 - iii. There is no minimum lot size for building-mounted SWECS to be mounted on buildings of five or more stories in height.
- e. *Blade Length.* The length of each individual blade may not exceed 50 percent of the height of the tower.
- f. *Clearance of Blade.* No portion of a horizontal axis SWECS blade may extend within 30 feet of the ground. No portion of a vertical axis SWECS may extend within 10 feet of the ground. No blades may

extend over parking areas, driveways or sidewalks. No blade may extend within 20 feet of the nearest tree, structure or above ground utility facilities.

- g. *Location.* No SWECS shall be located less than 50 feet from any other SWECS.
 - i. No part of a SWECS may be located within or over drainage, utility or other established easements.
 - ii. A freestanding SWECS shall be located entirely in the rear yard for residential uses. For a freestanding SWECS for all other uses, the location shall be appropriate to the property and setting and shall be determined through the Special Use Permit and site plan review process.
 - iii. A SWECS shall be located in compliance with the guidelines of applicable Federal Aviation Administration (FAA) regulations as amended from time to time.
 - iv. No SWECS may be constructed so that any part thereof can extend within 20 feet laterally of an overhead electrical power line (excluding secondary electrical service lines or service drops). The setback from underground electric distribution lines shall be at least five feet.
 - v. Building-mounted SWECS are prohibited unless the owner has obtained a written analysis from an Iowa licensed structural engineer determining that installation of a SWECS will not cause damage to the structure and that the SWECS can be securely fastened so as to not pose a hazard caused by detaching from the structure.

Section 156.C.008, Temporary Uses and Structures

A. Purpose.

1. These regulations are intended to establish criteria and standards under which limited duration temporary uses may be conducted in commercial districts. These regulations apply to temporary structures used in conjunction with a temporary use.
2. The intent is to prevent the creation of any nuisance to the occupants of adjacent buildings, premises or property and the general public.

B. Applicability.

1. *Permit Required.* A temporary use permit shall be required, as established in [Subsec. 156.J.004.8, Temporary Use Permit](#), to establish a temporary use and is subject to administrative approval depending on the conformance of the application with the requirements of this Section.
2. *Listed Uses.* Any temporary use that this Section does not allow, or that the Zoning Administrator determines to be substantially similar to those not allowed, is prohibited.
3. *Unlisted Uses.* The Zoning Administrator may interpret unlisted uses as requiring a Temporary Use Permit based on the provisions of [Section 156.C.010, New and Unlisted Uses](#).

C. Short-term and Long-term Temporary Uses.

1. *Short-Term Temporary Use.* A short-term use shall be defined as a use with a maximum duration of seven consecutive days or less. A short-term temporary use does not require a temporary use permit.
2. *Long-Term Temporary Use.* A long-term use shall be defined as a use with duration of more than seven consecutive days or more than seven days in within any month. A temporary use permit will only be required for a long-term temporary use.

D. Application and Permit Processing. A temporary use permit shall be required for all temporary structures used in conjunction with a long-term temporary use. A temporary use permit must be issued prior to the commencement of any temporary use. The Zoning Administrator may, from time to time, specify the form of the temporary use permit application. Applications for temporary use permits shall be secured from the Zoning Administrator in the manner prescribed by this chapter, who shall cause the application to be directed to all concerned city departments. Affected departments shall comment on the application. Temporary uses may be subject to additional permits or inspections as required by any applicable law or regulation.

E. Evaluation of Temporary Use Permit Application. The Zoning Administrator shall only consider an application for a temporary use permit if all of the following criteria can be met:

1. The temporary use is consistent with all Comprehensive Plan, the code of ordinances of the city, this Zoning Ordinance, as amended, and city and state regulations.
 2. The temporary use complies with all applicable codes.
 3. The temporary use will be compatible with adjacent uses and will not adversely affect the surrounding neighborhood by means or odor, noise, dust or another nuisance.
 4. Temporary uses shall only be allowed in MU, UC, GC, and GI zoning districts.
 5. The additional parking required by the temporary use will be provided on-site, if applicable, or adequate street parking is available in the immediate area.
 6. Increased traffic caused by the temporary use will not adversely affect the surrounding neighborhood or city at large.
 7. The temporary use shall be limited to parking lots of already established businesses. A temporary use is not allowed on an empty lot.
 8. All sites shall be completely cleaned of debris and temporary structures including, but not limited to, trash receptacles, signs, stands, poles, electric wiring or any other fixtures and appurtenances or equipment connected therewith, within five days after the termination of the temporary use.
 9. The property owner shall be responsible to assure adequate cleanup of uses involving the construction of placement of temporary structures.
 10. Permanent sanitary facilities shall be made available to all employees and attendants of the use during its operational hours.
 11. There shall be no discharge of wastewater or hazardous materials. The applicant must indicate how any such discharge will be contained and disposed of.
 12. No area of public right-of-way may be used without obtaining approval from the Zoning Administrator, Police Chief, Fire Chief, and Director of Public Works.
 13. A signed lease agreement between the property owner and the applicant, for the property on which the activity is to take place.
 14. Proof of insurance, the owner or operator must provide a certificate of insurance as evidence of comprehensive general liability insurance by an insurance company licensed to do business in the state.
 15. All temporary structures shall conform to the zoning setback requirements unless stated otherwise in the chapter.
 16. Multiple concurrent temporary uses on the same zoning lot shall be prohibited.
 17. No detached or freestanding sign shall be permitted. The maximum amount allowed for a wall sign shall be based upon one square foot of sign for each foot of length on the longest side of the structure. All other provisions of the sign code shall apply.
 18. Electrical service shall be provided as required by the City Electrician.
 19. Long-term temporary uses shall only be allowed for a maximum of 180 days per calendar year.
- F. **Uses Permitted with a Temporary Use Permit.** Any temporary structure used in conjunction with a temporary use must apply for a temporary use permit. Temporary uses include, but are not limited to, the retail sales of goods and services.
- G. **Specific Temporary Use Standards.**
1. *Portable-Storage Unit.*
 - a. The unit shall be on the same property as the use requiring the service of the unit or container;
 - b. The unit shall not encroach into setbacks or sidewalks;
 - c. The unit shall be located on an all-weather surface; and
 - d. The unit shall be permitted for up to 180 calendar days per year; and
 - e. The unit shall be removed upon project completion.

- H. **Conditions of Approval.** The Zoning Administrator may impose such conditions on a temporary use permit as is necessary to meet the purpose of this chapter and protect the public health, safety and welfare and adjacent uses. Conditions which may be imposed may include, but are not limited to:
1. Setback and open space requirements;
 2. Parking;
 3. Fences, walls or other screening;
 4. Signage;
 5. Vehicular and pedestrian ingress and egress;
 6. Property maintenance during course of the activity;
 7. Control of illumination, noise, odor, vibration or other nuisances;
 8. Hours of operations; and
 9. Other conditions as determined by the Zoning Administrator.
- I. **Fees.**
1. The application fee for a temporary use permit shall be set by resolution. In addition, all grounds shall be cleaned after the temporary use is complete.
 2. This shall include proper disposal of all garbage and debris and replacement of any moved structure or fence.
 3. Improper cleanup may be grounds for non-issuance of further temporary use permits.

Section 156.C.009, Wireless Communications Facilities

- A. **Purpose.** The purpose of this Section is to regulate wireless telecommunications facilities as defined in [Section 156.M.002, Definitions](#). This Section provides opportunities to supply wireless telecommunications services in the City with minimal negative impact to the community while respecting both residential, mixed-use, and commercial neighborhoods.
- B. **Applicability.**
1. *All Facilities.* This Section applies to all wireless communications facilities.
 2. *Airport Zoning Protected.* The provisions of this Section shall not be deemed to prohibit administration and enforcement of airport zoning for the protection of navigable airspace, pursuant to [Iowa Code Chapter 329](#), by a municipality, airport, or aviation authority.
- C. **Existing Towers.** Legally existing wireless communication towers are deemed as equivalent to sites that are approved pursuant to the provisions set out in this Zoning Ordinance.
- D. **Permitted By Right.** The following facilities are permitted by right:
1. *Stealth Wireless Communication Antennas.* New antennas on existing structures (including, but not limited to, flag poles, buildings, water towers, light poles, electric towers, church steeples, or silos) do not require a Special Use Permit, but may require an electrical or Building Permit.
 2. *Co-Located Antennas.* New antennas being placed on existing wireless support structures with a valid special use permit do not require a Special Use Permit, but may require an electrical or building permit.
 3. *Small Cell Facility.* Small cell wireless facilities shall be sited and reviewed in accordance with [Iowa Code Chapter 8C, Iowa Cell Siting Act](#).
- E. **Permitted Wireless Telecommunication Facilities by District.** Table 156.C.009-1, Permitted Wireless Telecommunications Facilities by District, shows which Wireless Telecommunication Facility types are allowed in each grouping of districts and provides a cross-reference to specific standards in this Section for each type.

Table 156.C.009-1
Permitted Wireless Telecommunications Facilities by District

Type of Wireless Telecommunication Facility	AG, RR, RL, RM, RH,	MU, UC, GC, PI, REC	GI	Standards ¹
Small Cell	P	P	P	F.2
Concealed	S	P	P	F.3
Industrial Microcells, Distributed Antenna Systems (DAS), Macrocells, and Similar Facilities	S	P	P	F.4
Freestanding Tower	--	S	P	F.5
Those not Permitted by, or not Meeting the Requirements of this Section	--	S	S	F.6
Notes: 1. The standards of Subsection F.1, <i>Generally</i> , apply to all districts and facilities. P = Permitted; S = Special Use Permit; -- = Prohibited				

F. Standards.

1. *Generally.* The following standards shall apply to all wireless telecommunications facilities:
 - a. *Tower Design.* Support structures shall be designed to collapse upon themselves or to collapse within the smallest possible area should structural failure occur. The applicant shall submit written certification and supporting documentation from a structural engineer to this effect.
 - b. *Screening.* Equipment cabinets and related structures or equipment not located within central communications hubs shall be screened or camouflaged and if not collocated shall meet the requirements for accessory buildings per [Section 156.C.007, Accessory Uses and Structures](#). Central communications hubs shall be considered principal buildings and shall meet the minimum setback regulations and maximum height restrictions of the district in which they are located or as may be more strictly conditioned and approved by the Board of Adjustment.
 - c. *Lighting.* Telecommunication towers shall only be illuminated as required by the Federal Communication Commission (FCC) and/or the Federal Aviation Administration (FAA). Security lighting around the base of a tower must be shielded so that no light is directed towards adjacent properties or rights-of-way.
 - d. *Advertising.* No advertising of any type may be placed on the facility.
2. *Small Cell.*
 - a. Other than associated equipment cabinets and other equipment that may be located on the ground, such facilities shall be collocated.
 - b. The height of such equipment shall not increase the height of the utilized support structure by more than five feet.
 - c. All collocated equipment shall be camouflaged.
3. *Concealed.*
 - a. Unless collocated, minimum setback regulations shall be controlled by the district in which it is located or as may be more strictly conditioned and approved by the Board of Adjustment.
 - b. The height of such facilities may exceed the maximum height regulation of the district in which it is located but shall be limited to the height specified in the Special Use Permit application or as may be more strictly conditioned and approved by the Board of Adjustment.
4. *Industrial Microcells, Distributed Antenna Systems (DAS), Macrocells, and Similar Facilities.*
 - a. Other than associated equipment cabinets and other equipment that may be located on the ground, such facilities shall be collocated.

- b. The height of such equipment shall not increase the height of the utilized support structure by more than five feet.
- c. All collocated equipment shall be camouflaged.

5. *Freestanding Tower.*

- a. Facilities shall not exceed 200 feet in height.
- b. Support structures shall meet the minimum setback regulations of the GI district.
- c. Telecommunications towers shall be designed for more than one accommodation.
- d. Support structures shall be designed to collapse upon themselves or to collapse within the smallest possible area should a structural failure occur. The applicant shall submit a written certification and supporting documentation from a structural engineer to this effect.
- e. Equipment cabinets and related structures or equipment not located within central communications hubs shall be screened or camouflaged and shall meet the requirements for accessory buildings per [Section 156.C.007, Accessory Uses and Structures](#). Central communications hubs shall meet the minimum setback regulations and maximum height restrictions of the GI district.

6. *Those not Permitted by, or not Meeting the Requirements of this Section.*

- a. All regulating details of the facility (i.e. type, height, setbacks, etc.) shall be as specified in the Special Use Permit application or as may be more strictly conditioned and approved by the Board of Adjustment.
- b. If installing a telecommunications tower, it shall be designed for more than one accommodation.
- c. Support structures shall be designed to collapse upon themselves or to collapse within the smallest possible area should a structural failure occur. The applicant shall submit a written certification and supporting documentation from a structural engineer to this effect.

G. *Maintenance and Enforcement.*

- 1. *Maintenance.* All required screening, landscaping, camouflaging, concealment mechanisms, and other features shall be maintained, repaired, or replaced.
- 2. *Enforcement.* Enforcement and penalties due to violations of any section of this article Section shall be as otherwise stated in this title [Article L, Enforcement and Remedies](#).

H. *Removal of Defective or Abandoned Facilities.*

- 1. *Repair or Removal.* Any component of a wireless telecommunications facility that is found to be defective or unsafe shall be repaired immediately by the owner or operator to comply with federal, state, and local safety standards or removed within 30 days upon receipt of written notice.
- 2. *Abandonment.* A tower that is not used for a period of 12 consecutive months, or that has not been inspected pursuant to Subsection I, *Inspections*, below, shall be considered abandoned, and the owner shall remove the tower from the property within 90 days of receipt of notice from the Zoning Administrator. An abandoned tower that is not removed within the 90-day period is a public nuisance, and the City shall take actions to abate the nuisance by removal and assess the costs thereof to the property.

I. *Inspections.* Telecommunication towers shall be inspected by a qualified tower inspection service once every 36 months by the owner, operator, or a representative to assess the structural condition of the tower and support equipment. An inspection report shall be prepared and filed with the Zoning Administrator upon request. The required report shall certify that the tower continues to meet or exceed the current published EIA/TIA structural standards and is in sound and safe operating condition.

J. *Utilization of [Section 6409 Wireless Facilities Deployment of the Spectrum Act](#) being part of the Middle-Class Tax Relief and Job Creation Act of 2012.*

- 1. *Applicable Facilities.* The permissions granted by the Spectrum Act Section 6409 Wireless Facilities Deployment (Section 6409) shall be applicable only to wireless telecommunications facilities deemed to be an eligible facility in existence prior to the original enactment of this Section. Modifications shall not substantially change eligible facilities.
- 2. *Required Information.*

- a. To make modifications to a wireless telecommunications facility per the permissions of Section 6409, the property owner shall submit the following information:
 - i. Name, address, telephone numbers, and email addresses of the property owner, the applicant, and the owner of the facility proposed for modification;
 - ii. Evidence that the wireless telecommunications facility is an eligible facility that existed prior to [INSERT DATE OF THE ORIGINAL ENACTMENT OF THIS SECTION];
 - iii. Location map and elevation drawings of the existing facility and the proposed modifications prepared and certified by a professional engineer;
 - iv. All existing equipment from all providers and, if applicable, all equipment owned and operated by railroad companies (The information provided for the existing eligible facility may be used as the baseline of facts regarding the site's characteristics if it is the facility's first utilization of Section 6409 and shall be used to prevent abuse of the legislation); and
 - v. A letter describing the request.
- b. The letter, and additional application submissions as required above, shall clearly demonstrate the proposed modification would not substantially change the existing eligible facility. Substantial changes are made if any one of the following occurs:
 - i. For towers outside of public rights-of-way, it increases the height by more than 20 feet or 10 percent, whichever is greater; for those towers in the rights-of-way and for all wireless telecommunication facilities, it increases the height of the facility by more than 10 percent or 10 feet, whichever is greater;
 - ii. For towers outside of public rights-of-way, it protrudes from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for those towers in the rights-of-way and for all wireless telecommunications facilities, it protrudes from the edge of the support structure more than six feet;
 - iii. It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets;
 - iv. It entails any excavation or deployment outside the current site of the wireless telecommunications facility;
 - v. It would defeat the existing concealment elements of the wireless telecommunications facility; or
 - vi. It does not comply with conditions associated with the prior approval of the tower or base station unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the corresponding "substantial change" thresholds.

Section 156.C.010, New and Unlisted Uses

- A. **Use Categories.** Each of the use categories and specific uses listed in Table 156.C.003-1, *Use Table*, are defined in Section 156.M.002, *Definitions*. The Zoning Administrator may authorize a use that is not listed if the proposed use fits within a defined use category or is functionally the same as a permitted, limited, or special use.
- B. **If Not Authorized Then Prohibited.** If the Zoning Administrator determines that a proposed use does not fit within a given use category and is not functionally the same as a permitted, limited, or special use, then the use is a prohibited use.
- C. **Decision Criteria.** In making such determinations, the Zoning Administrator may consider but not be limited to the following criteria:
 1. The actual or projected characteristics of the activity in relation to those of the use type;
 2. The amount of site area or floor space and equipment devoted to the activity;
 3. Vehicle parking demand;
 4. Average daily and peak hour trip generation (people, personal vehicles, and delivery vehicles);
 5. Types of vehicles used and their parking requirements;

6. Building impervious surface coverage;
7. Regulated air or water emissions;
8. Noise, lighting, dust, and odors;
9. Solid waste generation;
10. The number of employees on a typical shift;
11. Use and storage of hazardous materials;
12. Character of associated buildings and structures;
13. How the use is advertised;
14. Nature and impacts of operation; and/or
15. Hours of operation.

Section 156.C.011, Performance Standards

- A. **Purpose.** The purpose of this Section is to establish standards for the management of illicit discharges, soil erosion, sediment deposition, and the environmental impacts of land uses (e.g., noise, vibration, air quality, water quality, and glare), in order to ensure that the city continues to provide a desirable environment for residences, recreation, education, culture, commerce, and industry.
- B. **Compliance.** Compliance with the requirements of this Section shall not be interpreted as authorizing a practice or operation which would constitute a violation of any other applicable statute, ordinance, rule, or regulation. Where these regulations conflict with other regulations, the more stringent regulation shall apply.
- C. **Administration.** All uses of land or structures shall conform to the standards in this Section.
- D. **Noise.** No use, operation, or activity shall cause or create noise in excess of the sound levels prescribed in Chapter 134, *Noise Control*, of the City's Code of Ordinance.
- D. **Vibration.**
1. *Generally.* No land use shall produce vibration that exceeds the limits set out by this Section.
 2. *Exceptions.* This Section does not apply to vibration generated by:
 - a. Noises emanating from construction activities between the hours of 7:00 a.m. and 7:00 p.m. that are temporary in nature.
 - b. Transient noises from moving vehicles, such as trucks and automobiles or trains.
 3. *Standards.* The standards of Table 156.C.011-2, *Vibration Standards*, shall be met, except as provided in subsection E.2., above.

Table 156.C.011-2 Vibration Standards ¹				
Frequency in Cycles Per Second	Adjoining Zoning District			Impact Vibration ²
	AG, RR, RL, RM, RH	MU, UC, GC, PI, REC	GI	
Less than 10	0.0004	0.0002	0.0039	0.0098
10 – 19	0.0002	0.0011	0.0022	0.0055
20 – 29	0.0001	0.0006	0.0011	0.0028
30 – 39	0.0001	0.0004	0.0007	0.0018
40 – 49	0.0001	0.0003	0.0005	0.0013
50 or more	0.0001	0.0002	0.0002	0.0010
Table Notes:				
¹ Vibrations that do not exceed 60 per minute may be twice this value.				
² Vibrations occurring no more than eight times in a 24-hour period with a maximum separation of one minute.				

4. *Measurement.* An operator trained to measure vibrations shall make all such measurements and shall submit and certify them with the City.
- H. **Air Quality.**
1. *Generally.* Air quality shall be maintained according to state and federal standards. Demonstration of compliance shall be provided as required by this Section.
 2. *Emissions.* Applicants for the approval of uses that will emit air pollutants that are subject to regulation pursuant to the federal Clean Air Act shall demonstrate compliance with that law.
 3. *Control of Wind-Blown Dust.* Landowners shall control wind-blown dust.
- I. **Glare.**

1. *Glare from Use.* Glare from any process (such as or similar to arc welding or acetylene torch cutting), which emits harmful ultraviolet rays shall be performed in such manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard along lot lines or street rights-of-way.
 2. *Glare from Buildings and Structures.* Buildings and structures (including signs) shall be designed and oriented to avoid glare that materially interferes with the safe operation of streets.
- J. **Erosion Control.**
1. *Storm Water Management.* Measures to protect water quality and to manage the quantity and velocity of stormwater runoff shall be implemented pursuant to the standards set out in [Chapter 55, Erosion and Sediment Control for Construction Sites](#) in the City's Code of Ordinances.
 2. *Grading, Erosion, and Sediment Control.* Measures to protect water quality during construction and for land disturbance activities shall be implemented pursuant to the standards set out in Chapter 55, *Erosion and Sediment Control for Construction Sites* in the City's Code of Ordinances.
- K. **Other Performance Standards.** In addition to the performance standards of this Section, the following shall apply to all uses:
1. *Outdoor Storage.*
 - a. Outside storage of non-saleable merchandise or other materials shall not be visible from the public right-of-way.
 2. *Snow Storage.* Adequate area shall be provided on the lot for snow storage or provisions shall be made by the property owner for the snow to be hauled off-site.
 3. *Use Compatibility.*
 - a. All uses shall be designed and operated to be compatible with the adjacent residential uses.
 - b. Limitations on design and operation of uses shall include architectural and building mass, hours of operation, delivery hours, noise and lighting controls, signage, and traffic considerations.
 4. *Utilities.* All utilities shall be placed underground, where feasible.

ARTICLE D – BUILDING AND SITE DESIGN STANDARDS

Section 156.D.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Article is to address the quality and sustainable design of buildings and building sites in order to:
1. *Character.* Preserve and enhance a community character that conveys a positive, lasting impression on both residents and visitors;
 2. *Functionality.* Provide buildings that are functional, safe, and attractive;
 3. *Public Realm.* Establish the physical and functional relationships between buildings and the public realm; and
 4. *Form.* Prescribe the rules related to building massing, form, and design.
- B. **Applicability.** The standards of this Article apply to the following development activities:
1. *New Development.* New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use; or
 2. *Increase in Intensity.* Increase in apartment units, manufactured home pads, gross floor area, or impervious surface by 25 percent or more, cumulatively over a five-year period.
- C. **Timing of Compliance.** A Certificate of Occupancy will not be issued until all site improvements required in this Article are constructed in conformance with the approved permit or plan required in [Section 156.J.002, Common Review Provisions](#).
- D. **Design Practices.** The principles below should be considered in all design practices in addition to specific standards found in [Section 156.D.002, General Requirements](#):
1. *Clustering.* Where applicable in the RL zoning district, housing should be clustered to preserve valuable environmental resources and provide usable recreational open space.
 2. *Open Space.* The open space system is as carefully designed as the housing area so as to offer usable permitted open space types visible from roadways and spatially defined by abutting building facades and/or landscape elements.
 3. *Multimodal Transportation.* Vehicular, pedestrian, and bicycle transportation is facilitated through a connected system of roads, sidewalks, and/or trails so as to provide many choices with regard to mode and route.
 4. *Traffic calming.* Traffic calming techniques may be used to reduce vehicle speed and increase pedestrian and bicycle safety.
 5. *Facade Direction.* Principal buildings address the street, presenting front facades on the publicly visible side of the building. The front facade of each principal building shall face a dedicated public street or the limits of a private parking unit and no building shall have the rear facade facing a dedicated public street.
 6. *Parking Design.* The visual impact of vehicular off-street parking and garages on public streetscape views is minimized through innovative site planning and building design including parking areas located to the rear of buildings, using architectural design elements such as massing, form, materials, and fenestration to make garages visually compatible with inhabited buildings, and parking areas screened with landscape elements.
 7. *Support Uses.* Neighborhood support uses, such as neighborhood commercial areas, daycare facilities, community centers, places of public assembly, and schools are designed so as to be visually compatible with the residential character of the neighborhood and accessible by all transportation modes.

Section 156.D.002, General Requirements

- A. **Purpose.** The City of Marshalltown sees the interaction between the built environment and the public as a crucial ingredient in maintaining a certain sense of place. As a part of this, the visual aspects of overall building design and placement must be scrutinized when considering a proposed development. This Section outlines design standards for building façades. These standards seek to increase the prospect of compatibility between buildings, styles, and

generations. Designers must infuse their individual talents and creativity into each project for these standards to be successful.

- B. **Flexibility in Administration.** Because these standards cannot cover every possible scenario that may arise, the Zoning Administrator is authorized to make determinations on development applications that may vary from the written standards so long as the determination meets the intent of this Article.
- C. **Prohibited Building Materials.** Except for single-family and duplex dwellings, the following materials shall not be used as an exterior finish:
 - 1. Wood fiber hardboard siding, oriented strand board siding, plastic or fiberglass panels;
 - 2. Galvanized, aluminum coated, zinc-aluminum coated or unpainted exterior metal finishes;
 - 3. Unfired or underfired clay, sand, or shale brick; and
 - 4. Smooth or untextured concrete finishes.
- D. **Primary Materials.** For the purposes of this Section, the following are deemed primary materials:
 - 1. Vinyl siding;
 - 2. Brick, including thin brick;
 - 3. Natural or manufactured stone;
 - 4. Pre-cast concrete panel, provided it has an integrated color and is textured or patterned;
 - 5. EIFS, Exterior Insulation and Finish System;
 - 6. Stucco with a weather barrier layer and wall drainage system; and
 - 7. Architectural masonry units including split face, weathered face, sandblasted face and ground face blocks.
- E. **Secondary Materials.** For the purposes of this Section, the following are deemed secondary materials.
 - 1. Embossed or pre-finished architectural metal panel (26+ gauge), which has an appearance of masonry, stucco, or any other appearance that is approved by the Zoning Administrator;
 - 2. Masonry or cement fiberboard siding that, for residential applications, is manufactured and installed in traditional profiles such as four-inch to eight-inch horizontal beveled or shake;
 - 3. Glass;
 - 4. Tile;
 - 5. Stainless steel;
 - 6. Chrome;
 - 7. Wood; and
 - 8. Smooth-faced finished concrete masonry units.
- F. **Metal Roofs.** Metals roofs shall be allowed if the following conditions are met or otherwise approved by the Zoning Administrator:
 - 1. Openings shall not be seen on the fascia and shall be completely covered with material designed and built for metal roofing systems;
 - 2. Corrugated galvanized steel panels shall not be used; and
 - 3. Roof and fastener color shall be the same, with the exception of trim pieces.
- G. **Ground-Mounted Equipment.** Mechanical equipment mounted on the ground and associated with apartments, nonresidential and mixed-use buildings, including, but not limited to, HVAC systems and meter banks, shall be screened from view from public and private streets by landscaping or screening walls.
- H. **Refuse Containers.** Dumpsters shall be provided for multiple-family residential, nonresidential, and mixed-use development for solid waste collection services. Such facilities are subject to the following standards:
 - 1. The facilities shall be located no more than 200 feet (walking distance) from the individual uses that they are intended to serve;
 - 2. Access to the facilities shall be:

- a. Configured to meet the requirements of the refuse hauler; and
 - b. Provided from an alley if an alley is present and used for service to other properties;
3. The areas where dumpsters are stored shall be fully enclosed by an opaque wall with a minimum height of six feet constructed of brick, stone, stucco-finished concrete block, wood or vinyl;
4. The enclosures shall:
 - a. Have opaque service gates which remain closed at all times except when the dumpster is being serviced;
 - b. Include separate, opaque pedestrian access gates or a pedestrian access opening that screens the dumpster from view;
 - c. Be large enough to accommodate:
 - i. One or more dumpsters that are of sufficient size to serve the development, based on the frequency of solid waste collection; and
 - ii. One or more recycling bins (whether provided at the time of development or not), based on the anticipated generation of recyclable materials and the frequency of collection; and
 - d. Meet City engineering design standards, including those that pertain to maneuvering space.
5. The facilities shall be located in a side or rear yard of the parcel proposed for development unless it is not possible to provide service access in such locations according to the refuse service provider; and
6. If an enclosure must be located in a front yard to meet the requirements of the refuse service provider, it shall be designated and constructed with the same cladding materials used for the principal building walls.
- I. **Exemption.** A building wall is exempt from the requirements of this Section under the following circumstances:
 1. The subject property is zoned GI, General Industrial;
 2. The building walls are not visible from an existing Major Arterial, or Minor Arterial nor are they adjacent to a proposed street of such classifications from the Comprehensive Plan; and
 3. The building contains uses in the following use categories:
 - a. Heavy Industrial Use Category;
 - b. Light Industrial Use Category;
 - c. Warehousing and Freight Movement Use Category; or
 - d. Wholesale Trade Use Category.
- J. **Alternative Building Materials and Forms.** The Zoning Administrator may approve alternative building materials and forms not specified in this Section if the Zoning Administrator determines that, compared to the permitted primary and secondary materials, the alternative:
 1. Is substantially equal to or better in quality, durability, and appearance and will not violate any provision of this Article;
 2. Is proposed in order to achieve a minimum bronze certification in Leadership in Energy and Environmental Design ("LEED"), and the materials qualify for LEED points under both the "energy and atmosphere criteria" and the "materials and resources criteria" of the LEED checklists; or
 3. Is part of a building that is certified by the Environmental Protection Agency as designed to earn an ENERGY STAR rating, and the materials substantially improve the energy efficiency of the building compared to materials that are permitted in this Section.

Section 156.D.003, Single-Family and Duplex

- A. **Generally.** These standards apply to single-family detached and duplex developments within the districts where they are permitted as set out in [Section 156.B.003, Use Table](#).
- B. **Placement of Buildings.** Primary entrances shall face a public right-of-way to the maximum extent practicable. The Zoning Administrator may approve alternative orientations for primary entrances facing common green spaces or other common areas such as courtyards, plazas, and gathering spaces. The placement of a principal dwelling in a perpendicular or sideways orientation on an interior lot is prohibited (See Figure 156.D.003-1, *Building Placement*).

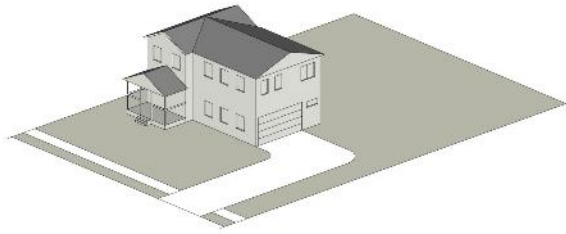
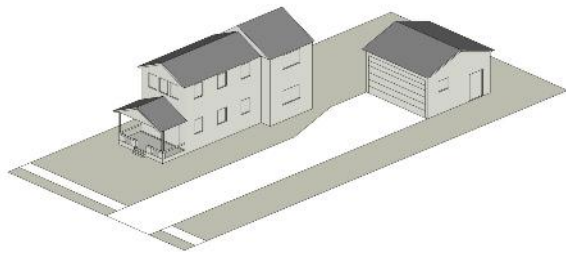
**Figure 156.D.003-1
Building Placement**



- C. **Garage Door Orientation.** Garage doors on a single-family detached or duplex dwelling on a lot in the RL, Low-Density Residential, RM, Medium-Density Residential, or RH, High-Density Residential districts shall be oriented in one of the manners depicted in Table 156.D.003, *Garage Orientation*.

**Table 156.D.003
Garage Orientation**

Requirements	Illustration
Garage in Front. - Garage doors shall be oriented to the street and extend in front of the front wall plane of the residence. - Doors may not exceed 3 stalls in width.	
Semi-Flush. - Garage doors oriented toward the street shall be positioned semi-flush or recessed. - Semi-flush doors shall be a minimum of two feet and a maximum of 20 feet behind the front wall plane of the residence and create a minimal intrusion into the livable area of the home. - Semi-flush doors may not exceed 3 stalls.	
Recessed. - Garage doors oriented toward the street shall be positioned semi-flush or recessed. - Recessed doors shall be a minimum of 20 feet behind the front wall plane of the residence. - Recessed doors may not exceed 3 stalls.	

Table 156.D.003 Garage Orientation	
Requirements	Illustration
Side-Loaded. Garage doors oriented perpendicular to the front wall plane have no restrictions on door width or recessed position.	
Detached. - Detached garages placed entirely to the rear of the house have no restrictions on door width or recessed position. - Detached garages that are closer to the street than the rearmost portion of the residence shall be a minimum of 20 feet behind the front wall plane of the residence.	

D. Transitions.

- Scale.* Where a duplex directly abuts or is across a street from a single-family detached dwelling, the building height of the duplex shall be no greater than eight feet higher than the single-family detached dwelling that abuts or is across the street. Where a duplex is located between a detached dwelling and apartments or non-residential development, the duplex may not exceed the height of the adjacent single-family detached dwelling by more than one story. See Figure 156.D.003-3, *Scale Transitions.*
- Bufferyards.* Bufferyards are required per [Section 156.F.004, Buffering](#) where the single-family detached dwelling and the duplex are in differing zoning districts.





SINGLE-FAMILY ATTACHED DWELLING

ADJACENT APARTMENT HOUSING TYPE

Section 156.D.004, Multiplex

- A. **Generally.** These standards apply to multiplexes developments within the districts where they are permitted as set out in [Section 156.B.003, Use Table](#).
- B. **Buffering.** A multiplex adjacent to a single-family use or AG, RR, or RL zoning districts shall provide a Type B bufferyard as established in [Section 156.F.004, Buffering](#).
- D. **Building Scale and Massing.** Any portion of a building that is closer than 50 feet from a common property line that abuts an AG, RR, or RL zoning district or single-family use shall be no higher than 12 feet above the highest point of the closest residential structures. This does not apply if the residential structure is located across the street from the development or if it is within the same development proposal.
- E. **Building Elements.** All multiplex buildings shall include a minimum of three of the following building elements:
 - 1. Outdoor gathering areas;
 - 2. Sculptures, monuments, and other public art installations;
 - 3. Porches;
 - 4. Functional shutters;
 - 5. Bay windows;
 - 6. Balconies; or
 - 7. Columns, eaves, rakes, cornice lines, or frieze boards.
- F. **Roof Massing.** Monolithic roof structures that cover more than 4,000 square feet shall include changes in direction or treatments that break up the appearance of mass. Such treatments may include elements such as dormers, towers, or chimneys. (See [Figure 156.D.004-1, Illustrative Application of Building Design Standards](#) for illustrative examples)
- J. **Garages.** Attached street-facing garages shall meet the following standards.
 - 1. Not more than three garage stalls shall face the street; or

Figure 156.D.004-1
Illustrative Application of Building Design Standards

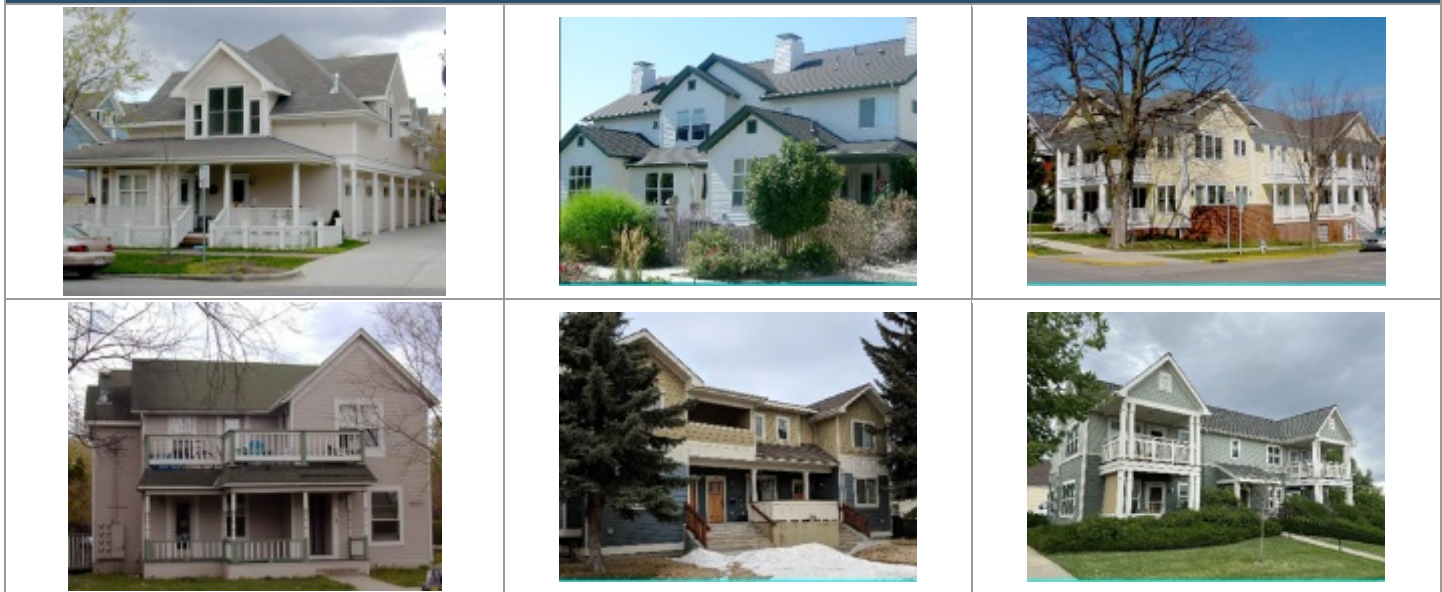


Figure Note: The sample images above are shown only for illustrative purposes and are not meant to prescribe that these forms must be used.

Section 156.D.005, Townhouse

- A. **Generally.** These standards apply to multiplexes developments within the district(s) where they are permitted as set out in [Section 156.B.003, Use Table](#).
- B. **Standards of Design.**
 1. **Materials.** Any primary or standard building materials may be used in any proportions. The allowable types and proportions of building materials are set out in [Section 156.D.002, General Requirements](#).
 2. **Street Elevation(s).**
 - a. Street-facing building facades must use vertical modulation, such as recesses and projections, and horizontal modulation, together with material and color changes, and fenestration to break up wall planes and to clearly distinguish individual dwelling units. The building facades, materials, and colors must substantially vary so no three units are the same. (See illustrative examples in [Figure 156.D.005-1, Illustrative Application of Building Design Standards](#))
 - b. A townhouse community with three or more buildings must substantially vary the buildings in heights, dispositions, scales (number of units), materials, and colors.
 3. **Bulk.** Townhouse dwellings may include up to but not exceed eight units.
 4. **Transitions.**
 - a. When directly abutting or across a street from a single-family detached dwelling in an RM or RH districts, the building height must be equal to or no greater than eight feet higher than the abutting dwelling. When separating single- and multi-family dwellings or nonresidential development, a townhouse dwelling may not exceed the adjacent single-family detached dwelling by more than one story. See [Figure 156.D.003-3, Scale Transitions](#). Building height may not exceed two stories when adjacent to an RL district.
 - b. Bufferyards are required per [Section 156.F.004, Buffering](#).
- C. **Building Elements.** All townhouse buildings shall include a minimum of three of the following building elements:
 1. Outdoor gathering areas;
 2. Sculptures, monuments, and other public art installations;
 3. Porches;

4. Functional shutters;
 5. Bay windows;
 6. Balconies; or
 7. Columns, eaves, rakes, cornice lines, or frieze boards.
- D. **Awnings.** Awnings, where installed, shall be constructed with fabric or metal coverings. Plastic coverings are prohibited.
- F. **Balconies and Railings.** Balcony and railing materials may be different than the materials used on exterior walls.
- G. **Roof Massing.** Roof forms and rooflines must be broken into a series of smaller building components when viewed from the street. Long, linear unbroken rooflines exceeding 50 feet are prohibited. Such treatments may include elements such as dormers, towers, or chimneys. (See Figure 156.D.005-1, *Illustrative Application of Building Design Standards* for illustrative examples)
- H. **Stairs.** Stairs that provide primary access to units on upper floors shall be covered.
- I. **Garage Design.** Attached street-facing garages shall meet one of the following standards.
1. The garage doors shall not comprise more than 40% of the total length of the building's facade; or
 2. Garages shall be arranged in sets of two single-bay doors that are offset by at least five feet from the front plane of an adjacent garage door.

Figure 156.D.005-1
Illustrative Application of Building Design Standards



Figure Note: The sample images above are shown only for illustrative purposes and are not meant to prescribe that these forms must be used.

Section 156.D.006, Apartment

- A. **Generally.** These standards apply to apartment developments within the district(s) where they are permitted as set out in:
1. [Section 156.B.004, Residential District Development Standards](#); and
 2. [Section 156.B.005, Nonresidential and Mixed-Use District Development Standards](#).
- B. **Building Massing and Scale.**
1. Apartment buildings shall be designed such that the primary entrance and windows of all first-row buildings face a public street.
 2. Any portion of a building that is closer than 50 feet from a common property line that abuts a residential district or use shall be no higher than 12 feet above the highest point of the closest residential structures. This does not apply if the residential structure is located across the street from the development. An apartment building

containing more than four dwelling units shall be designed to break up a rectangular floor plan and avoid a box-like or monolithic appearance.

3. The following or similar techniques shall be used to avoid the appearance of a box-like or monolithic building:
 - a. Primary entrance treatments that are recessed or project from the main façade such as canopies and porte cocheres. Support columns and roofs of canopies and porte cocheres shall match or be consistent with the architectural design of the building.
 - b. The use of dormers, bay windows, or other windows that create dimensions that break up the facade;
 - c. Changes in wall planes of at least five feet at intervals of not more than 30 feet;
 - d. Balconies that are used irregularly, some projecting, some recessed; and
 - e. Varying roof lines;
 4. Elements such as eaves, rakes, cornice lines, or frieze boards shall be used to contribute to the visual interest of the building.
- C. **Internalized Design.**
1. Ingress to and egress from all dwelling units in a apartment development shall be made through the interior of the building rather than from direct outside entrances to each unit.
 2. Uncovered exterior stairways are prohibited.
- D. **Awnings.** Awnings, where installed, shall be constructed with fabric or metal coverings. Plastic coverings are prohibited.
- E. **Balconies and Railings.** Balcony and railing materials may be different than the materials used on exterior walls.
- F. **Pedestrian Access.** All fences and gates shall have appropriate connections to neighboring non-residential properties through the use of fence or gate door unless it can be shown that is not possible due to site constraints to promote walkability and connectivity.
- G. **Parking Location.** Wrap-around design of multifamily buildings around a core parking structure is strongly encouraged to ensure the garage appearance is enhanced by additional architectural or landscape features.
- H. **Attached Garages.** Attached street-facing garages shall meet one of the following standards.
1. The garage doors shall not comprise more than 40 percent of the total length of the building's facade; or
 2. Every set of two single-bay garage doors or every double garage door shall be offset by at least five feet from the front plane of an adjacent garage door.
- I. **Detached Garages.** The building design and roof type of garage units shall be consistent with those of the principal building(s). Detached garage buildings that are adjacent to street rights-of-way shall include a Type B Bufferyard (see [Section 156.F.004, Buffering](#)) between the garage building(s) and street.
- J. **Building Elements.** All buildings in a multiple-family development shall include a minimum of three of the following building elements.
1. *Visual Interest.* Elements such as outdoor gathering areas, porches, shutters, bay windows, or balconies shall be used to contribute to the visual interest of the building.
 2. *Architectural Features.* Columns, eaves, rakes, cornice lines, or frieze boards shall be used to contribute to the visual interest of the building.
- K. **Building Variation and Articulation.** An apartment community with three or more buildings must substantially vary the buildings in heights, dispositions, scales (number of units), materials, and colors.
- L. **Carports.** Carports are permitted within the vehicular use areas of apartment developments, provided they do not encroach into any required yards or building setbacks or into any easements, and subject to the following standards:
1. *Openness.* Carports shall be no less than 50 percent open on all sides, except for a side or sides that abut a wall of a principal building.
 2. *No Other Storage.* Carports shall not be used for storage of any items except motor vehicles.
 3. *Height.* Carports shall not exceed 10 feet in height.

4. *Drainage.* Drainage from carports shall be captured and conveyed on site and shall not impact adjacent properties.
5. *Construction.* Carports and their support posts shall be firmly anchored to the ground and shall meet applicable building codes.
6. *Design.* Carports shall be constructed so that all structural components, including support posts and roof forms, match or are consistent with the design elements incorporated into the principal building(s).

M. Roofing Systems.

1. *Covering.* Sloped roofs shall be covered with quality materials, comparable to slate, concrete tile, dimensional shingles, metal shingles, or architectural metal seam roofing.
2. *Integrated Solar Arrays.* Building-integrated solar arrays (solar panels that double as roofing) may be used on flat or pitched roofs.
3. *Projections.* Roofs shall contain at least one projection for every 50 linear feet of building frontage. Roof projections may include cupolas, dormers, balustrade walks, chimneys, or gables.

Figure 156.D.006-1
Illustrative Application of Building Design Standards for Apartment Buildings



FIGURE NOTES:

A = Breaking up building form | B = Breaking up roof form to avoid it appearing monolithic | C = Vertical articulation, such as a wall offset | D = Horizontal articulation, such as an expression line | E = Stairs shall be covered

Section 156.D.007, Urban Core and Mixed-Use

- A. **Generally.** These standards apply to any exterior wall of a nonresidential or mixed-use building in the UC, Urban Core or MU, Mixed Use zoning districts visible from a public or private street, a residential property, or public open space.
- B. **Building Form.**
 1. *Scale and Orientation.* Commercial and mixed-use buildings shall provide for pedestrians in both scale and structure orientation.
 2. *Build-to Line.* Structures shall be built to within five feet of the property line to provide for an urban edge and maintain continuity in the improved street frontages.
 3. *Public Entrance.* Each structure shall have a prominent identifiable public entrance from the primary street.
 4. *Secondary Entrances.*
 - a. Secondary and service entrances are allowable from secondary streets and off-street parking areas.

b. Secondary entrances located on public alleyways shall be at-grade to prevent tripping hazards and prevent encroachments into the pedestrian traveled way.

5. *Height.* See Section [156.B.005](#), *Nonresidential and Mixed-Use District Development Standards*, for building height requirements in the UC and MU zoning districts.

6. *Building Proportions.* In the UC District buildings shall be proportioned to be prominent at the primary street façade.

C. Placement.

1. *Principal Structures.* Principal structures shall be placed within the minimum and maximum setbacks established in Section [156.B.005](#), *Nonresidential and Mixed-Use District Development Standards*, to create an urban edge and to define the pedestrian realm.

2. *Parking.* Parking should be provided on the street as much as possible with parking lots or garages placed on the interior of the block with access from the side or the rear of the buildings or alleyways.

3. *Garages.* All attached or detached garages shall be placed towards the rear of a building except on a corner, where a side entrance may also be allowed. These may be accessed via privately controlled lanes and alleyways.

4. *Accessory Structures.* Accessory structures shall not be placed in such a manner that they extend in front of the rear building line of the primary structure.

D. Massing and Scale.

1. *Façades.* Building façades shall be architecturally differentiated with at least three of the following elements:

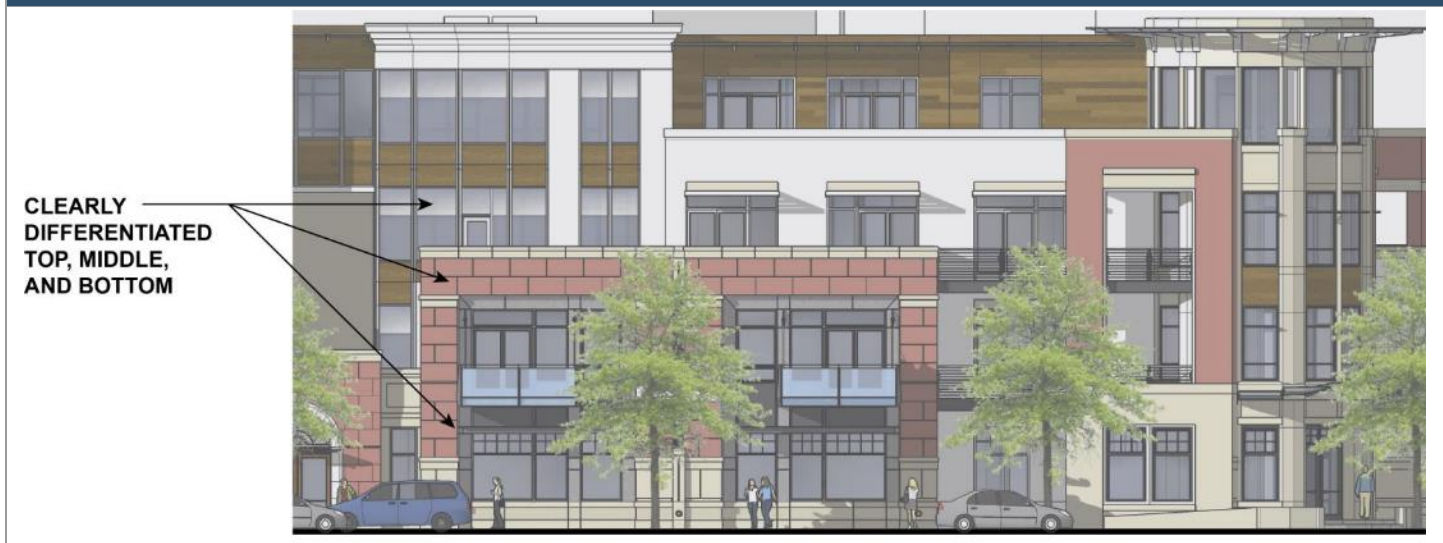
- a. Buildings shall utilize elements such as massing, windows, canopies, and articulated roof forms to create a visually distinct building base, middle, and top (see Figure [156.D.007-1](#), *Horizontal Articulation*);
- b. Variations in building heights;
- c. Building insets or projections of at least two feet that extend the full height of the building;
- d. Material changes for different building planes or elements;
- e. Accents through the use of moldings, sills, cornices, canopies, or spandrels; or
- f. Other façade features, such as an arcade, balcony, gallery, oriel or bay windows, pavilion, pergola, porches, porticos, terrace, tower, or vestibules.

2. *One-Story Buildings.*

a. *UC District.* One-story buildings shall be prohibited in the UC district.

b. *MU District.* In the MU district, one-story commercial buildings shall be constructed to appear of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.

Figure 156.D.007-1
Horizontal Articulation



E. Building Design.

5. Awnings and Canopies.

- a. Awnings and canopies shall not extend more than five feet from the façade of the building.
- b. Awnings and canopies shall be attached to the building façade and shall not extend vertical support structures into the ground plane.
- c. Awnings and canopies shall maintain a minimum of eight feet of vertical clearance from the ground plane.

6. Entryways.

- a. Each building shall have a clearly visible entrance with either an overhang, canopy or portico, recess or projection, arcade, raised corniced parapet over the door, peaked roof form, arch, patio, display windows, architectural detailing, or another design element approved by the Plan and Zoning Commission.
- b. Doorways adjacent to a public right-of-way shall be set back so that doors do not swing into a right-of-way.

7. Required Offsets.

- a. *Fenestration and Articulation.* Buildings shall be vertically articulated with a width equal to 20 percent of the building height. Vertical articulation may include projections, recesses, arcades, porticos, or other features that provide for different wall planes
- b. *Transparency.*
 - i. The front façade and side street façade of any new nonresidential building shall be comprised of at least 50 percent windows and doors at the ground level. Highly reflective glass, dark-tinted glass, or other types of glass that are intended to obscure the transparency shall be prohibited.
 - ii. Accessory structures shall be comprised of at least 25 percent windows and doors at the ground level. Accessory structures that are not open for business to the public are exempt from the transparency requirements of Paragraph i, above, provided they are placed between the rear of the primary building and rear yard setback and are not visible from the public street.

8. Materials. The allowable types and proportions of building materials on public-facing and non-public-facing elevations are set out in [Section 156.D.002, General Requirements](#), in addition to the following standards:

- a. The visible sides of buildings, from the street, shall be consistent in design and use of materials.

- b. All sides of buildings visible from the public right-of-way shall be architecturally treated to produce an aesthetically pleasing façade that is compatible with surrounding buildings and cohesive as a development block. Building design shall include at least two materials as identified in Section **156.D.002**.
 - c. The front façade, or any façade that directly abuts a public right-of-way including a street-side yard of any building shall be at least 50 percent brick or masonry stone.
 - d. Accessory structures shall be constructed of similar and/or complementary materials as the primary structure.
 - e. No wood, masonite, visible asphaltic exterior wall or roofing material, metal siding, non-architectural sheet metal, concrete block or other similar materials shall constitute a portion of any building, except as trim material, unless the Zoning Administrator determines that the said material, when used as a primary element, enhances the physical appearance or provides continuity to unite all structures within the property together into one project concept.
 - f. All material fasteners shall be concealed.
 - g. All structures shall be constructed on permanent foundations and may not be placed in a temporary manner.
9. *Nonresidential and Mixed-Use Buildings.* Residential units in a mixed-use building shall not be on the ground/first level of any building also containing a commercial use listed in Section **156.C.003, Use Table**, except that a maximum of 40 percent of the ground floor area may be residential provided it is not adjacent to a front or street side yard.
10. *Rooftop Mechanicals.*
- a. All rooftop mechanical equipment shall be screened from view using materials consistent and compatible with the primary building materials.

F. Pedestrian Amenities.

- 1. *Street Furniture.* Public seating, trash receptacles, and directional kiosks shall be of uniform design and provided throughout district, approved by the Plan and Zoning Commission. Street trees, landscaping, weather protection, public art, street furniture, and other pedestrian amenities in public rights-of-way and plazas shall provide a minimum passable sidewalk width of five feet.
- 2. *Sidewalks.* Sidewalks shall connect to existing perimeter sidewalks and to all building entrances; parking courts, garages, or structures; civic spaces; and any other pedestrian destinations.

G. Open Space.

- 1. *Amount Required.* See Section **156.B.005, Nonresidential and Mixed-Use District Development Standards** for the minimum required open space by building type and zoning district.
- 2. *Types of Open Space.* See Table **156.B.007-1, Public Civic and Open Space Standards**, for minimum standards for open space types within the UC and MU zoning districts.

H. Signage.

- 1. The location and size of signs shall be integrated into the design of the overall development and shall meet regulations outlined in **Article G, Signs**.
- 2. Signage is considered as part of the architectural theme of the building and district and shall be reviewed in the site plan.
- 3. Roof signs shall be prohibited.
- 4. Directional signs limited to two per premise shall be permitted and shall be limited to 6 square feet each with a maximum height of four feet.
- 5. Freestanding signs shall be limited to monument signs only with a permitted size that shall be no more than 48 square feet in area and 10 feet in height.

I. Service Areas.

- 1. *Lighting.*

- a. Lighting of outdoor service, loading, and storage areas shall be the minimum necessary for security purposes and shall be designed and directed so as not to create glare or lighting impacts at the street or on surrounding properties.
 - b. Lighting of entryways is encouraged and to the extent practical should be attached to the building.
 - c. Lighting shall be provided at secondary entryways located in pedestrian alleyways.
2. *Service Area Screening.* Service areas, garbage receptacles, utility meters, and mechanical and electrical equipment shall be screened from public view and located for convenient access by service vehicles. Screening of these areas shall be integrated into the overall building and landscape design.
3. *Loading and Unloading.* On-site space for stacking vehicles that are waiting to load or unload may be provided as necessary. Otherwise, accommodation shall be provided on-street.
- J. **Utilities.** All utilities shall be placed underground, where feasible.
- K. **Stormwater.** All stormwater collected from the roofs of the buildings shall be diverted underground, where feasible.
2. Whenever structures are erected or structurally altered, parking spaces shall be provided on the same zoning lot as the building in accordance with the requirements of [Article E, Parking, Loading, and Stacking](#). Uses that predominately occur during different times may share parking if it can be demonstrated that collectively the minimum number of parking spaces is provided at all times.
 3. Parking lots shall be located in the rear of all commercial uses or on the side. Parking located on the side is allowable in accordance with the following:
 - d. The parking shall not extend into the required front yard setback.
 - e. Landscaping shall be placed between the parking spaces and the front property line in accordance with [Section 156.F.003, Development Landscaping](#).
 - f. A single parking aisle with parking on one side, which is adjacent to the building, and meets the minimum dimension of established in [Section 156.E.003, Parking Design](#), shall be permitted where appropriate.
 4. Parking areas shall be designed to minimize headlights shining into residential properties.
 5. Parking areas shall be set back five feet from the property line and shall be landscaped with vegetation and or turf. This requirement can be waived where parking lots adjoin and have cross-access agreements/easements.
 6. Off-street parking requirements shall be contained entirely outside of the public right-of-way.
 7. The maximum amount of surface parking shall not exceed the specified minimum by more than 25 percent. If additional parking is desired, it shall be placed underground, within an enclosed building, or in a tuck-under garage. The exception is shared parking when a zoning lot is developed/redeveloped with shared uses in mind.
- M. **Vehicular Access.**
1. Driveway locations shall be spaced such that they are at least five feet from any adjacent driveway.
 2. Shared driveways are allowed.
 3. Driveway location shall comply with the requirements of the visibility triangle as set forth in Subsection [156.B.008.a, Measurements](#).
 4. Two driveway approaches may be permitted on each street frontage, of each premise, excluding Single-Family Attached, Single-Family Detached and Duplex properties. At locations where driveways are not shared with an adjoining property, each driveway shall be placed in such a way as to not impede the visual clearance to access the public street.
 5. Access to attached and detached garages shall be from the rear of a building only, except if the property is located on a corner lot and the side street may be used for access.

Section 156.D.008, Urban Core Historic District Overlay

- A. **Generally.** The following standards shall apply within the *UC-HD, Urban Core Historic District* Overlay in the *UC, Urban Core* zoning district and are intended to implement the Marshalltown Downtown Master Plan. The standards of the

underlying *UC, Urban Core* zoning district shall apply in the case of a conflict between the standards forth in Section [156.B.005, Nonresidential and Mixed-Use District Development Standards](#), and the standards of this section.

- B. **Applicability.** The standards of this section shall apply within the UC-HD Overlay district when new construction or more than 10 percent of an existing building's front or street-facing side exterior is the subject of review.
- C. **Features and Treatment Methods.**
 - 1. *Masonry.* Retain and repair original masonry and mortar. When replacement of failed masonry is required, new masonry units shall match the existing in dimension, composition, color, texture, and profile.
- D. **Building Façade Elements.** The following building façade element treatments shall apply to the expansion of existing buildings:
 - 1. *Parapet.*
 - a. Retain and repair existing parapets.
 - b. Avoid complete removal of a parapet except in cases where it is in danger of collapse or deterioration beyond repair. A rebuilt parapet should match the original as closely as possible in height and material. A rebuilt parapet removed by a prior owner, should align with the scale and material but not create a false sense of history.
 - 2. *Cornice.* Retain and repair existing cornices.
 - 3. *Roof.*
 - a. If full replacement or major repair is necessary, utilize a compatible substitute material that will not change the character of the building.
 - b. Decorative features such as cupolas, cresting, dormers, chimneys, visible shingle patterning, integral gutters, and original vents shall remain.
 - c. New elements such as dormers, skylights, antennas, solar panels, and mechanical equipment shall be placed in a manner that they are screened from public view.
 - 4. *Windows.*
 - a. Retain and repair existing windows. Replacement windows shall be of the same exterior dimension as the original window opening.
 - b. New window openings in façades that are visible from a public street or in any location that would impact a character-defining façade is not allowed.
 - 5. *Storefronts, Bulkheads, Display Windows.*
 - a. Preserve and restore original storefronts, bulkheads, and display windows when they remain in place. These building elements are usually considered to be “character-defining” and effort should be made to retain the original whenever possible.
 - b. Remove cover-up siding and infill framing as part of storefront rehabilitation.
 - c. Repair the original materials or, if absolutely necessary, replace with material that closely aligns with the original in appearance and durability. Deteriorated wood elements can often be replaced with matching milled pieces. Cast iron elements should be evaluated for structural stability.
 - d. Maintain or restore the original size, configuration, divisions and shape of storefronts.
 - 6. *Doors and Entries.*
 - a. Retain original recessed entries.
 - b. Repair and restore architectural details.
 - 7. *Decorative Details.*
 - a. Retain original wood accents and details where they remain.
 - b. Remove modern materials that cover historic exterior materials.
 - c. Retain original cast iron and pressed metal where it remains.
 - d. Apply paint only to historically painted materials.

8. *Signs and Awnings.*
 - a. Avoid painting over historic painted signage.
 - b. Signs shall not obscure historic architectural features or disrupt the façade pattern.
 - c. Storefront window signs shall not obscure the view through the storefront. Signs shall be less than 25 percent of the total window glass.
 - d. Awnings shall be triangular in section.
 - e. Awnings shall be designed to fit the storefront openings without obscuring architectural details.
 - f. Awnings shall be supported structurally by the building and shall not have posts supporting them from the ground.

Section 156.D.009, Nonresidential

- A. **Generally.** Any exterior wall of a nonresidential building visible from a public or private street, a residential property, or public open space shall meet the requirements of this Section.
- B. **Exterior Wall Materials.**
 1. *Primary Materials.* A minimum of 80 percent of the primary exterior wall and 60 percent of the ancillary exterior walls shall be finished with the materials listed in [Section 156.D.002.D, Primary Materials](#).
 2. *Secondary Materials.* The remaining percentages of the primary and ancillary exterior walls may be finished with the materials listed in [Section 156.D.002.E, Secondary Materials](#).
- C. **Building Form.**
 1. *Neighborhood-Scale.* Buildings that cover up to 30,000 sq. ft. of gross floor area shall have moderate changes in height or roof lines, which can be accomplished by one or more of the following techniques:
 - a. Modules shall be offset from each other by a horizontal recess or projection of the building façade that measures 10 percent or more of the building height;
 - b. Dormers with ridge lines that are three feet or more below the ridge line of the roof;
 - c. A compound roof shape, in which the highest ridge line and the lowest ridge line have a height difference of two to five feet;
 - d. Parapet walls that vary in height from two to four feet and which are designed of equal or greater height to screen from public view all rooftop mechanical equipment; or
 - e. Towers that have a height that is four to six feet above the highest peak or ridge of the roof or highest point of the parapet for a minimum of 10 percent of the façade on which the tower is located.
 2. *Community-Scale.* Buildings that cover between 30,001 sq. ft. and 60,000 sq. ft. of gross floor area shall have major changes in height per every 50 lineal feet of roofline, so which can be accomplished by one or more of the following techniques:
 - a. A compound roof shape, in which the highest ridge line and the lowest ridge line have a height difference of five or more feet;
 - b. Parapet walls that vary in height by more than four feet, are proportional to the building, and which are designed of equal or greater height to screen from public view all rooftop mechanical equipment;
 - c. Towers that have a height that is more than six feet above the highest peak or ridge of the roof or highest point of the parapet. The mass of such towers shall be proportional to the building, so that the towers appear as substantial, but not overwhelming, architectural elements;
 - d. Ground-level arcades and second floor galleries/balconies;
 - e. Functional or faux chimneys; or
 - f. Other features that reduce the apparent mass of the building.

3. *Regional-Scale.* Buildings that cover more than 60,001 square feet of gross floor area shall have major changes in height per every 50 lineal feet of roofline, which shall, in addition to the requirements for community-scale buildings, must include:
 - a. Significant architectural features to identify principal entrances; and
 - b. Elements such as towers or significant projections from the building to break up the building mass.
- D. **Multi-Story Buildings.** Buildings with three or more stories shall be designed with a clearly differentiated base, middle, and top.
1. *Building Base.* A recognizable base shall include, but shall not be limited to:
 - a. Thicker walls, ledges, or sills; or
 - b. Raised planters, which are integral to the building façade.
 2. *Building Top.* A recognizable top shall include, but shall not be limited to:
 - a. Cornice treatments, other than just colored stripes or bands; or
 - b. Sloping roofs with eaves and brackets.
- E. **Building Articulation.**
1. *Major Building Articulation.* Buildings shall be articulated using one or more of the following major articulation design techniques uniformly over the entire building façade:
 - a. A step back of upper floors to create human-scale and to reduce building scale and mass;
 - b. Increased setbacks for up to 30 percent of a street elevation to create public space; (public space may include outdoor seating/dining areas, pocket parks, fountains and/or water features, children's play areas, or similar space open to the public);
 - c. Variations in building heights for a minimum of 30 percent of the building façade;
 - d. Building insets or projections of at least two feet that extend the full height of the building for a minimum of 30 percent of the building façade;
 - e. Material changes for different building planes or elements;
 2. *Minor Building Articulation.* Buildings shall be articulated using two or more of the following minor articulation design techniques uniformly over the entire building façade:
 - a. Windows or faux window openings;
 - b. Doors or faux door openings;
 - c. Recessed or projecting building entries;
 - d. Projecting bay windows;
 - e. Window moldings;
 - f. Arcades;
 - g. Recessed or projecting porches;
 - h. Recessed or projecting balconies;
 - i. Functional or decorative canopies and awnings;
 - j. Cornices;
 - k. String courses;
 - l. Columns;
 - m. Wall sconces;
 - n. Brick patterning, including soldier courses, or other building material or color variations;
 - o. Score lines; or
 - p. Accents through the use of moldings, sills, cornices, canopies, or spandrels.

- F. Building Entrances.** Each building shall have clearly-defined customer entrances that include at least two of the following features:
1. Canopies, porticos, arcades, or overhangs;
 2. Recesses or projections;
 3. Over the door or peaked roof forms;
 4. Arches;
 5. Outdoor patios or plazas;
 6. Display windows;
 7. Obviously differentiating architectural details such as moldings that are integrated into the building structure and design; and/or
 8. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- G. Roofing.**
1. *Styles.* Flat roof and pitched roof systems are allowed, subject to the following standards:
 - a. Mansard roofs are not allowed.
 - b. Any material that is permitted by building code is allowed on flat roof systems.
 - c. Flat roof systems shall be hidden by parapet walls that are of equal or greater height to screen from public view all rooftop mechanical equipment.
 2. *Approved Materials.* Roofing materials used on pitched roof systems shall be proven, high-quality, durable materials, including:
 - a. Architectural shingles;
 - b. Concrete tile;
 - c. Slate;
 - d. Architectural standing seam metal;
 - e. Building-integrated photovoltaics (solar panels that double as roofing material);
 - f. Green roof systems (encouraged); or
 - g. Others approved by the Zoning Administrator and the Commission.
 3. *Prohibited Materials.*
 - a. Corrugated metal and other roofing materials that are not listed in (2) above are prohibited.
 - b. Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.
- H. Elevations.**
1. *Front Elevation.* In addition to the above articulation features, the front elevation of a building shall have:
 - a. Architectural features that animate the façade along its entire length, spaced at intervals of not more than 30 feet in horizontal distance. These features may include wall sconces, display windows, faux windows, material patterning, entry areas, towers, pilasters, and columns, or other elements that create a pattern of light and shadow on the building wall.
 - b. Awnings, arcades, or overhangs that project at least six feet along not less than 50 percent of the façade.
 2. *Side and Rear Elevations.* Side and rear elevations shall have architectural features that animate no less than 50 percent of the façade, which shall include:
 - a. Awnings, arcades, or overhangs that project at least six feet and connect to awnings, arcades, or overhangs on the front elevation;
 - b. No blank wall surfaces that extend for more than 15 or 30 feet in vertical or horizontal distance, respectively; and
 - c. Wall sconces, display windows, faux windows, material patterning, entry areas, towers, pilasters, and columns, or other elements that create a pattern of light and shadow on the building wall.

ARTICLE E – PARKING, LOADING, AND STACKING

Section 156.E.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Article is to ensure that:
1. *Provision of Parking.* Adequate, attractive, and safe off-street parking is provided by this Ordinance.
 2. *Residential Protection.* Sufficient parking is provided in nonresidential areas that are near residential neighborhoods, so that the character and quality of life in the residential neighborhoods are protected from overflow parking;
 3. *Provision of Loading Spaces.* Adequate loading areas are provided that do not interfere with the function of other vehicular use areas;
 4. *Provision of Access.* Access to sites are managed to maintain the desired function and safety of the adjacent street(s); and
 5. *Lighting.* Vehicular use areas and sites are designed and lighted to promote public safety without creating undue light pollution and off-site glare.
- B. **Applicability.**
1. *Development Activities.* The standards of this Article apply to the following development activities:
 - a. New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use;
 - b. Increase in apartment units, manufactured home pads, gross floor area, or impervious surface by 20 percent or more, cumulatively over a five-year period; or
 - c. Change in use requiring additional parking, loading, or stacking spaces (also known as vehicle use areas).
 2. *Exemptions.*
 - a. Changes in the use(s) of existing buildings that result in fewer required parking, loading, or stacking spaces shall not be required to provide additional parking spaces.
 - b. A permitted use may be converted to another permitted use without full compliance with the required number of parking, loading, or stacking spaces if the Zoning Administrator determines:
 - i. No additional parking, loading, or stacking spaces could be provided without removing or partially removing a structure; and
 - ii. The amount of parking, loading, or stacking spaces available is at least 80 percent of the parking, loading, or stacking required for the new use.
 3. *Change of Use (Maximum Parking).* Uses with off-street parking in excess of the maximum allowed for a nonresidential use resulting from a change of use in an existing building are not required to remove the excess parking spaces.
- C. **Timing of Compliance.** A Certificate of Occupancy will not be issued until all site improvements required in this Article are constructed in conformance with the approved permit or plan required in [Section 156.J.002, Common Review Provisions](#).

Section 156.E.002, General Requirements

- A. **Generally.** Off-street loading, stacking, and access shall be provided, located, and designed in accordance with the standards of this Article.
- B. **Lighting and Noise.** The following standards shall apply to all vehicle use areas:
1. Lighting shall comply with [Article H, Outdoor Lighting](#).
 2. An area used for primary circulation, frequent idling of vehicle engines, or loading activity shall be designed and located to minimize the effects of noise, pollution, and vehicle lights on an adjoining property.

- C. **Associated Building, Use, or Structure.** Vehicle use areas (VUA) shall be maintained as long as the associated building, use, or structure is in use or operation. No person shall utilize such building, use, or structure without providing the VUAs required in this Article. It shall be unlawful to discontinue, reduce, or remove the required VUAs apart from the discontinuance, removal, or reduction of the building, use, or structure that requires the VUA.
- D. **Maneuvering Space.**
1. *Prohibited.* No VUA shall be designed or built to require a vehicle to maneuver into a public right-of-way or overhang or encroach an adjacent property under separate ownership in order to park, load, unload, or stack, except:
 - a. In the case of single-family and duplex dwellings where backing onto the public right-of-way is permitted; or
 - b. Where a cross-access easement is in place.
 2. *Barrier.* In order to prevent overhang or encroachment described in Paragraph 1, *Prohibited*, above, a VUA shall include a permanent curb, wall or other physical barrier. Such a physical barrier shall be located a minimum of two feet from the right-of-way or property line.
- E. **Location.** Except as permitted in [Section 156.E.006, Parking Credits and Reductions](#), a VUA required by this Article shall be located on the same property as the building, use, or structure it serves and it shall be located behind any required bufferyard as set out in [Article F, Landscaping, Buffering, and Screening](#).
- F. **Calculations.**
1. *Fractions.* If the final calculated number of required parking, loading, or stacking spaces includes a fractional space, the number of required spaces shall be increased to the next whole number if the fraction is five-tenths or more, and when the fraction is less than five-tenths, the next lower whole number shall apply.
 2. *Variables for Calculating Required Spaces.* The variables used for calculating spaces are measured as shown in [Table 156.E.002, Parking, Loading, and Stacking Variable Meanings](#).

Table 156.E.002 Parking, Loading, and Stacking Variable Meanings	
Variable	The number of required spaces is calculated based on the number of:
Per Dwelling Unit	Dwelling units on the subject property.
Per Campsite	Spaces available for a recreational vehicle to connect to utilities provided at the recreational vehicle park.
Per Bedroom	Bedrooms in the facility instead of the number of bed or some other measure.
Per Gross Floor Area	Gross floor area of the establishment, which measurement is described in Subsection 156.B.008.a, Measurements .
Per Employee	Employees during the shift in which the maximum number of employees is present.
Per Seat	Seats affixed to the floor that are provided to guests (patrons, members, etc.), with benches or pews measured as one seat per two feet of width. Space requirements for uses with unaffixed seats shall be based on the seating capacity permitted by the Fire Code and approved by the Fire Marshal's office.
Per Student	Students or enrollees that the facility is permitted to have according to the appropriate licensing agency, if applicable.

3. *Multiple Nonresidential Uses.* If several nonresidential uses occupy a single parcel or building, the parking requirements shall be calculated separately for each use within the development, or as set out in [Section 156.E.006, Parking Credits and Reductions](#), whichever results in a lesser number of required spaces.

- G. **Surfacing and Drainage.** All vehicle use areas shall be graded, surfaced, and maintained so that water does not accumulate, flow, or drain onto abutting public or private property. The surfacing of VUAs shall consist of asphalt, concrete, or other all-weather surface approved by the City Engineer.
- H. **Dedication of Spaces.** Off-street parking, loading, and stacking spaces shall not be used interchangeably to meet one another's requirements nor shall their placement interfere with one another's use.
- I. **Insufficient Vehicle Use Area.** The Zoning Administrator may require a landowner to provide additional VUA even if the number of spaces provided meets the minimum requirement for the established use, if vehicles are consistently required to park or unload on the street (where on-street parking is prohibited) or on other properties due to a lack of usable VUA.

Section 156.E.003, Parking Design

A. Design and Construction Requirements.

1. *Tandem Parking.* Each parking space shall be accessible from a street or alley through aisles and/or driveways, except that tandem parking arrangements are permitted for single-family, two-family, and manufactured home uses or as allowed based on an approved parking study as described in [Section 156.E.006, Parking Credits and Reductions](#).
2. *Dead-End Aisles.* Dead-end aisles are not permitted unless adequate turnarounds usable by a two-axle vehicle are provided.
3. *Marking.* All parking spaces for nonresidential and mixed-uses shall be clearly marked on the pavement with yellow or white traffic paint or raised pavement markers approved by the City Engineer.
4. *Parking Space Orientation.* Parking areas shall be designed to minimize headlights shining into residential properties.
5. *Parking Module Dimensions.* Parking modules shall be dimensioned as shown in Table [156.E.003, Parking Module Dimensions](#). The dimensions that are set out in the table are illustrated in Figure [156.E.003, Illustrative Parking Module Configurations](#).

Table 156.E.003
Minimum Parking Module Dimensions

A	B	C		D		E	F	
Angle of Parking (Degrees)	Width of Stall	Depth of Stall 90 Degrees to Aisle		Width of Aisle		Width of Stall Parallel to Aisle	Module Width	
		One Way	Two Way	One Way	Two Way		One Way	Two Way
30	9.5	16.8	12.9	11	18	18	44.6	43.8
45	9.5	19.1	15.9	13	18	12.7	51.2	49.8
60	9.5	20.1	17.8	18	18	10.4	58.2	53.6
90	9.5 ¹	18	18	24	24	9	42	60
Parallel	9.5	21 ² (length)	21 ² (length)	12	18	N/A	30	36

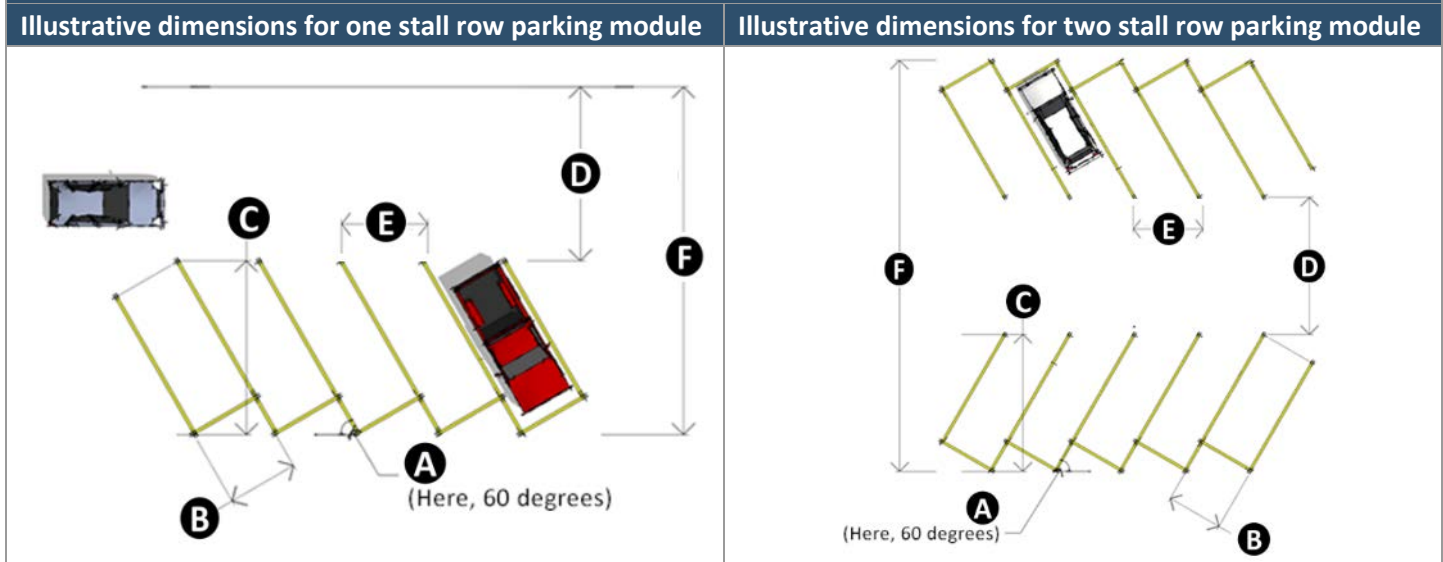
TABLE NOTES:

¹End spaces must be 12 feet

²End spaces may be 18 feet

Figure 156.E.003

Illustrative Parking Module Configurations



B. Surfacing and Drainage.

1. *Paving and Grading.* Except as set forth in Subsection D, *Alternative Paving Materials*, below, all off-street parking areas, driveways, and access drives must be paved with an all-weather surface and graded and drained as to dispose of all surface water accumulations within the area.
2. *Equipment and Service Vehicles.* Areas used to store equipment or service vehicles used in connection with the operation of a business located on the premises, may be surfaced with gravel or grass that is maintained to eliminate blowing dust and erosion.

C. **Setback.** No part of any parking area shall be closer than five feet to any established street right-of-way, alley, or property line. Where a parking area of a non-residential use or district adjoins any residential use or district, it shall be screened in accordance with the standard of [Section 156.F.004, Buffering](#).

D. **Alternative Paving Materials.** The City Engineer may approve alternative paving materials for parking areas not specified in [Section 156.E.002.F, Surfacing and Drainage](#), if the City Engineer determines that the alternative, compared to the permitted materials, is substantially equal to or better in quality and durability.

E. **Pedestrian Pathways.** Plans for the design of parking lots exceeding 50 parking spaces must include the following for pedestrian circulation and connectivity:

1. *Delineation.* A clearly delineated pedestrian pathway extending from the primary building entrance(s) to the outer perimeter(s) of the parking lot;
2. *Width.* A minimum passable width of six feet, with a 10-foot clear area to accommodate bumper overhang;
3. *Connectivity.* Connection to adjacent public street sidewalks and those of abutting or adjacent land uses;
4. *Lighting.* Pedestrian-scale lighting; and
5. *Safety.* Pavement markings, crosswalks, and signage to alert motorists of pedestrian crossings.

F. **Snow Storage.** Parking lots and landscaping and buffering required by [Article F, Landscaping, Buffering, and Screening](#), shall be designed so that snow can be efficiently plowed into on-site storage areas. Snow storage areas shall be located and designed so that:

1. *Reduction of Spaces.* The amount of parking on the site is not reduced below 80 percent of the number of spaces required by [Table 156.E.004-1, Minimum and Maximum Off-Street Parking](#), when snow is stored on-site;
2. *Circulation and Visibility.* Storage of snow does not interfere with circulation on the site or with visibility at points of ingress or egress or at street intersections;

3. *Landscape Islands.* Landscape islands shall not be used for snow storage unless specifically identified on the site development plan. All light poles, landscaping, or internal pedestrian pathways shall be protected from vehicle encroachment with concrete curbing or similar permanent and elevated landscaping elements approved by the Zoning Administrator.
4. *Risk Mitigation.* The location of the snow storage area does not create an unreasonable risk of snow being pushed into street rights-of-way;
5. *Heavy Snow Events.* The snow storage area is located and configured so that snow can be removed from the site during periods of heavy snowfall that are combined with sub-freezing temperatures; and
6. *Pervious Storage Area.* The area under the stored snow is pervious landscape area, and runoff from snowmelt is directed through stormwater best management practices (BMPs) to slow water and improve its quality.

Section 156.E.004, Required Off-Street Parking

- A. **Applicability.**
 1. This Section applies to all uses and structures in all zoning districts, except as provided below.
 2. The minimum requirements of this Section do not apply to the Urban Core (UC) district. However, the maximum requirements of this Section do apply.
- B. **Residential Parking.** Parking spaces for Household Living use types or specified building types that are located in private garages, carports, or individual driveways do not have to be marked. An area on a private residential lot is considered a parking space if:
 1. *Dimensions.* The area is at least 9.5 feet wide and 20 feet deep in dimension and is not part of an access drive to a private garage or carport;
 2. *Encroachment.* The area does not encroach upon a public sidewalk;
 3. *Surface.* The area has an improved hard surface as required in Section 156.E.003.B, *Surfacing and Drainage*; and
 4. *Access.* The area is accessible from the street or alley.
- C. **Minimum and Maximum Spaces.** Off-street parking spaces must be provided for the uses listed in Table 156.E.004, *Minimum and Maximum Parking*, below. The uses must provide the minimum number of off-street parking spaces, and parking spaces may not exceed the maximum number of spaces.
- D. **Multiple Activities.** Except as otherwise provided, where multiple activities associated with a single-use take place on-site, the required parking shall include a combination of the site's activities. For example, a truck stop is required to provide parking based on applicable retail sales area, car wash, overnight accommodations, and any other applicable activities.

Table 156.E.004 Minimum and Maximum Parking			
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
Residential and Agricultural			
Household Living	Dwelling, Apartment	1 per dwelling unit	1 per bedroom
	Dwelling, Single-Family Attached	2 per dwelling unit	4 per dwelling unit
	Dwelling, Single-Family Detached	2 per dwelling unit	4 per dwelling unit
	Dwelling, Duplex	2 per dwelling unit	4 per dwelling unit
	Dwelling, Townhouse	2 per dwelling unit	4 per dwelling unit
	Dwelling, Multiplex	1 per dwelling unit	1 per bedroom

Table 156.E.004
Minimum and Maximum Parking

SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable

Use Category	Subtype	Minimum Spaces	Maximum Spaces
	Manufactured Home Park	Zero	2 per dwelling unit
Group Living	Assisted Living Facility	0.3 per unit + 0.75 per employee	1 per unit + 1 per employee
	Boarding or Rooming House	1 per bedroom	1 per bedroom
	Group Home	2 per dwelling unit	2 per dwelling unit
	Nursing Home	1 per 2 beds	1 per 2 beds
	Group Living (Other than Listed)	2 per dwelling unit	2 per dwelling unit
Residential Accessory Uses ¹	Accessory Dwelling Unit	1 per dwelling unit	1 per dwelling unit
	Bed and Breakfast Home	1 per bedroom	1 per bedroom
	Farm Stand	1 per stand	3 per stand
	Group Day Care (6 to 12 children)	--	1 per dwelling unit
	Residential Accessory Use (Other than Listed)	--	--
	Upper-Story Residential	1 per dwelling unit	1.5 per dwelling unit
Agricultural and Animal Services	Community Garden	1 per 500 SF GFA	1 per 200 SF GFA
	Kennel	1 per 1,000 SF GFA	1 per 250 SF GFA
	Plant Nursery, Greenhouse, and Landscaping Business	--	--
	Veterinary Clinic	1 per 500 SF GFA	1 per 200 SF GFA
	Veterinary Hospital	1 per 500 SF retail area	1 per 300 SF retail area
	Crop Production	--	--
	Nursery (Retail)	1 per 500 SF retail area	1 per 200 SF retail area
	Stable (Public or Commercial)	1 per horse boarded	2 per horse boarded
Public and Institutional			
Day Care	Adult Day Care	1 per employee	1.75 per employee
	Pre-School or Child Day Care Center	1 per employee	1.75 per employee
	Group Day Care Center	1 per employee	1.75 per employee
	Botanical Garden, Nature Preserve or Trail	--	--
	Bus or Train Passenger Terminal	--	--

Table 156.E.004
Minimum and Maximum Parking

SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable

Use Category	Subtype	Minimum Spaces	Maximum Spaces
Educational Facilities	College or University	1 per 400 SF office, research, and library area; plus 1 space per 300 sq ft assembly areas and classrooms	1 per 300 SF office, research, and library area; plus 1 space per 250 sq ft assembly areas and classrooms
	Training Facility or Vocational School	1 per 300 SF GFA	1 per 250 SF GFA
	School, Primary or Secondary (Public or Private) -Primary -Secondary	2 per classroom (Primary); 1 per employee + 1 per 5 students (Secondary)	--
	All Other Educational Facilities	1 per 400 SF GFA	1 per 350 SF GFA
Government Facilities	Government / Non-Profit Office	1 per 400 SF GFA	1 per 200 SF GFA
	Government Services (Police, Fire, Emergency Medical Services)	--	--
Medical Facilities	Hospital	1 per 3 patient beds	1 per 2 patient beds
	Funeral Home or Mortuary	1 per 6 seats	1 per 1.5 seats
	Clinic, Medical Lab, or Urgent Care	1 per 300 SF GFA	1 per 150 SF GFA
Parks and Open Areas	Botanical Garden, Nature Preserve or Trail	--	--
	Cemetery, Columbarium, Mausoleum, or Memorial Park	--	--
	Park, Playground, and Common Open Space	--	--
Passenger Terminal	Airport or Heliport	-Special Study, refer to Section 156.E.004.F	
	All other Passenger Terminal Uses	--	--
Public Assembly	Club or Lodge	1 per 300 SF GFA	1 per 200 SF GFA
	Place of Public Assembly	1 per 6 seats	1 per 1.5 seats
	Library, Aquarium, Museum, or Gallery	1 per 1,000 SF GFA	1 per 500 SF GFA

Table 156.E.004
Minimum and Maximum Parking
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable

Use Category	Subtype	Minimum Spaces	Maximum Spaces
	Senior, Youth, or Community Center	1 per 300 SF GFA	1 per 200 SF GFA
Social Service	All Social Services	Special Study, refer to Section 156.E.004.F	
Utilities	Major Utility	1 per employee	--
	Minor Utility	--	--
Commercial and Office			
Adult Business	Adult Entertainment Business	1 per 400 SF GFA	1 per 200 SF GFA
Entertainment (Indoor)	Archery / Firearms Range	1 per 3 bays or 1 per 300 SF firing area if no bays	1 per bay or 1 per 100 SF firing area if no bays
	Bar or Tavern	1 per 200 SF GFA	1 per 100 SF GFA
	Bowling Alley	1 per lane	4 per lane
	Dance Club or Dance Hall	1 per 200 SF GFA	1 per 100 SF GFA
	Fitness Gym	1 per 600 SF GFA	1 per 200 SF GFA
	Entertainment (Indoor) (Other than Listed)	1 per 450 SF GFA	1 per 100 SF GFA
	Movie or Other Theater	1 per 4 seats	1 per 3 seats
	Tattoo or Piercing Business	1 per chair plus 1 per employee	1.5 per chair plus 1 per employee
Entertainment (Outdoor)	Amphitheater	1 per 6 seats or 1 per 30 SF if no permanent seats	1 per 4 seats or 1 per 50 SF if no permanent seats
	Campground without Overnight Accommodations	1 per campsite	--
	Golf Course	--	5 per hole
	Golf Driving Range	1 per tee area	3 per tee area
	Mini-Golf Course	1 per 300 SF outdoor entertainment area plus 1 per 200 SF GFA	1 per 250 SF outdoor entertainment area plus 1 per 150 SF GFA
	Entertainment (Outdoor) (Other than Listed)	1 per 1,000 SF outdoor entertainment area	1 per 300 SF outdoor entertainment area
	Stadium, Running Track, or Ball Field	1 per 6 seats or 1 per 50 SF if no permanent seats	1 per 4 seats or 1 per 30 SF if no permanent seats
Offices/Suites	Bank or Credit Union	1 per 350 SF GFA	1 per 200 SF GFA
	Offices (Other than Listed)	1 per 400 SF GFA	1 per 200 SF GFA
Overnight Accommodations	Bed and Breakfast Inn	0.3 per guest room + 1 per 3 persons (based on maximum design occupancy) for	1 per guest room + 1 per 1 person (based on maximum design occupancy) for

Table 156.E.004
Minimum and Maximum Parking

SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable

Use Category	Subtype	Minimum Spaces	Maximum Spaces
		accessory meeting space and catered functions	accessory meeting space and catered functions
	Campground with Overnight Accommodations	1 per campsite	--
	Overnight Accommodations (Other than Listed)	.8 per guest room + 1 per 800 SF public meeting area and restaurant space	1 per guest room + 1 per 400 SF public meeting area and restaurant space
Parking, Commercial	All Uses	--	--
Restaurants	Catering Establishment	1 per employee or 1 per 1,500 SF GFA, whichever is less	--
	Food Delivery	1 per employee	2 per employee
	Microbrewery	1 per 200 SF dining or tasting area	1 per 100 SF dining or tasting area
	Restaurant (Other than Listed)	1 per 200 SF GFA	1 per 100 SF GFA
	Restaurant, Drive-In or Drive-Through	1 per 250 SF GFA	1 per 150 SF GFA
Retail Repair, Sales, and Service	All Uses	1 per 400 SF GFA	1 per 200 SF GFA
Self-Service Storage	All Uses	1 per 20 storage stalls	1 per 10 storage stalls
Vehicle Sales and Service	Car Wash	1 per 3 employees	1 per employee
	Heavy Vehicular Equipment Sales, Service, and Repair	1 per 1,000 SF sales and service building(s)	1 per 300 SF sales and service building(s)
	Vehicle Fuel Station	1 per 400 SF GFA	1 per 200 SF GFA
	Vehicle Repair, Major	1 per 250 SF GFA + 1 per employee	1 per 200 SF GFA + 1 per employee
	Vehicle Service, Minor	1 per 400 SF GFA	1 per 200 SF GFA
	All Other Vehicle Sales and Service	1 per 500 SF sales and service building(s)	--
Industrial			
Heavy Industrial	All Uses	1 per employee or 1 per 1,500 SF GFA, whichever is less	--
Light Industrial	Building or Development Contractor	1 per 1,500 SF storage area	1 per 300 SF storage area
	Light Industrial (Other Than Listed)	1 per employee or 1 per 1,500 SF GFA, whichever is less	--
Warehousing and Freight Movement	All Uses	1 per 2,000 SF GFA	--

Table 156.E.004
Minimum and Maximum Parking

SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
Waste-Related Service	All Uses	1 per employee + 1 per 15,000 SF of outdoor storage or salvage area	--
Wholesale Trade	All Uses	1 per 1,500 SF GFA	1 per 400 SF GFA

Notes:
¹ In addition to the required and maximum for the primary use.

F. Special Studies.

1. *Generally.*

- Some of the uses listed in Table 156.E.004-1, *Minimum and Maximum Parking*, have widely varying parking demand characteristics. Accordingly, their parking requirements are listed as "Special Study." Required parking for these uses are established according to the standards of this Section.
- Special studies may also be submitted to support a request to reduce the number of required parking spaces to less than that set out in Table 156.E.004-1, due to the nature of the operations and/or location of a proposed use. The special study must include and support all requested reductions in parking. Further parking credits and reductions that are otherwise available pursuant to [Section 156.E.006, Parking Credits and Reductions](#), may not be applied when parking reductions are granted pursuant to this Section, unless the reductions are supported by the special study.

2. *Special Study Requirements.*

- A special study must be conducted by a qualified transportation planner or traffic engineer at the applicant's expense.
- The special study must provide:
 - A peak parking analysis of at least five functionally comparable uses; and
 - Documentation regarding the comparability of the referenced uses, including: name, function, location, gross floor area, parking availability, access to transportation network (including vehicular, bicycle, pedestrian, and transit), use restrictions, and other factors that could affect the parking demand.

3. *Approval of Special Study.*

- The Zoning Administrator may rely upon the special study or may request additional information or analysis, including, but not limited to: alternative or new data points, or consideration of additional or alternative factors related to comparability or peak demand, as supported by sound engineering principles.
- As a condition of approval of a special study, the Zoning Administrator may require that land be reserved as an undeveloped area for additional future parking if there is a demonstrably high probability the use could change, resulting in a higher demand for parking.

- G. Unlisted Uses.** Upon receiving a development application for a use not specifically addressed in this Article, the Zoning Administrator shall apply the off-street parking standard specified for the use that the Zoning Administrator deems most similar to the proposed use according to [Section 156.C.010, New and Unlisted Uses](#), or require that the applicant provide a special study according to Subsection F, *Special Studies*, above.

Section 156.E.005, Required Accessible Parking

- A. Number of Required Spaces.** Parking for disabled persons shall be provided as set out in Table [156.E.005-1, Accessible Parking Requirements](#), or as required by the Americans with Disabilities Act (ADA) Standards for Accessible

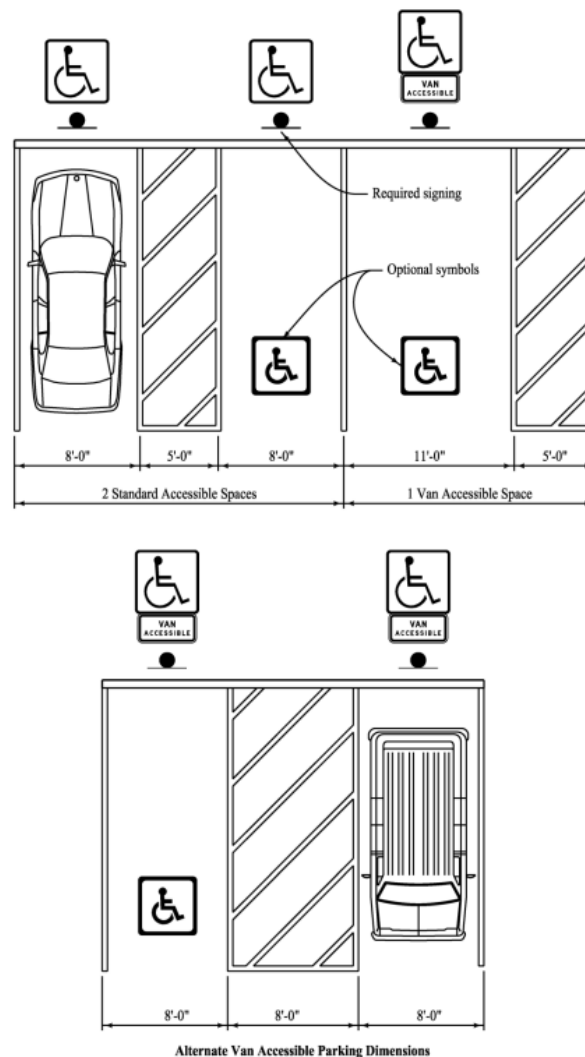
Design and ADA Accessibility Guidelines for Buildings and Facilities published by the United States Access Board. If any of the standards within this Section and the United States Access Board are in conflict then whichever requires more spaces shall be used. Required accessible parking spaces are included in the total number of required parking spaces per [Section 156.E.004](#), *Required Off-Street Parking*.

Table 156.E.006-1 Accessible Parking Requirements		
Number of Required Parking Spaces	Minimum Number of Accessible Parking Spaces	Minimum Number of Van-Accessible Parking Spaces
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1000	2 percent of total parking provided in each lot or structure	1 out of 6 accessible spaces, rounded up
1001 and over	20 plus 1 for each 100 over 1000	1 out of 6 accessible spaces, rounded up

- B. **Parking Space Size Specifications.** Figure [156.E.005-1](#), *ADA Parking Space Dimensions*, details the specific size requirements for both standard automobile and van accessible ADA accessible parking spaces.

Figure 156.E.005-1
ADA Parking Space Dimensions

Figure 8B-1.02: Accessible Space Dimensions



Section 156.E.006, Parking Credits and Reductions

- A. **Generally.** This Section sets out several ways to reduce or receive credit for the number of required off-street parking spaces that must be provided according to [Section 156.E.004, Required Off-Street Parking](#).
- B. **Administrative Credits and Reductions.** The Zoning Administrator may approve the following parking credit and reduction options for a property. If such administrative reductions are proposed in a legislative review application the presence of such reductions shall have no bearing on the recommendation or final decision of the administrative review bodies involved. The administrative credit and reduction options are cumulative if more than one is used on a property.
1. **On-Street Parking Credit.**
 - a. On-street parking spaces may provide credit to satisfy the minimum parking space requirements in the nonresidential and mixed-use zoning districts established in [Section 156.E.004, Required Off-Street Parking](#) on streets designed for on-street parking. The use of on-street parking spaces to satisfy minimum parking requirements in no way guarantees the use of such parking spaces to customers, employees, or visitors of the subject property.

- b. On-street spaces shall be located on a public or private street, shall be available to the general public, and directly abutting the subject property.
- c. Bus stops, clear zones adjacent to curb cuts, and other areas in which parking is prohibited shall not be included in the calculation of available on-street parking spaces.
- d. An on-street parking space shall be a minimum of 20 feet in length. A minimum of 16 linear feet of an on-street parking space shall be directly adjacent to the subject property in order to be counted as a parking space.

2. Shared Parking Reduction.

- a. Shared parking allows a reduction of up to 25 percent in the total number of required parking spaces when a property is occupied by two or more uses that typically do not experience peak use of parking areas at the same time. When any land or building is used for two or more uses that are listed in Table 156.E.005-1, *Shared Parking Table*, below, the minimum total number of required parking spaces may be determined by the following procedures, which are followed by Table 156.E.005-2, *Illustrative Shared Parking Credit Calculation*, showing an example of how to calculate shared parking reductions.
 - i. Determine the minimum parking requirements for each use category in Column (A) as if it were a separate use excluding spaces reserved for use by specified individuals or classes of individuals (for example, accessible spaces or spaces posted as “reserved”);
 - ii. Multiply the sum of required parking spaces for each use by the corresponding percentages for each of the five time periods set forth in Columns (B) through (F) of Table 156.E.005-1, below;
 - iii. Calculate the total for each time period; and
 - iv. Select the Column with the highest total to find the required number of shared spaces.

Table 156.E.006-1, Shared Parking Table

(A) Use Category	Weekday		Weekend		(F) Night (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Residential	60%	90%	80%	90%	100%
Offices	100%	10%	10%	5%	5%
Retail Sales or Personal Service	60%	90%	100%	70%	5%
Overnight Accommodations	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Indoor Recreation or Outdoor Recreation	40%	100%	80%	100%	10%
All Others	100%	100%	100%	100%	100%

Table 156.E.006-2, illustrative Shared Parking Reduction Calculation

EXAMPLE: A mixed-use building in the MU zoning district has 35 apartments, 30,000 square feet of general office space, and 40,000 square feet of retail space. Separately, these uses would require 270 parking spaces ((35 sp. x 2 sp. / unit) + (30,000 sf. x (1 sp. / 350 sf.)) + (40,000 sf. x (1 sp. / 350 sf.)) = 270). However, combined, they could share 196 parking spaces, a 27% reduction.

(A) Use Category	Weekday		Weekend		(F) Night (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Residential 70 spaces	60% x 70 = 42	90% x 70 = 63	80% = 56	90% = 63	100% = 70
Office or Industrial 86 spaces	100% x 86 = 86	10% x 86 = 9	10% x 86 = 9	5% x 86 = 4	5% x 86 = 4
Retail Sales and Service 114 spaces	60% x 114 = 68	90% x 114 = 103	100% x 114 = 114	70% x 114 = 80	5% x 114 = 6
COLUMN TOTALS	196	175	179	147	80

TABLE NOTE:

The largest number, 196, is the number of parking spaces required. This example is a 27 percent reduction compared to individual calculations.

- b. Where a shared parking reduction is to be applied to uses on two or more lots under different ownership, the following shall be provided to the Zoning Administrator:
 - i. A plan that provides for interconnected parking lots and required residential spaces to be clearly designated and separated from spaces provided for employees, customers, and service;
 - ii. Recorded easements, accepted on a form acceptable to the City Attorney, that provide, at a minimum:
 - (A) A guarantee of each owner's rights to the use of the parking facility;
 - (B) A requirement that any termination of or amendment to the agreement shall be subject to the approval of the City;
 - (C) Cross-access among the parking areas and connections to allow parking by the different uses anywhere on the connected properties;
 - (D) Allocation of maintenance responsibilities;
 - (E) A pedestrian circulation system that connects uses and parking areas, making it easy and convenient for pedestrians to move between uses; and
 - (F) A right of enforcement by the City.

3. **Off-Site Parking Credit.** Off-site parking spaces may provide credit to satisfy the minimum parking space requirements in any nonresidential or mixed-use zoning district subject to the following:
 - a. The off-site parking lot is within 300 feet of the subject property, measured from the nearest property lines;
 - b. The parking lot is wholly within a nonresidential or mixed-use zoning district; and
 - c. The parking lot complies with all applicable requirements of this Zoning Ordinance.

C. Legislative Credits and Reductions.

1. **Plan and Zoning Commission.** The Plan and Zoning Commission may approve a reduction in the number of required parking spaces if the applicant demonstrates that a reduction is appropriate based on the applicant providing a parking study with specific parking demand forecasts for the proposed use and/or on the provision of alternative parking or transportation demand management programs that tend to reduce the demand for parking spaces, provided that:
 - a. The study is prepared by a professional transportation planner or traffic engineer;

- b. The forecasts are based upon a peak parking analysis of at least five comparable uses; and
 - c. The comparability of the uses is documented in detail, including their location, gross floor area, street access, use types and restrictions, hours of operation, peak parking demand periods, and all other factors that could affect parking demand.
2. *Transportation Professional.* The Zoning Administrator may retain a qualified transportation planner or traffic engineer, at the applicant's expense, to review the parking demand forecast and provide recommendations to the Plan and Zoning Commission.
 3. *Reserve.* The balance of the land necessary to meet the parking requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand.

Section 156.E.007, Off-Street Loading

- A. **Generally.** This Section establishes the requirements with off-street loading spaces in connection with any nonresidential or mixed-use building, structure, or use which is to be erected or substantially altered to provide adequate space for off-street loading, unloading, and the maneuvering of shipping and delivery vehicles in the GC, GI, and MU zoning districts.
- B. **Minimum Number of Off-Street Loading Spaces Required.** Off-street loading facilities shall be provided in accordance with the requirements in Table 156.E.007, *Minimum Off-Street Loading Spaces Required*.

Table 156.E.007 Minimum Off-Street Loading Spaces Required		
Use Groupings ¹	Gross Floor Area in Square Feet	Number of Required Loading Spaces
Industrial	Less than 10,000	0
	10,000–50,000	1
	50,001–100,000	2
	Each additional 100,000	1
Commercial and Office, Public and Institutional	Less than 10,000	0
	10,000–100,000	1
	100,001–200,000	2
	Each additional 100,000	1
All Other Use Groupings	N/A	N/A
Table Notes: N/A = Not Applicable ¹ Refer to overall groupings of the uses in the Use Table in Section 156.C.003 (for example, Agricultural, Residential, etc).		

- C. **Design.** To minimize impacts, off-street loading areas shall comply with the following standards:
 1. *Lighting.* Any lighting used to illuminate off-street loading or unloading areas may not glare on any right-of-way or adjacent property.
 2. *Location.* Not be located within 40 feet of the nearest point of intersection of any two streets with no loading dock visible from a thoroughfare or collector street right of way;
 3. *Buffering.* Docks and loading spaces shall be located behind buildings and screened from view from abutting properties and public right-of-way. Truck access and loading areas that are located between a principal building and a residential property shall comply with the following additional standards:
 - a. *Use of Enclosed Loading.* The loading area shall be enclosed by a roof and a wall between the principal building and the property boundary line (as depicted in Figure 156.E.007-1, *Illustrative Example of Enclosed Loading*, below). The walls of the enclosure shall be tall enough to completely screen the delivery vehicle and shall be designed and constructed with architectural elements such as windows, awnings, or other

features that complement the exterior of the principal building. The portion of the bufferyard between the enclosed loading and the property line may be reduced by one level of opacity with the remainder of the bufferyard being the opacity level required by Table 156.F.004-1, *Bufferyard Types*, for the applicable zoning district; or

- b. *Absence of Enclosed Loading.* The loading area shall be screened along its length by a district bufferyard that has one additional level of opacity (for example, from a Type B bufferyard to a Type C bufferyard) than required by Table 156.F.004-1 and, additionally, the loading area shall contain an eight-foot-tall masonry wall that is designed and constructed with the same primary exterior finish materials of the principal building.

Figure 156.E.007-1
Illustrative Example of Enclosed Loading



D. Types of Loading Spaces.

1. *Loading for Industrial Uses.* Each required loading space in the GI, General Industrial zoning district shall be a minimum of 12 feet in width and 45 feet in depth.
2. *Other Uses.* All other required loading spaces shall be a minimum of 12 feet in width and 18 feet in depth. All required loading spaces shall have a minimum vertical clearance of 15 feet and shall be designated by signs as loading spaces.

E. Mixed-Use Developments. Where mixed-use developments may be adequately and conveniently served by a common loading area, the Zoning Administrator may approve a reduction in spaces required in Table 156.E.007-1, *Minimum Off-Street Loading Spaces Required*. For this purpose, the minimum number of required spaces shall be based on the Use Category having the greatest number of resulting spaces.

F. Outdoor Storage. For the purposes of this Section, each two square feet of exterior area used for outdoor storage shall be considered equivalent to one square foot of enclosed gross floor area.

Section 156.E.008, Off-Street Stacking

A. Generally. Stacking spaces create capacity of a drive-through lane to hold vehicles while transactions are taking place at drive-through facilities. Stacking spaces are nine feet in width by 20 feet in length and provide direct access to a service window or other improvement. The position in front of a drive-through station (e.g., a service window, ATM, or station at a drive-through bank) is counted as a stacking space.

B. Requirements.

1. *Minimum Number.* Uses that include drive-through service shall not have fewer than the number of stacking spaces established in Table 156.E.008, *Stacking Requirements*.

2. *Bypass Lane.* A 10-foot-wide bypass lane is required adjacent to stacking lanes to allow vehicles to travel around the drive-through activity and exit the site or park.
3. *Turn-Around Area.* Controlled entrances shall be designed so that vehicles may turn around without entering the gated area or backing out into the public right-of-way.

Table 156.E.008
Stacking Requirements

Activity	Minimum Spaces	Measured From
Automated teller machine (ATM)	3	ATM keypad
Bank teller lane	5	Teller window or pneumatic tube station
Carwash stall, automatic	4	Entrance to wash bay
Carwash stall, self-service	3	
Day care drop-off (between 7 to 11 children or adults)	3	Facility passenger loading area
Day care drop-off (11 or more children or adults)	3 plus 1 per every 500 square feet of heated floor area	
School, primary or secondary (public or private)	Determined by Zoning Administrator	
Fuel pump island	2	Pump island
Parking lot, controlled entrance	4	Key code box
Restaurant, drive through (or a functionally similar use) ¹	4	Order box ²
	4	Order box to first window
	2	First window to second window
Vehicle servicing	2	Entrance to stall
Other	Determined by Zoning Administrator	

TABLE NOTE:

¹If one window is provided (for both payment and pick-up), then six stacking spaces are required measured at the order box and five stacking spaces are required between the order box and the window.

²If the restaurant has dual order boxes then 3 spaces are required per order box.

³Each space is measured to include a length of 25 feet.

⁴Stacking shall not block access to driveways or parking areas.

Figure 156.E.008
Illustrative Stacking Requirements

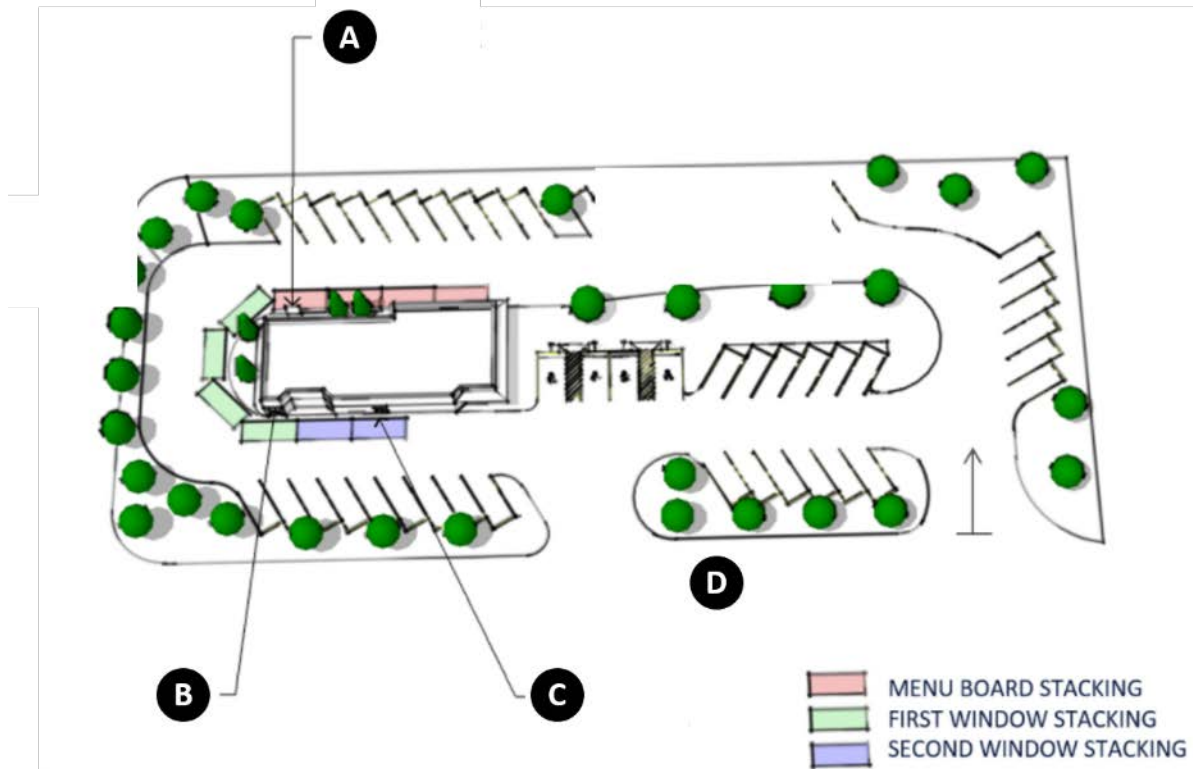


Figure Notes:

A = Order Box | B = First Window | C = Second Window D = Public Right-of-Way

ARTICLE F – LANDSCAPING, BUFFERING, AND SCREENING

Section 156.F.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Section is to establish minimum standards to achieve the following objectives, which, combined, promote the health and general welfare of the citizens of Marshalltown:
1. *Appearance and Beauty.* Enhancement of the overall appearance and natural beauty of the community;
 2. *Buffering and Screening.* Buffering of incompatible land uses and screening negative site elements;
 3. *Heat Island Effect.* Reduction of heat generated from paved surfaces;
 4. *Water Quality and Wildlife.* Protection of water quality and wildlife habitat;
 5. *Vegetation and Topsoil.* Preservation of existing vegetation and topsoil; and
 6. *Benefits.* Landscaping and landscaped open spaces provide multiple benefits including energy conservation, increased property values, and an enhanced aesthetic quality throughout the City.
- B. **Applicability.** The standards of this Article apply to the following development activities:
1. *New Development.* New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use;
 2. *Increase in Intensity.* Increase in apartment units, manufactured home pads, nonresidential gross floor area, or impervious surface by 20 percent or more, cumulatively over a five-year period; or
 3. *Change in Use.* Change in use requiring additional parking spaces.

Section 156.F.002, General Requirements

- A. **Generally.** Requirements for the planting of all landscape material is set out in this Section.
- B. **Plant Material Standards.**
1. *Plant Variety.* All plants shall be of the type and species appropriate for the climate and location being planted. All plant material shall be commercially produced and meet the minimum standards recognized by landscape professionals. In order to reduce the threat and impact of plant disease, multiple plant types and species shall be utilized on each site.
 2. *Prohibited Plants.* Refer to Parks & Recreation Department for a list of prohibited plants.
 3. *Sizes.* All required plants shall meet the size and variety requirements in Table 156.F.002, Minimum Plant Sizes and Varieties.

Table 156.F.002-2, Minimum Plant Sizes and Varieties	
Plant Type	Minimum Size or Varieties
Overstory Tree	2.0-inch caliper
Understory Trees	1.5-inch caliper
Evergreen / Coniferous Tree	6-feet in height
Shrubs	3-gallon container
Ornamental Grasses	1-gallon container

- C. **Plant Locations.** All plantings shall comply with the following:
1. *Public Right-of-Way.* A permit shall be obtained prior to planting any street tree or landscape material in the public right-of-way.
 2. *Sight Distance Triangle.* No landscaping may be planted in violation of the visibility triangle established in [Subsection 156.B.008.a, Measurements](#). Corner lots, and in situations where driveways and alleys intersect with

street rights-of-way, shall be kept free of landscaping and plant materials that interfere with the vision of a motorist or pedestrian.

3. *Easements.* No trees shall be placed within any public utility easement. Any shrubs or ornamental grasses planted within public utility easement (if allowed by the easement) shall not be required to be replaced in the event maintenance, repair, or installation of a utility is needed.
 4. *Fire Safety.* Landscaping shall meet minimum clearances from all fire hydrants and building sprinkler systems as required by the fire department.
 5. *Spacing.* In general, all plants shall be sited and spaced in a manner to allow for appropriate growth to mature size.
- D. **Plant Substitutions.** The following substitution of tree planting requirements may be made:
1. *Overstory.* One overstory tree may be substituted in place of 10 required shrubs.
 2. *Understory.* One understory tree may be substituted in place of five required shrubs.
 3. *Evergreen.* One evergreen/coniferous tree may be substituted in place of one required overstory tree.
 4. *Substitution.* One overstory tree may be substituted in place of two required understory trees. Two understory trees may be substituted for one required overstory trees.
 5. *Grasses.* Three ornamental grasses may be substituted for one required shrub.

Section 156.F.003, Development Landscaping

A. Generally.

1. *Applicability.* Site landscaping is required around multiple-family buildings, civic, institutional, commercial office and retail, industrial, and mixed-use buildings.
2. *Planting Requirements.* The required number of overstory and understory trees and shrubs or ornamental grasses as set out in the respective zoning district.

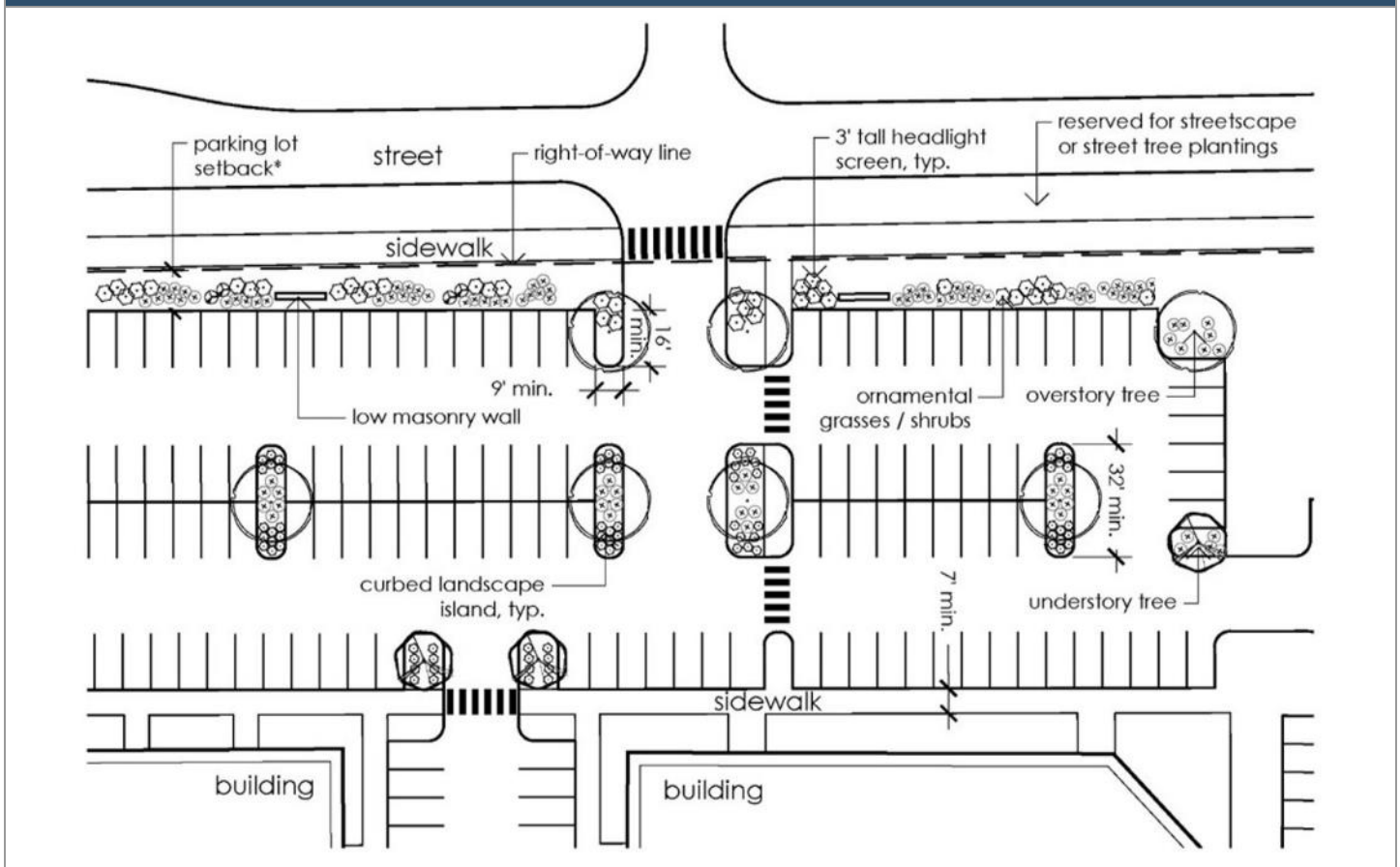
B. Off-Street Parking, Driveways, and Loading Areas.

1. *Generally.*
 - a. *Landscape Plan Required.* A landscape plan for all parking lots regardless of size shall be prepared and submitted to the City for review and approval for any landscaping, buffer, or screening required by the City.
 - b. *Preparation of Landscape Plan.* To encourage landscape plans to be thoughtfully arranged so site elements are artfully and technically organized in a way that conveys meaning, coherence, and spatial organization, a qualified individual or organization, as acceptable to the Zoning Administrator, shall prepare the landscape plan.
 - c. *Landscape Plan Contents.* All landscape plans are subject to the contents set forth in the Site Plan procedures in [Section 156.J.004, Administrative Review Procedures](#).
2. *Parking Lot Design.*
 - a. All rows of parking that exceed 20 stalls in length shall be terminated with a curbed landscaped island that is a minimum nine feet wide and no less than 16 feet in length (32 feet in length for head-to-head parking stalls).
 - b. Off-street parking lots that exceed 100 stalls shall require no parking or loading area shall be more than 100 feet from a tree located within a landscaped open space area.
 - c. Sidewalks that abut the front edge of any parking stall shall be no less than seven feet wide to accommodate a two feet vehicle overhang.
3. *Sidewalk Requirement.* Every parking lot of more than 100 spaces shall have at least one pedestrian walkway
4. *Landscaping Required.* All parking lot islands shall be landscaped with turf grass, ornamental grass plantings, plant beds, shrubs, trees, rock, and / or chip brick. The use of pavers in an island shall only be used in combination with plant-scaping materials. Sidewalks may be constructed within a parking lot island as necessary to

accommodate pedestrian circulation. See Figure 156.F.003-1, Off-Street Parking, Driveways, and Loading Areas. See Figure 156.F.003-1, Off-Street Parking, Driveways, and Loading Areas.

5. **Parking Lot Screening.** Whenever an off-street parking area fronts along a public street, an average of one overstory and two understory trees shall be planted every 75 feet within the parking lot setback area. In areas of public utility easement, no trees are required but the screening material must incorporate plant-scaping. Additionally, a minimum three-foot-tall screen shall be installed between the parking lot and the adjoining street along the entire frontage in accordance with minimum visibility requirements at intersections, driveways, and alleys. This screen can be constructed with any combination of ornamental grasses, shrubs, earth berming, low masonry walls, and decorative fencing. Shrubs and ornamental grasses shall have a mature height of at least three-feet.
6. **Parking Lot Setback.** The parking lot setback shall be a minimum width of five-feet.

Figure 156.F.003-1
Off-Street Parking, Driveways and Loading Areas



C. Trees Required. Trees shall be required in all zoning districts following the design standards provided within this Section.

1. **Single-Family Detached.** A minimum of two overstory trees is required per single-family lot.
2. **Single-Family Attached and duplex.** One overstory tree shall be required for every 40 feet of average lot width.
3. **Other Residential and Non-residential.**
 - a. A minimum of 5 overstory trees per acre shall be required.
 - b. Unless otherwise approved by the City, required trees shall not be located within the street right-of-way, between the edge of the public street and any sidewalk or trail. The trees shall be shown on a Landscaping

Plan provided to the Zoning Administrator. The tree planting plan shall include the location, size, and species of all street trees being proposed.

Section 156.F.004, Buffering

- A. **Generally.** The bufferyards required in this Section provide transition and physical barriers between properties of differing land uses to reduce the effects of sight, sound, and other incompatibilities. The bufferyards are based on the amount of screening they provide, which are classified from less screening (Type A) to more screening (Type C), depending on the types and intensities of adjoining land uses.
- B. **General Standards.**
1. *Groundcover.* In addition to the required plantings, walls, fences, and berms, remaining portions of all bufferyards shall contain groundcover.
 2. *Plant Groupings.* Bufferyard plantings may be located in small groupings to appear more natural or evenly spaced.
 3. *Earthen Berms.* Earthen berms within a bufferyard may vary and undulate to accommodate drainage and to provide a more natural appearance. Incorporation of a berm into a buffer yard may necessitate an increase in width of the bufferyard beyond what is required in Table 156.F.004-1, *Bufferyard Classifications*.
 4. *Encroachment.* No part of any required bufferyard shall be used for structures, parking, storage, loading, locating refuse containers, or any similar activity which may create a nuisance.
 5. *Extent.* All required bufferyards shall be located on the parcel proposed for development.
 6. *Access Breaks.* Breaks for pedestrian, bicycle, and vehicle access are permitted on the condition that access shall be designed to cross a bufferyard at as near a perpendicular angle as practical.
 7. *Low Impact Development.* Low impact development and other similar stormwater management features are permitted in a required bufferyard.
- C. **Bufferyard Types.** There are three types of bufferyards, each of which varies in width and the numbers and types of plants required per 100 linear feet. The minimum planting requirements for each type of bufferyard are set out in Table 156.F.004-1, *Bufferyard Classifications*, except that parking lot setback plantings are set out in Section 156.F.003, *Development Landscaping*. Illustrative examples of bufferyards are in Figure 156.F.003-1, *Illustrative Bufferyard Types*.

Table 156.F.004-1 Bufferyard Classifications						
Type	Width	Required Plantings per 100 Linear Feet				Height of Berm, Wall, or Fence ¹
		Overstory Trees	Understory Trees	Evergreen Trees	Shrubs	
Option 1: Landscape Only Bufferyard						
Type A	5 ft.	0	2	--	10	N/A
Type B	10 ft.	1	2	1	12	N/A
Type C	15 ft.	2	1	1	15	N/A
Option 2: Landscape with Berm, Wall, or Fence ²						
Type A	3 ft.	--	--	--	10	6' tall fence or wall / 4' tall berm
Type B	5 ft.	--	--	--	15	6' tall fence or wall / 4' tall berm

Table 156.F.004-1
Bufferyard Classifications

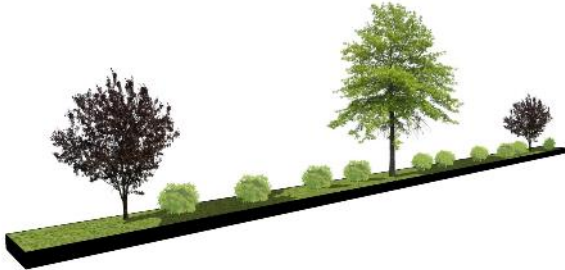
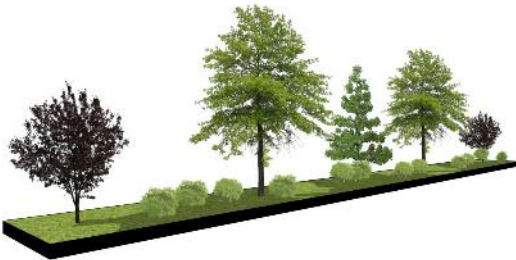
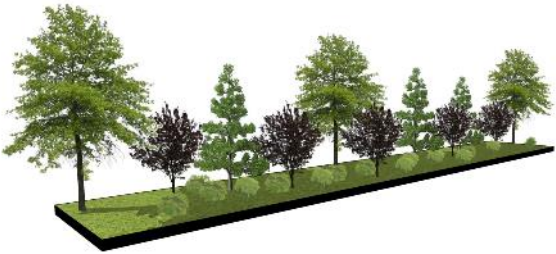
Type	Width	Required Plantings per 100 Linear Feet				Height of Berm, Wall, or Fence ¹
		Overstory Trees	Understory Trees	Evergreen Trees	Shrubs	
Type C	10 ft.	--	2	--	20	6' tall fence or wall / 4' tall berm

TABLE NOTES:

¹ A berm, wall, or fence is not required for landscape only bufferyards.

² Plant material, including overstory trees, may be installed on the inside or outside of the wall or fence facing the abutting properties. Plant material, including overstory trees, must be installed on the outside of the wall or fence facing the street.

Figure 156.F.004-1
Illustrative Bufferyards

Landscape Only Bufferyard using Overstory Trees, Understory Trees, Evergreens and Shrubs	Landscape with Berm, Wall, or Fence Bufferyard
	
	
	

D. **Bufferyard Locations.** Bufferyards shall be established within a bufferyard easement on individual lots or parcels, unless a property owners' association is established in which case bufferyards may be within common open space. Properties separated by the public street right-of-way are not considered adjoining for the purposes of this Section. Bufferyards shall be required as follows:

1. *Between Zoning Districts.* The type of required bufferyard between two adjoining zoning districts or use category in the GI zoning district, with the type determined by the intensities of the districts. Table 156.F.004-2, *District Bufferyard Standards*, establishes the required bufferyard type between the zoning district of the parcel

proposed for development and the zoning of the abutting district. Where "--" is found there is no bufferyard required.

Table 156.F.004-2
District Bufferyard Standards

Zoning of Parcel Proposed for Development	Zoning of Abutting District						
	AG, RR, RL	RM, RH	MU, UC	GC	PI, REC	GI - Heavy Industrial Uses ¹	GI - All Other Industrial Uses ¹
Residential (AG, RR, RL)	--	--	--	--	--	C	C
Residential (RM, RH)	B	--	--	--	--	C	C
Mixed-Use (MU, UC)	C	C	--	--	--	C	C
General Commercial (GC)	B	B	B	--	--	C	C
Nonresidential (PI, REC)	C	C	B	B	--	C	C
Heavy Industrial Use Category (GI)	C	C	C	C	C	--	--
All Other Industrial Use Categories (GI)	C	C	C	B	C	--	--

Table Notes:

¹ See [Section 156.C.003](#), *Use Table*, and associated specific uses and use categories as defined in [Section 156.M.002](#), *Definitions*.

2. *Along Corner and Rear Yards Abutting Collector and Arterial Streets.* When a corner or rear yard of a lot zoned RM, RH, MU, UC, GC, PI, or REC abuts collector and arterial street right-of-way, a Type B bufferyard is required. A Type C bufferyard is required for uses in the GI district.
 3. *Single-Family Residential Through (Double Frontage) Lots.* Any single-family detached or attached residential lot having both its front and rear lot lines abutting a public street, private street, or interstate highway (a double frontage lot) or a corner lot which is adjacent to a double frontage lot shall be required to have a Type C bufferyard along that corresponding rear or side yard lot line. The rear yard and front side yard building setbacks shall be measured from the farthest extent of the bufferyard.
 4. *Adjacent to Agricultural Land.* A Type A bufferyard is required for a parcel proposed for development when adjoining agricultural land that is not planned for development. At the time of development, unless no bufferyard is required, the adjoining property would also be required to provide the bufferyard required in [Table 156.F.004-2, District Bufferyard Standards](#).
 5. *Along a Natural Resource Feature, Park, or Recreation Area.* Development must meet applicable City Codes related to stream/riparian protection.
 6. *Adjacent to Public Streets.* Refer to the requirements for trees and parking lot screening in [Section 156.F.003, Development Landscaping](#).
- E. **Natural Area Exemption.** A parcel that would typically require bufferyards may be exempt from the requirement to provide bufferyards where the parcel is separated from the adjacent property by a natural area that meets or exceeds the number of plantings required by the applicable bufferyard. Natural areas shall be exempt from the shrub requirement.
- F. **Warranted Exceptions of Bufferyard Requirements.** Should a bufferyard requirement overburden a property by making development impractical, in the sole discretion of the Zoning Administrator, the width of a required buffer may be reduced, and a privacy fence, screen wall, or other measures may be used to mitigate the impact on the property to be buffered.
- G. **Credits for Existing Landscaping Improvements.**

1. *Generally*. Existing trees, fences, and landscape or retaining walls that meet, in part but not in whole, the bufferyard requirements set out herein, may be counted toward a bufferyard requirement, provided that the trees and landscaping are in good health or the fences or walls are structurally sound.
 2. *Existing Landscaping Credit*. Credit shall be given for existing trees and landscaping within bufferyards and perimeter yards.
- H. **Relationship to Other Bufferyard Requirements**. Some limited or special uses may have different requirements for bufferyards, as specified in [Section 156.C.004, Limited Use Standards](#), and [Section 156.C.005, Special Use Standards](#). If bufferyards are required by another section of this Zoning Ordinance along property boundaries that are also district boundaries, then the most restrictive bufferyard requirement is required.

Section 156.F.005, Screening

- A. **Generally**. This Section provides screening standards, including fences and walls, for the separation of adjoining residential and nonresidential land uses and screening standards for mechanical equipment, outdoor storage, and refuse containers.
- B. **Refuse Containers**.
1. Refuse containers, including dumpsters, shall be screened on all sides by the use of a permanent enclosure, with gates for disposal truck access. The enclosure shall be constructed to visibly screen the receptacle from public view and from adjoining properties. The design of the pedestrian access to the receptacle or dumpster shall be designed to minimize the view into the enclosure.
 2. The enclosure shall be landscaped to minimize the visual impact of the enclosure on surrounding properties and public thoroughfares.
- C. **Mechanical Equipment**.
1. *Overhead Utilities*. All electrical lines less than 30,000 volts must be placed underground, unless a utility provider determines that underground utilities are a safety hazard or impractical in which case this requirement may be waived by the Plan and Zoning Commission.
 2. *Ground-Mounted*. For all new development or redevelopment, all ground-mounted mechanical equipment, including, but not limited to, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, and any other related utility structures and equipment that are visible from any adjacent public thoroughfare shall be visibly screened from public view by the use of one of the following approaches:
 - a. A screening wall built of materials compatible and consistent with the materials of the principal building;
 - b. Landscape plantings of predominantly evergreen type trees and shrubs to provide year-round screening;
 - c. Fencing that has at least 80% opacity;
 - d. Permanent earth-berming; or
 - e. A combination of the above.
 3. *Roof-Mounted*. Equipment must be 100 percent screened from ground level views at all property lines by structural improvements such as:
 - a. Parapet walls with cornice treatments;
 - b. Screening walls constructed of materials consistent with the principal building; or
 - c. Sloped-roof systems or other architectural elements.

Figure 156.F.005-1
Roof-Mounted Equipment Screening

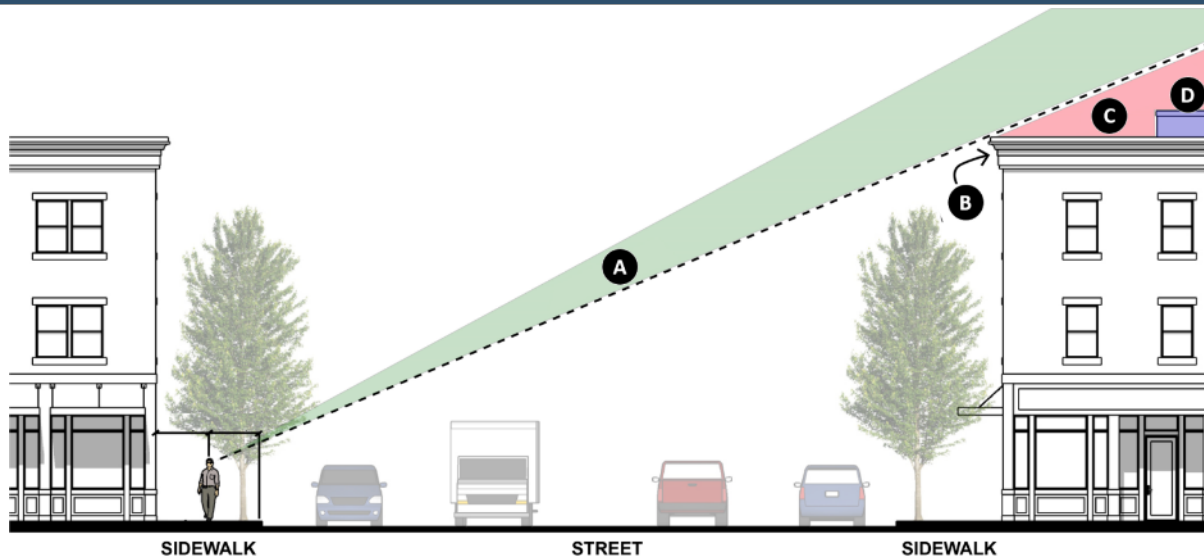


FIGURE NOTES:

A = Line of Sight | B = Parapet Wall | C = Screened Area | D = Mechanical Equipment

4. **Building-Mounted.** Mechanical equipment that is within public view must be enclosed, screened by opaque fencing or landscaping, or painted to match the building wall.
- D. **Outdoor Storage.** Except for industrial uses that are legally permitted, and uses in the GI district, all outside storage shall be screened from all rights-of-way with a fence or wall at least six feet in height. No outside storage shall be stacked in a way that it becomes visible from the public right-of-way.
- E. **Fences and Walls.** The following requirements apply to fences and walls on residential and mixed-use lots and all fences and walls with a height above average grade of 30 inches in nonresidential districts:
 1. **General.**
 - a. All fences and walls shall not adversely affect the public health, safety, and welfare of the City and shall conform to all applicable building code requirements.
 - b. Special fence requirements such as fencing provided around parks, recreation, and school facilities may be erected to a height in excess of the above limits upon approval of the Zoning Administrator.
 - c. All required screening walls shall be equally finished on both sides of the wall.
 2. **Height.** The maximum height of a fence or wall:
 - a. Within a visibility triangle shall be two feet (See [Subsection 156.B.008.a, Measurements](#));
 - b. Shall be six feet in all residential and mixed-use districts;
 - c. Shall be eight feet in nonresidential districts;
 - d. Shall be ten feet in the GI district East of 18th Avenue;
 - e. Within a required front or corner side yard setback shall be four feet;
 3. **Sight Distance.** No fence, wall, shrubbery, earthen berm, sign, or other obstruction to vision shall be permitted which serves to obstruct vision between a height of two feet and six feet, six inches on any corner lot within a triangle of 20 feet formed by intersecting street right-of-way lines.
 4. **Materials.**
 - a. **Non-residential and Mixed-Use Districts.** Fence and wall exterior materials and design shall be similar or complementary to the materials and design of the primary structure.

- b. *Allowed Materials.* Materials used for fences and walls shall be durable, and of a character commonly used in residential applications, including:
 - i. Weather-resistant or finished (painted or stained and sealed) wood;
 - ii. Ornamental wrought iron or powder-coated aluminum (except on fences/walls that are used for required screening purposes);
 - iii. Cement fiberboard;
 - iv. Vinyl;
 - v. Finished Bamboo (stained and sealed);
 - vi. Chain link with a top rail support;
 - vii. Split rail with treated wood;
 - viii. Masonry (brick, stucco-finished concrete, split face concrete masonry units, or stone), but not unfinished concrete block; or
 - ix. Combinations of these materials.
 - x. Wood, as long as any part of the fence contacts concrete or the ground is treated with preservatives approved by the U.S. Environmental Protection Agency (EPA) or is naturally resistant to decay, such as cedar or redwood. Fasteners and hardware used with treated or decay-resistant wood shall be hot-dipped galvanized, stainless steel, or coated per manufacturers standards for use with such woods.
- c. *Limited Materials.*
 - i. Used or reclaimed wood or other materials may be used provided they are in good condition and can be reasonably expected to last as long as new materials;
 - ii. Wire mesh fence may be permitted to enclose tennis courts and game and recreation areas on public land and residential lots; or
 - iii. Side or rear yard garden plots may use green garden fence, woven wire or chicken wire; provided, it does not exceed five feet in height using steel posts not exceeding five feet in height.
 - iv. In the GI district, barbed wire cradles facing inward toward the property may be placed on top of fences enclosing public utility buildings or wherever the Zoning Administrator finds that such is necessary to address security interest so long as the extension is no more than one foot.
- d. *Prohibited Materials.* The following materials are not allowed as fence or wall components:
 - i. Salvaged material or materials not specifically manufactured for fencing, including but not limited to complete or partial pallets, PVC pipe, scrap lumber, plywood, tree branches, tree trunks, sheet metal, trash, tires, junk, entry or garage doors, utility poles, landscape timbers, plastic or fiberglass sheets, spikes, nails, and razors.
 - ii. An electric, razor wire, barbed (except in the GI district, see limitations above in subsection E.4.c.iv), chicken, woven, snow (except from November 1 through March 31), plastic safety, concrete block, or grapestake fence.
 - iii. Agricultural fence products such as creosote posts, steel posts, wire panels, field fence, high tensile wire, tube gates and similar materials;
 - iv. A fence composed solely of fence posts;
 - v. Any incomplete fence consisting only of posts and supporting members;
 - vi. Any fence or wall material the Zoning Administrator determines that such structure creates a hazard to users of the street, sidewalk, or to nearby property.
- e. *Fence and Wall Orientation and Maintenance.*
 - i. *Maintenance.* Fences and walls shall be maintained in an upright position (not more than five degrees from vertical orientation), and in good condition (e.g., free of rust, peeling paint or coatings, missing or broken pickets, wood rot, and graffiti).

- ii. *Orientation.* The finished side of all fences shall face out toward neighboring property or adjacent rights-of-way. Where fences are located on the property line of residential property, the finished side of the fence shall face the yard that does not belong to the applicant, unless the applicant provides to the City written consent of the abutting property owner.

F. Obstructions.

1. No fence, screen, wall, or another visual barrier shall be located or placed to obstruct the vision of a motor vehicle driver approaching within 30 feet of any street intersection.
2. Where an alley intersects a street, no visual barrier taller than 30 inches may be placed within a sight visibility triangle.

G. Residential District Maximums. In the following residential districts (AG, RR, RL, RM, RH) or along the boundary between a residential and nonresidential district, the following standards apply:

1. *Rear and Side Yards.* No fence or wall shall exceed a height of six feet above grade.
2. *Front Yard.*
 - a. The maximum height of a fence or wall shall not exceed four feet.
 - b. Fences in the manufactured home parks shall not exceed a height of four feet.
3. *Corner Lot.* Where a corner lot is platted with two front yards, and a house is constructed facing one of the front yards, the second front yard shall also be deemed to be a front yard.

H. Nonresidential and Multiple-Family Uses.

1. *Contiguous to Residential.* Where a multiple-family or nonresidential use is contiguous to an AG, RL, or RM district, a solid wall, fence or opaque landscape screen of not less than six nor more than eight feet in height shall be erected on or near the property line separating these districts.
2. *Screening Dumpsters and Storage Facilities.* Any lot in a commercial or industrial district, with the exception of the UC and MU Districts, abutting any residential district shall be required to have adequate screening of dumpsters and storage facilities.
3. *Adjacent to Public Street.* When a side or rear yard of a multiple-family, civic, institutional, commercial, industrial, or mixed-use is adjacent to a public street, a solid wall, fence, or opaque landscape screen of not less than six nor more than eight feet in height shall be erected.

I. Exceptions to Screening Requirements. Screening requirements may be waived by the Zoning Administrator if an opaque screening of equivalent height or greater exists immediately abutting, and on the opposite side of the lot line.

Section 156.F.006, Installation and Maintenance

A. Generally. The following provisions aid in ensuring that all required landscaping is installed and maintained and properly.

B. Installation Standards.

1. *National Standards.* All landscaping and all plant materials shall be true to name, variety, and size and shall conform to all applicable provisions of the [American Standards for Nursery Stock](#), latest edition as published by the American Horticulture Industry Association.
2. *Installation.* Any required landscaping shall be in place at the time an occupancy permit is approved. Should completion of landscaping be delayed because of the season of the year, a temporary occupancy permit may be issued if the developer posts a bond or other acceptable guarantee in the amount of the landscaping as completed.
3. *Plant Size Requirement.* All installed plant material shall be sized according to Table [156.F.002-2, Minimum Plant Sizes and Varieties](#), unless otherwise noted in this article
4. *Tree Topping.* Unless a tree is interfering with an overhead power line, no trees may be topped if the limbs are three inches in diameter or greater.

5. *Nursery Stock.* Trees and shrubs planted pursuant to this Article shall be good, healthy nursery stock.
6. *Soil.* Landscaped areas associated with new development shall be prepared to achieve a soil depth of at least six inches with the depth consisting of a soil mix of compost and organic matter to reduce the need for fertilizers and increase water retention.
7. *Planters.* Architectural planters may be permitted in the UC, Urban Core zoning district and for infill development sites less than 6,000 square feet in area.
8. *Visual Clearance.* In addition to observing the sight triangle established in [Section 156.B.008, Measurements and Allowances](#), the branches of a tree in a landscape island shall maintain a minimum of five feet of clearance from the surface of the vehicle use area.

C. Maintenance Standards.

1. *Generally.* Maintenance and care of landscaping on mixed-use and nonresidential properties shall be according to the most current [ANSI A300 Standards for Tree Care Operations](#).
 2. *Conformance.* All landscaping, buffering, and screening shall be maintained at all times to conform to the regulations established in this Article. Landscaping, which is not maintained in a manner consistent with this Article shall be subject to the penalties established in [Section 156.L.003, Judicial Remedies](#).
 3. *Stormwater Drainage.*
 - a. Any landowner shall be deemed exclusively responsible for developing and implementing a plan to address stormwater drainage, which shall be submitted to the city as a part of the site plan.
 - b. The City shall not be responsible for any deficiencies which may later be determined to exist under the stormwater management plan.
 - c. The City shall undertake no corrective duties or actions concerning any said deficiencies pertaining to stormwater drainage and landscape maintenance.
 4. *Other Maintenance Standards.* In other areas, maintenance and care shall meet the following standards:
 - a. Landscape areas, including abutting landscaped portions of public rights-of-way, shall be pruned as needed to present a healthy, neat, and orderly appearance at all times.
 - b. All landscaped areas shall be irrigated as needed to ensure continuous healthy growth and development. Maintenance shall include the removal and replacement of dead, dying, or diseased plant material.
 - c. Trees extending over a street shall be kept pruned so as to not interfere with street traffic.
 5. *Tree Removal.* Nothing in this Section shall require any application or permit from any public utility provider prior to removing a tree whenever it has determined the tree poses a hazard, or interferes with restoration or continuation of utility services.
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ARTICLE G – SIGNS

Section 156.G.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Article is to:
1. *Communication.* Set out reasonable regulations for the design, location, installation, operation, repair, and maintenance of signs which facilitates businesses, residents, and other interested parties to communicate, advertise, or be identified;
 2. *Free Speech.* Provide for reasonable regulation while also safeguarding the constitutionally protected right of free speech;
 3. *Content Neutrality.* Create content-neutral sign regulations which balance the legitimate needs of individuals, entities, and organizations to convey messages with the legitimate objectives of the City to promote public safety, enhance community character and enhance private property values;
 4. *Compatibility.* Assure compatibility of signs with surrounding land uses;
 5. *Clutter.* Prevent and reduce sign clutter which can have negative consequences to the City which include, but are not limited to the following:
 - a. Undue visual distractions which may create a public safety hazard for motorists, bicyclists, and pedestrians;
 - b. Degrading the aesthetic character of the City and therefore making the City less attractive for residents, visitors, commerce, and private investment; and
 - c. Physical obstructions within the public right-of-way which create public safety hazards.
 6. *Permitting and Enforcement.* Provide timely, fair, and consistent permitting and enforcement of signage throughout the City;
- B. **Applicability.** The standards of this Article apply to the following development activities:
1. *New Development.* New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use;
 2. *Increase in Intensity.* Increase in apartment units, manufactured home pads, gross floor area, or impervious surface by 20 percent or more, cumulatively over a five-year period; or
 3. *New Sign.* Construction, placement, painting, or another form of creation of a new sign.
- C. **No Restriction on Content.** This Article regulates only the sign structure or copy design, and not the sign's content. Despite any other provision of this Article, no sign is subject to any limitation based on the content of its message. Any sign authorized in this Article may contain any non-commercial copy in lieu of any other copy.
- D. **Signs Permitted Before Effective Date.** If a permit for a sign has been issued in accordance with all City ordinances in effect prior to the effective date of this Zoning Ordinance, and provided that construction is begun within six months of the effective date of this Article and diligently built to completion, the sign may be completed in accordance with the approved permit. Such sign is subject to provisions regarding nonconforming signs in Section 156.K.005, *Nonconforming Signs*.

Section 156.G.002, General Requirements

- A. **Permit Required.** Except as otherwise provided in this Article, it shall be unlawful for any person to erect, construct, enlarge, move, or convert any sign within the City, or cause the same to be done, without first obtaining a Sign Permit issued in accordance with Subsec. 156.J.004.4, *Sign Permit*.
- B. **Actions Not Requiring a Permit.** The following actions do not require a Sign Permit:
1. *Maintenance.* Routine maintenance, not involving structural changes to the sign;
 2. *Message.* Changes of message, either manually or electronically, on an electronic message sign or changeable copy sign, subject to limitations of Section 156.G.004.J *Changeable Copy*, on the frequency of message changes.
- C. **Signs Not Requiring a Permit.** The following signs are exempted from the permit requirements of this Article, but shall be in compliance with all other applicable codes and ordinances:

1. *ATM Sign.* Signs incorporated into and designed as part of an automatic teller machine (ATM) shall be exempt, provided the sign is limited to the term "ATM" and the financial institution's name and logo.
2. *Ancillary Signs.* Three or less ancillary signs when:
 - a. No trespassing signs less than four square feet;
 - b. Placed on the door or exterior wall or window of the premises; and
 - c. No larger than four square feet in total sign area.
3. *Art and Murals.* Art and murals, provided such signs do not contain any commercial messaging. Murals within the Urban Core, UC zoning district shall be exempt provided that the mural is not on a primary facade;
4. *Athletic Field Signs.* Signs located on the field side of scoreboards and fences of athletic fields provided each sign does not exceed 32 s.f. in area.
5. *Flags.* Flags shall be permitted without a permit ensuring they not exceed 15 square feet, but not including painted or printed images of flags otherwise constituting a sign;
6. *Ghost Signs.* Ghost signs or rehabilitated ghost signs.
7. *Government Signs.*
 - a. Any traffic sign erected at the authorization of either the county, state, or federal government.
 - b. Any sign providing emergency notifications on a temporary basis lasting no more than 90 days erected at the authorization of the county, state, or federal government.
 - c. Any sign erected by the City pursuant to and in the discharge of any governmental function.
 - d. Public notices and other signs erected by government agencies or utilities;
 - e. All government signs other than those listed in this subsection C.7, a through d of this section shall be subject to the permitting requirements of this chapter.
 - f. All government signage is exempt from any fee charged related to permits issued.
8. *Grave Markers, Statues, or Sculptures.* Grave markers, statues, or sculptures that are not commercial in nature;
9. *Holiday Signs.* Holiday signs, as defined in this chapter, provided that they are installed no more than 35 days prior to the holiday for which they are customarily dedicated. Such signs shall be removed no later than 15 days after the holiday for which they are customarily dedicated.
10. *Interior Signs.* Signs located within a structure and not visible from a public or private street;
11. *Mailboxes and Addresses.*
 - a. Addresses and names printed in a standard size on a mailbox provided that the address information on the side of a residence or business shall not exceed four square feet.
 - b. Street markings indicating address information only containing address information painted on curbsides which shall not exceed four square feet.
12. *Menu Board.* Any permanently mounted accessory sign displaying the items for sale of a drive-in or drive-through restaurant shall be allowed provided that:
 - a. A maximum of two menu boards are permitted per drive aisle of a drive-through establishment.
 - b. The menu board shall not exceed 50 square feet.
 - c. The audio component of a menu board is limited to communication between customers and employees, and may not exceed a volume of five decibels over ambient sound as measured from the nearest property line.
13. *Plaques.* Plaques, tablets or names of buildings and date of erection when cut into any surface of when such sign is attached flush to the building or commemorative plaques or monuments placed by historical organizations;
14. *Private Traffic Control Signs.* Signs on private property containing no advertising that direct the movement of traffic, warn of obstacles or overhead clearances, or control parking, including entrance and exit signs provided they do not exceed six square feet in area and shall not exceed four feet in height. Signs in the PI, REC District shall not be limited in area or height.

15. *Property Identification Signs.* Any sign erected at the entrance of acreage or residential property that identifies the property by name or by name of the owner.
 16. *Railway signs.* Any sign on property owned by a railroad placed or maintained in reference to the operation of the railway.
 17. *Sidewalk Signs.* Sidewalk signs in the Urban Core (UC) and Mixed Use (MU) districts shall not require a permit or advance approval but shall conform to the following requirements:
 - a. The sign shall be removed after business hours;
 - b. The sign may not contain changeable letters on tracks;
 - c. The sign shall be properly anchored or weighted against the wind;
 - d. The sign placement shall maintain a minimum sidewalk clearance width of four feet to provide accessibility;
 - e. The sign shall be no larger than eight square feet per side and no taller than five feet.
 18. *Temporary Signs.* Temporary signs as described in Section 156.G.006, *Temporary Signs*.
 19. *Transit Shelter Sign.* Authorized signs attached to a transit shelter sign shall be exempt from any permit as long as the sign does not exceed 12 square feet. All signs shall be non-electrical. Only one sign/sign face per shelter shall be allowed.
 20. *Utility Pole Banners.* Banners on utility poles in the public right-of-way approved by the Director of Public Works;
 21. *Utility and Hazard Signs.* Safety signs, such as warnings of high voltage, explosives, hazardous materials and other dangerous situations; and
 22. *Vehicle Signs.* Signs applied directly onto the body of a car, truck, bus, trailer, or another vehicle if such vehicle is operated in the normal course of a business and such vehicle is not used primarily to display such sign.
- D. **Nonconforming Signs.** Refer to [Section 156.K.005, Nonconforming Signs](#).
- E. **Code Compliance.**
1. *Generally.*
 - a. All signs and sign structures requiring electrical connections must meet all requirements set by the City Electrician and applicable codes and ordinances of the City.
 - b. The construction, installation, erection, anchorage, and maintenance of all signs shall be subject to the applicable codes and ordinances of the City.
 2. *Wind Load Requirements.* Signs erected or placed in accordance with this Section shall withstand wind load pressures as specified in the International Building Code.

Section 156.G.003, Prohibited Signs

- A. **Generally.** This Section identifies sign types and characteristics, materials, design elements, and locations that are prohibited in the City.
- B. **Prohibited Sign Types and Characteristics.**
 1. Abandoned signs;
 2. Damaged or broken signs;
 3. Wall signs on single-family or duplex units, except that one wall sign not exceeding one square-foot shall be permitted on each single-family dwelling or duplex unit;
 4. Wall, pylon, or monument signs that functions as an advertising sign, except as expressly provided in this Article;
 5. Signs that obstruct the view of bicyclists or motorists using any street, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device, or a signal;
 6. Signs with flashing or intermitted lights or lights or reflective devices of changing degree in intensity or color that do not comply with [Section 156.G.005, Sign Illumination](#);
 7. Portable signs except as permitted in [Section 156.G.006, Temporary Signs](#), of this Article;
 8. Vehicular signs; and

9. All off-premise advertising signs and other signs not expressly permitted by this Zoning Ordinance.
- C. **Prohibited Design Elements.** The following design elements, regardless of sign type, are prohibited:
1. *Traffic Hazards.* Signs that interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color;
 2. *Safety or Health.* Signs that constitute a hazard to safety or health by reason of inadequate design, construction, repair, or maintenance;
 3. *Confusion.* Signs that use the words “stop,” “look,” “go slow,” “caution,” “danger,” “warning,” or any other word, phrase, symbol, or character in a manner that interferes with, misleads, or confuses pedestrians or traffic;
 4. *Glare.* Signs that are illuminated with lights that cause a glare into or upon surrounding property or that distract operators of vehicles or pedestrians on a public right-of-way;
 5. *Lighting.* Signs that contain reflectors, lights, or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation;
 6. *Moving Parts.* Except for changeable copy signs that otherwise comply with the requirements of this Section, signs that have visible moving, revolving, or rotating parts or visible mechanical movement of any kind, achieved by electrical or mechanical means;
 7. *Nuisance.* Sound, smoke, heat, or odor emitters;
 8. *Back-lit Awnings.* Awnings that are back-lit and/or made of plastic or vinyl, excluding substitute materials;
 9. *Unfinished Wood.* Unfinished wood support structures, except that stake signs may use unfinished stakes; and
 10. *Bare or Flashing Lights.* Bare light bulbs and flashing lights, except on holiday displays which are exempted from regulation by [Section 156.G.002.C, Signs Not Requiring a Permit](#).
- D. **Prohibited Sign Locations.** A sign, regardless of sign type, is prohibited from being in the following locations:
1. *Closed Businesses.* Signs that advertise a business or product that is no longer in existence;
 2. *Blocked Ingress or Egress.* Signs that prevent free ingress to or egress from any door, window, fire escape, or any other exit way required by the Building Code or Fire Code of the City or by any other ordinance;
 3. *Signs in Right-of-Way.* Any signs and supports that are located on the public right-of-way, except signs and supports required by a governmental authority. The public right-of-way includes, but is not limited to, public streets, alleys, medians, and parkways.
 4. *Street Intersections.* Signs that are erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection;
 5. *Roof Signs.* Signs that are placed on the roof of any building;
 6. *Outdoor Amenities.* Signs or signs attached to or located upon outdoor exposed amenities such as trees, street signs, or utility poles that are visible from any street;
 7. *Vehicles.* Signs that are painted on or attached to a motor vehicle unless:
 - a. The vehicle is operable and has current registration and tags;
 - b. The sign is an accessory sign;
 - c. The vehicle is legally parked within a parking space; and
 - d. The display of the sign is incidental to the vehicle use.
 8. *Encroachment.* Except for marquee signs, projecting signs, and hanging signs that comply with the standards of [Section 156.G.004, Permanent Signs](#), signs that are located on, or project or extend over, any public right-of-way or other public property;
 9. *Semis and Storage.* Signs that are painted on or attached to semi-trailers, shipping containers, or portable storage units except for the brand name of the semi-trailer, container, storage unit; and
 10. *Consented Locations.* Signs that are placed on private or public property without the consent of the owner or authorized agent thereof.

Section 156.G.004, Permanent Signs

- A. **Applicability.** This Section applies to freestanding signs, attached signs, and to other signs that are intended for display for more than a temporary time period.
- B. **Generally.**
1. All freestanding signs must be permanently installed in locations designated in the sign plan, and may not exceed the allowable dimensions of this Section.
 2. All attached signs must be affixed to a building wall, within the designated sign area, and may not exceed the allowable dimensions of this Section.
 3. No permanent sign shall be located in any public utility easement nor within five feet of any underground public utility.
 4. Additional sign area and height is achievable if a Master Sign Plan is approved for an eligible property pursuant to Subsec. 156.J.003.4, *Master Sign Plan*.
- C. **Unlisted Signs.** Signs that are not listed in this Section are prohibited as permanent signs.
- D. **Allowed Sign Types by District.** Table 156.G.004-1, *Allowed Sign Type by District*, identifies on-premise signs allowed by zoning district. The key for the sign types table is as follows.

Table 156.G.004-1 Allowed Sign Type by District						
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Permanent Attached Signs						
Awning	--	P	P	P	P	P
Canopy (Attached)	--	P	P	P	P	P
Hanging	--	P	P	P	P	P
Marquee	--	P	P	P	P	P
Projecting	--	P	P	P	P	P
Wall	P	P	P	P	P	P
Window	P	P	P	P	P	P
Permanent Freestanding Signs						
Access	P	P	P	P	P	P
Canopy (Freestanding)	--	P	--	P	P	P
Directory	--	P	P	P	P	P
Menu Board	--	P	P	P	P	P
Monument	P	P	P	P	P	P
Pylon (or Pole)	--	P	--	P	P	P
NOTES: "--" = Not Permitted; "P"=Permitted						

- F. **Allowed Attached Permanent Signs.** All permanently attached signs shall follow the standards established in Table 156.G.004-2, *Allowed Attached Permanent Sign Types*.

Table 156.G.004-2
Allowed Attached Permanent Signs

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI

Awning Sign						
						
Number Allowed	--	1 per building front or per storefront for a multi-tenant building				
Maximum Area	--	5 s.f. per linear ft. of awning or canopy length				
Minimum Clearance	--	8 ft. above grade				
Illumination	--	External				
Sign Permit Required	--	Yes				

Canopy (or Over-Canopy) Sign						
						
Number Allowed	--	1 per building front or per storefront for a multi-tenant building		1 per building front or per storefront for a multi-tenant building	Not Limited	1 per building front or per storefront for a multi-tenant building
Maximum Area	--	75% of canopy width	50% of canopy width	75% of canopy width	100% of canopy width	75% of canopy width
Minimum Height (copy above sign)	--	2		6	6	6

Table 156.G.004-2
Allowed Attached Permanent Signs

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Illumination	--	External or Internal		External or Internal	External or Internal	External or Internal
Sign Permit Required	--	Yes	Yes	Yes	Yes	Yes
Other Standards	--					
Hanging Sign						
						
Number Allowed	--	1 per building			1 per entrance	
Maximum Area	--	6 s.f.			10 s.f.	
Maximum Height	--	8 ft. above grade				
Illumination	--	Yes, indirect light only				
Other Standards	--	1. Not extend within 2 ft. of the curb line. 2. May be suspended under a marquee sign or under a canopy or awning.				
Sign Permit Required	--	Yes				
Marquee Sign						
						
Number Allowed	--	1 per street-facing facade				
Maximum Area	--	50 s.f. per side; 100 s.f. total		25% of wall to which it is attached		
Maximum Height	--	4 ft. from lowest point of marquee to highest point, excluding any ornamentation supported directly by the marquee				
Minimum Clearance	--	8 ft. above grade				

Table 156.G.004-2
Allowed Attached Permanent Signs

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Illumination	--	Down lighting only; only the changeable copy area may be internally illuminated				
Other Signs	--	If used, then a wall sign is prohibited on same facade				
Other Standards	--	1. May not project more than 6 ft. from the building; may require an encroachment permit. 2. Sign may be on up to three sides of a marquee.				
Sign Permit Required	--	Yes				
Projecting Sign						
						
Number Allowed	--	1 per establishment	1 per building or 1 per 20 ft. of building frontage if multiple occupants.	1 per establishment		
Maximum Area	--	1 s.f. for each linear foot of building frontage		16 s.f.		
Maximum Distance from Building Wall to Farthest Part of Sign	--	4 ft.	No more than half the distance from the building facade into the public right-of-way	4 ft.		
Minimum Clearance	--	8 ft. above sidewalk or walkway and 20 ft. above adjacent public or private street				
Minimum Clearance, Vehicular Way	--	--	--	14 ft. above street		
Illumination	--	Internal or External (down lighting only)				

Table 156.G.004-2
Allowed Attached Permanent Signs

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Other Signs	--	The area of a projecting sign is included in the total allowable area regulated under Wall Signs.				
Sign Permit Required	--	Yes				
Wall Sign						
						
Number Allowed	Home-Based Business: 1 per establishment Group Living: 1 per premise	No maximum number, subject to aggregate area restrictions.				
Maximum Area	1 s.f.	Total sign area shall not exceed 1.5 s.f. for each foot of linear frontage; a 2nd wall sign shall not exceed 0.5 s.f. per linear frontage.	Total sign area shall not exceed 1.5 s.f. for each foot of linear frontage; a 2nd wall sign shall not exceed 0.5 s.f. per linear frontage. ⁴	No maximum area	Total sign area shall not exceed 1.5 s.f. for each foot of linear frontage; a 2nd wall sign shall not exceed 0.5 s.f. per linear frontage. ⁴	
Maximum Height	The eaveline or the bottom of the second story window sill, whichever is lower.			The eaveline or building parapet wall		
Illumination	No	Yes	Yes, External Only	Yes		
Sign Permit Required	Yes					
Other Signs	--					
Other Standards	1. No wall sign shall project more than 18 inches from the building wall. 2. No wall sign or its supporting structure shall cover any window or part of a window. 3. In the UC district, wall signs shall have a texture or depth to distinguish them from the wall. 4. Buildings having a setback from the street of at least 150 feet will be permitted to have two square feet for every one linear foot of primary wall frontage.					

Table 156.G.004-2
Allowed Attached Permanent Signs

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Window Sign						
						
Number Allowed	1 per dwelling unit	Residential: 1 per dwelling unit; Nonresidential: 1 per window		1 per window		
Maximum Area	10% of window area or 2 s.f., whichever is less	Residential: 10% of window area or 2 sq. ft., whichever is less; Nonresidential: 15% of window area, or 9 sq. ft., whichever is less		30% of window area, or 16 sq. ft., whichever is less		
Illumination	No	Residential: No Nonresidential: Yes, Indirect or internal lighting; light shall be turned off when off-business hours		Yes, Indirect or internal lighting; light shall be turned off when off-business hours		
Other Signs	If used, then a wall sign is not permitted	--				
Sign Permit Required	No	Yes				

- G. Allowed Freestanding Permanent Signs.** All permanent freestanding signs shall follow the standards established in Table 156.G.004-3, *Allowed Freestanding Permanent Signs*.

Table 156.G.004-3
Allowed Freestanding Permanent Signs

Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI
Access Sign ¹						
						
Number Allowed	No more than 3 per principal use					
Maximum Area		4 s.f. per sign	6 s.f. per sign	6 s.f. per sign		
Minimum/Maximum Height	1 ft/4 ft.					
Minimum Setback (Edge of pavement / Property Line)	3 ft. /0 ft					
Illumination	Internal or External					
Sign Spacing	No two directional signs hung from separate poles shall be located within 5 feet of each other.					
Other Standards	1. All such signs located on corner lots or intersections and greater than 3 feet in height shall not be placed inside the sight triangle as described in Subsection156.B.008.a, <i>Measurements</i>. 2. There shall be no more than 4 total directional sign poles at any road intersection. 3. More than 1 sign may be hung from the same pole.					
Sign Permit Required	No					
Canopy Sign						

Table 156.G.004-3
Allowed Freestanding Permanent Signs

Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI
						
Number Allowed	--	--	--	1 per street frontage	--	1 per street frontage
Maximum Area	--	--	--	40% of the canopy fascia face per street-facing side	--	40% of the canopy fascia face per street-facing side
Minimum/Maximum Height	--	--	--	Shall not extend above the canopy fascia board	--	Shall not extend above the canopy fascia board
Illumination	--	--	--	Internal or external	--	Internal or external
Other Standards		1. Color branding shall be permitted and shall not count towards the aggregate sign total.				
Directory Sign						
						
Number Allowed	--	1 per property with a multi-tenant building				
Maximum Area	--	2 s.f. per linear foot of street frontage; maximum 100 s.f.				

Table 156.G.004-3
Allowed Freestanding Permanent Signs

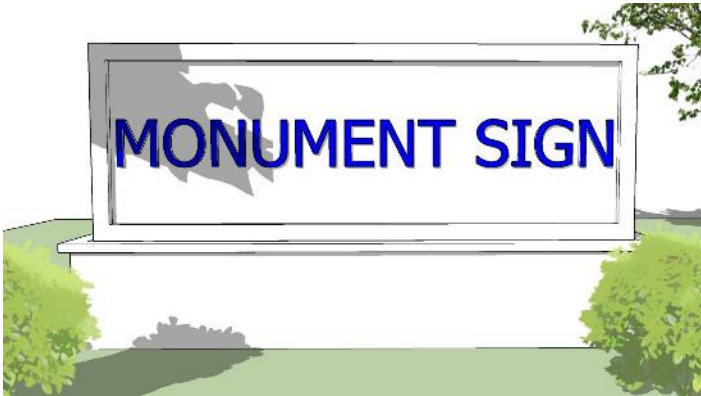
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI
Maximum Height	--	10 ft.				
Minimum Setback	--	0 ft.				
Illumination	--	Internal or External				
Sign Permit Required	--	Yes				
Other Standards		1. The bottom portion of the sign shall rest flush against the ground, allowing no space between the ground and the bottom of the sign structure.				
Monument Sign						
						
Number Allowed	--	1 per property street frontage	1 per property street frontage	1 per establishment ³	1 per entrance, not more than 2 total	1 per establishment ³
Maximum Area (per sign)	--	50 s.f.	50 s.f.	< 200 ft. of street frontage = 50 s.f. > 200 ft. of street frontage = 75 s.f.	200 s.f.	75 s.f.
Maximum Height	--	6 ft.		25 ft.		35 ft.
Minimum Setback	--	10 ft.				
Illumination	--	Internal or External				
Other Signs	----	If used, then a Pylon Sign shall not be allowed				
Sign Permit	--	Yes				
Pylon or Pole Sign						

Table 156.G.004-3
Allowed Freestanding Permanent Signs

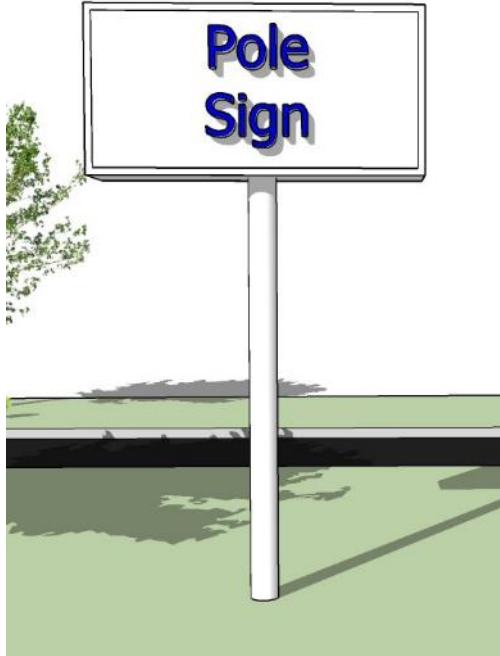
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI
						
Number Allowed	--	--	--	1 per frontage	1 per frontage	1 per frontage
Maximum Area (Per Sign Panel / Cumulative)	--	--	--	35 s.f. / 1 s.f. per linear ft. of street frontage; 250 s.f. maximum	48 s.f. per sign	120 s.f. per sign
Maximum Height	--	--	--	30 ft.	20 ft.	30 ft.
Minimum Clearance	--	--	--	8 ft. above grade and 20 ft. above adjacent drive aisle, if edge of sign is within one foot of aisle		
Minimum Setback	--	--	--	10 ft.		10
Illumination	--	--	--	Internal or External		Internal or External
Other Standards	--	--	--	The width of the support(s) of the sign shall be a minimum of 60% of the width of the sign face.		The width of the support(s) of the sign shall be a minimum of 60% of the width of the sign face.
Other Signs	--	--	--	If used, then a Monument		If used, then a Monument

Table 156.G.004-3
Allowed Freestanding Permanent Signs

Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI
				Sign is not allowed		Sign is not allowed
Sign Permit	--	--	--	Yes		Yes

TABLE NOTES: ft. = Feet; s.f. = Square feet

1. Directional signs shall only be permitted in conjunction with a religious, charitable, civic, fraternal, or similar organization.
2. Identification sign area shall be determined for residential development sites on whether the site is for single-family or multi-family types.
3. On lots fronting on three or more public streets, then two monument signs shall be permitted.

H. Additional Standards in the Urban Core (UC) District.

1. *Generally.* In addition to all applicable standards set forth within this Article, all permitted signs within the UC district shall comply with the following:
 - a. The sign shall be a secondary design element to the building upon which they are placed and/or the surroundings they are placed within; or
 - b. Signs shall fit the architectural details of a building they are placed on and relate to the architecture in at least the material, shape, or color.
2. *Prohibited Sign Treatment.* The following treatment of any sign type permitted in the UC district shall be prohibited:
 - a. Interior box-lit signs;
 - b. Flat signs with no depth;
 - c. Flat signs that do not compliment the architecture of the building. The sign shall be all in the same plane; or
 - d. Vacuum formed signs.
3. *Materials.* Signs must be made from one or more of the following materials:
 - a. Wood, such as solid cedar, cypress, white oak, and walnut. Plywood, pressboard, or other wood materials are not allowed.
 - b. Steel or stainless steel; or
 - c. Glass;
 - d. Aluminum;
 - e. Channel letters;
 - f. Wrought iron;
 - g. High-density urethane (sign foam);
 - h. Half-inch or three-quarter-inch acrylic;
 - i. Half-inch or three-quarter-inch PVC board with layers;
4. *Bracketing.* All bracketing and support materials for signs shall fit the original architectural style of the building or enhance the design of the sign. Sign pins are exempt.
5. *Illumination.* In addition to the requirements established in Table 156.G.004, the following illumination standards shall apply to signs in the UC district:
 - a. Interior lit signs must only be channel letters or have halo illumination.
 - b. Exterior lights must be gooseneck or appropriate to the original architecture of the building.

- c. Florescent lights shall be prohibited.
 - d. Lights emitting white light shall be prohibited.
 - e. No wires shall be visible from the public right-of-way.
6. **Wall Signs.** Wall Signs in the UC district shall have a texture or depth to distinguish them from the substrate they are placed upon. Individual letters and/or logos must have different depths. 20% minimum of the sign must meet these criteria.
- I. **Awnings and Marquees.** In addition to the standards established in this Section, the following standards shall be met for awning and marquee sign types in all zoning districts where permitted:
- 1. **Extension Standards.** Any awning or marquee extending over any public street or thoroughfare shall be constructed by either the following methods:
 - a. Constructed on steel beams projecting through the street wall of the structure or building and capable of supporting the weight of such canopy or marquee and an additional live load weight of 60 pounds per square foot; or
 - b. Solidly anchored against the street wall of such building or structure on steel plates bolted through the wall and hung by rigid rods anchored through such street wall and attached to the extended portion of such canopy or marquee and capable of carrying the weight thereof and an additional live load weight of 60 pounds per square foot.
 - 2. **Anchored.** Awnings shall be attached to framework securely anchored to the street wall of the building or structure in a manner approved by the Building Official.
 - 3. **Public Right-of-Way.** Any marquee or awning permitted to extend over any public street or thoroughfare shall conform to the following:
 - a. It shall not extend in one section more than 25 feet along the line of the street.
 - b. It shall provide a minimum clearance above the sidewalk of the lowest part thereof of not less than seven feet.
 - c. It shall not extend beyond the street line nearer than 18 inches to a vertical extension of the curb line.
 - d. The construction of any marquee or awning from a street wall and extending over any portion of a public sidewalk or thoroughfare shall be liable for injury to any person using such public sidewalk underneath or adjacent to the canopy, marquee, or awning resulting from any faulty construction, maintenance or dangerous condition of the marquee or awning and shall hold the City harmless for such injury.
- J. **Changeable Copy.** Changeable Copy Centers (CCC) may be permitted as an electronic message centers or manual changeable copyreader. These CCCs shall be used as an integral part of marquee signs, menu board signs, monument signs, or pylon signs subject to the applicable standards of this Section (See Figure 156.G.004-1, *Changeable Copy Center Design Requirements*), including the following design requirements:
- 1. **Enclosure.** Electronic message centers or manual changeable copy are permitted as part of a sign if they are enclosed on all sides with a finish of brick, stone, stucco, powder-coated metal, or anodized aluminum. The enclosure shall extend a minimum of six inches from the perimeter of the electronic message center in all directions. Gaps between the changeable copyreader board and the surround are permitted to accommodate locks and hinges for a cover for the changeable copy area, but only to the extent necessary for such locks and hinges to operate.
 - 2. **Size and Proportions.** Changeable copy centers square footage shall not exceed the maximum sign area permitted for that sign type within the zoning district where the proposed sign is to be located with the following requirements or limitations for the changeable copy:
 - a. **Menu Board Sign.** If a menu board sign is not visible from a residential property or a public or private street, 100 percent of the copy area may be electronic.
 - b. **Marquee Sign.** The lesser of 100 square feet or 40 percent of the sign area of a marquee sign; or
 - c. **Other Sign Types.** 25 percent of the sign area of a monument sign, pylon sign, or a menu board that is visible from a residential property or a public or private street.

- d. *Remainder of Sign Copy.* The balance of the sign area shall utilize permanent letters or symbols.
- e. *Combination of CCC Types.* No sign structure that includes a manual changeable copy sign may also include an electronic message center, and vice-versa.

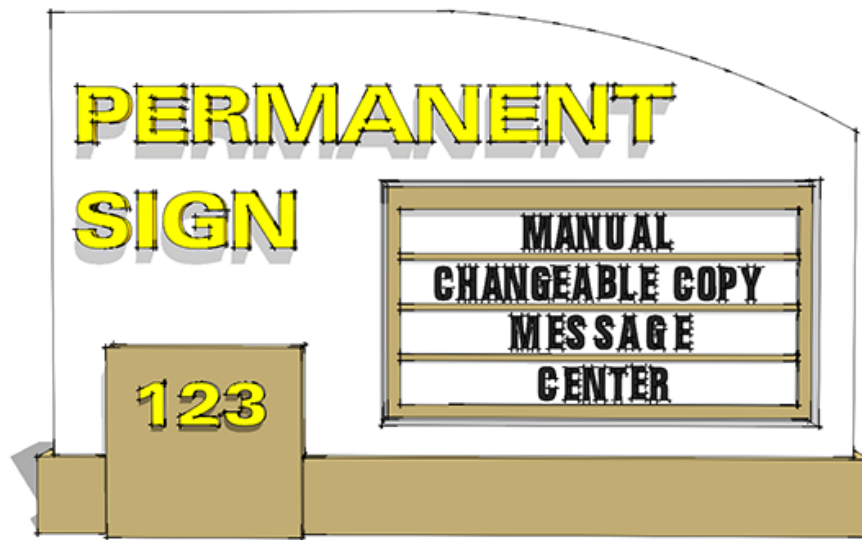
3. *Electronic Message Center Locational Requirements.*

- a. Electronic message centers shall be:
 - i. Located no closer than 100 feet to a residential dwelling unit;
 - ii. Prohibited in the UC-HD, Urban Core-Historic District, with the exception of permitted marquee signs; and
 - iii. Permitted in the UC, MU, GC, PI, REC and GI zoning districts subject to the standards in subparagraphs b and c below.
 - iv. Be limited to one such sign per lot.
- b. Electronic message centers shall not:
 - i. Blink, rotate, move, chase, flash, glare, strobe, scintillate, or in any fashion be distracting to the traveling public or the public in general;
 - ii. Include audio, pyrotechnic, or bluecasting (Bluetooth advertising) components;
 - iii. Be included on or used as portable or temporary signs; and
 - iv. Use transitions (scroll, roll, and/or fade in/out) or frame effects between messages.
- c. Electronic message centers shall:
 - i. Not be limited by color;
 - ii. Contain static messages only, excluding animation or video;
 - iii. Display messages for a period of not less than 8 seconds;
 - iv. Contain a default design that will freeze the sign in one position with no more illumination than 0.3 foot candles above ambient light if a malfunction occurs; and
 - v. Include an automatic dimmer that dims the sign at dusk or during low-light conditions.

4. *Manual Changeable Copy.*

- a. Manual changeable copyreader boards are only permitted on monument signs or marquee signs.
- b. Manual changeable copy message centers, including their frames, shall make up not more than 30 percent of the sign area. The balance of the sign area shall utilize permanently affixed letters or symbols.
- c. Lettering of manual changeable copy signs shall be of a single style and shall be of uniform color and size.

Figure 156.G.004-1
Changeable Copy Center Design Requirements



Section 156.G.005, Sign Illumination

- A. **Generally.** The standards in this Section establish the permitted level of illumination for individual sign types in [Section 156.G.004, Permanent Signs](#), and the level and type of illumination allowed (internal illumination, external illumination, or halo lit).
- B. **Color.** Illumination shall be in white light only.
- C. **Electrical Service.** When electrical service is provided to a sign, all such electrical service shall be permanently installed in accordance with the City's Electrical Code, and shall be placed underground.
- D. **Glare.** All lighting shall be arranged so that there will be no glare directed or reflected toward adjacent properties or constitute a hazard to the safe and efficient operation of vehicles upon a street.
- E. **Illumination.** Internal or external illumination of signs is permitted as follows:
 - 1. *Generally.*
 - a. Externally illuminated signs may be illuminated by either ground-mounted lights or wall-mounted light bars.
 - b. Internally illuminated signs may include halo lighting, neon, or other sources that do not exceed the brightness or flashing light standards below.
 - c. All signs shall not exceed 0.3-foot candles over ambient light conditions.
 - 2. *Flashing Lights.* Signs with flashing, blinking, or traveling lights shall have light bulbs that do not exceed 350 Lumen each.

Section 156.G.006, Temporary Signs

- A. **Generally.** The signs described in this Section may be installed or modified without a sign permit and not counted in the total square footage of signage allowed on any particular property or site, provided that the sign otherwise complies with the Building Code and with all applicable regulations of this Zoning Ordinance and the following requirements:
 - 1. The temporary signage permitted by this Section shall be regulated by the base zoning district and by number, size, height, location, duration of signs placed on a property on a temporary basis;
 - 2. All temporary signs must be made of durable materials and shall be well-maintained;

3. No temporary sign shall be located within a public right-of-way;
 4. Lighting shall only be from ambient, external illumination;
 5. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign; and
 6. The Zoning Administrator has the authority to remove any temporary signage that does not meet any and all of the requirements of this Article.
- B. **Allowed Signs.** Table 156.G.006-1, *Allowed Temporary Signs*, sets out:
1. The temporary sign types allowed in each zoning district; and
 2. The standards applicable to each sign type.
- C. **Unlisted Signs.** Signs that are not listed in Table 156.G.006-1 are prohibited as temporary signs.

Table 156.G.006-1 Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					Example Image
	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI	
Balloon Sign							
Number Allowed	--	--	--	1	--	1	
Maximum Area	--	--	--	50 s.f.	--	50 s.f.	
Maximum Height	--	--	--	20 ft.	--	20 ft.	
Illumination	---	--	--	Ambient Only	--	Ambient Only	
Maximum Days Sign May be Displayed (Cycle)	--	--	--	15 days	--	15 days	
Maximum Cycles per Calendar Year	--	--	--	4	--	4	
Banner Sign							
Number Allowed	--	1 per street frontage for a single tenant building; 1 per business in a multi-tenant building, subject to separation requirements					
Maximum Area	--	35 sq. ft.	Shall not exceed the size of permitted wall sign (see Section 156.G.004)	35 sq. ft.			

Table 156.G.006-1
Allowed Temporary Signs

Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					Example Image
	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI	
Maximum Height	--	Attached: Below eave line or parapet wall; Ground Mounted: 5 ft.	Below eave line or parapet wall	Attached: Below eave line or parapet wall; Ground Mounted: 5 ft.	Attached: Below eave line or parapet wall; Ground Mounted: 5 ft.		
Illumination	--	Ambient Only					
Minimum Separation	--	25 feet from other temporary signs					
Maximum Days Sign May be Displayed (Cycle)	--	30 days	3 days	30 days			
Maximum Cycles per Calendar Year	--	30 days	12	4			
Feather Sign							
Number Allowed	--	1 per 50 ft. of street frontage with a max. of 3 per street frontage	--	1 per 50 ft. of street frontage with a max. of 3 per street frontage			
Maximum Area	--	24 s.f.	--	24 s.f.			
Maximum Height	--	8 ft.	--	8 ft.			
Minimum Setback¹	--	5 ft.	--	5 ft.			
Illumination	--	Ambient Only	--	Ambient Only			
Maximum Days Sign May be Displayed (Cycle)	--	15 days	--	15 days			
Maximum Cycles per	--	4	--	4			

**Table 156.G.006-1
Allowed Temporary Signs**

Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					Example Image
	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI	
Calendar Year							
Freestanding Development Sign							
Number Allowed	1 per lot			2 per street frontage			
Maximum Area	48 s.f. per sign						
Maximum Height	8 ft.						
Minimum Separation	--			5 ft. between signs			
Minimum Setback¹	10 ft.	--	10 ft.				
Maximum Days Sign May be Displayed (Cycle)	Sign shall be removed upon project completion, issuance of a Certificate of Occupancy, transfer of ownership of subdivided lots or after six months of inactivity on a project or development.						
Maximum Cycles per Calendar Year	--						
Other Signs	A freestanding development sign is prohibited from a property that already has a permanent freestanding sign						
L-Frame/H-Frame Sign							
Number Allowed	1 per street frontage						
Maximum Area	9 s.f.						
Maximum Height	6 ft.						
Minimum Setback¹	6 feet; 20 ft. from an intersection						
Illumination	Ambient only						
Maximum Days Signs May be Displayed (Cycle)	90 days						

Table 156.G.006-1
Allowed Temporary Signs

Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					Example Image
	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI	
Maximum Cycles Per Calendar Year	2						
Yard Sign							
Number Allowed	No maximum number; see next row for maximum area	--	One Every 30 ft; Max. of 5	--	One Every 30 ft; Max. of 5		
Maximum Area	6 s.f. per side	--	9 s.f. per side	--	9 s.f. per side		
Maximum Height	4 ft.	--	4 ft.	--	4 ft.		
Minimum Setback¹	--	--	--	--	--		
Illumination	Ambient only	--	Ambient Only	--	Ambient Only		
Maximum Days Signs May be Displayed (Cycle)	N/A	--	30 days, with not less than 30 days between display periods	--	30 days, with not less than 30 days between display periods		
Maximum Cycles Per Calendar Year	N/A	--	--	--	--		
Directional Right-of-Way Sign							
Number Allowed	No maximum number						
Maximum Area	4 s.f. per side						
Maximum Height	3 feet						
Minimum Setback	Signs may be placed in the right-of-way.						
Illumination	Ambient Only						
Maximum number of days sign	3 days with not less than 7 days between display periods						

Table 156.G.006-1
Allowed Temporary Signs

Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					Example Image
	AG, RR, RL, RM, RH	MU	UC	GC	PI, REC	GI	
can be displayed (cycle)							
Maximum Cycles Per Calendar Year			--				

TABLE NOTES:

¹. Setback measured from Public Street ROW Line or property line.

- D. **Portable Signs.** Portable signs may be located in any nonresidential zoning district on a temporary basis through issuance of a sign permit subject to the following requirements:
1. *Maximum Size.* Signs shall not exceed 50 square feet in area;
 2. *Maximum Height.* Signs shall not exceed six feet in height;
 3. *Public Right-of-Way.* Portable signs shall not be located in any public right-of-way;
 4. *Duration.* One portable sign shall be permitted on any zoning lot for a period of not more than 60 days in any calendar year.
 5. *Off-Premises Signs.* Off-premises advertising is prohibited.
 6. *Other Standards.*
 - a. Portable signs may not be adapted for use as permanent signs.
 - b. All portable signs being displayed on the effective date of this Zoning Ordinance are subject to the above regulations and shall be removed within 30 days unless authorized in accordance with the provisions of this Article.

Section 156.G.007, Installation, Maintenance, and Removal

A. **Installation.**

1. *Identification.* Every permitted sign shall display in a conspicuous place on the sign, in letters no less than one inch in height, the date of erection, the permit number, the name of the sign manufacturer and installer, and the voltage of any electrical apparatus used.
2. *Anchoring.* Signs shall not be suspended by chains or other devices that will allow the sign to swing, due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
3. *Supports.* Supports and braces shall be an integral part of the sign design. Angle irons or wires used for supports or braces shall be hidden from public view to the extent technically feasible.
4. *Freestanding Signs.* Freestanding signs shall be self-supporting structures and be permanently attached to sufficient foundations.
5. *Attached Signs.* Attached signs must derive their principle and total support from the building to which they are attached.

6. *Use of Fill Under Monument Signs.* Mounds or berms may be used to elevate permanent monument signs, provided that the mound or berm elevates the base of the sign not more than three feet above the natural grade at the location of the sign.
 7. *Electrical Switch.* The sign shall be equipped with a switch that prevents electricity from flowing to the sign in order to promote safety during maintenance.
 8. *Inspection Request.* After any sign requiring a permit is constructed or erected, the sign contractor performing the work or service shall notify the Building Official for final inspection of the sign.
- B. **Inspection.** The Building Official or Zoning Administrator has the right to visit any site where a sign is erected or is being erected, installed, converted, relocated, enlarged, or modified in the City for the purpose of making any inspection necessary.
1. If the Zoning Administrator finds a sign to be non-conforming, the Zoning Administrator shall cause notice in writing to be given the owner of the sign or the owner of the building to which it is attached to at once remove the sign.
 2. If such owner neglects or fails to comply therewith, the Building Official or Zoning Administrator may cause the sign to be removed and the expense thereof to be assessed against the owner of the building or sign and collected as other special taxes.
 3. Anyone violating any of the provisions of this subchapter shall be subject to a fine that shall be set by resolution.
 4. Any fines issued or actions taken by the Zoning Administrator under this subsection may be appealed to the Board of Adjustment, whose decision is subject to judicial review pursuant to I.A.C. § 414.15. Removal of a sign shall be stayed during such appeal unless the sign presents a danger to public safety.
- C. **Maintenance.** Signs that do not have a permit, or are not maintained as set out in this Section, are subject to the provisions set out in this Subsection.
1. *Message.* Signs shall display messages. Signs that do not display a message for a period of more than 90 days are "abandoned signs," which are prohibited subject to [Section 156.G.003, Prohibited Signs](#).
 2. *Upkeep of Ground Around Sign.* The area within a 10-foot radius of the base of a sign shall be kept free of weeds, rubbish, or flammable waste or material.
 3. *Supports and Other Hardware.* Structural supports, braces, bolts, clips, supporting frames and fastenings of a sign shall be kept in good repair and safe condition, including replacement of defective parts, so that the sign is securely fastened or anchored to a building wall, structural framing, or other foundation.
 4. *Paint and Finishes.* Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, removed, or replaced if the running colors were not part of the original design.
 5. *Corrosion and Rust.* Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust. A patina on copper elements is not considered rust.
 6. *Level Position.* Signs that are designed to be level shall be installed and maintained in a level position.
 7. *Materials.* All signs shall be constructed of durable materials and securely attached to framework, with supports made of masonry, wood, metal, or other material of equivalent strength.

ARTICLE H – OUTDOOR LIGHTING

Section 156.H.001, Purpose and Applicability

- A. **Purpose.** The purpose of this Article is to provide regulations for outdoor lighting that will:
1. *Minimum Levels.* Permit the use of outdoor lighting that does not exceed the minimum levels specified for nighttime safety, utility, security, productivity, enjoyment, and commerce;
 2. *Off-Site Impacts.* Minimize adverse off-site impacts of lighting such as light trespass, and obtrusive light;
 3. *Light Pollution.* Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy;
 4. *Night Lighting.* Help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and
 5. *Energy Conservation.* Conserve energy and resources to the greatest extent possible.
 6. *UL Listed.* All lighting, Luminaires as the 2020 NEC calls them, shall be UL listed for the purpose they are intended for, shall not be modified in any way and shall conform to Article 410 of the 2020 NEC, NFPA 70.
- B. **Applicability.** The standards of this Article apply to the following development activities:
1. *New Development.* New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use;
 2. *Increase in Intensity.* Increase in apartment units, manufactured home pads, gross floor area, or impervious surface by 20 percent or more, cumulatively over a five-year period; or
 3. *Change in Use.* Change in use requiring additional parking spaces.
- C. **Exemptions.** The following are not regulated as by this Article:
1. *Right-of-Way.* Lighting within the public right-of-way for the principal purpose of illuminating streets or roads;
 2. *Emergency Services.* Temporary lighting used by law enforcement, fire, and other emergency services;
 3. *Monuments, Art, and Statutes.* Lighting for public monuments, art, and statuary;
 4. *Repairs.* Repairs to existing luminaires not exceeding 25 percent of total installed luminaires;
 5. *Signs.* Lighting solely for signs, which is regulated by [Article G, Signs](#); and
 6. *Underwater.* Underwater lighting in swimming pools and other water features.

Section 156.H.002, General Requirements

- A. **Generally.** Outdoor lighting installed after the effective date of this Zoning Ordinance shall not exceed the footcandle (fc) values in Table 156.H.002-1, *Illumination Standards*, and Table 156.H.002-2, *Parking Lot Lighting*.

Table 156.H.002-1 Illumination Standards				
Zoning Districts	Maximum Footcandle adjacent a Residential Property Line ¹	Maximum Footcandle Adjacent to a Nonresidential Property Line ¹	Maximum Footcandle Adjacent a Public Right of Way ¹	Average Permitted Horizontal Footcandles ¹
All values are stated in footcandles (fc)				
AG, RR, RL, RM, RH	0.2	0.2	0.5	0.2
MU, UC, GC, PI, REC	0.5	2.0	1.0	5.0
GI	0.5	1.0	1.0	2.0
Table Notes:				
1. Horizontal footcandles are measured horizontal from the surface of the property by holding a light meter parallel to the ground approximately one foot off the surface.				

- B. **Nuisance Prohibited.** Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to such abutting properties.
- C. **Parking Lot Lighting.** Parking facilities, including structured and open parking lots, spaces, drive aisles, entrances, and stairways must meet the illumination standards set out in Table 156.H.002-2, *Parking Lot Lighting*. Light fixtures must be designed and installed to prevent glare from being cast outside of any parking structure or parking lot, and shall not exceed the limits stated in Table 156.H.002-1, *Illumination Standards*.

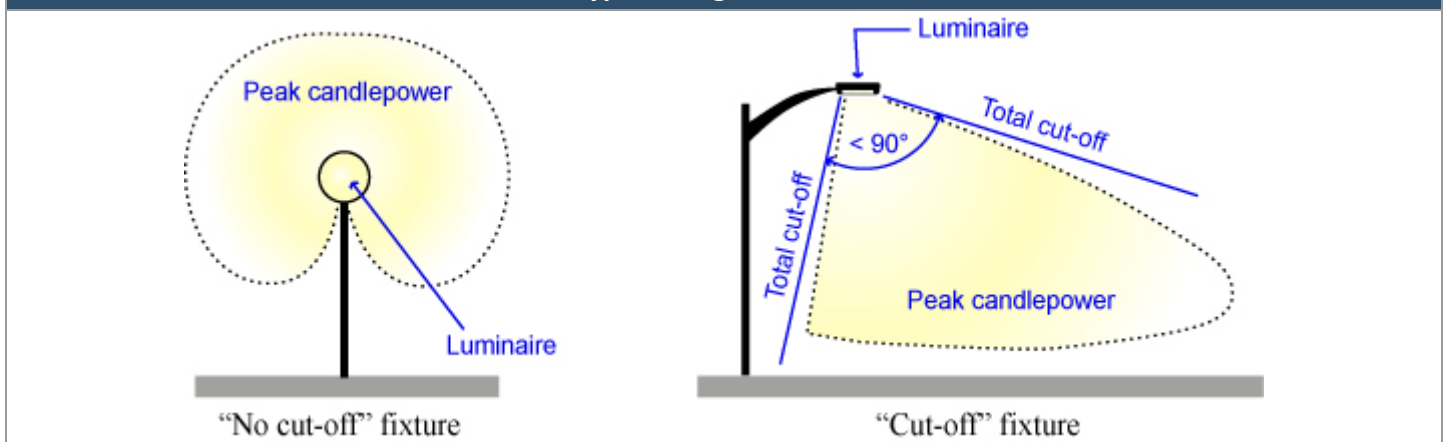
Table 156.H.002-2 Parking Lot Lighting	
Standard	Footcandle Requirement ¹
Minimum Horizontal Illuminance ¹	0.2 fc
Average Horizontal Illuminance ¹	2.0 fc
Uniformity Ratios (Horizontal Illumination) Average to Minimum	4:1
Maximum to Minimum Ratio	20:1
Table Notes: 1. Measured on the parking surface, without any shadowing effect from parked cars or trees.	

- C. **Canopy Lighting.** Canopy lighting for uses that have sheltered outside work or service areas, such as vehicle gas and fueling stations, must recess all luminaries into the canopy so that they cannot be viewed off-site from an eye height of four feet (to protect automobile drivers from glare).
- D. **Wall Pack Lighting.** Any project that proposes the use of wall pack lighting on the perimeter of the property shall be required to prepare an exterior lighting plan for review and approval by the Zoning Administrator.
- E. **Outdoor Recreation Facilities.**
- Average Permitted Horizontal Footcandle Exemption.* Illumination levels for sports facilities may exceed the maximum permitted horizontal footcandle requirements and shall be:
 - Designed to be no higher than recommended for the appropriate class of play, as defined by the current version of the Illuminating Engineering Society of North America (IESNA) publication IES RP-6-15; and
 - Comply with the maximum footcandles adjacent to residential and nonresidential property lines standards established in Table 156.H.002-1, *Illumination Standards*.
 - Shielding.* Fixtures used for non-aerial sports shall be fully-shielded. Fixtures used for aerial sports, such as baseball and softball shall be shielded to the full extent possible while also allowing the minimum of vertical illuminance needed to track the ball.
 - Certification.* Lighting systems for outdoor recreational facilities shall be designed and certified by an engineer registered in the state as conforming to all applicable restrictions of this Zoning Ordinance before construction commences.
- F. **Prohibitions.** The following are prohibited:
- Vehicular Safety.* Any fixed light not designed for roadway illumination that produces incident or reflected light that could impair the operator of a motor vehicle;
 - Searchlights.* The installation, use, or maintenance of beacons or searchlights;
 - Building Facade Lights.* Lights that are mounted on the ground or poles for the purpose of illuminating a building facade; and
 - Building Outline Lighting.* Exposed strip lighting or neon tubing used to illuminate building facades or outline buildings or windows or flickering or flashing lights installed in like fashion, except for temporary decorative lighting.

Section 156.H.003, Light Sources

- B. **Generally.** All lighting shall be shielded so the source of illumination (bulb or direct lamp image) is not visible from the property line. This reduces glare and interference with boundary streets and adjacent properties. No lamp shall extend past the housing of a light fixture.
- C. **Light Fixture Type.**
1. Light fixtures shall be:
 - a. "Full cut-off" fixtures that limit lighting that is visible or measurable at the property line;
 - b. Of constant intensity;
 - c. Reflected or shielded so as not to:
 - i. Be of excessive brightness;
 - ii. Cause glare hazardous to pedestrians or drivers;
 - iii. Create any public or private nuisance; or
 - iv. Unreasonably interfere with an adjacent property owner's right to enjoy their property.
 2. "No cut-off" fixtures, may be used only for decorative purposes, provided:
 - a. They have light fixtures that produce no more than 1,500 lumens (approximately equal to a 100-watt incandescent bulb);
 - b. They use energy-efficient bulbs, such as light-emitting diode (LED) or compact fluorescent (CFL).

Figure 156.H.003-1
Types of Light Fixtures



- D. **Cut-Off Requirements.** (See Figure 156.H.003-1, *Types of Light Fixtures*.)
1. **Full Cut-Off.** Except as otherwise allowed, all lighting (including, but not limited to vehicle use areas, canopies, security, walkway, landscaping, signs, outdoor display areas, and building) shall have 100 percent of its output below 90 degrees from a vertical line through the fixture.
 2. **Adjacent to Residential Use or District.** All lighting fixtures that are mounted on a building wall facing a property line adjacent to a residential property line or public right-of-way boundary shall be fitted with a "house side shielding" reflector on the side facing the residential property line or public right-of-way.
 3. **Flags and Statues.** Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.

Section 156.H.004, Lighting Placement and Height

A. Standards for Specific Uses and Site Features.

1. **Awnings.** Awnings or canopies used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.

2. *Canopies.* Areas under a canopy shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:
 - a. A recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy that provides a full cutoff or fully-shielded light distribution; or
 - b. A surface-mounted fixture incorporating a flat glass that provides a full cutoff or fully-shielded light distribution.
 3. *Sports and Performance Venues.* Lighting fixtures for outdoor sports areas, athletic fields, and performance areas shall be equipped with an existing glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
 4. *Wall Pack Lights.*
 - a. Wall packs on the exterior of the building shall be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and be of low wattage (100 watts or lower).
 - b. Wall pack light sources visible from any location off-site are prohibited.
- B. Maximum Fixture Height.**
1. *Freestanding Fixtures.* No freestanding light fixture shall be greater than 25 feet in height, except as set out in [Section 156.H.002.E, Outdoor Recreation Lighting](#).
 2. *Fixtures Mounted on Residential Buildings and Accessory Structures.* Fixtures that are mounted on residential buildings or accessory structures shall not be located higher than 16 feet or above the lowest point of the roof eave, whichever is lower.
 3. *Fixtures Mounted on Nonresidential Buildings.* Fixtures that are mounted on nonresidential buildings shall not be located above the highest point of the roofline of any building.
 4. *Full Cut-Off Fixtures.* Full cut-off fixtures shall have a maximum height of 30 feet.
 5. *No Cut-off Fixtures.* No cut-off fixtures:
 - a. Shall have a maximum height of 20 feet; and
 - b. Are not permitted on any side of a building that faces or abuts a residential property line.

ARTICLE I – DEVELOPMENT REVIEW BODIES

Section 156.I.001, City Council

- A. **Generally.** The City Council has all powers conferred upon it by the City of Marshalltown Code of Ordinances and the laws of the state of Iowa. With respect to decision-making pursuant to this Zoning Ordinance, in addition to the authorized acts of the Code of Ordinances, the City Council will exercise the powers set out in this Section.
- B. **Approvals.** The City Council shall have the authority to make final decisions on the development review applications denoted in Table 156.J.002.12-1, *Development Review Summary Table*. In addition, the City Council shall have the authority to approve, adopt, or amend:
1. Plans and programs for the development and redevelopment of the City, including but is not limited to, amending the text and maps of the Comprehensive Plan or other plans from time to time;
 2. The City's Capital Improvement Plan (CIP);
 3. Policies or procedures to facilitate implementation of planning programs;
 4. Proposed covenants, conditions, and restrictions as required by the City; and
 5. Any other action not delegated to any other board or commission as the City Council may deem desirable and necessary to implement the provisions of this Zoning Ordinance and the goals and objectives of the City, provided such action is not contrary to the requirements of this Ordinance or state law.
- C. **Appeals.** The City Council shall hear and decide appeals from decisions of the Plan and Zoning Commission after a public hearing, as set out in Section 156.J.002, *Common Review Procedures*.

Section 156.I.002, Plan and Zoning Commission

1. **Established.** The Plan and Zoning Commission is authorized by Iowa Code Chapter 414, *City Zoning*, and shall be established and function according to Chapter 150, *Planning*, of the City's Code of Ordinances.
2. **Powers and Duties.** The Plan and Zoning Commission shall have the authority to make recommendations to the City Council and BOA or make final decisions on the development review applications denoted in Table 156.J.002.12-1, *Development Review Summary Table*.

Section 156.I.003, Board of Adjustment

- A. **Established.** This Section establishes a Board of Adjustment (BOA), with membership, qualifications, and terms of office in accordance with and controlled by the provisions of Chapter 414 of the Iowa Code.
- B. **Powers and Duties.** The BOA shall have the authority to make final decisions on the development review applications denoted in Table 156.J.002.12-1, *Development Review Summary Table*.
- C. **Membership.** The Board shall consist of five members serving without compensation, appointed by the Mayor, subject to the approval of the Council for a term of five years; excepting that, when the Board shall first be created, one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years and one for a term of one year. Not more than two members of the Board shall be members of the Plan and Zoning Commission.
- D. **Vacancy.** Any vacancy shall be filled by appointment by the Mayor for the unexpired portion of the term. Should any member be absent from the city or become incapacitated, or disqualified, the Mayor shall appoint a substitute to serve as a member of the Board with the same powers and authority as the regular member of the Board until the regular member has returned or is able to serve on the Board.
- E. **Special Uses.** Requests for special uses shall be submitted to the Zoning Administrator, who shall forward such to the Board of Adjustment for consideration. Such requests shall include information ordinarily submitted with applications as well as any additional information deemed necessary by the Board of Adjustment.
- F. **Meetings and Procedures.**

1. *Time and Place.* Meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine. Such Chair or, in their absence, the acting Chair may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public.
 2. *Record Keeping.* The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.
 3. *Role of Secretary of the Board.* A city representative shall serve as Secretary of the Board and keep its records.
 4. *Relations to Other City Boards.* The Board shall have the power to call on any municipal department or officer for assistance in the performance of its duties, and it shall be the duty of any such department to render such assistance as may reasonably be required.
 5. *Rules of Procedures.* The Board shall adopt, from time to time, such rules and regulations as it may deem necessary to carry into effect the power and authority granted it by the provisions of this chapter or any state law.
 6. *Quorum and Necessary Vote.* The concurring vote of three members of the Board shall be necessary to decide any appeal, exception, or variation upon which the Board is authorized by this chapter to render a decision.
 7. *Decisions.* The Board shall render its decisions without unreasonable delay.
- G. **Jurisdiction.** The Board shall have the following powers and authority:
1. *Appeals.* To hear and decide an appeal where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this chapter;
 2. *Exceptions.* To grant an exception in the following instances:
 - a. In the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership after the effective date of this chapter;
 - b. In the determination that the actual street layout on the ground varies from the street layout as shown on the District Map;
 - c. In the erection and use of a building or the use of premises for railroads or public utility purposes;
 - d. In the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God or a public enemy, to the extent of more than 50 percent of its fair market value, where the Board finds some compelling necessity requiring a continuance of the non-conforming use and that the primary purpose in continuing the non-conforming use is not to continue a monopoly;
 - e. In the waiving or reduction of the parking and loading requirements in any of the districts whenever the character or use of the building is such as to make unnecessary the full provisions of the parking or loading facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or convenience;
 - f. In the permitting of land within 300 feet of a multiple dwelling to be improved for the parking spaces required in connection with a multiple dwelling;
 - g. In the determination of whether an industry should be permitted within the GI, General Industry, because of the methods by which it would be operated and because of its effect upon uses in surrounding districts;
 - h. In the extension or expansion of a non-conforming use on the same or adjoining property to provide parking for employees and for handicapped persons; and
- H. **Appeals.** Any person or persons, or any board, taxpayer, officer, department, board or bureau of the City aggrieved by any decision of the Board of Adjustment may seek review of such decision by a court of record in the manner provided by the laws of the State and particularly by Chapter 414, Code of Iowa.

Section 156.I.004, Zoning Administrator

- A. **Generally.** The Zoning Administrator is a member of the City staff who is ultimately responsible for processing an application to a final decision (in case of administrative review applications) or making a recommendation to another review body (in case of all other applications) designated by the City shall administer and enforce this Chapter.

- B. **Powers and Duties.** The Zoning Administrator shall have the authority to make recommendations or final decisions on the development review applications denoted in Table 156.J.002.12-1, *Development Review Summary Table*.

Section 156.I.005, Floodplain Administrator

- A. **Designation of the Floodplain Administrator.** The City Administrator shall appoint a Floodplain Administrator to administer and enforce the relevant provisions of this Zoning Ordinance and other appropriate sections of [Code of Federal Regulations \(CFR\) Title 44, Emergency Management and Assistance](#), pertaining to floodplain management.
- B. **Powers and Duties.**
1. Review all floodplain development permit applications to ensure that the provisions of this subchapter will be satisfied;
 2. Review all floodplain development permit applications to ensure that all necessary permits have been obtained from federal, state, or local governmental agencies;
 3. Notify adjacent communities and/or counties and the state's Department of Natural Resources prior to any proposed alteration or relocation of a watercourse;
 4. Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of floodplain management provision within this Zoning Ordinance;
 5. Review subdivision proposals to ensure such proposals are consistent with the purpose of this Chapter and advise the City Council of potential conflicts; and
 6. Shall require that no new construction, substantial improvements, or other development (including fill) be permitted within zones A1-30 and AE on the community's Flood Insurance Rate Map (FIRM), when a regulatory floodway has not been designated unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community; and
 7. May, under the provisions of CFR Title 44, [Chapter 1, Section 65.12](#), of the National Flood Insurance Program regulations, approve certain development in zones A1-30, AE, AH, on the City's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the City first completes all of the provisions required by Section 65.12.

Section 156.I.006, Building Official

- A. **Powers and Duties Relative to Matters in this Zoning Ordinance.** The Building Official shall have the authority to make final decisions on the development review applications denoted in Table 156.J.002.12-1, *Development Review Summary Table*.
- B. **Powers and Duties Relative to Matters Outside of this Zoning Ordinance.** In addition to the powers and duties set forth above, the Building Official shall perform duties as outlined in the remainder of the City's Code of Ordinances.

ARTICLE J – DEVELOPMENT REVIEW PROCEDURES

Section 156.J.001, Purpose and Application

Subsec. 156.J.001.1, Purpose

The purpose of this Article is to consolidate and standardize the City's development review procedures.

Subsec. 156.J.001.2, Applicability

- A. **Generally.** The sections of this Article apply to all development activity that requires a recommendation or final decision from City staff or a Council, Commission, or Board denoted in [Article I, Development Review Bodies](#).
- B. **Types of Procedures.** There are three types of development procedures applicable to this Zoning Ordinance, including:
1. *Legislative.* An application recommended by a Commission, Board, or Staff that requires public notice and a hearing, and a final decision by the City Council is a legislative action.
 2. *Administrative.* These applications are decided by the Zoning Administrator where no public notice or hearing is required. The decision is made using clear and objective standards or approval criteria where no limited discretion is necessary.
 3. *Quasi-Judicial.* The Board of Adjustment (Board) reviews applications for special use permits, appeals of administrative decisions, variances, determines findings of fact, and may then approve, approve with conditions, or deny an application. The decision of the Board is final and subject only to appeal by a court of competent jurisdiction.
- C. **Sequence of Development Approval.** Where more than one development review application is required by this Zoning Ordinance in order to initiate, continue, or complete a development on the same property, development review bodies shall make final decisions in the following sequence. A development review body shall make final decisions on:
1. Legislative applications prior to final decisions on all other applications;
 2. Quasi-judicial applications prior to final decisions on subdivision or administrative applications; and
 3. Applications within the same category as Table [156.J.002.12-1, Development Review Summary Table](#), assigns priority.

Section 156.J.002, Common Review Procedures

Subsec. 156.J.002.1, Pre-Application Conference

- A. **Purpose.** The purpose of a Pre-application Conference is to familiarize the applicant with the submittal requirements and review procedures, including all applicable standards and any known constraints, hazards, or special conditions associated with the subject property.
- B. **Applications Requiring a Pre-Application Conference.** Table [156.J.002.12-2, Review Steps](#), denotes the development review applications that require a Pre-Application Conference.
- C. **Scheduling.** The conference shall be scheduled at least 15 days before an application is due.
- D. **Sketch Plan.** The applicant may submit a sketch plan as a basis for discussion prior to or at the pre-application conference. The sketch plan shall be of sufficient detail to accurately convey the concept, character, location, parcel size, and the size and scale of the proposed development. The applicant may submit additional materials at his or her discretion.
- E. **Requested Submittals.** At or following the Pre-application Conference, the Zoning Administrator may request that the applicant provide additional materials at the time of application submittal as may be necessary to permit the informed exercise of judgment under the decision criteria for the application.

- F. **Disclaimer.** Outcomes of the pre-application conference shall not imply, in whole or in part, any final decision on the application.
- G. **Continuing Review Process.** After the Pre-application Conference has occurred, applications that require such conference may subsequently undergo the processes established in [Subsec. 156.J.002.3, Application Completeness](#).

Subsec. 156.J.002.2, Application and Fees

- A. **Applications and Fees.** Every development review application required by this Zoning Ordinance shall be submitted in a format and with contents established by the Zoning Administrator and shall include the corresponding application fee that is established by the City Council.
- B. **Applications Subject to Application Filing and Fees.** Table [156.J.002.12-2, Review Steps](#), denotes the development review applications that require an Application and Fees.
- C. **Authorization to Initiate an Application.** Table [156.J.002.2-1, Application Authorization](#), denotes those who are authorized to initiate each of the application types.

Table 156.J.002.2 Application Authorization			
Application Type	Council or Commission	Property Owner ¹	Party Aggrieved by an Administrative Decision ¹
Legislative Review Applications	Yes	Yes	No
Administrative Review Applications	No	Yes	No
Quasi-Judicial Applications	No	Yes	Yes
TABLE NOTES: "Yes" = Entity may initiate application "No" = Entity may not initiate application 1. Including his or her agent.			

- D. **Liens, Taxes, Assessments, and Debts to Public Entities.** No application for a permit or approval will be processed for property that is the subject of outstanding liens, delinquent taxes, delinquent assessments, or any other delinquent debts, fines, or obligations to the City, County, a school district, or other public-sector entity that provides services to the property.
- E. **Representation of Facts.** It is unlawful for any person to knowingly or willfully misrepresent or fail to include any information required by this Zoning Ordinance on any application. If development is approved upon an application that contains misrepresentations or fails to contain material facts required by the application, then the City shall place a stay or stop-work order on the development or use, which shall remain in place until such time that the approval body receives the required information to its satisfaction.
- F. **Waiver of Submittal Requirements.** The Zoning Administrator may waive certain submittal requirements in order to tailor the requirements to the information necessary to review a particular application.
- G. **Deadlines.** The Zoning Administrator may establish periodic application submittal deadlines.
- H. **Continuing Review Process.** Submitted applications shall subsequently undergo the processes established in [Subsec. 156.J.002.3, Application Completeness](#).

Subsec. 156.J.002.3, Application Completeness

- A. **Generally.** The application completeness review ensures whether or not an application is sufficiently complete to be processed. After an application is submitted, the Zoning Administrator shall review the application and determine if:
1. The application includes all required materials and information;
 2. Those parts of the application which are required to be prepared by licensed professionals are, in fact, prepared by such professionals; and

3. Any additional information that is necessary to demonstrate compliance with all of the applicable requirements of this Ordinance or that was identified as part of a Pre-Application Conference.
- B. **Applications Requiring an Application Completeness Review.** Table [156.J.002.12-2](#), *Review Steps*, denotes the development review applications that require Application Completeness.
- C. **Completeness Does Not Equate to Approval.** A determination of completeness does not mean that:
 1. During review, additional clarification or information will not be needed;
 2. The application will receive a positive recommendation or positive final decision from the applicable administrative body; or
 3. The contents of the submittal are accurate or that they comply with the standards of this Zoning Ordinance.
- D. **Incomplete Applications.**
 1. If the Zoning Administrator determines a submittal not to be complete, the Administrator shall:
 - a. Notify the applicant in writing with a list of all missing or incomplete items; and
 - b. Provide a maximum of 10 business days for the applicant to resubmit the missing or incomplete items.
 2. If the applicant does not resubmit the missing or incomplete items within 10 business days, the Zoning Administrator shall deem the submittal null and void.
- E. **Refunds.** Fees for applications deemed incomplete and null and void are non-refundable.
- F. **Continuing Review Process.** Complete applications shall subsequently undergo the processes established in [Subsec. 156.J.002.4](#), *Staff Review*.

Subsec. 156.J.002.4, Staff Review

- A. **Final Decision or Distribution.** After completeness determination, the Zoning Administrator shall, according to the review responsibilities of Table [156.J.002.12-1](#), *Development Review Summary Table*:
 1. *Review and Comment.* Review the application and provide comments to the applicant, which may include required revisions;
 2. *Review and Decide.* Review and make a final decision on the application; or
 3. *Distribute.* Distribute the application to City staff or outside agency for recommendation or final decision.
- B. **Applications Requiring Staff Review and Referral.** Table [156.J.002.12-2](#), *Review Steps*, denotes the development review applications that require a Staff Review.
- C. **Required Revisions.**
 1. *Comments.* During application review, the Zoning Administrator may provide comments from City staff or outside agencies or other administrative bodies, where applicable, to the applicant. The applicant shall revise and resubmit the application with the requested changes.
 2. *Resubmittal.* Upon receipt of the resubmittal, the Zoning Administrator may refer the application to agencies again if the changes substantially affect the interests of the agency in ways not anticipated by the agency's original comments, or require the agency's technical expertise for appropriate review.
- D. **Administrative Recommendation or Decision.** Promptly after submittal of a complete application that addresses the comments (or, after finding that no revisions are required):
 1. *Administrative Applications.* If the application is for a review procedure addressed in [Section 156.J.004](#), *Administrative Review Procedures*, then the City staff member denoted in Table [156.J.002.12-1](#), *Development Review Summary Table*, shall approve, conditionally approve, or deny the application, as appropriate. Applications receiving approval may subsequently undergo the processes established in [Subsec. 156.J.002.10](#), *Inactive or Expired Applications*.
 2. *Legislative and Quasi-Judicial Applications.* If, according to Table [156.J.002.12-2](#), the application requires a public meeting or public hearing prior to a final decision, then the applicable City staff member shall forward a recommendation to the next administrative body who will consider it for further recommendation or final decision.

- E. **Common Review Criteria.** In addition to all other applicable provisions of this Zoning Ordinance, City staff and administrative bodies shall consider the provisions of [Subsec. 156.J.002.5, Common Review Criteria](#), when making a recommendation or a final decision.
- F. **Continuing Review Process.** Applications requiring a public meeting or hearing shall subsequently undergo the processes established in [Subsec. 156.J.002.6, Public Notice](#), and [Subsec. 156.J.002.7, Public Meetings and Hearings](#).

Subsec. 156.J.002.5, Common Review Criteria

- A. **Generally.** In determining whether to approve, approve with conditions or modifications, or deny an application, the applicable review bodies shall consider the common review criteria denoted in [Table 156.J.002.5-1, Common Review Criteria Applicability](#). Additional review criteria may apply and are enumerated in the specific review procedures within this Article.
- B. **Applications Subject to Common Review Criteria.** [Table 156.J.002.5-2, Review Steps](#), denotes the development review applications that are applicable for the use of Common Review Criteria.

Table 156.J.002.5-1 Common Review Criteria Applicability			
Common Review Criteria	All Applications ¹	Legislative Applications ¹	Quasi-Judicial Applications
The request complies with the applicable standards of this Zoning Ordinance, the City Code of Ordinances, and any applicable county, state, or federal requirements.	Yes	No	No
The request substantially conforms to any associated prior approval for the development, including, but not limited to, a Special Use Permit, Master Development Plan, or Site Plan.	Yes	No	No
The administrative body has considered the recommendation of Staff.	No	Yes	Yes
The request is consistent with applicable policies of the Comprehensive Plan and applicable utility plans and capital improvements plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.	No	Yes	Yes
The request promotes the purposes of this Zoning Ordinance as established in Section 156.A.002, Purposes , and in other applicable purpose statements in this Chapter.	No	Yes	Yes
Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other improvements are present or are planned to be provided.	Yes	Yes ²	Yes
The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the general character of the area.	No	Yes ²	Yes
TABLE NOTES: "Yes" = Common Review Criteria applies for all applications. "No" = Common Review Criteria does not apply for all applications. 1. Excluding Appeals of Administrative Decisions. 2. Excluding Zoning Ordinance Text Amendment.			

Subsec. 156.J.002.6, Public Notice

- A. **Generally.** Public notice, if required, shall be provided in accordance with the requirements of this Subsection. The content of notices shall be according to the policies adopted by the City and as required by [Iowa Code, Sec. 362.3](#).
- B. **Required Notice.** Set out in Table [156.J.002.6-1, Required Notice](#), are the required notices established for each type of application or procedure. Administrative approvals and procedures do not require notice and therefore are not listed in the Table. It shall be the policy of the City to give as full and adequate notice as practicable to all interested persons and to the general public, but the good-faith failure to mail notice to any person entitled in this Subsection, except as specified in Chapter 414, of the Iowa Code, shall not be grounds for upsetting any action taken.
- C. **Content of Notice.** The notice shall include:
1. The date, time, and place of such hearing;
 2. A description of the contents of the matter to be heard; and
 3. The address or location of the property involved and to be discussed at the public hearing.
- D. **Setting Hearing.** For all matters properly brought before the Board of Adjustment or the Plan and Zoning Commission for which a public hearing is required by this Zoning Ordinance, the development review body charged with conducting the public hearing shall, upon receipt of a completed application, select a reasonable time and place for such hearing; provided, however, that such time shall be not later than 60 days following the submission of the subject application, unless the applicant shall agree to some later time.

Table 156.J.002.6-1 Required Notice				
Review Procedure	Application Type	Review Body	Publication	Posted
Legislative Applications	Text Amendment	City Council	Required	Not Required
	Zone Change		Required	Required
Quasi-Judicial Applications	Special Use Permit	Board of Adjustment	Required	Required
	Variances		Required	Required
	Appeals of Administrative Decisions		Not Required	Not Required

E. **Procedural Requirements for Notice.**

4. **Contents.** All notices shall contain, at minimum, the following information:
 - a. The name of the owner, applicant, engineer, architect, or other parties involved;
 - b. Lot, block, and address of the subject property, or, if none apply, the general location based on the nearest street intersection;
 - c. For variances, a reference to the Zoning Ordinance provision that is the subject of the variance;
 - d. The address, date, and time of the public hearing.; and
 - e. The necessary information for obtaining assistance for physically impaired persons who wish to attend the hearing.
5. **Published Notice.** The Zoning Administrator shall arrange for notice of a required public hearing to be published in one issue of an official newspaper of general circulation in the City, as applicable and as required by state law.
6. **Posted Notice.** Notice is given by a sign posted on the property in one or more locations that are visible from a public street.
 - a. Notice will read “Public Hearing” and provide Housing and Community Development Office contact information.
 - b. Post notice signs on each street frontage of a site under consideration to inform the public of a proposed land use plan amendment or zone change and the time and place of the public hearing. The sign shall be black letters on a white sign board and dimensioned as established by the Zoning Administrator.

- c. If multiple properties are under consideration, post signs at least every 600 feet along each street frontage.
 - d. It is the responsibility of the property owner to ensure that the signs are maintained and visible from the street rights-of-way in accordance with the provisions of this Section. Failure to maintain the public notice signs may be considered, along with all other facts and circumstances, in determining whether the request is granted. Any person who removes a public notice sign without the property owner's consent shall be guilty of a misdemeanor.
 - e. Public notice signs must be erected no less than seven days before the hearing and shall remain in place until the final hearing.
 - f. Remove signs within seven days after a final decision has been made.
- F. **Constructive Notice.** Failure of a surrounding property owner to receive notice of a hearing shall not affect the validity of the final decision.

Subsec. 156.J.002.7, Public Meetings and Hearings

1. **Generally.** All meetings of the City Council, Plan and Zoning Commission, and Board of Adjustment shall be open to the public except as otherwise provided by the Iowa Open Meetings Law and Public Records Law set out in [Chapters 21](#) and [22](#) of the Iowa Code. However, not all decisions require public hearings. Therefore, recommendations and decisions that are authorized by this Zoning Ordinance are classified as requiring a "public meeting" or "public hearing."
2. **Applications Requiring Public Meetings and Hearings.** Table [156.J.002.12-2, Review Steps](#), denotes the development review applications that require public meetings and hearings.
3. **Joint Meetings.** Any public hearing required by this Ordinance or the laws of the State of Iowa may be held jointly with any public hearing required to be held by City Council or Plan and Zoning Commission, but not by the Board of Adjustment. Such joint meetings may be held after public notice as required by law.
4. **Consent Agenda.** The consent agenda may consist of all matters brought before the City Council, Plan and Zoning Commission, and Board of Adjustment for action that does not require a public hearing. All items on the consent agenda shall be approved simultaneously by motion without comment or debate. An item may be removed from the consent agenda prior to approval at the request of any member of the Board, Plan and Zoning Commission, or City Council present at the meeting, or by City staff. Items removed from the consent agenda shall be considered on the regular agenda.
5. **Public Hearings.**
 - a. **Procedures.** The City Council, Plan and Zoning Commission, and Board of Adjustment follow Robert's Rules of Order as set out in Section 2.04.030, Robert's Rules of Order, as amended from time to time, for the conduct of public hearings. All other matters pertaining to the conduct of hearings shall be governed by the provisions of this Ordinance pertaining to, and the rules promulgated by, the body conducting the hearing. The following general procedures shall be reflected in the adopted rules of procedure.
 1. Any person may appear at a public hearing, submit evidence, and be heard.
 2. If a speaker represents an organization, the body conducting the hearing may request written evidence of that person's authority to speak on behalf of the group in regard to the matter under consideration.
 3. Persons appearing at a public hearing shall identify themselves and state their address and similar information about any organization they represent.
 4. Citizens, applicants, and the City have the right to present expert witnesses.
 5. The chairperson may impose a reasonable time limit on speakers and may limit testimony that is irrelevant or redundant.
 - b. **Pre-hearing Examination.** At any time following the giving of notice as required in Subsec. [156.J.002.6, Public Notice](#), and upon reasonable request, any person may examine the application and all other documents on file with the secretary of the body holding the hearing pertaining to the matter subject to such notice. In addition, any person shall be entitled to copies of such application and documents upon reasonable request and payment of a fee as established from time to time by the City Council to cover the cost of such copies.

- c. *Right to Submit Written Statements.* Any person may at any time prior to the commencement of a hearing, or during such hearing, or within such time as may be allowed by the development review body following such hearing, submit written statements in support of or in opposition to the application being heard. Such statements shall be made a part of the public record of the hearing.
 - d. *Representation.* Persons appearing before the Board of Adjustment, Plan and Zoning Commission, or City Council may appear in person, through an online meeting platform when public hearings are held in such format, or through a representative or agent. The representative or agent shall provide satisfactory proof of his or her authority upon the request of the Board of Adjustment, Plan and Zoning Commission, or City Council.
 - e. *Quorum.* The number of members of the Board of Adjustment or Plan and Zoning Commission is required in order to constitute a quorum is set out in the applicable Subsections of [Article I, Development Review Bodies](#). The number of members of the City Council that is required in order to constitute a quorum is set out in Iowa Code [§380.4](#).
6. **Decisions.**
- a. *All Decisions.* Except when voice votes are authorized, a vote shall be conducted in a manner that the public may know the vote of each person entitled to vote.
 - b. *Plan and Zoning Commission and City Council Decisions.* The following shall apply to applications as established in [Section 156.J.003, Legislative Review Procedures](#):
 - 1. Except where this Zoning Ordinance or state statutes provide otherwise, official action requires the concurring vote of a majority of a quorum present.
 - 2. Failure of the Plan and Zoning Commission to act within 30 days shall be deemed a recommendation to the City Council to approve applications as submitted.
 - 3. Within 60 days, or a period as may be agreed to by the applicant, following the receipt of the recommendation of the Commission, or the failure of the Commission to act as provided above, the Council shall:
 - i. By a duly adopted resolution, approve the application with or without conditions to be accepted by the applicant as a condition of approval.
 - ii. Refer the application back to the Commission for further consideration of specified matters; or
 - iii. Refuse to approve the application;
 - iv. Failure of the Council to act within 60 days shall be deemed a final denial of the application.
 - c. *Board of Adjustment Decisions.* In accordance with [Iowa Code Chapter 414](#), official actions of the Board of Adjustment require the concurring vote of three regular members of the Board.

Subsec. 156.J.002.8, Continuances and Withdrawals

- A. **Generally.** Consideration of applications may be continued, or applications withdrawn as provided in this subsection.
- B. **Applications Subject to Continuance and Withdrawal Provisions.** Table [156.J.002.12-2, Review Steps](#), denotes the development review applications that are eligible for Continuances and Withdrawals.
- C. **Continuances.**
 - 1. *Request or Motion to Continue.* Consideration of an application may be continued upon motion of the City Council, Plan and Zoning Commission, or Board of Adjustment or upon request of the applicant before a decision is made on the application.
 - 2. *Period of Continuation.* Should any item before the City Council, Plan and Zoning Commission, or Board of Adjustment be tabled in anticipation of information or events to occur prior to rendering a decision, such tabling shall be for not longer than the second meeting following the meeting at which the time was tabled.

Subsec. 156.J.002.9, Successive Applications

- A. **Generally.** It is the policy of the City not to hear successive applications for a substantially similar application after an application is denied. The limitations of this Subsection prevent the consideration of successive applications.

- B. **Applications Eligible for Successive Applications.** Table 156.J.002.12-2, *Review Steps*, denotes the development review applications that are eligible for Successive Applications.
- C. **Second Applications Without New Grounds Barred.** Whenever any application, appeal, or other request has been denied on its merits, a second application, appeal, or other request seeking essentially the same relief shall not be brought unless, in the opinion of the Zoning Administrator or development review body before which it is brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.
- D. **New Grounds to be Stated.** Any second application shall include a detailed statement of grounds justifying consideration of the application.
- E. **Summary Denial With or Without Hearing.** Second applications may be denied summarily, and without hearing, on a finding that no grounds appear which warrant a new hearing. In any case where an application is set for hearing, the applicant shall be required to establish grounds warranting reconsideration of the merits of the application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the application may be summarily dismissed.
- F. **Exception.**
 - 1. *One Year.* Any second application filed more than one year after the final denial of a prior application shall be presumed to be based on new grounds and shall be heard on the merits as though no prior application has been filed.
 - 2. *Final Denial.* Final denial shall be considered the occurrence of the later of the following events:
 - a. Thirty days from the date of denial by the Board, Council, or Commission; or
 - b. The date of entry of any final ruling or decision by the highest court which the Board and Council's denial is appealed to; or
 - c. The date of any voluntary dismissal of any appeal of the Board and Council's denial; or
 - d. In all other circumstances the Board, Council, and Commission shall determine, in its sole discretion, the date of final denial.

Subsec. 156.J.002.10, Inactive or Expired Applications

- A. **Generally.** Applications for development approval and permits must be diligently pursued by the applicant.
- B. **Applications Subject to Inactive and Expired Application Provisions.** Table 156.J.002.12-2, *Review Steps*, denotes the development review applications that are subject to inactive and expired application provisions.
- C. **Expiration of Inactive Applications.**
 - 1. *Application.* When an action by the applicant is required for further processing of an application (e.g., submittal of supplementary documentation), the application shall become void six months after the date that the action is requested if:
 - a. The applicant fails to take action; or
 - b. The applicant fails to request an extension of time pursuant to paragraph D, *Extension of Time*, below.
 - 2. *Development Approval.* When an action by the applicant is required for further processing of an application for development approval, the application shall become void six months from receipt of the application if the application has remained dormant during that period where no activity has occurred toward the completion of the application where changes or corrections are required or where instruments or documents requested or required is not forthcoming within that period from the property owner or authorized agent.
 - 3. *PUD Approval.* In the event the first development phase has not commenced within two years after the date of rezoning, or if subsequent phases are delayed more than two years beyond the indicated development schedule, the applicant shall file appropriate information detailing the reasons for the delay. The Zoning Administrator shall review the circumstances and prepare a report recommending appropriate action to be taken concerning the PUD. The Plan and Zoning Commission and Council shall review the matter, and may:
 - a. Continue the PUD zoning with revised time limits;
 - b. Require that appropriate amendments be made or action taken to comply with this Section;

- c. Continue with PUD zoning for part of the area, with or without revised time limits, and initiate rezoning of the remainder to an appropriate district; or
 - d. Initiate rezoning of the entire parcel to an appropriate district, provided, unless subjected to a comprehensive planning analysis, the rezoning is not to a zone more restrictive than the one applied immediately prior to the rezoning to PUD.
4. *Refunds.* No refunds of application fees will be issued to applicants whose applications expire pursuant to this Subsection.
- D. **Extension of Time.** The time for expiration of an application may be extended by up to six months upon written request of the applicant before the end of the period set out in paragraph C, *Expiration of Inactive Applications*, above.
- E. **Effect of Expiration.** Applications that expire shall automatically become null and void, closed, and discarded without further notice or activity by the City. Any application, will be treated as a new application, subject to requirements in effect at the time of the most recent submittal, and with new fees.

Subsec. 156.J.002.11, Approval Extension

- A. **Generally.** Applicants shall diligently pursue completion of development projects. Accordingly, this Subsection voids unapproved applications for Legislative, Administrative, and Quasi-Judicial applications that become stale due to inaction by the applicant. In addition, this Subsection allows for an extension of the life of such stale applications and of the expiration deadlines established in Table 156.J.002.12-1, *Development Review Summary Table*, for approved applications that may expire due to inactivity of the applicant.
- B. **Applications Subject to Approval Extension.** Table 156.J.002.12-2, *Review Steps*, denotes the development review applications that are subject to approval extension provisions.
- C. **Extension of Time.**
- 1. *Request.* Prior to the expiration of an approved application or unapproved stale application, the applicant may request in writing an extension of the expiration date of up to six months.
 - 2. *Amendments.* If the City Council amends this Zoning Ordinance or adopts other applicable regulations during the period of time when the application was stale, the application shall:
 - a. Not be subject to compliance to the new regulations until the original application is considered to be voided; and
 - b. Become subject to the new regulations and ordinances if the period of time to request an extension lapses.
 - 3. *Expiration of Extension.* Approved applications or unapproved stale applications shall expire after the six-month extension lapses if the Zoning Administrator determines that the applicant is not actively pursuing action to complete the development or address comments.

Subsec. 156.J.002.12, Development Review Summary Table

- A. **Generally.** Procedures for obtaining development review approval pursuant to this Zoning Ordinance are summarized in this Section.
- B. **Applications and Procedures.** Each application required by this Zoning Ordinance is spelled out in Table 156.J.002.12-1, *Development Review Summary Table*, below.

Table 156.J.002.12-1 Development Review Summary Table					
Development Application (Reference)	Submittal Timing	Expiration ¹	Review Responsibilities		Applicable Standards
			Recommendation	Final Decision	
ADMINISTRATIVE APPLICATIONS: Require final decisions in which City staff apply the standards in this Zoning Ordinance. Administrative applications typically require objective analysis by City staff and may involve the exercise of very limited discretion.					

**Table 156.J.002.12-1
Development Review Summary Table**

Site Plan (156.J.004.1)	In order to make a limited modification to a site plan that has already been approved but that has not received a Certificate of Occupancy	365 days	Zoning Administrator		--
Building Permit (156.J.004.2)	Prior to erecting, altering, replacing, relocating, rebuilding, repairing, or restoring a principal or accessory building or structure	180 days	Zoning Administrator	Building Official	--
Floodplain Development Permit (156.J.004.3)	Prior to initiating or continuing any development or substantial improvement within a regulatory floodplain as shown on a Flood Insurance Rate Map (FIRM)	90 days	Floodplain Administrator		Section 156.C.006
Sign Permit (156.J.004.4)	Prior to constructing, installing, placing, relocating a sign, or modifying a sign's dimensions or illumination	The use associated with the sign is abandoned; The sign is removed or abandoned; or The sign is not completely constructed, installed, placed, changed, relocated, or attached within 180 days from the date of the Sign Permit issuance	Zoning Administrator		Article G
Master Sign Plan (156.J.004.5)	Prior to or concurrent with submittal of a Site Plan, Planned Unit Development Plan, or Sign Permit	2 years	Zoning Administrator		Article G
Certificate of Occupancy (156.J.004.6)	Upon completion of construction or before a change in occupancy	None	Building Official		--
Administrative Adjustment (156.J.004.7)	In order to adjust a numeric standard in this Zoning Ordinance by up to 10 percent	Same as application being modified	Zoning Administrator		--
Temporary Use Permit (156.J.004.8)	Prior to establishing a temporary use related to a public or commercial event	180 days	Zoning Administrator		Section 156.C.008
Limited Use Permit (156.J.004.9)	Prior to establishing, changing, or expanding a limited use	180 days	Zoning Administrator		Section 156.C.004
Floodplain Variance (156.J.004.10)	Prior to or concurrent with submittal of a Floodplain Development Permit	180 days	Floodplain Administrator		Section 156.C.006
LEGISLATIVE APPLICATIONS: Require final decisions that establish or change the way the use, design, or development of land will occur on a site-specific, City-wide, or intermediate scale. Elected and appointed administrative bodies make final decisions based on general considerations of fostering and preserving the public health, safety and general welfare, including the City's fiscal well-being. Such final decisions are characterized by the exercise of broad discretion.					
Text Amendment (156.J.003.1)	Prior to amending ZO	None	Zoning Administrator	City Council	--
Zone Change (156.J.003.2)	Prior to establishing or expanding a use or residential density prohibited in the current zoning district		1st: Zoning Administrator 2nd: PZC		--
Master Development Plan (156.J.003.3)	Concurrent with or subsequent to a zone change application and	2 years	Zoning Administrator	PZC	Article D

**Table 156.J.002.12-1
Development Review Summary Table**

	prior to plats, plans or permits for a mixed-use center				
QUASI-JUDICIAL APPLICATIONS: Require final decisions that establish the way design or development will occur on specific sites in manners that either vary from the standards of this Zoning Ordinance or that are contested by an aggrieved party. The Board of Adjustment makes final decisions based on findings of fact and analysis of how specific provisions of this Zoning Ordinance and the Comprehensive Plan apply to the site. Such final decisions are characterized by exercise of discretion.					
Special Use Permit (156.J.005.1)	Prior to the operation of any land use that is designated as a special use	180 days	1st: Zoning Administrator 2nd: PZC	BOA	Section 156.C.005
Variance (156.J.005.2)	Prior to or concurrent with submittal of a Site Plan, Building Permit, or Sign Permit	180 days	Zoning Administrator		Article B, Article D, Article E, Article F
Appeal of Administrative Decision (156.J.005.3)	Within 30 days after a final decision by the Zoning Administrator or Building Official on a matter addressed in this ZO	None	Zoning Administrator		--
KEY: "ZO"= Zoning Ordinance; "PZC" = Plan and Zoning Commission; "BOA" = Board of Adjustment					
TABLE NOTES:					
1. Measured from the date of approval. Expiration occurs if the applicant does not diligently pursue completion of the project or the subsequent required approval. See Subsec. 156.J.002.10, <i>Inactive and Expired Applications</i> .					

- C. **Review Steps.** Table 156.J.002.12-2, *Review Steps*, summarizes the review procedures involved in the development proposal process.

**Table 156.J.002.12-2
Review Steps**

General Review Procedures (Subsection Reference)	Administrative Applications	Legislative		Quasi-Judicial		
		ZO Text Amendment	All Other	Written Interpretation	Variance	Appeals
Pre-Application Conference (156.J.002.1)	No	No	Yes	No	No	Yes
Applications and Fees (156.J.002.2)	Yes	No	Yes	No	Yes	Yes
Application Completeness (156.J.002.3)	Yes	No	Yes	No	Yes	Yes
Staff Review (156.J.002.4)	Yes	Yes	Yes	Yes	Yes	Yes
Common Review Criteria (156.J.002.5)	Yes	Yes	Yes	Yes	Yes	Yes
Public Notice (156.J.002.6)	No	Yes	No	No	Yes	Yes
Public Meetings and Hearings (156.J.002.7)	No	Yes	Yes	No	Yes	Yes
Continuances and Withdrawals (156.J.002.8)	No	No	Yes	No	Yes	Yes
Successive Applications (156.J.002.9)	No	No	Yes	No	Yes	Yes

Inactive or Expired Applications (156.J.002.10)	Yes	No	Yes	No	Yes	Yes
Approval Extension (156.J.002.11)	Yes	No	Yes	No	Yes	Yes
KEY: "Yes" = Common Review Procedure Required; No = Common Review Procedure Not Required						

SECTION 156.J.003, LEGISLATIVE REVIEW PROCEDURES

Subsec. 156.J.003.1, Text Amendment

- A. **Generally.** The text of this Zoning Ordinance may warrant amendment from time to time. In these instances, this Subsection establishes the process to change the text of this ZO.
- B. **Applicability.** This Section is applicable to Text Amendments initiated by the Plan and Zoning Commission, City Council, or any other staff or decision-making body set out in [Article I, Development Review Bodies](#). A Text Amendment may transform a legally nonconforming situation into a conforming one. However, no Text Amendment shall be for the sole purpose of curing a violation of any part of this Zoning Ordinance.
- C. **Decision Criteria.** In determining whether to approve, approve with modifications, or deny a Text Amendment, the review bodies shall consider provisions of Subsec. [156.J.002.5, Common Review Criteria](#), together with the following:
 1. *Impact Mitigation.* The proposed amendment helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, wildlife protection, and vegetation; or will be neutral with respect to these issues;
 2. *Changing Condition.* The proposed amendment is necessary to address a changing condition that was not anticipated in the Comprehensive Plan or this Zoning Ordinance; and
 3. *Strategic Objectives.* The proposed amendment advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives.
- D. **Procedures.**
 1. *Review and Decision.* The Zoning Administrator shall make a recommendation on the proposed Text Amendment to the City Council, who shall subsequently conduct a public hearing before making final action to approve, approve with modifications, or deny the proposed Text Amendment.
 2. *Public Notice and Public Hearing.* The required public notice and public hearing as denoted in Table [156.J.002.12-2, Review Steps](#), shall be conducted in conformance with the procedures set out in Subsection [156.J.002.6, Public Notice](#), and Subsec. [156.J.002.7, Public Meetings and Hearings](#).
 3. *Non-Substantive Amendments.* Notwithstanding the other provisions of this Subsection, the City Council may, by resolution, without being required to comply with any public notice requirement per either state law or Subsection [156.J.002.6, Public Meetings and Hearings](#):
 - a. Correct spelling or punctuation errors;
 - b. Modify cross-references (because another area of the City's Code of Ordinances has been moved or amended);
 - c. Correct cross-reference errors; and
 - d. Other matters determined by the City Attorney to be non-substantive.
 4. *Substantive Amendments.* The Plan and Zoning Commission shall review and conduct a public hearing on any substantive amendment prior to making a recommendation to the City Council.
- E. **Effect of Approval.** Approval of a Text Amendment shall take effect upon the effective date of the ordinance approving the amendment.

Subsec. 156.J.003.2, Zone Change

- A. **Generally.** A Zone Change changes the zoning district of a property on the Official Zoning Map from one zoning district to another.
- B. **Applicability.** A Zone Change (map amendment) may be initiated by the owner of the property to be rezoned or their authorized agent or representative, the City Council, or the Plan and Zoning Commission (PZC). Zone change applications by property owners and their agents or representatives shall be submitted on a form approved by the Administrator.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Zone Change, the review bodies shall consider provisions of Subsection 156.J.002.5, *Common Review Criteria*, together with the following:
1. *Property Dimensions.* The dimensions of the subject property to accommodate reasonable development that complies with the requirements of this ZO, including parking, open space, and buffering requirements.
 2. *Need.* The pace of development and the amount of vacant land currently zoned for comparable development in the vicinity of the subject property.
 3. *Hardship.* A comparison of the hardship to the applicant with the relative gain to the public health, safety, and welfare.
 4. *Consistency.* The proposed zone change is consistent with the Comprehensive Plan or Future Land Use Map and increase the likelihood of advancing the goals, objectives, and policies of the Comprehensive Plan Land Use Map, or another adopted area plan, including but not limited to redevelopment plans;
 5. *Compatibility.* The range of uses allowed by the proposed zoning district will be compatible with the properties in the immediate vicinity of the subject property;
 6. *Suitability.* The suitability of the subject property for the zoned purposes;
 7. *Changed Conditions.* The character of the surrounding area is transitioning or being affected by other factors, such as traffic, a new school, adjoining uses, or environmental issues; and
 8. *Support.* Nearby property owners are in support of, or do not oppose, the proposed map amendment.
- D. **Procedures.**
1. *Review and Decision.* The Zoning Administrator shall review proposed Zone Change and give a report to the PZC. The PZC shall hold a public hearing and make a recommendation to the City Council, who shall subsequently conduct a public hearing before making final action to approve, approve with conditions, or deny the proposed Zone Change.
 2. *Public Notice and Public Hearing.* The required public notice and public hearing as denoted in Table 156.J.002.12-2, *Review Steps*, shall be conducted in conformance with the procedures set out in Subsection 156.J.002.6, *Public Notice*, and Subsection 156.J.002.7, *Public Meetings and Hearings*.
- E. **Effect of Approval.** A Zone Change is recorded as follows:
1. *Legal Description.* The ordinance shall include a legal description of the area rezoned and a map of the same;
 2. *Record.* The City Clerk will maintain a record of all ordinances that change the zoning classification of real property; and
 3. *Map Update.* The Zoning Administrator shall update the Official Zoning Map to reflect the new zoning district for the subject property.

Subsec. 156.J.003.3, Master Development Plan

- A. **Generally.** A Master Development Plan provides a layout for a large-scale, multi-phased, or mixed-use development.
- B. **Applicability.** Plan approval is required to illustrate the nature and character of development, including:
1. *Context.* The context of the proposed development relative to adjacent development and the proposal for transitioning and buffering such development;
 2. *Location, Scale, and Design.* The locations and types of residential, nonresidential, and mixed land uses; their scale and design relationships; and methods to ensure compatibility between the various uses and adjacent lots;

3. *Density*. Minimum and maximum gross densities, block sizes, lot patterns, and heights of residential uses;
 4. *Intensity*. Maximum gross floor areas, building coverage, and heights of nonresidential and mixed uses;
 5. *Parking and Circulation*. The proposed parking and circulation plans;
 6. *Streets*. The patterns, functional classifications, and cross-sections of streets within and adjacent to the development, along with the network of pedestrian and bicycle improvements;
 7. *Common Open Space*. General locations, means of continuity and connectivity, and the extent of common open spaces and amenities;
 8. *Environmental Protection*. Areas of environmental protection and preservation, including floodplains; and
 9. *Phases*. Phases and timing of development.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Master Development Plan, the review bodies shall consider the provisions of Subsection 156.J.002.5, *Common Review Criteria*, together with the following:
1. *Site Layout*. The subject property is laid out in an efficient manner relative to the natural and built environments and designed to achieve the aims of a compact, highly walkable environment;
 2. *Building Form and Massing*. The placement, arrangement, size, and relationships of buildings relative to streets, pedestrian and civic spaces, and one another create an urban environment;
 3. *Walkability*. The connections within and between buildings, civic spaces, parking areas, transit stations and stops, and to surrounding development; the presence of amenities and other pedestrian improvements; and the proximity of origins and destinations both internal and external to the development are such that walking and bicycling are safe and viable modes of transportation;
 4. *Undeveloped Space*. Together with the developed areas, the undeveloped spaces devoted to natural resource preservation, buffering of uses, and for passive and active use are connected and continuous throughout the development;
 5. *Complete Streets and Parking*. The streets are designed for multiple purposes, including vehicular movement, on-street parking, and safe use of pedestrians and bicyclists, and the parking is well-distributed and designed to preserve an urban streetscape;
 6. *Phasing*. The development is phased in a manner that assures an adequate mixture of residential and nonresidential land uses and allows for transition from the early phases to completion, relating to the intensity of uses and parking; and
 7. *Quality Design*. The design of buildings and hardscape and landscape areas help to establish visual interest, aesthetic appeal, and a unique identity for the development, including as key considerations human-scale amenities, integration of civic spaces for public interaction, and protection from the environmental elements.
- D. **Procedures.**
1. *Review and Decision*. The Zoning Administrator shall review and make a recommendation on the proposed Master Development Plan to the PZC, who shall subsequently conduct a public hearing before making final action to approve, approve with conditions, or deny the proposed Master Development Plan.
 2. *Public Notice and Public Hearing*. The required public notice and public hearing as denoted in Table 156.J.002.12-2, *Review Steps*, shall be conducted in conformance with the procedures set out in Subsection 156.J.002.6, *Public Notice*, and Subsection 156.J.002.7, *Public Meetings and Hearings*.
 3. *Time Frame*. Approval of a Master Development Plan shall be valid for the period of time set out in Table 156.J.002.12-1, *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection 156.J.002.10, *Inactive and Expired Applications*, and Subsection 156.J.002.11, *Approval Extension*.
- E. **Effect of Approval.** Upon approval, all subsequent plats, plans, and permits shall clearly demonstrate consistency and conformance with the adopted Master Development Plan. Requested modifications of the plan shall be according to Subsection 156.J.004.6, *Administrative Adjustment*.

SECTION 156.J.004, ADMINISTRATIVE REVIEW PROCEDURES

Subsec. 156.J.004.1, Site Plan

- A. **Generally.** Approval of a site plan ensures that proposed development complies with all applicable standards of this Code. A site plan is not required for the construction of single-family (attached or detached) and duplex dwellings or for any emergency activity that is immediately necessary for the protection of life, property, or natural resources
- B. **Applicability.** All new development, redevelopment, and substantial improvement or expansion of multi-family, manufactured home parks, nonresidential, and mixed-use development requires site plan review and approval prior to the issuance of permits that allow for land clearing, site grading, and construction.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Site Plan, the Zoning Administrator shall consider provisions of Subsection [156.J.002.5](#), *Common Review Criteria*, together with the following:
1. *Prior Approvals.* Compliance with any prior approvals and all applicable development, design and transition standards of this ZO;
 2. *Comprehensive Plan.* Consistency with the Comprehensive Plan and all other applicable adopted plans;
 3. *Access.* Adequate provision of pedestrian, transit and traffic access and on-site circulation;
 4. *Parking and Loading.* Sufficient space to accommodate required off-street parking and loading/unloading zones;
 5. *Design.* The location, arrangement, size, and design of buildings, lighting, signs, landscaping and bufferyards that conform to the standards of the applicable district(s);
 6. *Scale.* An appropriate scale of the proposed use(s) in relation to one another and those on adjacent properties;
 7. *Adequate Level of Service.* An adequate level of service of existing or proposed public facilities;
 8. *Nuisances.* Sufficient protection for adjacent properties against noise, glare, unsightliness, or other objectionable features;
 9. *Access, Circulation, and Parking.* Adequate, safe, and convenient arrangement of access, pedestrian circulation, bicycle facilities, roadways, driveways, transit access (as appropriate), off-street parking and stacking and loading spaces; and
- D. **Procedures.**
1. *Review and Decision.* On receipt of a completed application for a site plan, the Zoning Administrator, together with other departments and referral agencies, as appropriate, shall review the plan to determine its compliance with the applicable provisions of this Zoning Ordinance and any conditions of an approved conditional use or variance. The Zoning Administrator shall determine if the proposed site plan satisfies the site plan approval criteria and if so, approve, approve with conditions or deny the site plan.
 2. *Time Frame.* Approval of a Site Plan shall be valid for the period of time set out in Table [156.J.002.12-1](#), *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection [156.J.002.10](#), *Inactive and Expired Applications* and Subsection [156.J.002.11](#), *Approval Extension*.
- E. **Effect of Approval.** Upon approval of a Site Plan, the applicant may proceed with requests for other required approvals and permits.

Subsec. 156.J.004.2, Building Permit

- A. **Generally.** A Building Permit authorizes construction that conforms to the standards and requirements of this Zoning Ordinance and the City's Building Code.
- B. **Applicability.** A Building Permit is required before construction, alteration, movement, enlargement, replacement, significant improvement, use and occupancy, removal or demolition of any building or structure and certifies that such work complies with the construction standards in the Building Code.
- C. **Review Criteria.** The Building Official may approve, approve with conditions, or deny a Building Permit based on findings that:

1. *Generally.* All requirements of the Building Code, this Zoning Ordinance, including Subsection [156.J.002.5](#), *Common Review Criteria*, and all other applicable portions of the City's Code of Ordinances have been met; and
 2. *Other Required Findings.* The following have been accomplished:
 - a. All required improvements have been accepted by the City Engineer.
 - b. The building has legal access to a dedicated public street;
 - c. The building is located on a legally subdivided lot; and
 - d. The building and lot conform, or will conform, to all requirements of this Ordinance.
- D. Procedures.**
1. *Application.* Each application for a building permit shall contain or be accompanied by plans showing the following information:
 - a. Actual dimensions and shape of the lot to be built upon;
 - b. Size and location of existing buildings, if any;
 - c. Location and dimensions of the proposed new, enlarged, or altered building or structure; and
 - d. Other information or documentation as the Building Official may lawfully deem necessary or appropriate to determine conformance with this ZO.
 2. *Review and Decision.* The Building Official may approve, approve with conditions, or deny the application and is authorized to certify that work complies with the construction standards of the Building Code.
 3. *Time Frame.* Approval of a Building Permit shall be valid for the period of time set out in Table [156.J.002.12-1](#), *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection [156.J.002.10](#), *Inactive and Expired Applications* and Subsection [156.J.002.11](#), *Approval Extension*.
- E. Effect of Approval.** Upon approval of a building permit, the applicant may proceed with construction.

Subsec. 156.J.004.3, Floodplain Development Permit

- A. **Generally.** The approval and issuance of a Floodplain Development Permit is required for any development within or modification of a flood hazard district.
- B. **Applicability.** A Floodplain Development Permit is required to:
 1. *Plat.* File a plat for subdivision within a flood hazard district;
 2. *Modification.* Modify a special flood hazard district; or
 3. *Development.* Develop or construct structures and improvements within a special flood hazard district.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Floodplain Development Permit, the Zoning Administrator shall consider provisions of Subsection [156.J.002.5](#), *Common Review Criteria* and [Section 156.C.006](#), *Flood Hazard Districts*, together with the following:
 1. *Danger to Life and Property.* The danger to life and property due to flooding or erosion damage;
 2. *Susceptibility to Flooding.* The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 3. *Sweeping of Materials.* The danger that materials may be swept onto other lands to the injury of others;
 4. *Compatibility.* The compatibility of the proposed use with existing and anticipated development;
 5. *Access.* The safety of access to the property in times of flood for ordinary and emergency vehicles;
 6. *Cost of Public Services.* The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 7. *Floodwaters.* The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action expected at the site, where applicable, are manageable;
 8. *Necessity of Water.* The necessity to the facility of a waterfront location, where applicable;

9. *Alternative Locations.* The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
 10. *Comprehensive Plan.* The relationship of the proposed use to the Comprehensive Plan for that area.
- D. Procedures.**
1. *Application.* Application for a floodplain development permit shall contain or be accompanied by plans drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations and existing and proposed structures in relation to areas of special flood hazard.
 2. *Public Notice.* If the project requires approval of a FEMA Certified Letter of Map Revision (CLOMR) prior to construction, then public notice to the affected property owners and residents shall be required as detailed by the National Flood Insurance Program requirements. In a non-FEMA floodplain, a proposed floodplain impact matching or exceeding that of the CLOMR requirements, shall require the same public notice of affected property owners and residents.
 3. *Review and Decision.* The Floodplain Administrator shall approve, approve with conditions, or deny the application for a Floodplain Development Permit.
 4. *Time Frame.* Approval of a Floodplain Development Permit shall be valid for the period of time set out in Table [156.J.002.12-1, Development Review Summary Table](#). Thereafter, the site plan shall expire or be granted an extension as set out in Subsec. [156.J.002.10, Inactive or Expired Applications](#).
 5. *Denials.* If a floodplain development application is denied, the Floodplain Administration shall inform the applicant, in writing, of the specific reasons for disapproval.
- E. Effect of Approval.**
1. *Generally.* Approval of a Floodplain Development Permit authorizes an applicant to obtain all required elevation or other required certificates and proceed with development.
 2. *Certification.* The applicant shall be required to submit certification by a professional engineer or land surveyor (as appropriate) registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Article, prior to the use or occupancy of any structure.

Subsec. 156.J.004.4, Sign Permit

- A. **Generally.** A Sign Permit authorizes the placement of a permitted permanent or temporary sign.
 - B. **Applicability.** A sign permit is required to construct, install, place, relocate, replace, attach, or modify dimensions, illumination characteristics or sign panels for all permitted signs set out in Section [156.G.004, Permanent Signs](#), and Section [156.G.006, Temporary Signs](#), other than those that are exempt in Section [156.G.002, General Requirements](#) and prohibited in Section [156.G.003, Prohibited Signs](#).
 - C. **Review Criteria.** The Zoning Administrator may approve, approve with conditions, or deny a Sign Permit considering provisions of Subsection [156.J.002.5, Common Review Criteria](#) and based on findings that the permit application complies with any conditions established with the approval of a site plan or with the standards set out in [Article G, Signs](#).
 - D. **Procedures.**
1. *Review.* The Zoning Administrator shall examine the plans and specifications and the premises upon which the proposed sign is to be erected.
 2. *Building Official Review.* An application for a Sign Permit requiring electrical service shall be referred by the Zoning Administrator to the Building Official. The Building Official shall examine the plans and specifications to determine compliance with the adopted electrical code as a condition of granting the Sign Permit.
 3. *Decision.* Upon receipt of comments, the Zoning Administrator may approve, approve with conditions or deny the application for a Sign Permit. The Zoning Administrator may grant approval with conditions only to the extent that such conditions specify the actions necessary to bring the application into complete compliance with this ZO.

4. *Time Frame.* Approval of a Sign Permit shall be valid for the period of time set out in Table 156.J.002.12-1, *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection 156.J.002.10, *Inactive and Expired Applications* and Subsection 156.J.002.11, *Approval Extension*.
 5. *Inspection.* The Zoning Administrator may inspect the sign to ascertain whether the structure is secure and in conformance with the permit application.
- E. **Effect of Approval.** Approval of a Sign Permit shall authorize the applicant to construct, install, place, relocate, replace, attach, or modify the sign that is subject to the permit.

Subsec.156.J.004.5 Master Sign Plan

- A. **Generally.** Approval of a Master Sign Plan by the Zoning Administrator allows for:
1. *Unified Design.* A unified presentation of signage throughout parcels proposed for development;
 2. *Flexibility.* Flexibility to provide for unique environments; and
 3. *Efficiency.* Prompt and efficient administrative approval of signs pre-approved by the PZC;
- B. **Applicability.** A master sign plan may be submitted for the following:
1. *Single Use.* A single-use development that exceeds 100,000 square feet of gross floor area;
 2. *Multi-Tenant.* A multi-tenant development that exceeds 50,000 square feet of gross floor area; or
 3. *Mixed-Use.* A mixed-use center.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Master Sign Plan, the review bodies shall consider provisions of Subsection 156.J.002.5, *Common Review Criteria*, and it will result in a substantially improved, comprehensive, and unified plan compared to what is allowed through strict compliance with Article G, *Signs*.
- D. **Procedures.**
1. *Review and Decision.* The Zoning Administrator shall review and render a final judgment on the proposed Master Sign Plan.
 2. *Time Frame.* Approval of a Master Sign Plan shall be valid for the period of time set out in Table 156.J.002.12-1, *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection 156.J.002.10, *Inactive and Expired Applications*, and Subsection 156.J.002.11, *Approval Extension*.
- E. **Effect of Approval.**
1. *Future Compliance.* Upon approval of a Master Sign Plan, permitting of individual signs shall be based on compliance with the standards set out in the Master Sign Plan for the parcel proposed for development.
 2. *Bonuses.* The following increases in sign area and height apply to signs that are subject to a Master Sign Plan:
 - a. The maximum cumulative sign area for wall signs and projecting signs is increased by 10 percent. The applicant may distribute the total sign area increase for all wall signs to individual signs in the project.
 - b. For freestanding signs:
 - i. The maximum height may be increased by a maximum of 10 percent; and
 - ii. The maximum cumulative sign area may be increased by a max of 15 percent. The applicant may distribute the total sign area increase for all freestanding signs to individual signs in the project.

Subsec. 156.J.004.6, Certificate of Occupancy

- A. **Generally.** A Certificate of Occupancy certifies compliance with all applicable provisions of this ZO, the Building Code, and all other pertinent City regulations.
- B. **Applicability.** A Certificate of Occupancy is required upon completion of construction, alteration, or expansion of a building or structure or prior to installation of permanent utilities or a change in use. No building may be occupied in the City without a Certificate of Occupancy permit.
- C. **Review Criteria.** The Building Official may approve, approve with conditions, or deny a Certificate of Occupancy based on findings that:

1. *Generally.* All requirements of the Building Code, this ZO, including Subsection [156.J.002.5](#), *Common Review Criteria*, and all other applicable portions of the City's Code of Ordinances have been met; and
 2. *Site Plans.* All terms and conditions of site plan approval have been met.
- D. Procedures.**
1. *Application.* Application for a Certificate of Occupancy shall be submitted in concert with an application of a Building Permit.
 2. *Zoning Compliance.* Application for zoning compliance shall be deemed to be an application for a Certificate of Occupancy, as applicable.
 3. *Review and Decision.* The Certificate of Occupancy shall be approved, approved with conditions, or denied by the Building Official within 10 days of the completion of construction. If a Certificate of Occupancy application is denied, the Building Official shall inform the applicant, in writing, of the specific reasons for disapproval.
 4. *Time Frame.* Approval of a Sign Permit shall be valid for the period of time set out in Table [156.J.002.12-1](#), *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection [156.J.002.10](#), *Inactive and Expired Applications* and Subsection [156.J.002.11](#), *Approval Extension*.
 5. *Temporary Certificate.* A temporary Certificate of Occupancy may be issued before the completion of the entire work covered by the permit, provided the pertinent portion or portions shall be occupied safely and the Building Official sets a time period not exceeding nine months during which the temporary Certificate of Occupancy is valid.
 6. *Partial Certificate.* The Building Official may issue a partial Certificate of Occupancy for part of the building, structure, or lot prior to the occupancy of the entire building, structure, or lot, provided that such portions of the building structure, or lot are in conformity with the site plan terms and conditions, applicable provisions of this ZO, the Building Code, and all other pertinent City regulations. However, partial certificates of occupancy shall not be issued for single-family (attached or detached) dwellings or duplex dwellings.
 7. *Records.* A record of all certificates shall be kept on file in the office of the Building Official, with a copy furnished upon request of any person having a proprietary or tenancy interest in the building.
- E. Effect of Approval.** A Certificate of Occupancy certifies compliance with applicable building codes and laws and indicates a condition suitable for occupancy.

Subsec. 156.J.004.7, Administrative Adjustment

- A. **Generally.** An Administrative Adjustment may allow small changes or modifications to certain standards of a proposed development that may be approved by the Zoning Administrator.
- B. **Applicability.** The Zoning Administrator may approve minor modifications of any numeric standard in this Zoning Ordinance up to a maximum of 10 percent when there are practical difficulties in applying the development standards for a project that otherwise complies with the standards of this Zoning Ordinance.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny an Administrative Adjustment, the Zoning Administrator shall consider provisions of Subsection [156.J.002.5](#), *Common Review Criteria*, together with the following:
 1. *Maximum Percentage.* The requested adjustment does not exceed 10 percent of the minimum requirements.
 2. *Hardship.* The hardship, if any, under which the adjustment is sought, was not created by the owner or occupant of the subject property, nor was it suffered as a result of a violation of this Zoning Ordinance or any other applicable code of the City;
 3. *Minimum Necessary.* The adjustment shall be the minimum necessary to grant relief from a demonstrated hardship; and
 4. *Adjoining Property.* The adjustment shall not substantially impair the permitted use or development of adjoining property.
- D. **Procedures.**

1. *Review and Decision.* The Zoning Administrator shall review the application and may approve, approve with conditions, or deny the application.
 2. *Time Frame.* Approval of an Administrative Adjustment shall be valid for the period of time set out in Table [156.J.002.12-1, Development Review Summary Table](#). Thereafter, the permit shall expire or be granted an extension as set out in Subsection [156.J.002.10, Inactive and Expired Applications](#) and Subsection [156.J.002.11, Approval Extension](#).
- E. **Effect of Approval.** Approval of an Administrative Adjustment enables the applicant to proceed in securing all other required approvals and permits. An Administrative Adjustment provides no assurance of subsequent approvals of other requests for Administrative Adjustments.

Subsec. 156.J.004.8, Temporary Use Permit

- A. **Generally.** A Temporary Use Permit determines the appropriateness of temporary activities at a specific location and establishes standards necessary to ensure its suitability for the area proposed and compatibility with adjoining and adjacent land uses.
- B. **Applicability.** A Temporary Use Permit is required before establishing or installing any temporary use designated as requiring a permit as set out in Section [156.C.008, Temporary Uses and Structures](#).
- C. **Review Criteria.** The Zoning Administrator may approve, approve with conditions, or deny a Temporary Use Permit based on Subsection [156.J.002.5, Common Review Criteria](#), and findings that the proposed temporary use or structure conforms to the standards set out in Section [156.C.008, Temporary Uses and Structures](#), and other applicable requirements in this Zoning Ordinance and the City's Code of Ordinances.
- D. **Procedures.**
1. *Review.* The Zoning Administrator shall examine the application and plans and the premises upon which the proposed temporary use is to be conducted.
 2. *Building Official Review.* An application for a Temporary Use Permit requiring electrical service shall be referred by the Zoning Administrator to the Building Official. The Building Official shall examine the plans and specifications to determine compliance with the adopted electrical code as a condition of granting the Temporary Use Permit.
 3. *Decision.* Upon a determination of compliance with this Zoning Ordinance and other applicable codes, the Zoning Administrator may approve, approve with conditions, or deny the application.
 4. *Time Frame.* Approval of a Temporary Use Permit shall be valid for the period of time set out in Table [156.J.002.12-1, Development Review Summary Table](#). Thereafter, the permit shall expire or be granted an extension as set out in Subsection [156.J.002.10, Inactive and Expired Applications](#) and Subsection [156.J.002.11, Approval Extension](#).
- E. **Effect of Approval.** Approval of a Temporary Use Permit authorizes the activities on the property that is subject to the permit. Permit issuance does not authorize establishment or an extension of any permanent use nor construction, reconstruction, alteration, or moving of any building or structure.

Subsec. 156.J.004.9, Limited Use Permit

- A. **Generally.** A Limited Use Permit verifies that a limited use, as denoted in Table [156.C.003-1, Use Table](#), complies with the requirements of this ZO, particularly the requirements of Section [156.C.004, Limited Use Standards](#). A Limited Use Permit may be issued simultaneously with building permits or other required administratively reviewed permits.
- B. **Applicability.** A Limited Use Permit is required in order to establish, change, or expand a limited use.
- C. **Review Criteria.** The Zoning Administrator may approve, approve with conditions, or deny a Limited Use Permit considering provisions of Subsection [156.J.002.5, Common Review Criteria](#) and based on findings that the permit application complies with its associated specific standard in Section [156.C.004, Limited Use Standards](#).
- D. **Procedures.**
1. *Review and Decision.* The Zoning Administrator shall examine the application and plans and the premises upon which the proposed limited use is to be conducted. Upon a determination of compliance with this Zoning

Ordinance and other applicable codes, the Zoning Administrator may approve, approve with conditions, or deny the application.

2. **Time Frame.** Approval of a Temporary Use Permit shall be valid for the period of time set out in Table 156.J.002.12-1, *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection 156.J.002.10, *Inactive and Expired Applications* and Subsection 156.J.002.11, *Approval Extension*.
3. **Termination.** Any of the following shall terminate the right to operate a limited use:
 - a. *Change in Use.* Changing to a use permitted by right;
 - b. *Discontinuance.* Discontinuing the limited use for a period of at least 12 months; or
 - c. *Violation.* Violating or failing to comply with the approved Limited Use Permit after reasonable notice has been given by the City.
- E. **Effect of Approval.** Issuance of a Limited Use Permit authorizes the filing and processing of an application for any required permits or approvals, including, but not limited to, a building permit, certificate of occupancy, or sign permit. A Limited Use Permit does not authorize the establishment or extension of any other use nor the construction, reconstruction, alteration, relocation, or demolition of any building or structure.

Subsec. 156.J.004.10 Variance, Floodplain

- A. **Generally.** A Floodplain Variance provides limited relief from the requirements of Section 156.C.006, *Flood Hazard Districts Standards*, where strict application of a particular requirement would create an unnecessary hardship by preventing the use and development of land in a reasonable manner that is otherwise allowed under this Zoning Ordinance.
- B. **Applicability.**
 1. **No Increase in Flood Level.** No Floodplain Variance shall be granted for any development within any designated floodway which would result in any increase in the 100-year level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 2. **Lower Flood Protection.** In cases where the Floodplain Variance involves a lower level of flood protection for buildings than what is ordinarily required by this ZO, the applicant shall be notified in writing over the signature of the Floodplain Administrator that:
 - a. The issuance of a Floodplain Variance will result in increased premium rates for flood insurance up to amounts as high as 25 dollars for every 100 dollars of insurance coverage; and
 - b. Such construction increases risks to life and property.
- C. **Review Criteria.**
 1. **Generally.** In determining whether to approve, approve with conditions, or deny a Floodplain Variance, the Floodplain Administrator shall consider the provisions of Subsection 156.J.002.5, *Common Review Criteria*, together with the following:
 - a. **Increase in Base Flood Elevation.** Variances shall not be issued within any designated floodway if any increase in base flood elevation would result;
 - b. **One-Half Acre or Less.** Variances may be issued for new construction and substantial improvements on lots of one-half acre or less which are contiguous to, and surrounded by, existing development constructed below the base flood elevation, provided:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, or conflict with this Zoning Ordinance or the other ordinances in the City's Code of Ordinances.

- c. *Minimum Necessary Relief.* Variances shall only be issued upon a determination that the variance is the minimum necessary to afford relief considering the flood hazard.
 2. *Affirmative Findings.* In order to approve a Variance, the final decision-making body shall make affirmative findings on all of the applicable decision criteria.
- D. **Procedures.**
1. *Obligation of Applicant.* It is the obligation of an applicant, who bears the burden of proof, to present facts about the circumstances which would justify a variance in a convincing fashion so that the Floodplain Administrator may be satisfied that the request meets or exceeds the applicable review criteria described in paragraph C., above.
 2. *Review and Decision.* The Floodplain Administrator shall review and render judgment on requests for Floodplain Variances.
 3. *Alleged Error.* The Board of Adjustment shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of the requirements of Section 156.C.006, *Flood Hazard Districts Standards*, in accordance with Subsec. 156.J.005.3, *Appeal of Administrative Decision*.
 4. *Time Frame.* Approval of a Floodplain Variance shall be valid for the period of time set out in Table 156.J.002.12-1, *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection 156.J.002.10, *Inactive and Expired Applications*, and Subsection 156.J.002.11, *Approval Extension*.
 5. *Notice of Decision.* The Zoning Administrator shall provide a copy of the decision to the applicant within 10 days of the rendered judgment.
- E. **Effect of Approval.**
1. *Particular Variation.* Issuance of a variance shall authorize only the particular variation that is approved in the variance request. A variance shall run with the land and not be affected by a change in ownership.
 2. *Other Approvals.* Development authorized by the variance shall not be carried out until the applicant has secured all other development approvals required by this ZO. Approval of a variance does not guarantee that the development shall receive subsequent approval for other development review applications unless the relevant and applicable portions of this Zoning Ordinance or any other applicable provisions are met.

SECTION 156.J.005, QUASI-JUDICIAL REVIEW PROCEDURES

Subsec. 156.J.005.1, Special Use Permit

- A. **Generally.** A Special Use Permit is to determine if the Board of Adjustment should authorize a new special use to be established or for an existing special use to intensify, expand, or convert to another special use.
- B. **Applicability.** A Special Use Permit is required before establishing any use designated as a special use as in 156.C.003-1, *Use Table* or before converting a nonconforming use to another nonconforming use pursuant to the provisions in Section 156.C.005, *Special Use Permit Standards*.
- C. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Special Use Permit, the BOA shall consider the provisions of Subsection 156.J.002.5, *Common Review Criteria*, together with the following:
 1. *Concentration.* The special use does not create an unwanted concentration of similar special uses that is likely to discourage permitted uses by making the vicinity less desirable for them.
 2. *Location.* There is no practicable alternative location where the use is permitted by right within the general vicinity of the parcel proposed for development, or, if such a location exists, the proposed location is comparable or more favorable in terms of:
 - a. Providing a needed community service;
 - b. Providing a critical mass of related and mutually supportive land uses that promote quality economic development and opportunity;

- c. Providing a balance of land uses, ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another; and
 - d. Making more efficient use of public infrastructure.
3. *Affirmative Findings.* In order to approve a Special Use Permit, the final decision-making body shall make affirmative findings on all of the applicable decision criteria.

D. Procedures.

1. *Review and Decision.* The Zoning Administrator shall review the proposed Special Use Permit and give a report to the Plan and Zoning Commission. The PZC shall hold a public hearing and make a recommendation to the BOA, who shall subsequently conduct a public hearing before making final action to approve, approve with conditions, or deny the proposed Special Use Permit.
2. *Public Notice and Public Hearing.* The required public notice and public hearing as denoted in Table 156.J.002.12-2, *Review Steps*, shall be conducted in conformance with the procedures set out in Subsection 156.J.002.6, *Public Notice*, and Subsection 156.J.002.7, *Public Meetings and Hearings*.
3. *Time Frame.* Approval of a Special Use Permit shall be valid for the period of time set out in Table 156.J.002.12-1, *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection 156.J.002.10, *Inactive and Expired Applications*, and Subsection 156.J.002.11, *Approval Extension*.
4. *Notice of Decision.* The Zoning Administrator shall provide a copy of the decision to the applicant within 10 days of the BOA's decision.

- E. **Effect of Approval.** The issuance of a Special Use Permit shall not authorize the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of an application for any permits or approvals which may be required by the City, including, but not limited to, a building permit, certificate of occupancy, and subdivision approval.

Subsec. 156.J.005.2, Variance

- A. **Generally.** A Variance provides a means by which relief may be granted from unforeseen applications of this Zoning Ordinance that create unnecessary hardships or practical difficulties.

B. Applicability.

1. *When Required.* A variance is required to approve a deviation from the standards of this Zoning Ordinance.
2. *Prohibitions and Exceptions.* Some requests for relief are not within the jurisdiction of the Board, and are therefore, either prohibited or not subject to this Section. The prohibited requests are:
 - a. *Use.* Variances that would allow a use in a district in which the use is prohibited or which would constitute a change in district boundaries;
 - b. *Limited Use or Special Use.* Variances that would modify any requirements that are set out in Section 156.C.004, *Limited Use Standards* and Section 156.C.005, *Special Use Standards*;
 - c. *Nonconformities.* Variances that would have the effect of making existing nonconforming structures, site improvements, parking, or landscaping conforming;
 - d. *Conditions of Approval.* Variances from the terms of one or more conditions of approval imposed by a development review body described in Article I, *Development Review Bodies*. Modifications to conditions of approval shall be sought from the body that granted the approval.
 - e. *City's Code of Ordinances.* Variances that would modify any requirements within the City's Codes of Ordinance, including but not limited to the Building Code.
 - f. *Other Laws or Regulations.* Variances to state or federal laws are prohibited unless such authority is expressly granted to the City.

C. Review Criteria.

1. *Generally.* In determining whether to approve, approve with conditions, or deny a Variance, the Board of Adjustment shall consider the provisions of Subsection [156.J.002.5](#), *Common Review Criteria*, together with the following:
 - a. *Not Self Imposed.* The granting of the Variance is not based on a hardship which is self-imposed;
 - b. *Not Based on Cost.* The hardship is not based solely on the cost of complying with the regulation, but is based on the particular physical surroundings, shape, or topographical conditions of the subject property;
 - c. *Unique Circumstances.* The hardship is based on circumstances that are unique to the property for which the Variance is sought and not circumstances common to other properties;
 - d. *Minimum Necessary Relief.* The Variance requested is the minimum necessary that will make possible a permitted use of the land, building, or structure;
 - e. *Commonly Enjoyed Rights.* A literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located; and
 - f. *Not A Special Privilege.* Granting the variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district.
2. *Affirmative Findings.* In order to approve a Variance, the Board of Adjustment shall make affirmative findings on all of the applicable decision criteria.

D. Procedures.

1. *Obligation of Applicant.* It is the obligation of an applicant, who bears the burden of proof, to present facts about the circumstances which would justify a variance in a convincing fashion so that the BOA may be satisfied that the request meets or exceeds the applicable review criteria described in paragraph C., above.
2. *Review and Decision.* The Zoning Administrator shall review and make a recommendation on the Variance application to the BOA, who shall subsequently conduct a public hearing before making final action to approve, approve with conditions, or deny the Variance.
3. *Public Notice and Public Hearing.* The required public notice and public hearing as denoted in Table [156.J.002.12-2](#), *Review Steps*, shall be conducted in conformance with the procedures set out in Subsection [156.J.002.6](#), *Public Notice*, and Subsection [156.J.002.7](#), *Public Meetings and Hearings*.
4. *Time Frame.* Approval of a Variance shall be valid for the period of time set out in Table [156.J.002.12-1](#), *Development Review Summary Table*. Thereafter, the permit shall expire or be granted an extension as set out in Subsection [156.J.002.10](#), *Inactive and Expired Applications*, and Subsection [156.J.002.11](#), *Approval Extension*.
5. *Notice of Decision.* The Zoning Administrator shall provide a copy of the decision to the applicant within 10 days of the BOA's decision.

E. Effect of Approval.

1. *Particular Variation.* Issuance of a variance shall authorize only the particular variation that is approved in the variance request. A variance shall run with the land and not be affected by a change in ownership.
2. *Other Approvals.* Development authorized by the variance shall not be carried out until the applicant has secured all other development approvals required by this ZO. Approval of a variance does not guarantee that the development shall receive subsequent approval for other development review applications unless the relevant and applicable portions of this Zoning Ordinance or any other applicable provisions are met.

Subsec. 156.J.005.3, Appeal of Administrative Decision

- A. **Generally.** An Appeal of an Administrative Decision provides a vehicle for appeal of any final decision of the Zoning Administrator, Building Official, or Floodplain Administrator on an application set out in Section [156.J.004](#), *Administrative Review Procedures*.
- B. **Applicability.** An application for an appeal may be submitted when it is alleged that there is an error in any requirement, decision, or determination made by an administrative official in the administration of this ZO, which is not subject to a quasi-judicial or appeal process by any other board or the PZC or City Council.

C. Review Criteria.

1. *Generally.* The BOA may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination of an administrative official and, to that end, shall have all of the powers of the administrative official from whom the appeal is taken. The appeal shall specifically indicate which approval criteria are the basis for the appeal.
2. *New Evidence.* The BOA shall not consider new evidence that was not available to the administrative official.
3. *All Decisions.* An Appeal of an Administrative Decision may be reversed or affirmed, in whole or in part, or modified based on findings by the BOA making the final decision that:
 - a. The administrative decision was appropriate considering the written record of the case and the evidence presented; and
 - b. The decision reflects the requirements contained in this ZO.

D. Procedures.

1. *Notice of Appeal.* Within 30 calendar days from the date of a final decision of an administrative official, an application for an appeal may be submitted, in writing, by any person aggrieved by a decision or by any official or department of the City affected by the decision. In the notice, the appellant (applicant) shall set out all grounds for the appeal. In no event shall the appeal be heard later than 60 days after the submittal of a complete application.
2. *Burden of Proof.* The BOA shall presume the appealed final decision to be valid. The appellant (applicant) shall present sufficient evidence and have the burden to justify a reversal or modification of the decision being appealed.
3. *Public Notice and Public Hearing.* The BOA shall conduct one or more public hearings, as necessary, to receive evidence and testimony and to decide an appeal. All public hearings and public notice required as denoted in Table [156.J.002.12-2](#), *Review Steps*, shall be conducted in conformance with the procedures set out in Subsection [156.J.002.6](#), *Public Notice*, and Subsection [156.J.002.7](#), *Public Meetings and Hearings*.
4. *Vote.* The concurring vote of three members of the BOA shall be necessary to reverse or modify the requirement, decision or determination subject to the appeal.
5. *Stay of Proceedings.* An appeal from an order, requirement, decision or determination shall stay all proceedings unless the Zoning Administrator certifies that a stay would cause imminent peril to life or property.

E. Effect of Approval.

1. *Final Decision.* The BOA shall have the final decision-making powers of the administrative official from whom the appeal is taken.
2. *No Variance.* A decision on an appeal of an administrative decision cannot grant or issue a variance.
3. *Flood Boundary.* A decision may support, reverse or remand an order or determination of a boundary of the special flood hazard area.

ARTICLE K – NONCONFORMITIES

Section 156.K.001, Purpose and Applicability

- A. **Generally.** This Article sets out equitable rules for the continuing use, occupation, and conversion of nonconformities. A nonconformity occurs when existing development within the City may become affected by the application of new regulations. This change may cause existing uses, structures, lots, signs, and site improvements to not strictly comply with this Zoning Ordinance, even though they complied with the regulations in effect at the time they were permitted and constructed.
- B. **Purpose.** The purpose of this Article is to:
1. *No Expansion.* Ensure that nonconforming uses do not expand;
 2. *Protection.* Protect conforming uses from nuisances that may be associated with nonconformities;
 3. *Encourage Conformance.* Encourage property owners of nonconformities to alter a nonconforming use, structure, lot, sign, or site improvement into one that complies with the standards of this Zoning Ordinance;
 4. *Elimination.* Eliminate substantially damaged or abandoned nonconformities whose degrees of incompatibility with adjacent lands uses are high; and
 5. *Balance.* Balance the City's objective to eliminate nonconformities with a landowner's right to maintain and make use of a nonconformity.
- C. **Applicability.** The regulations of this Article govern uses, structures, lots, signs, and site improvements that came into existence legally but that do not conform to one or more requirements of this Zoning Ordinance. These are referred to as nonconformities. Nonconformities are permitted to continue without immediate retrofit or removal until significant site or land use changes are proposed.
- D. **Major and Minor Nonconforming Uses and Structures.** Nonconforming uses and structures are classified as major or minor, as follows:
1. *Major.* Major nonconforming uses or structures are those that the Zoning Administrator finds have the following characteristics to such an extent that they should, over time, be eliminated:
 - a. Generation of nuisances;
 - b. Incompatibility with adjacent properties;
 - c. Incompatibility with the Comprehensive Plan; or
 - d. Generation of substantiated criminal complaints.
 2. *Minor.* Minor nonconforming uses or structures are those not classified as major nonconformities.
 3. *Conversion.* Refer to Section [156.K.007, Conversion of Nonconformities](#), for provisions related to changing a minor nonconformity to a conforming use or structure.

Section 156.K.002, Nonconforming Uses

- A. **Generally.** A nonconforming use is a use of land that was lawfully established (e.g., it was allowed and issued a permit, if a permit was required at the time the use was established) on a parcel or lot before the effective date of this Zoning Ordinance, that is no longer allowed after the effective date of this Zoning Ordinance. Amendments to this Zoning Ordinance may also create nonconforming uses. The following uses are nonconforming uses:
1. "Limited Uses" as listed in the Use Table established in Section [156.C.003, Use Table](#), but were lawfully established without a limited use permit. For these uses, the nonconforming use status may be removed by obtaining a limited use permit set out in Subsec. [156.J.004.9, Limited Use Permits](#);
 2. Uses that do not meet the requirements of [Article C, Use Standards](#); and
 3. Uses that were lawfully established within a floodplain or floodway, but are no longer permitted in the floodplain or floodway.

- B. **Classifications of Nonconforming Uses.** There are two types of nonconforming uses: major nonconforming uses and minor nonconforming uses. The classification of the nonconforming use affects whether or not it can be converted to a conforming use.
1. *Major Nonconforming Uses.*
 - a. *Discontinuance.* Discontinuance of a major nonconforming use for a period of six consecutive months constitutes abandonment of the use, regardless of the owner's intent. A major nonconforming use shall not be re-established on the property after it is abandoned unless the City Council approves a Zone Change in accordance with Subsec. [156.J.003.2](#) that makes the prior use conforming.
 - b. *Expansion, Enlargement, or Increases.* A major nonconforming use shall not be expanded, enlarged, extended, increased, or moved to occupy an area of land or building that was not used or occupied on the effective date of this Zoning Ordinance or any amendment that made the use nonconforming.
 - c. *Structures.* No structures containing a major nonconforming use shall be enlarged unless the major nonconforming use is permanently discontinued.
 2. *Minor Nonconforming Uses.*
 - a. *Discontinuance.* Discontinuance of a minor nonconforming use for a period of 12 consecutive months constitutes abandonment of the use, regardless of the owner's intent. A minor nonconforming use shall not be re-established on the property after it is abandoned unless the property owner converts the nonconforming use to a conforming use in accordance with Section [156.K.007](#), *Conversion of Nonconformities*, prior to the end of the 12-month period.
 - b. *Expansion and/or Extension.* No minor nonconforming use shall be expanded or extended in such a way as to:
 - i. Occupy any open space or landscaped area that is required by this Zoning Ordinance;
 - ii. Exceed previous cover, intensity, or height limitations of the zoning district in which the use is located;
 - iii. Occupy any land beyond the boundaries of the property as it existed on the effective date of this Zoning Ordinance;
 - iv. Displace any conforming use in the same building or on the same property; or
 - v. Increase the area of floodplain (if present) that is directly impacted by the use.
 - c. *Nonconforming Residential Uses.* A nonconforming residential use shall not be expanded in scope or area, except that construction of an attached or free-standing private garage is allowed in accordance with the requirements of this Zoning Ordinance and the district in which the use is located, including, but not limited to:
 - i. Height;
 - ii. Setback;
 - iii. Gross floor area; and
 - iv. Building coverage.

Section 156.K.003, Nonconforming Structures

- A. **Generally.** A building or structure is classified as nonconforming if it was lawfully constructed before the effective date of this Zoning Ordinance (or amendment hereto) and does not conform to the height, yard, density, intensity, building scale, or design standards that are applicable to the same type of building or structure in the zoning district in which the building or structure is located. Such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. *Increase in Nonconformity Prohibited.* No such structure may be enlarged or altered in any way which increases its nonconformity.

2. *Movement of Structure.* Should any on-site structure, in whole or in part, be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.
 3. *Minimum Floor Area.* A residential dwelling unit having a lesser floor area at the time of the passage of this Zoning Ordinance than the minimum floor area required for the district in which it is located shall not be construed to be nonconforming.
- B. **Repairs and Alterations.** Routine maintenance, including necessary non-structural repairs, paint, finish, and incidental alterations to a nonconforming structure is allowed without having to bring the nonconformity into compliance.
- C. **Damage and Reconstruction.** If a major or minor nonconforming structure is damaged, partially destroyed, or deemed to be unsafe the structure may be restored to its original dimensions provided that:
1. The original nonconformity is not enlarged, increased, or extended;
 2. A Building Permit is obtained for repairs within six months of the date the building was damaged;
 3. For a major nonconforming structure, the construction is commenced within six months after obtaining the required Building Permits;
 4. For a minor nonconforming structure, the construction is commenced within 12 months after obtaining the required Building Permits;
 5. For a major nonconforming structure, the damage or destruction does not exceed 50 percent of the gross floor area (GFA) of a nonconforming structure or 50 percent of the replacement cost of the structure; and
 6. For a minor nonconforming structure, the damage or destruction does not exceed 75 percent of the GFA of a nonconforming structure or 75 percent of the replacement cost of the structure.
- D. **Existing Nonconforming Structures in a Regulated Floodplain or Floodway.** It is the intent of the City that no permanent buildings or structures be located or substantially improved in a regulated floodplain or floodway and that existing nonconforming structures shall be removed upon abandonment. As such, a property with an abandoned nonconforming structure in a regulated floodplain or floodway shall not be eligible for any development review approval until the property owner removes the abandoned nonconforming structure.
- E. **Nonconforming Density.** Buildings on lots with nonconforming density may be expanded or extended as may be allowed by this Zoning Ordinance, but such expansions or extensions shall not create additional dwelling units.

Section 156.K.004, Nonconforming Lots

- A. **Generally.** A nonconforming lot is a lot that was lawfully created before the effective date of this Zoning Ordinance or amendments this Zoning Ordinance that no longer complies with the lot width, lot area, or access requirements of this Zoning Ordinance.
- B. **Combination of Lots to Increase Conformity.**
1. *Combination.* Where a property owner owns one or more lots abutting a nonconforming lot of record, the lots shall be combined to create fully conforming lots prior to any other development application submittal for the property. Or, if full conformity is not possible, they shall be combined if the combination will increase the degree of conformity.
 2. *No Combination.* A property owner is not required to combine lots pursuant to subsection (B)(1), above, if:
 - a. The combination of lots would not address the nonconformity;
 - b. The combination of lots would disrupt the lot pattern of the street, for example, by creating an internal through on a street segment that does not include any other through lots;
 - c. Two or more of the lots are developed with principal buildings, and the combination of lots would require that one or more of the buildings be torn down or the property undergo a zone change in order to comply with this Zoning Ordinance; or
 - d. The combination of lots would result in regularly shaped lots being combined into a single lot with an irregular shape, such as a flag lot.

- C. **Construction on Nonconforming Lots of Record.** A nonconforming lot of record that cannot be combined with another lot in accordance with subsection B above may be built upon if, as of the effective date of this Zoning Ordinance:
1. *Permitted Use.* The use is permitted in the zoning district in which the lot is located;
 2. *Sufficient Width.* The lot has sufficient width on a public street to provide access that is appropriate for the proposed use; and
 3. *Setbacks and Height.* All setbacks and height requirements are met, except that the Zoning Administrator may authorize a reduction of required setbacks of up to 10 percent, in accordance with Subsec. 156.J.004.7, *Administrative Adjustment*, provided that the Zoning Administrator finds that the reduction does not allow a building that would be larger than a building that would be permitted on the minimum conforming lot in the zoning district.

Section 156.K.005, Nonconforming Signs

- A. **Generally.** Any permanent sign located within the City limits on the effective date of this Zoning Ordinance that does not conform to the provisions of Article G, *Signs*, is a nonconforming sign, provided it also meets the following requirements:
1. Authorized by a Sign Permit prior to the effective date of this Zoning Ordinance; or
 2. If no sign permit was required under applicable law for the sign in question, the sign:
 - a. Was in all respects in conformity with the applicable law (or there was no applicable law) immediately prior to the effective date; or
 - b. Had legal nonconforming status at such time.
- B. **Standards.**
1. *Notification.* If the Zoning Administrator finds a sign to be nonconforming, the Zoning Administrator shall provide written notice to the owner of the sign or the owner of the building to which it is attached.
 2. *Registration.* The owner or entity in control of the property on which a nonconforming sign is located shall be required to register such signs with the City, at no fee, and otherwise comply with all requirements of this Zoning Ordinance relating to nonconforming signs.
 3. *Damage or Destruction.* If a nonconforming sign is damaged or destroyed by any means and the repair or reconstruction cost, whichever is applicable, equals or exceeds 50 percent of the fair market value of the sign at the time of the damage, it shall be removed or brought into compliance with this Zoning Ordinance.
 4. *No Message.* If a nonconforming sign does not display any message for a period of six months, it shall be removed or brought into conformance with this Zoning Ordinance.
 5. *Removal.* If a nonconforming sign is removed for any reason, it shall not be replaced unless the replacement sign conforms to this Zoning Ordinance.
 6. *Danger.* A nonconforming sign that the Building Official determines to be a danger to public safety due to damage or wear shall be removed and shall not be replaced unless the replacement sign conforms to this Zoning Ordinance.
 7. *Removal of Certain Prohibited Signs.* Signs made of materials identified in Section 156.G.003.C, *Prohibited Sign Elements*, and placed in locations identified in Section 156.G.003.D, *Prohibited Sign Locations*, shall be removed within 30 days after the effective date of this Zoning Ordinance.
 8. *New Sign Installation.* The installation of any new sign is prohibited on a site while a nonconforming sign remains in use.
 9. *Temporary Signs.* Temporary signs that are not in compliance with Section 156.G.006, *Temporary Signs*, shall be removed within 30 days after the effective date of this Zoning Ordinance.

Section 156.K.006, Nonconforming Site Improvements

- A. **Generally.** A nonconforming site improvement is a development activity on sites improved during the process of development, redevelopment, or improvement. Over time, such development activities will have the effect of removing the majority of nonconforming site improvements in the jurisdiction of this Zoning Ordinance. The following site improvements are nonconforming if there were lawfully established but do not meet the standards of [Article D, Building and Site Design Standards](#):
1. Building exterior material or design;
 2. Parking, loading, or stacking areas or driveways;
 3. Development landscaping or bufferyards; and
 4. Outdoor lighting.
- B. **Nonconforming Driveway.**
1. *Continuance.* Any nonconforming driveway access is permitted to continue as a nonconforming driveway until:
 - a. *Additional Access.* Any additional driveway is constructed for the subject property or for the unified development of which it is a part; or
 - b. *Repaving or Reconstruction.* The driveway requires reconstruction or repaving.
 2. *Termination.* If the criteria in Subsection B., *Nonconforming Driveway*, are met, the nonconforming driveway shall no longer be permissible, and the Zoning Administrator shall require driveway access to meet the requirements of this [Article D](#). The Zoning Administrator may block any such nonpermissible driveways after notice is mailed to the property owner of record.
- C. **Other Nonconforming Site Improvements.** No other nonconforming site improvement may be modified except to bring the site improvement into greater compliance with the requirements on [Article D](#).

Section 156.K.007, Conversion of Nonconformities

- A. **Purpose.** The purpose of this Section is to provide standards by which minor nonconforming uses and structures (See Section [156.K.001, Purpose and Applicability](#)) can be made "conforming" through a public hearing process. In many instances, minor nonconforming uses and structures are integral parts of the City's fabric, that is, its character and function, so their continuing existence promotes the City's policy objective of protecting its neighborhoods. In these instances, the classification "nonconformity" and resulting restriction on investment may not be what the community desires. As such, the use may be made conforming pursuant to this Article in order to remove the potential stigma that may be associated with the "nonconforming" designation.
- B. **Procedure.** An owner of a minor nonconforming use or structure may apply for a Special Use Permit pursuant to Subsec. [156.J.005.1, Special Use Permits](#), which has the effect of making the nonconforming use or structure conforming. The criteria for limited use approval are set out in subsection D below.
- C. **Exclusions.** This procedure does not apply to nonconforming lots, which may be buildable in accordance with the standards for nonconforming lots set out in Section [156.J.004, Nonconforming Lots](#).
- D. **Criteria for Approval.** A Special Use Permit approval may be granted to make a nonconforming building, structure, or use conforming, if, in addition to the criteria for approval of a limited use permit set out in Subsec. [156.J.005.1, Special Use Permits](#), and Section [156.C.005, Special Use Standards](#), all of the criteria of this Section are satisfied.
1. *Approval Criteria.* The use, as conducted and managed, has minimal nonconformities and has been integrated into the neighborhood's (or zoning district's if it is not in or adjacent to a residential neighborhood) function, as evidenced by the following demonstrations:
 - a. The neighborhood residents regularly patronize or are employed at said use (for nonresidential uses in or abutting residential neighborhoods);
 - b. Management practices eliminate nuisances such as noise, light, waste materials, unreasonably congested on-street parking, or similar conflicts;

- c. There is no material history of complaints about the use (a history of complaints is justification for denying the conditional use permit, unless the conditions of the permit will eliminate the sources of the complaints); or
 - d. The use has been maintained in good condition and its classification as a nonconformity would be a disincentive for such maintenance.
 - 2. *Conditions.* The Board of Adjustment (BOA) may impose conditions relative to the expansion of bufferyards, landscaping and landscape areas, or other site design provisions, or other limitations necessary to ensure that, as a conforming use, the use will not become a nuisance. Such conditions may relate to the lot, buildings, structures, or operation of the use.
- E. **Effect of Approval.** Uses that comply with the terms of a Special Use Permit issued in accordance with this Section are converted from "legally nonconforming uses" to "conforming uses" by virtue of the issuance of the Permit.
- 1. *Written Approval.* Special Use Permit approvals shall be provided to the applicant in writing and may be recorded by the applicant at the applicant's expense.

ARTICLE L – ENFORCEMENT AND REMEDIES

Section 156.L.001, Penalties

- A. Violations of the provisions of this chapter shall constitute municipal infractions punishable as provided in § 10.999(B) of this code of ordinances including but not limited to the imposition of civil penalties and/or requests for injunctive relief. After a written notice of such violation, each day a violation is permitted to exist beyond the expiration of the time designated on said notice shall constitute a separate offense.
- B. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this chapter, the Zoning Administrator, in addition to other remedies, may institute any proper actions or proceedings in the name of the city, to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violations, to prevent the occupancy of said building, structure or land, and/or to prevent any illegal act, conduct, business or use in or about said premises.

ARTICLE M – WORD USAGE

Section 156.M.001, Rules of Construction

- A. **General.** All provisions, terms, phrases, and expressions contained in this Zoning Ordinance shall be construed such that the true intent of the City Council may be fully implemented.
- B. **Computation of Time.** The time in which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday, or a legal holiday, that day shall be excluded.
1. “Day” means a calendar day.
 2. “Month” means a calendar month.
 3. “Year” means a calendar year.
- C. **Delegation of Authority.** Whenever a provision requires a City employee to do some act or perform some duty, it is to be construed to authorize the employee to delegate a subordinate to perform the required act or duty, unless the terms of the provision specify otherwise.
- D. **Nontechnical and Technical Words.** Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- E. **Text, Tables, and Illustrations.** In case of any difference of meaning or implication between the text of this ZO and any illustrations, the text shall control. In case of a conflict between the text and a table, the text shall control. In case of a conflict between a table and an illustration, the table shall control.
- F. **References to Governmental Authority.** Where this Zoning Ordinance references a local, state, or federal regulation or publication, the reference is to the most recent edition or version, unless otherwise noted. If the referenced document has been repealed and not replaced by another regulation or publication, the requirement of compliance is no longer in effect.
- G. **Examples.** The use of the terms “including,” “such as,” or similar language are intended to provide examples, not to be exhaustive lists of all possibilities.
- H. **Additional Rules of Construction.**
1. The terms “shall,” “will,” or “must” are mandatory and are synonymous. The term “may” is discretionary.
 2. The term “and” indicates that all items being referred to are connected, inclusive, and applicable. The term “or” indicates that one or more of the items being referred to shall apply.
 3. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and vice-versa.
 4. Words used in the plural number include the singular and vice-versa.
 5. “Person” includes an individual, a corporation, a partnership, and an incorporated association of persons such as a club.
 6. The term “building” includes a “structure”; a “building” or “structure” includes any part of the building. A structure is however not necessarily a building.
 7. The term “lot” includes plots and tracts.
 8. The terms “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”
 9. Words not defined in this Zoning Ordinance but defined in any other parts of the City's Code of Ordinances shall be deemed to have the meaning provided in the City's Code of Ordinances. Words not defined in this Zoning Ordinance or in any other part of the City's Code of Ordinances shall have the most appropriate meaning provided in a dictionary in common usage.

Section 156.M.002, Acronyms and Abbreviations

ADA = Americans with Disabilities Act

ADU = Accessory Dwelling Unit

AG = Agricultural

ATM = Automatic Teller Machine

BOA = Board of Adjustment

CCC = Changeable Copy Center

CFR = Code of Federal Regulations

CLOMR = FEMA Certified Letter of Map Revision

DAS = Distributed Antenna Systems

EIFS = Exterior Insulation and Finish Systems

EPA = U.S. Environmental Protection Agency

FAA = Federal Aviation Administration

fc = Footcandles

FCC = Federal Communication Commission

FEMA = Federal Emergency Management Administration

FIRM = Flood Insurance Rate Map

ft = feet

GC = General Commercial

GFA = Gross Floor Area

GI = General Industrial

IAC = Iowa Administrative Code

IESNA = Illuminating Engineering Society of North America

LEED = Leadership in Energy and Environmental Design

MU = Mixed-Use

PI = Public and Institutional

PUD = Planned Unit Development

PZC = Plan and Zoning Commission

REC = Recreational

RH = High-Density Residential

RL = Low-Density Residential

RM = Medium Density Residential

RR = Rural Residential

s.f. = square feet

SWECS = Small Wind Energy Conversion System

UC = Urban Core

U.S. = United States of America

VUA = Vehicle Use Areas

ZO = Zoning Ordinance

Section 156.M.002, Definitions

§ 156.002 DEFINITIONS.; § 156.398 DEFINITIONS.; § 156.551 DEFINITIONS.; § 156.585 DEFINITIONS.

Supplemental Definitions

A

Accessory means as applied to use or structure, means customarily subordinate or incidental to, and on the premises of such use or structure. The words "on the premises of" mean on the same lot or on the contiguous lot in the same ownership.

Accessory Living Unit means a portion of a detached single-family dwelling unit to include such incidental and subordinate facilities necessary to accommodate either relatives, nontenant employees, or no more than two persons.

Acreage means a parcel of land, regardless of area, described by metes and bounds and not a lot of any recorded subdivision plat.

Addition means any construction which increases the area of cubic content of a building or structure. The construction of walls which serve to enclose completely any portion of an existing structure, such as a porch, shall be deemed an addition within the meaning of the chapter.

Administrator means the zoning administrator as designated by resolution of the city council.

Adult Bookstore/Videostore means an establishment having as a substantial or significant portion of its stock-in-trade books, magazines and other periodicals and/or videotapes, computer disks, CD-ROMs, DVD-ROMs, virtual reality devices or any other similar media that are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities", or "specified anatomical areas" or are intended for the sexual stimulation or titillation of patrons.

Adult Business means a use category containing uses that regularly emphasize an interest in matter relating to specified sexual activities or specified anatomical areas or is intended for the sexual stimulation or titillation of patrons.

Uses in this use category include: Adult bookstore/videostore; Adult mini-motion picture theater; Adult motion picture theater; Adult store; a business providing adult entertainment or any other establishment, including without limitation any Adult modeling studio; Adult cocktail lounge; or Adult nightclub; and other uses meeting the definition of Day Care according to the Zoning Administrator. that regularly emphasizes an interest in matter relating to specified sexual activities or specified anatomical areas or is intended for the sexual stimulation or titillation of patrons.

Typical accessory uses include: Associated office and storage; Associated retail sales related to the primary use; Concession; Food preparation and dining facility; and Minor utilities.

Adult Day Care Center means a building or structure where care and supervision are provided on a regular schedule for disabled adult persons and/or senior citizens for less than 24 hours per day.

Adult Entertainment means dancing, modeling or other live performances if the performers' performance is characterized by an emphasis on specified anatomical areas or specified sexual activities, or is intended for the sexual stimulation or titillation of patrons. Also includes the showing of films, motion pictures, video cassettes, slides, photographic reproductions, virtual reality devices, internet sites or files transmitted over the internet, or other media that are characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or is intended for the sexual stimulation or titillation of patrons.

Adult Merchandise means magazines, books, other periodicals, videotapes, movies, photographs, slides, CD-ROMs, DVD-ROMs, virtual reality devices or other similar media that are characterized by their emphasis on matter depicting, describing or relating to specific sexual activities or specified anatomical areas or are intended for the sexual stimulation or titillation of patrons. Also includes toys, novelties, instruments, devices or paraphernalia either designated as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs and lingerie or leather goods marketed or presented in a context to suggest their use for sadomasochistic practices.

Adult Mini-Motion Picture Theater means an enclosed building with a capacity of less than 50 persons used for presenting material for observation by patrons distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".

Adult Motion Picture Theater means an enclosed building with a capacity of 50 or more persons used for presenting material for observation by patrons distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".

Adult Store means an establishment having adult merchandise as a substantial or significant portion of its stock-in-trade.

AG means Agricultural Zoning District.

Agricultural And Animal-Related Service means a use category that contains uses related to the commercial production, storage, processing, marketing, distribution or export of floricultural, horticultural, or viticultural crops and the small-scale keeping and treatment of animals.

Uses in this use category include: Community garden; Floriculture, horticulture, row and field crops, viticulture, or orchard; Kennel; Plant nursery, greenhouse, and landscaping business; Stable, private and noncommercial; Veterinary clinic; Veterinary hospital; and other uses meeting the definition of Agricultural and Animal-Related according to the Zoning Administrator.

Typical accessory uses include: Associated office; Barn, silo, stable (private) or other agricultural storage; Buildings associated with agricultural uses being pursued on site; Greenhouse; Minor utilities; Parking and storage of operable farm vehicles and farm machinery; and Roadside stand.

Airport or Heliport means an area of land or water used for the landing and take-off of aircraft.

All-Weather Surface means an improved surface that is constructed of four inches of concrete, asphalt, graded stone, grass-crete pavers, uni-stone pavers, or other paving materials approved by the City Engineer.

Alley means any passage or way open to public travel, affording generally a secondary means of vehicular access to abutting lots and not intended for general traffic circulation.

Alter means any change to a sign or its supporting structure, including a change in size, height, or location. The term "alter" shall not apply to the change of message on signs designed to have periodic changes in message, such as changeable copy signs.

Alteration means any material change in the floor area, use, adaptability or external appearance of an existing structure.

Alternative Support Structure means with regard to wireless telecommunications, any structure currently used primarily for something other than supporting a wireless telecommunications facility.

Animated Sign means a sign or part of a sign that is designed to rotate, move, flutter, spin, scroll, or to have a similar appearance of rotating, moving, fluttering, spinning, and scrolling.

Antenna means a whip, panel, disc, rod, dish, or similar device used for transmission or reception of telecommunications.

Apartment Building means see "Dwelling, multiple apartment."

Appurtenant or Accessory Structure means accessory structures not to exceed 200 square feet.

Archery / Firearms Range (Indoor) means a facility for archery or the discharging of firearms for the purposes of target practice.

Assisted Living Facility means residential facilities with 90 percent occupancy by persons 60 years or more of age that provide rooms, meals, personal care and supervision of self-administered medication.

B

Bank or Credit Union means a federally- or state-chartered establishment that is engaged in business as a bank or credit union.

Banner means a sign of flexible material affixed to a framework or flat surface.

Base Flood Elevation means the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO that indicates the water surface elevation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year. This is a regulatory standard that is also referred to as the "100-year" flood.

Base Station means a wireless telecommunications facility; such facility may consist of radio transceivers; antennas; coaxial, fiber optic, or other cables; a regular and back-up power supply; and other associated electronics and technology. Such facilities are sometimes referred to as base transceiver stations. Base stations may also be structures that currently support or house any of the technology listed in this definition or other associated equipment that constitutes part of a base station in any technological configuration, including distributed antenna systems and industrial microcells.

Basement means a story at least one-half its height below grade. A basement is not counted as a story for the purpose of height regulations.

Bed And Breakfast Facilities see "short-term rental."

Board of Adjustment ("BOA") means the City of Marshalltown Board of Adjustment (BOA) who, in accordance with Chapter 414, City Zoning, Iowa Code, Section 414.7, Board of Adjustment, may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of this Code in harmony with its general purposes and intent and in accordance with the general and specific rules contained in this Code, and who may also provide that any property owner aggrieved by an action of the City may petition to modify the regulations and restrictions of this Code.

Boarding or Rooming House means a single detached dwelling, where the property owner or property lessee/operator resides on the premises, and where for compensation and by prearrangement, for definite periods, lodging and/or meals are provided for three persons to a maximum of 10 persons. The resident property owner or resident property lessee, who operates the boardinghouse or rooming house, shall be responsible for making an application for any required special use permit.

Boat or Recreational Vehicle Outdoor Storage means a facility where boats, other watercraft, and recreational vehicles are stored outdoors.

Building Area means the portion of a lot remaining after required yards have been provided.

Building means any structure intended for shelter, housing or enclosure of persons, animals, chattels or property of any kind.

Building Setback Line means a line establishing the minimum allowable distance between the nearest portion of any building, excluding any uncovered porches, steps, patios, fences, etc., and similar fixtures.

Building Setback means the minimum distance a building must be set back from the street line.

Building, Community means a building for social, educational, cultural, and recreational activities for a neighborhood or community, provided any such use is not operated primarily for commercial gain.

Building, Height of means the vertical distance measured from the floor closest to curb grade to the level of the highest point of the roof surface, if the roof is flat or inclines not more than one inch vertical to one foot horizontal, or the mean level between the eaves and the highest point of the roof if the roof is of any other type.

Building, Principal means a building which contains the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building.

Building, Public means a building owned (or leased) by a governmental agency and used for governmental functions.

Building or Development Contractor means facilities for building, heating, plumbing, or electrical contractors, and related storage facilities. The site may include an unenclosed portion upon which a contractor maintains an area used to store equipment and other materials customarily used in the trade carried on by the contractor. This definition excludes temporary contractor storage associated with the site of an on-going construction project.

Bus Shelter means a structure located at a designated transit stop designed primarily for the shelter of transit bus passengers.

Business Garden means a home-based business, where areas of a parcel are managed and maintained by individuals residing on the same parcel or adjoining parcels under the same ownership, used to cultivate fruits, vegetables, herbs, or flowers for sale purposes. This definition does not include cultivation only for personal consumption or use. (See article BB, business gardens for operating regulations.)

C

Camouflage means with regard to wireless telecommunications facilities, a way of painting, mounting, or locating related equipment so it is not readily apparent to the casual observer. Camouflaged wireless telecommunications facilities are often collocated, utilize flush mounted antennas and related equipment, are painted to match the color of the support structure, or hidden from view by things like parapet walls. Camouflaging equipment is not equivalent to concealing equipment.

Canopy means a fixed shelter of any material and of any length projecting from a building and supported by columns or posts from the ground. Also known as an “awning.”

Car Wash means a facility for the washing or cleaning of vehicles. A car wash may be:

- A bay or a group of bays with each bay to accommodate one vehicle only where a person uses a high-pressure hose to wash the vehicle by hand;
- An automated conveyor or drive-through bay that allows washing a vehicle while moving through the structure.

Carnival means an establishment with amusement activities; merry-go-rounds, ferris wheels and similar types of amusement rides; booths for the conduct of games of skill; food dispensing facilities; and sideshows; that are temporarily conducted outdoors and not within a theater, auditorium, gymnasium or other permanent building.

Cemetery, Columbarium, Mausoleum, or Memorial Park means uses intended for the burial of the dead and dedicated for cemetery purposes or to commemorate the dead without burial taking place on-site.

Changeable Copy Sign means a sign or part of a sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.

Child Day Care Center means a regularly operating service arrangement for two or more children under the age of 13, where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision and well-being of a child for less than a twenty-four-hour period, in a facility that is not the residence of the provider or of any of the children in care. A nursery school shall be considered to be a child day care center.

Circus means an event with a variety of shows, including, but not limited to, animal acts, feats of physical skill, and performances by entertainers such as jugglers or clowns, which is temporarily conducted out-of-doors and not within a theater, auditorium, gymnasium or other permanent building.

Clinic means an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one or more physicians practicing medicine, dentistry or psychiatric treatment.

Club means a building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Coastal A Zone means flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.

Collector Street means a street that brings traffic from local residential (minor) streets to major streets.

College or University means a public or private institution providing full-time or part-time education beyond the high school level and including any lodging rooms or housing for students or faculty.

Collocate means with regard to wireless telecommunications facilities, the act of locating wireless telecommunications facilities on any existing support structure.

Commission means the city Plan and Zoning Commission.

Community Garden means a private or public facility for cultivation of fruit, flowers, vegetables, or ornamental plants by more than one person or family.

Concealed Wireless Telecommunications Facility means any wireless telecommunications facility that is integrated as an architectural feature of an existing structure or any new support structure designed so that the purpose of the facility or support structure for providing wireless telecommunications services is not readily apparent to a casual observer. Examples include but are not limited to: bell towers, clock towers, faux trees, flag poles, minarets, monuments, parapets, religious symbols, smoke stacks, steeples, or structures intended as art.

Consumer Microcell means with regard to wireless telecommunications, a signal booster that is marketed and sold to the general public for use without modification. These types of devices do not require professional installation and are used for personal use by individuals to improve coverage in a home, car, boat, recreational vehicle and other related areas.

Convenience Store means a small commercial shopping facility designed as a component of the neighborhood or district in which it is located.

Convention Center means a facility used for business or professional conferences and seminars, exhibitions, and entertainment events.

Correctional Facility means an establishment providing housing and care for individuals legally confined for violations of law.

Cul-De-Sac means a street with only one outlet and having an appropriate turnaround for a safe and convenient reverse traffic movement.

Curb Grade means the elevation of the established curb in front of the building measured at the midpoint of such frontage. Where no curb exists, the city engineer shall establish such curb grade for the existing or proposed street in accordance with the existing street grading plans of the city.

D

Day Care means a use category containing principal uses that provide care, protection, and supervision for at least two children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 24 hours each day, although the facility may be open 24 hours each day.

Uses in this use category include: Adult day care center; child day care center; Pre-school; and other uses meeting the definition of Day Care according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Food preparation and dining facility; Minor utilities; and Recreation facility

Density means the total number of dwelling units divided by the area in acres of all land within a development dedicated to residential uses, including residential lots and buildings and the streets, parking areas, landscape areas, parks and open space serving the residential uses.

Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Distributed Antenna Systems (DAS) means a wireless telecommunications facility; a system or network of spatially separated antennas connected to a common transport medium (i.e. coaxial, fiber optic, or other cable) to a signal source, such as a base station or an external antenna capable of connecting to a base station wirelessly. Such systems/networks commonly have three primary components: remote communications nodes, each having at least one antenna for transmission and/or reception; a high capacity signal transport medium, which is either underground or aerial; and a central communications hub to propagate and/or convert, process or control signals transmitted and received through the nodes. DAS may also include additional equipment such as amplifiers, remote radio heads, signal converters, power supplies, and other related equipment.

Domestic Abuse, Homeless, or Youth Shelter means an establishment used for the reception and temporary care of persons who, by some circumstances, are without safe and proper shelter.

Dormitory means a building used as a group living quarters for students or members of a religious order.

Double-Faced Sign means a sign with two faces supported by the same structure and diverge from a common edge by an internal angle of no more than 45 degrees. Signs with faces diverging from an angle more than 45 degrees shall be considered multiple signs.

DT means Downtown Zoning District.

Drive-Through Facility (Same As "Drive-In") means any portion of a building or structure from which customers can receive a service or obtain a product while in their motor vehicle. Regulated as a subordinate use to a principle use, regardless of the nature of the principle use.

Driveway means that space specifically designated and reserved on the site for the movement of vehicles from one site to another or from a site to a public street.

Dwelling means a building or portion thereof which is designed or used exclusively for residential purposes.

Dwelling, Apartment means a building comprised of at least five or more dwelling units, not separated by a property line, within which each unit may not have a minimum of two outside walls and where each unit is designed for one family or occupancy. as described by the specific zoning district.

Dwelling, Duplex means two connected dwelling units totally separated from each other without openings where each is designed for one family or occupancy as described by the specific zoning district.

Dwelling, Single-Family Attached means two attached single-family dwellings located on two separately platted lots that share a common fire-rated wall without openings along the interior lot line and where each is designed for one family.

Dwelling, Single-Family Detached means a building occupied by or designed for occupancy by one family or occupancy as described by the specific zoning district building located on a single lot, designed exclusively for one family and entirely separated from any other dwelling by setbacks on all sides.

Dwelling, Townhouse means unless otherwise specified within a zoning district, a townhouse is one of a series of at least three attached dwelling units, not to exceed eight, for rent or sale, separated from one another by common walls and property lines without openings from basement floor to roof and having varied but compatible elevations, and with not more than two abutting dwelling units having the same front yard setback. The lots, utilities and other improvements for each "townhouse" would be designed to permit individual and separate ownership of such lots and dwelling units.

Dwelling, Multiplex means a type of attached multiple dwelling containing three or four attached dwelling units in one building with each unit having a minimum of two outside walls and sharing one or more walls with an adjoining unit or units. Each dwelling unit has direct access to the outside or to a common hall. These dwellings can be designed and constructed to permit individual and separate ownership of lots and dwellings or combinations of dwelling units. and where each is designed for one family or occupancy as described by the specific zoning district.

Dwelling, Unit means a single enclosed area providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Unless otherwise specified, dwelling units shall be for nontransient occupancy of 30 days or more. The term does not include recreational vehicles. one or more rooms located within a building and forming a singular unit with facilities which are used or intended to be used for living, sleeping and dining purposes. A dwelling unit shall have customary kitchen facilities. An efficiency apartment unit is defined as a dwelling unit. Dwelling units which will be occupied for predetermined periods of time of more than one month in succession shall be termed nontransient dwelling units.

E

Easement means a grant by a property owner of the use of land for a specific purpose.

Educational Facilities means a use category containing public and private schools at the elementary, middle, or high school level that provide basic academic education. Also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree usually in a campus setting.

Uses in this use category include: College or university; Training facility or vocational school; Public schools or private school elementary, middle, or high school; and other uses meeting the definition of Educational Facilities according to the Zoning Administrator.

Typical accessory uses include: Assembly hall; Associated office and storage; Athletic facilities; Auditorium or theater; Before- and after-school day care; Concession; Dormitory; Food preparation and dining facility; Laboratory; Library; Medical clinic; Minor utilities; and Recreation facility.

Electronic Message Center means an electronic message center is a sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means. Such a sign is not a changeable copy sign.

Elevated Building means a non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).

Encroachment means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Entertainment, Indoor means a use category containing uses varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting.

Uses in this use category include: Archery / firearms range (indoor); Axe throwing lounge; Bar or tavern; Bingo hall; Body art service; Bowling center; Convention center; Dance club or dance hall; Fitness gym; Gymnastic, dance, or martial arts facility; Microbrewery or micro-distillery; Movie or other indoor theater; Pool hall; Skateboard or trampoline park; Skating rink; Swimming pool (indoor); Tennis or racquetball facility (indoor); and other uses meeting the definition of Indoor Entertainment according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Associated retail sales related to the primary use; Concession; Food preparation and dining facility; Minor utilities; and Swimming pool, indoor.

Entertainment, Outdoor means a use category containing uses providing daily or regularly scheduled recreation-oriented activities in an outdoor setting.

Uses in this use category include: Amphitheater; Amusement park; Animal racing or training; Campground; Fairgrounds or rodeo grounds; Farmers market, outdoor; Flea market, outdoor; Golf course, driving range or mini-golf course; Paintball facility; Recreational vehicle park; Stadium, arena, running track or ball field; Track, vehicle race; and other uses meeting the definition of Outdoor Entertainment according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Associated retail sales related to the primary use; Concession; Food preparation and dining area; Minor utilities; and Single dwelling unit for caretaker.

Entry/Exit Sign means a wall or freestanding sign not exceeding four square feet in area. If such sign is a freestanding sign, the height may not exceed four feet.

Equipment Cabinet means with regard to wireless telecommunications, a cabinet, shed, shelter, or other structure, where equipment is housed to support wireless telecommunications services.

Establishment means a public or private institution or a place of business.

Existing Construction means for the purposes of the insurance program, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures" and "pre-FIRM." structures for which the "start of construction" commenced before November 3, 1989. "Existing construction" may also be referred to as "existing structures."

F

Facade, Front means the principal frontage of a building which, by either aesthetic attention, main entry and egress, or the longitudinal dimension of the structure, becomes the primary frontage.

Facade, Rear means that portion of a building which is, by either service area, secondary entry and egress or the facade directly opposite the front facade of the structure, the reverse frontage of the building.

Family Day Home, Major means a child day care program offered in the residence of the provider or the home of any of the children in care for five through twelve children under the age of 13, exclusive of any children who reside in the home, when at least one child receives care for compensation.

Family Day Home, Minor means a child day care program offered in the residence of the provider or the home of any of the children in care for one through four children under the age of 13, exclusive of any children who reside in the home, when at least one child receives care for compensation.

Family means an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit. Family specifically includes all persons living in "family homes" or "elderly family homes" as those terms are defined under, respectively, Iowa Code Sections 414.22 and 231A.1.

Farm Product means fruits, vegetables, mushrooms, herbs, grains, legumes, nuts, eggs, honey, flowers, nursery stock, livestock food products (including meat, milk, yogurt, cheese and other dairy products), and seafood.

Farm Product, Value-Added means any product processed from a farm product, such as baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, flours, coffee, smoked or canned meats or fish, sausages, or prepared foods.

Farmers Market means an outdoor market where at least 75 percent of the items for sale are farm products or value-added farm products.

Feather Sign means a lightweight sign mounted along one edge on a single and vertical pole structure, which may resemble a feather, sail, bow, or teardrop. Feather signs are animated signs.

Financial Institution And Offices means any building wherein the primary occupation is concerned with such state regulated businesses as banking, savings and loans, loan companies and investment/securities companies.

First-Row Building means a multiple-family building or buildings that are part of a complex of multiple-family buildings and that are closest to the street from which primary access to the complex takes place.

Flag means a piece of cloth or similar material, typically oblong or square, attached by one edge to a pole or rope.

Flashing Sign means a sign that includes lights that flash, blink, or turn on and off at less than five second intervals.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a digital flood insurance rate map (DFIRM).

Flood Insurance Study (FIS) means a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

Flood or Flooding means

- (1) A general or temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters;
 - b. The unusual and rapid accumulation or runoff of surface waters from any source; or
 - c. Mudflows which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1.a. of this definition.

Flood Proofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodplain or Flood-Prone Area means any land area susceptible to being inundated by water from any source.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point within the community..

Floor Area means the gross horizontal areas of all floors, including basements, cellars and attics (but not such areas within a building which are used for parking), measured from the exterior faces of the exterior walls of a building.

Floorplate means the horizontal land area occupied by a building at finished grade including projections and overhangs.

Fraternity or Sorority House means a single detached dwelling being occupied by persons who are members of a fraternity, sorority, association or group chartered for social, educational, religious or service purposes.

Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

Freestanding Sign means any non-portable sign supported by a fence, wall, or by upright structural members or braces on or in the ground and not attached to a building.

Funeral Home means a building used for the preparation of corpses for burial or for cremation which may also be used for funeral services.

G

Garage, Storage, or Parking means a building or portion thereof designed or used exclusively for storage or motor-driven vehicles.

GC means General Commercial Zoning District.

GI means General Industrial Zoning District.

Golf Course means an outdoor area designed for playing the game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a Country Club or other clubhouse, a driving range, putting greens, and shelters as accessory uses.

Government Facilities means a use category containing offices, storage, maintenance, and other facilities for the operation of local, state, or federal government.

Uses in this use category include: Detention center, jail or prison, publicly-owned and operated; Emergency services, police or fire station; Post office; Utility office and other uses meeting the definition of Government Facilities according to the Zoning Administrator.

Typical accessory uses include: Associated storage; Day care for children of employees; Dormitory; Fleet maintenance; Food preparation and dining facility; Fueling facility; Medical clinic for employees or inmates; Meeting space; Minor utilities; and Recreation facility.

Governmental institutions; Other governmental uses, such as community centers, parks and playgrounds; provided, that any new building shall be located at least fifty (50) feet from any adjoining property line, including right-of-way lines;

Group Home means a property used for the residential care of tenants who are mentally or physically ill, wards of the state or any other similar group deemed appropriate by the Zoning Administrator.

Group Housing Project means a group housing project shall consist of two or more buildings located on a site where the building arrangement is such that the property cannot be subdivided into conventional streets and lots that meet the requirements of this chapter and chapter 2 of this title.

Group Living means a use category containing uses with residential occupancy of a dwelling by a means other than found in Household Living typically providing communal kitchen/dining facilities.

Uses in this use category include: Boarding or rooming house; Dormitory or fraternity or sorority house; Nursing home; and other uses meeting the definition of Group Living according to the Administrator.

Typical accessory uses include: Associated office; Facilities for treatment of sickness or injuries; Food preparation and dining facility; Minor utilities; Pool house; Private community center; Swimming pool; Recreational facility; and other miscellaneous household amenities.

H

Halfway Houses and Ex-Offender Rehabilitation Services means a property used to temporarily house ex-offenders in a rehabilitation or transitioning period.

Heavy Industrial means a use category containing uses engaged in the manufacturing, assembly or processing of chemicals, animal products and metals; the activities of which are likely to have characteristics that discourage adjacency to residential uses. Factory production and industrial yards are located here. Sales to the general public are rare.

Uses in this use category include the manufacture, assembly or processing of: acid, acetylene gas, aircraft, alcoholic beverages (wholesale), ammonia, asbestos and asbestos products, asphalt, automobiles or trucks, batteries, bones, boxes or crates or pallets, brick or tile or terra cotta, building materials, celluloid, cement, chalk, charcoal, chemicals, chlorine, coffins, corrugated metal, cotton oil, creosote, disinfectant, dyes or inks, fat, fertilizer, fireworks, gas, gelatin, glass, glue, graphite, grease, gunpowder, gypsum, hemp, insecticide, lacquer, lard, lime, linoleum, machinery, manufactured or mobile homes, metal, motors or engines, paint, paraffin, petroleum, plaster of Paris, plastic, poison, porcelain, recreational vehicles, railroad vehicles and equipment, rubber, salt, shellac, tallow, tar, tires, trailers, turpentine, varnish, vinegar, wax, or yeast.

Additional uses include: Arsenal; Boiler works; Bulk storage of explosive or hazardous materials; Concrete batching and asphalt processing and manufacture; Fertilizer storage; Grain elevator; Grain and feed manufacturing building; Incinerator for reduction of garbage, dead animals, offal, refuse or automobile bodies (non-governmental); Railroad yard or repair shop; Sawmill; Smelter; Slaughtering, packaging or processing of animals; Wrecking, junk or salvage yard; and other uses meeting the definition of Heavy Industrial according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Associated retail sales related to the primary use; Day care for children of employees; Fleet maintenance; Food preparation and dining facility; Fueling facility; Medical clinic for employees; Meeting space; Minor utilities; Recreation facility; and Single residential unit for caretaker.

Heavy Vehicular Equipment Sales, Service, and Repair means an establishment engaged in the display, sale, leasing, rental, or repair of heavy equipment of 12,000 or more pounds gross vehicular weight.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Area means an area or existing site containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.

Historic Structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior; or,
 - b. Directly by the Secretary of the Interior in states without approved programs.

Home-Based Business means any occupation or activity which is clearly incidental to the use of the premises for dwelling purposes and which is carried on wholly within a main building or accessory building, other than business gardens as defined, by a member of a family residing on the premises, in connection with which there is no advertising on the premises, and no other display or storage or variation from the residential character of the premises, and in connection with which no person outside the family is employed and no equipment which is deemed to be in conflict with the intent of this definition.

Homestay means, in a single-family detached, duplex, or townhouse dwelling unit, the provision of a guest room or accommodation space within the principal building that is suitable or intended for transient occupancy of a maximum of four guests in the homestay at any one time for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy a maximum of 90 days per calendar year.

Hospital means a facility in which patients or injured persons are given medical, surgical and/or psychiatric care on an inpatient or outpatient basis, or an institution for the care of contagious or incurable diseases.

Hotel, or Motel And Similar Transient Housing means a facility offering overnight lodging accommodations to the general public and that may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. The office has a 24 hour employee on site and daily rates. building or group of buildings which are designed or intended to be used or hired out on weekly basis, primarily for transient or temporary occupancy.

Household Living means a use category containing residential occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-contained dwelling units including kitchens.

Uses in this use category include: Apartment; Duplex; Manufactured home; Single-family attached; Single-family detached; Townhouse; Tri- or quadraplex; and other uses meeting the definition of Household Living according to the Zoning Administrator.

Typical accessory uses include: Business garden; Chickens, keeping of (subject to Sec. 15-2-24, Fowls, Chickens, and Other Domestic Birds, of the City Code) Child care; Domestic storage; Family day home, major or minor; Minor utilities; Garage, attached or detached; Home-based business; Leasing office for manufactured home park or apartment complex; Model home with sales office in model home; Pool house; Private community center; Short-term rental or homestay; Swimming pool (private); and other miscellaneous household amenities.

Housing means see "Dwelling."

I

Illegal Sign means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

Illuminated Sign means a sign that is backlit, internally lighted, or indirectly lighted.

Industrial Microcell means a wireless telecommunications facility; a standalone, short range radio transceiver located in specific locations, either indoors or outdoors, where there is often low signal quality and high demand for a wireless telecommunications signal. Examples include but are not limited to industrial signal boosters, repeaters, bi-directional amplifiers, and devices specifically identified as microcells. Consumer microcells, such as femtocells, for residential or household use or mobile use (i.e. vehicular, boat, etc.), and equipment meeting the thresholds to be considered small cell facilities, are excluded from this definition.

Institution means a nonprofit corporation or a nonprofit establishment whose purpose is civic, educational, charitable, religious or philanthropic in nature.

J

Junk Yard means any space or area or portion of lots used for the storage, sale, keeping or abandonment of junk or waste materials, including used building material, or for the dismantling, demolition, sale or abandonment of automobiles and other vehicles, machinery or parts thereof.

K

Kennel means a premise on which four or more dogs, six months or older, are kept. This term includes privately-owned animal shelters.

L

Landscaping Island means an area that includes landscaping within a parking lot.

Landscaping means living vegetation primarily used to enhance property aesthetics, values, and/or to improve environmental conditions. Landscaping may include grasses, shrubbery, trees, and other vegetation. Mulch and/or stone shall be used only for the enhancement of vegetation. The use of mulch and/or stone alone is not considered landscaping.

Letters of Map Change (LOMC) means a letter of map change is an official FEMA determination, by letter, that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

- (1) Letter of map amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a land as defined by meets and bounds or structure is not located in a special flood hazard area.
- (2) Letter of map revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A letter of map revision based on fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- (3) Conditional letter of map revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood insurance rate map or flood insurance study.

Letter of Map Amendment (LOMA) means an amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a land as defined by meets and bounds or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR) means a revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A letter of map revision based on fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR) means a formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood insurance rate map or flood insurance study.

Light Industrial means a use category containing uses engaged in the manufacturing, assembly or processing of industrial, business or consumer goods; usually from basic finished inputs such as metal, stone, glass, plastic, or rubber. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

Uses in this use category include manufacture or assembly of: appliances, artificial limbs, awnings, beds, blinds, boats, books, brooms, buses, carpet, clothing or textiles or canvas, cosmetics, equipment, electrical items, felt, hardware, ice, jewelry, medical, optical or dental instruments or supplies, mirrors, medical instruments, musical instruments, perfume, pharmaceuticals, shoes, shutters or shades, signs, and toys.

Additional uses include: Bakery, wholesale; Bottling or canning; Brewery; Building and development contractors; Bulk mailing service; Clothing or textile manufacturing; Creamery; Crematorium; Engraver; Exterminator service; Food processing; Janitorial and building maintenance service; Maintenance and repair shop; Laundry, dry-cleaning, and carpet cleaning plants; Metal plating; Metal shop; Printing, publishing, and lithography; Repair of scientific or professional instruments or electric motors; Research and development laboratory; Smoking or processing of meat products (wholesale); Stone cutting; Welding, tool repair or machine shop; Woodworking, including cabinet makers and furniture manufacturing; and other uses meeting the definition of Light Industrial according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Associated retail sales related to the primary use; Associated showroom; Day care for children of employees; Fleet maintenance; Food preparation and dining facility; Fueling facility; Medical clinic for employees; Meeting space; Minor utilities; Recreation facility; Single residential unit for caretaker; and Wholesale and/or retail sales.

Lot Area means the total horizontal area within the lot lines of a lot. No existing alley, public way, public land or area proposed for future street (alley) purposes is included within the net area of a lot. On-site easements are included in the land area of a lot.

Lot Depth means the average horizontal distance between the front and rear lot lines.

Lot means a parcel of land occupied or intended to be occupied by a use permitted in this chapter, including one main building together with its accessory buildings, and the yards and parking spaces required herein, and having its principal frontage upon a street or upon an officially approved place.

Lot of Record means a lot which has been recorded in the office of the clerk of the circuit court.

Lot, Nonconforming means an otherwise legally platted lot that does not conform to the minimum area or width requirements of this chapter for the district in which it is located either at the effective date of this chapter or as a result of subsequent amendments to this chapter.

Lot, Width means the distance between side lot lines measured at the building line.

Low-Impact Development means an approach to stormwater management that mimics a site's natural hydrology as the landscape is developed.

Lowest Adjacent Grade means the lowest natural elevation of the ground surface next to the walls of a structure.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.

M

Macrocell means any wireless telecommunications facility not considered a concealed wireless telecommunications facility, a consumer microcell, a small cell facility, an industrial microcell, or a distributed antenna system.

Major Street means a street shown as a major street on the city "master transportation plan".

Manufactured Home means a structure subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

Manufactured Home (floodplain) means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park means an area designed, constructed, equipped, operated, and maintained for the purpose of providing spaces for two or more manufactured homes intended to be used as living facilities.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Manufactured Home Sales And Service Establishment means use of land whereon the primary occupation is the sale and ancillary service of manufactured homes. This use shall not include storage of nonhabitable manufactured homes for a period of time exceeding 90 days.

Marginal Access Street means a minor street generally paralleling and contiguous to a major street designed primarily to promote safety by providing free access to abutting properties and limited access to the major street.

Marquee means a permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond a building wall designed and constructed to provide protection against the weather.

Mean Sea Level means for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988 to which base flood elevations shown on a community's FIRM are referenced.

Medical Facilities means a use category containing uses providing medical or surgical care to patients. Some uses may offer overnight care.

Uses in this use category include: Acupuncture clinic; Blood or plasma center; Chiropractor; Drug, alcohol or psychiatric treatment center, out-patient; Hospice center; Hospital; Medical or dental office; and other uses meeting the definition of Medical Facilities according to the Zoning Administrator.

Typical accessory uses include: Associated helicopter landing facility; Associated office and storage; Associated retail sales area related to the primary use; Classrooms; Day care for children of employees or patients; Dormitory; Fleet maintenance; Food preparation and dining facility; Minor utilities; Place of worship; Pharmacy; and Recreation facility.

Micro-Manufacturing means the retail or business-to-business production of artisan goods that are produced in small quantities using small hand tools or light machinery including, but not limited to, 3-D printers or computer numerical control routers.

Micro-Wireless Facility means a small cell facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, not longer than 11 inches.

Mini-Warehouse means a structure containing separate storage spaces, which may be of various sizes, leased or rented on an individual basis but not for human or animal occupancy.

Minor Street means a local residential street which provides access to building sites, space for public utility lines and space for light and air.

Mobile Food Unit means a temporary establishment engaged in the retail sale of prepared food for consumption, on site or offsite, from a movable vehicle, portable structure, or pushcart.

MU means Mixed-Use Zoning District.

Multiple Establishment Building means a commercial development with two or more establishments on a single parcel of common ownership attached by common walls or, if located in separate buildings, are interconnected by walkways and/or access ways on one or more commonly owned or managed properties, providing common parking facilities for all establishments, having multiple tenancy of a single or several common structures, and otherwise presenting the appearance of one continuous commercial area.

N

Neighborhood Sign means freestanding sign located at the entrance of a neighborhood or subdivision.

Net Development Area means the total area of land in the MX-U development designated on the master development plan for residential, nonresidential, or open space uses, excluding streets.

New Construction means for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after November 3, 1989, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Nonconforming Sign means any sign which was lawfully erected in compliance with applicable regulations of the city and maintained prior to the effective date of this article and which fails to conform to current standards and restrictions.

Nonconforming Structure means any lawful structure existing at the time of the enactment or subsequent amendment of this chapter which does not conform to the current zoning regulations prescribed in the district in which it is situated.

Nonconforming Use means any lawful use existing at the time of the enactment or subsequent amendment of this chapter which does not conform to the current zoning regulations prescribed in the district in which it is situated.

No-Impact Home-Based Business means a home-based business for which all of the following apply:

- A. The total number of on-site employees and clients does not exceed the city occupancy limit for the residential property; and
- B. The business activities are characterized by all of the following:
 - 1. The activities are limited to the sale of lawful goods and services;
 - 2. The activities do not generate on-street parking or a substantial increase in traffic through the residential area;
 - 3. The activities occur inside the residential dwelling or in the yard of the residential property; and
 - 4. The activities are not visible from a street adjacent to the residential property.

Nursing Home means a home for the aged, or infirm, senile, chronically ill or convalescent in which persons not of the immediate family are received, kept or provided with food, shelter, treatment and care for compensation, but not including hospitals, clinics or similar institutions.

O

Off-Premises Sign means a sign that directs attention to an object, person, product, institution, organization, business, service, event, or location conducted, sold, or offered at a location other than the parcel on which the sign is located.

Office means a use category containing activities conducted in an office setting and generally focusing on business, professional, or financial services.

Uses in this use category include business and professional offices or agencies for services such as: accounting, advertising, architecture, bill collection, consulting, counseling, data processing, design, engineering, investment or brokerage, law, real estate or insurance, sales, temporary employment, or travel.

Additional uses include: Bank or credit union; TV, recording, or radio studio; and other uses meeting the definition of Office according to the Zoning Administrator.

Typical accessory uses include: Associated storage; Day care for children of employees; Medical clinic for employees; Minor utilities; Food preparation and dining facility for employees; Recreation facility for employees; and Private telecommunication or transmission tower.

On-Premises Sign means any sign that directs attention to an object, person, product, institution, organization, business, service, event, or location conducted, sold, or offered on the parcel upon which the sign is located.

Open Space, Common means land within a private development set aside, dedicated and designed to protect natural environmental resources, to serve as a visual amenity, and/or to provide recreational opportunities that is owned by a property owners association and is designed and intended for the common use or enjoyment of the residents of the development. Such land shall be primarily naturally vegetated or landscaped, but may include limited paved areas, such as sidewalks, pedestrian plazas, trails, and recreational courts. Such land shall not include streets, street rights-of-way, driveways, parking areas, structures, above ground public utilities, including stormwater management facilities, or other improvements, except as may be approved for recreational or historic preservation purposes in a development plan or site plan.

Outdoor Display Area means an area for display of finished products actively available for retail sale, rental, or lease. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, which shall be considered outdoor storage. generally considered accessible to the public that utilizes parking spaces or paved and/or graveled areas to displays goods for sale, rental, or lease, except those areas counted as part of the gross floor area for purposes of calculating required parking. Goods include but are not limited to vehicles, recreation equipment, trailer sales, heavy equipment, manufactured homes, industrialized buildings, agricultural equipment, yard and landscaping equipment, and other similar products.

Outdoor Storage means the storage of any item outside of an enclosed structure that is not accessible to the general public. This includes but is not limited to garden supplies, building supplies, plants, materials stored in crates, boxes, or shipping containers; lumber yards; pipe; contractor's equipment; and other similar uses.

Overnight Accommodations means a use category containing uses with bedroom and bathroom units arranged for short-term stays of less than 30 days for rent or lease.

Uses in this use category include: Hotel, Motel, or Resort; and other uses meeting the definition of Overnight Accommodations according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Meeting space; Minor utilities; Recreational facility; Restaurant; and Swimming pool (public).

P

Parking Bay means multiple parking spaces arranged in single or double loaded rows.

Parking, Commercial means a use category containing commercial facilities that provide parking that is not accessory to a principal use, for which a fee may or may not be charged.

Uses in this use category include: Park-and-ride facility; Parking lot or structure, commercial; Truck, tractor, trailer or bus storage or parking yard, lot, or garage; and other uses meeting the definition of Commercial Parking according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; and Minor utilities

Parking Lot means a defined area for the storage of operable motor-driven vehicles and operable accessory vehicles. A parking lot includes all areas used for parking, maneuvering, loading, driveways, travelways, and drive-throughs, except public street ingress and egress.

Parking Space means the area required for parking one automobile which shall be a minimum of nine feet wide and 18 feet long, not including passageways.

Parking Unit, Private means a self-contained and privately maintained area accessed by a public street but allowing no through traffic routes and providing such off-street parking as may be required under this chapter for the building served. Said parking unit may be entered by a private drive from the public street; provided, that such drive offers adequate ingress and egress for emergency vehicles and otherwise complies with acceptable city standards.

Parking, Off-Street means any on-site space specifically allotted to or required for vehicle and bicycle parking.

Parks and Open Areas means a use category containing uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures.

Uses in this use category include: Private club and golf course; Cemetery, columbarium, mausoleum, or memorial park; Dog park, publicly-owned; Park or playground; and other uses meeting the definition of Parks and Open Areas according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Associated retail sales area related to the primary use; Boat launch; Concession; Dining area; Minor utilities; and Recreation facility.

Passenger Terminal means a use category containing facilities for the takeoff and landing of airplanes and helicopters, and terminals for taxi, rail, or bus service.

Uses in this use category include: Airport; Heliport; Bus terminal; Transportation service facilities, including but not limited to those for: taxicab, limousine, or bus; and other uses meeting the definition of Passenger Terminal according to the Zoning Administrator.

Associated office and storage; Associated retail sales area related to the primary use; Concession; Fleet maintenance; Freight handling area; Fueling facility; and Minor utilities.

PI means Public and Institutional Zoning District.

Plan of Development means a sketch of the site drawn to scale, showing the dimensions and acreage of the property, and approximate location of buildings, roads, parking areas and landscaping, the number of dwelling units or commercial or other types of buildings and other information essential for determining whether the provisions of this chapter are being observed, such as pertinent site engineering data.

Plant Nursery, Greenhouse, and Landscaping Business means a facility where plants and landscaping materials are raised and/or sold. Such uses must be served by a permanent building. These uses may include the storage of materials used for installation of landscaping materials.

Plat means a drawing, map or plan for a parcel of land or subdivision, or rearrangement, revision or resubdivision of land.

Plat means a map or drawing on which the proposed subdivision of land is presented for approval and, when in final form, for recording.

Pole Sign means a sign that is attached to one or more freestanding poles. Pole signs are freestanding signs.

Portable Restroom Facility means a movable restroom facility including but not limited to single portable toilets, portable sinks, trailer-mounted toilets, and restroom trailers that may include showers and tubs. Portable restroom facilities, as defined herein, shall be considered accessory buildings.

Portable Storage Unit means a large container, typically intended for transport by large truck, train, or ship, that is used for the temporary storage and or transport of personal property.

Post-Firm Structures means a structure for which construction or substantial improvement occurred after November 3, 1989.

Pre-Firm Structures means a structure for which construction or substantial improvement occurred on or before November 3, 1989.

Premises means a parcel of land, together with any building or structures occupying it.

Primary Frontal Dune means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms.

Private Club means an association organized and operated on a nonprofit basis for persons who are bona fide members paying dues, with which the association owns or leases premises, the use of which premises is restricted to such members and their guests, and which manages the affairs of such association by and through a board of directors, executive committee, or similar body chosen by the members. Food, meals and beverages may be served on such premises, provided adequate dining space and kitchen facilities are available. This definition includes country clubs.

Professional Offices means offices limited to personal services customarily performed by professionals such as doctors, dentists, architects, engineers, lawyers, accountants, real estate agents, insurance agents and brokers, who are not dependent on extensive on-site advertising.

Property means any tract, lot, parcel or several of the same collected together for the purpose of subdividing.

Public Area means any public place, public right-of-way, or parking lot or other right-of-way open to use by the general public.

Public Assembly means a use category containing establishments where people assemble for religious, philosophical, fellowship, or cultural purposes.

Uses in this use category include: Assembly, meeting, event or exhibition hall; Church, mosque, temple, synagogue, or other place of worship; Museum; Public library; Religious, educational, charitable and benevolent institutional uses which do not provide housing facilities; Club or lodge; Community, senior, or youth center; Philanthropic institution; and other uses meeting the definition of Public Assembly according to the Zoning Administrator.

Typical accessory uses include: Assembly hall; Associated office and storage; Associated retail sales area related to principal use; Athletic facilities; Auditorium or theater; Before- and after-school day care; Classrooms; Concession; Day care; Dormitory; Food preparation and dining facility; Laboratory; Library; Medical clinic; Minor utilities; Pre-school; and Recreation facility.

Public Floor Area means the gross building area, as figured on a per-story basis, which clearly serves the general public, such as vestibules and lobbies, corridors, waiting rooms and toilets, servicing areas, and required stairs, ramps and elevators. Employee oriented areas, such as kitchens and freezer rooms, storage, maintenance and service areas, shall not apply. Unfinished areas shall be included and figures on the basis of potential use.

Public Use means any instance where a lot or parcel of land, or any improvement on a lot or parcel of land, is used by (1) the city, or (2) another governmental entity having a contractual relationship with the city for the use of such lot or parcel or improvement.

R

Radio or Television Station or Studio means an establishment containing one or more broadcast studios for over-the-air, cable, or satellite delivery of radio or television programs.

REC means Recreational Zoning District.

Recreational Vehicle means a vehicle which is (1) Built on a single chassis; (2) Four hundred square feet or less when measured at the largest horizontal projection; (3) Designed to be self-propelled or permanently towable by a light duty truck; and, (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Recreational Vehicle Park means any property upon which two or more occupied recreational vehicles are situated, either free of charge or for revenue purposes, and includes any building, structure, tent, vehicle, or enclosure used or intended for use as part of the equipment of the park.

Recycling Facility means a facility or land use, regardless of name or title, at which recoverable resources, such as newspapers, magazines, glass, metal, plastic materials, tires, grass and leaves, and similar items, except hazardous waste and medical waste are collected, cleaned, sorted, stored, flattened, shredded, dismantled, crushed, bundled, or separated by size, grade, quality, or type, and compacted, baled, or packaged for shipment or delivery for the eventual manufacture of new products.

Repair-Oriented Use means a subset of uses in the Retail Repair, Sales, and Service use category that is primarily engaged in the provision of repair services to individuals and households rather than other businesses, but excluding vehicle and commercial repair services.

Uses in this use category include store offering repair of retail consumer goods excluding those repair services listed in the Vehicle Sales and Service use type, and including, but not limited to: appliances, bicycles, clocks, electronics, furniture, jewelry, locks and keys, musical instruments, office equipment, shoes, and watches. and other uses meeting the definition of Repair-Oriented Uses according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Concession; Day care for children of employees; Food preparation and dining area; Minor utilities; and Single attached dwelling unit for caretaker.

Repetitive Loss Structure means a building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood related damage, the contract for flood insurance contains increased cost of compliance coverage.

Research and Development Laboratory means a building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Restaurant means a use category containing uses serving food and beverages where all service takes place within an enclosed building or accessory outdoor eating or food dispensing areas.

Uses in this use category include: Candy or ice cream shop; Catering establishment; Coffee shop; Food delivery; Restaurant, sit-down; Restaurant, drive-in or drive-through; and Other uses that the Zoning Administrator interprets to be functionally similar to a use in this use category.

Typical accessory uses include: Associated office and storage; Drive-through facility; Minor utilities; Outdoor dining area; and Recreational facility.

Restaurant, Drive-In or Drive-Through means a restaurant located either within a coordinated development or situated in a stand-alone structure, that contains a drive-in or drive-through facility and customarily serves food in disposable containers.

Retail Repair, Sales, and Service means a use category containing establishments or individuals involved in the sale, lease, or rental of new or used products, or providing personal services or repair services to the general public. Refer to the definitions for repair-oriented, sales-oriented, and service-oriented uses.

RH means High-Density Residential Zoning District.

Right-of-Way Lines means lines which separate private property from dedicated public property containing or proposed to contain publicly owned street surfaces, curb and gutter, sidewalks and planted strips. Where a public street is designated on the major thoroughfare plan, all requirements of this chapter which relate to rights-of-way shall be measured from the indicated proposed right-of-way lines.

Riparian area relating to or situated on the banks of a river.

RL means Low-Density Residential Zoning District.

RM means Medium-Density Residential Zoning District.

Roof Sign means a sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, the lowest portion of a roof for any building with a pitched roof, or above a parapet wall.

RR means Rural Residential Zoning District.

S

Sales-Oriented Use means a subset of uses in the Retail Repair, Sales, and Service use category that is engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Uses in this use category include selling, leasing or renting consumer, home, and business goods including, but not limited to: alcoholic beverages; animal feed; antiques; appliances; art; art supplies; automobile and motorcycle parts and accessories; baked goods (retail); bicycles; books; building supplies; cameras; carpet and floor coverings; clothing; collectibles; computers; convenience goods; crafts; electronic equipment; electronic and mixed media; fabric; flowers; furniture; garden supplies; gifts or novelties; groceries; hardware; home improvement supplies; household products; jewelry; luggage; medical supplies; musical instruments; office supplies; pawned items; pets or pet supplies; pharmaceuticals; photographic supplies; picture frames; plants; postal supplies (non-governmental); printed materials; produce; school or teacher supplies; second-hand goods indoors; seeds; souvenirs; shoes; sporting goods; stationery; tobacco, electronic cigarettes, and related products; and toys; and other uses meeting the definition of Sales-Oriented Uses according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Concession; Day care for children of employees; Food preparation and dining area; Minor utilities; and Single dwelling unit for caretaker.

Screening means the use of fences, decorative walls or other physical or structural enclosures or plant material to separate uses and hide from view materials which require screening. Screening shall be required for outside storage areas only when called for by the zoning ordinance. Fences, decorative walls or other physical or structural enclosures used for screening shall be opaque to obstruct view of storage materials, with the finished face facing outside, and shall be at least six feet in height with a maximum of eight feet in height. If plant materials are used for screening purposes, they shall be three to four feet in height at planting time and shall otherwise meet the same intent as stated for fencing, etc. with the exception of height described herein. Screening, including walls and plant material, for parking lots and garages adjacent to public streets may be a minimum of four feet in height rather than six feet as specified above for other types of screening.

Self-Service Storage means a use category containing facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

Uses in this use category include: Boat or recreational vehicle storage; Mini-warehouse; and other uses meeting the definition of Self-Service Storage according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Minor utilities; Moving vehicle rental; and Single attached caretaker's quarters.

Service-Oriented Uses means a subset of uses in the Retail Repair, Sales, and Service use category that provides non-medical services that are generally needed on a recurring basis, and generally require one-to-one interaction between the proprietor or employee and the customer in order to provide the service.

Uses in this use category include: Animal grooming; Barbershop or beauty, nail, skin care, or tanning salon; Day spa; Dry cleaning and pressing establishment; Funeral home or mortuary; Kennel; Laundromat; Massage establishment; Music, art, or photographic studio or classroom; Optician or optometrist; Photocopy, blueprint, and quick-sign service; Postal services (non-governmental); Psychic or medium; Tailor; Taxidermist; and Veterinarian (small animal); and other uses meeting the definition of Service-Oriented Uses according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Concession; Day care for children of employees; Food preparation and dining area; Minor utilities; and Single dwelling unit for caretaker.

Setback means the minimum or maximum distance by which any building or structure must be separated from all lot lines.

Severe Repetitive Loss Structure means a structure that:

- (a) Is covered under a contract for flood insurance made available under the NFIP; and
- (b) Has incurred flood related damage;
 - (i) For which four or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or
 - (ii) For which at least two separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

Shallow Flooding Area means a special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Shopping Center means commercial development of more than one retail sales or service establishment on a single parcel of common ownership attached by common walls or if located in separate buildings are interconnected by walkways and/or access ways, providing common parking facilities for all establishments, having multiple tenancy of a single or several large common structures, and otherwise present the appearance of one continuous commercial area.

Short-Term Rental means the provision of a dwelling unit, a guest room or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.

Sidewalk Sign means a sign not affixed to a building, structure, vehicle, or the ground. This includes, but is not limited to, A-frame signs, otherwise known as sandwich boards and chalkboard signs. Sidewalk signs do not include a flag or banner.

Sign Area means the area which encloses the extreme limits of the intended communicated information.

Sign Face means the area or surface which displays the intended communicated information.

Sign Height means the vertical distance from the ground at the sign's foundation to the highest point of the sign.

Sign means any device (writing, letter work or numeral, pictorial presentation, illustration or decoration, emblem, symbol or trademark, figure, or character) visible to and designed to communicate information to persons in a public area. The term "sign" does not include devices specifically for drive-thru patrons.

Sign, Access means a freestanding on-premise sign located at the entry or exit of a vehicle use area that may or may not give exit or entry directions or facility information.

Sign, Awning means a sign placed directly on the surface of an awning. Awning signs are wall signs.

Sign, Canopy (Freestanding) means a multi-sided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

Sign, Canopy (Attached) means a multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Similar to a Sign, Marquee.

Sign, Directory means an outdoor sign listing and identifying the occupants within retail centers, industrial centers, office complexes, institutional campuses (e.g. medical center, hospital, etc.), and other multi-tenant mixed-use or nonresidential sites.

Sign, Hanging means a sign that is suspended over a walkway or a sidewalk, street, or other public right-of-way.

Sign, Marquee means a permanent roof-like structure suspended over a walkway or a sidewalk, street, or other public right-of-way, constructed of rigid materials that is supported by and extending from the facade of a building and which is designed to include manual or electronic changeable copy.

Sign, Menu Board means a sign erected in conjunction with a use that incorporates a drive-through or drive-in generally used to provide service or product options and pricing for customers in a vehicle or on foot.

Sign, Monument means any freestanding sign having a low profile and made of masonry, metal, rounded wood planks or beams, durable plastic or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves. Monument signs must be built on a monument base as opposed to a pole base.

Sign, Projecting means any sign, other than a wall sign, affixed perpendicular to a building and supported only by the wall on which it is mounted.

Sign, Pylon means a freestanding sign that is affixed to one or more pylons or poles, designed so that the combined width of the poles or pylons is at least 50 percent of the width of the sign face.

Sign, Snipe means a prohibited temporary sign or poster affixed to a fence, pole, post, hydrant, bridge, another sign, public bench, street light or any tree, rock, or other natural object.

Sign, Wall means any sign attached to, painted upon, and erected parallel to the face of the outside wall of a building and supported by such wall or building.

Sign, Window means a sign attached or painted on the surface of, located on the interior of, or flashing through a window.

Site Plan means refer to article D for site plan review.

Small Cell Facility means a wireless telecommunications facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

Social Service means a use category containing uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems; transient housing related to social service programs; and housing for individuals legally confined.

Uses in this use category include: Correctional facility, not owned or operated by the government; Domestic abuse, homeless, or youth shelter; Drug, alcohol, or psychiatric treatment center, in-patient; Halfway house; Soup kitchen; and other uses meeting the definition of Social Service according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Class rooms; Day care for children of employees or clients; Dormitory; Food preparation and dining facility; Library; Meeting space; Minor utilities; and Recreation facility.

Solar Panel Array means a method of generating electrical power by converting solar radiation into direct current electricity using semiconductors that exhibit the photovoltaic effect. Photovoltaic power generation employs a solar panel array that is composed of a number of solar cells containing a photovoltaic material.

Special Flood Hazard Area means the land in the floodplain subject to a one percent or greater chance of being flooded in any given year as determined in section 10-3-168 of this article.

Specified Anatomical Areas means (1) Less than completely and opaquely covered: (i) human genitals, pubic region, buttock; and (ii) female breast below a point immediately above the top of the areola. (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities means (1) Human genitals in a state of sexual stimulation or arousal. (2) Acts of human masturbation, sadomasochistic abuse, sexual penetration with an inanimate object, sexual intercourse or sodomy. (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Start of Construction means for other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L.—97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition; placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Steep Slopes means natural slopes prior to land disturbance or construction that exceed 15 percent. Such slopes are measured as the rise in elevation over the horizontal distance between contour lines on a topographic map with a contour interval of five feet or less.

Story means excluding basements, a portion of a building for living between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

Street Frontage means the width of the lot measured along the line parallel to the street in which the lot is addressed. On corner lots with a curve connecting the intersecting streets, frontage shall be measured along the extended tangent to the point of intersection of the two streets.

Street means a public thoroughfare which affords the principal means of access to abutting property, including any avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley which is designated or dedicated for public use.

Structural Alteration means any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams, or girders.

Structure means anything constructed or erected, the use of which requires location on the premises or which is attached to something having location on the premises. For floodplain management purposes, it shall mean a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Subdivider means the person, firm, association, organization, or corporation which holds legal title to land and subdivides it.

Subdivision means the division of a lot, tract or parcel of land into two or more lots, tracts or parcels, any of which are less than five acres in area for the purpose, whether immediate or future, of sale or of building development. (1) Division of land for agricultural purposes not involving the establishment of a new street or access easement shall be exempt from these regulations. (2) Industrial property shall be developed within the framework of this chapter. (3) The term "subdivision" includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. It also means flood-related damages sustained by a structure on two occasions in a 10-year period, in which the cost of the repair, on the average, equals or exceeds 25 percent of the market value of the structure at the time of each such flood event.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- B. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.
- C. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the state inventory of historic places must be obtained from the Secretary of the Interior or the state historic preservation officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Support Structure means with regard to wireless telecommunications, any structure that may support a wireless telecommunications facility including but not limited to telecommunications towers, alternative support structures, and structures that may be attached to or on top of buildings and other structures.

T

Telecommunications means any transmission, emission or reception of signs, signals, sounds, voice, text, images, video, data, information or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

Telecommunications Tower means any structure, except concealed wireless telecommunications facilities, designed, constructed, erected, repurposed or re-used for the sole or primary purpose of providing and supporting wireless telecommunications services.

Temporary Construction or Field Sales Office means a building or structure that is temporarily placed to aid in the process of managing a construction project.

Temporary Vendor means a use in which a person or persons sell retail goods for the purpose of purchase by consumers, whether immediately or by placing of orders for a limited duration of time.

Temporary Wireless Telecommunications Facility means a readily movable self-contained wireless telecommunications facility used to provide provisional wireless telecommunications services. An example is a cell on wheels (COW).

Traffic Control Device means a sign, signal, marking, or other device used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

Training Facility or Vocational School means an establishment, for profit or not, offering regularly scheduled instruction in technical, commercial or trade skills, such as but not limited to business, real estate, building and construction trades, electronics, computer programming and technology, automotive and aircraft mechanics and technology and similar types of instruction.

U

Unoccupied means a property on which all buildings are unused or not being used for a permitted activity.

Upper-Story Residential means a dwelling unit located above the first floor of a mixed use building type.

Utilities means a use category containing major or minor infrastructure that serves a site, a development, or the City at-large. Major Utilities include public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity and possibly having on-site personnel. Minor Utilities include public or private infrastructure serving a limited area with no on-site personnel.

Major Utilities include: Electrical substation; Electric or gas generation plant; Solar panel array (wall- or ground-mounted and greater than 850 square feet); Telephone exchange and transformer or substation; Water storage tank; Wireless telecommunications facility; and Water treatment plant and other uses meeting the definition of Major Utilities according to the Zoning Administrator.

Minor Utilities include: Pumping or regulator stations; Small cell facility; Solar panel array (roof-mounted or ground-mounted 850 square feet or less); Stormwater retention or detention facility; Telecommunication antenna collocated on an existing structure; and other uses meeting the definition of Minor Utilities according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Fleet maintenance; Minor utilities; and Storage structures.

V

Vacant means a property on which there is situated no structures.

Variance means a reasonable deviation from the provisions regulating the size, configuration or area of a street or other feature, when the strict application of the ordinance would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of the ordinance, and would result in substantial justice being done.

Vehicle Fuel Station means any building, structure, or land used for the dispensing, sale or offering for sale at retail of any vehicle fuels, oils, or accessories.

Vehicle Repair, Major means premises where mechanical, bodywork, major painting, or other similar work is performed on vehicles.

Vehicle Service, Minor means the replacement or repair of any vehicle part that does not require removal of the engine, transmission, or differential. Examples include dent repair, minor painting, upholstery, brake work, and oil changes.

Vehicle Sales and Service a use category containing establishments related to direct sales of and service to passenger vehicles, light, medium, and heavy trucks and equipment, and other motor vehicles such as motorcycles, boats, and recreational vehicles.

Uses in this use category include: Car wash; Heavy vehicular equipment sales, service, and repair; Rental or sales of manufactured homes, mobile homes, portable buildings, or trailers; Truck stop; Personal vehicle repair; Vehicle service; Vehicle fuel station; Vehicle sales, rental, and leasing; and other uses meeting the definition of Vehicle Sales and Service according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Car wash; Concession; Food preparation and dining area; Fueling facility; Minor utilities; Sale of auto parts; and Towing.

Vehicle Sales means premises where the primary occupation is the sale or rental of any vehicle and can include ancillary service or repair of any vehicle. Such use may include the storage of inoperable vehicles for a period not to exceed 90 days.

Vehicle Use Area means an unenclosed area used by three or more vehicles of any type, moving or at rest, including, but not limited to, parking lots, loading and unloading areas, stacking lanes, access and circulation drives, driveways, and parking aisles.

Vehicle, Inoperable means any vehicle not capable of being used on public streets or roads and/or on which a state inspection and/or license is not displayed or has expired for more than 30 days.

Veterinary Clinic means an animal clinic that provides medical care for small animals, including, but not limited to: dogs, cats, and birds. This definition does not include the veterinary hospital use.

Veterinary Hospital means an animal hospital that provides medical care for large or livestock animals, including, but not limited to: horses, cows, sheep, goats, chickens, turkeys, ducks, and pigs.

This definition does not include the veterinary clinic use.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in the community's floodplain management regulations is presumed to be in violation until such time as that documentation is provided.

W

Warehousing and Freight Movement means a use category containing establishments involved in the storage or movement of goods for themselves, other firms, or individual consumers. Goods are generally delivered to recipients with little on-site sales activity to customers.

Uses in this use category include: Bulk storage, including cold storage plants, household moving and general freight storage, nonflammable liquids, and other retail and wholesale consumer goods sold in person or online; Food processing, packing, and distribution; Motor freight or truck terminal; Outdoor storage yard; Truck, tractor, trailer, or bus storage, parking yard, lot, or garage; and other uses meeting the definition of Warehousing and Storage according to the Administrator.

Typical accessory uses include: Associated office and storage; Day care for children of employees; Fleet maintenance; Food preparation and dining facility for employees; Fueling facility; Medical clinic for employees; Meeting space; Minor utilities; Outdoor storage yard; Recreation facility; and Single attached residential unit for caretaker.

Waste-Related Service means a use category containing establishments that receive solid or liquid wastes from others for treatment or transfer to another location and uses that manufacture or produce goods or energy from the large-scale composting of organic material.

Uses in this use category include: Animal waste processing; Composting facility; Landfill; Recycling facility; Tire recycling or retreading; and other uses meeting the definition of Waste-Related Use according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Minor utilities; Fleet maintenance; Fueling facility; and Repackaging and shipment of byproducts.

Watercourse means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Wholesale Trade means a use category containing establishments involved in the sale, lease, or rent of products to industrial, institutional, or commercial enterprises only. The uses emphasize on-site sales or order-taking and often include display areas. The business may or may not be open to the general public. Products may be picked up on-site or delivered to the customer.

Uses in this use category include: Contractor equipment sales and storage yard; Fuel sales, wholesale; Mail-order business; Sale or rental of machinery, equipment, heavy equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; Wholesale or auction of food, clothing, auto parts, or hardware; and other uses meeting the definition of Wholesale Trade according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Associated showroom; Day care for children of employees; Fleet maintenance; Food preparation and dining facility for employees; Medical clinic for employees; Meeting space; Minor fabrication; Minor utilities; Product repair; Repackaging of goods; and Single residential unit for caretaker.

Wireless Telecommunications Facility means any unmanned facility established for the purpose of providing wireless telecommunications services. Such facilities can consist of one or more antennas and accessory equipment, equipment cabinets, telecommunications towers, concealed wireless telecommunications facilities, distributed antenna systems, industrial microcells, base stations, small cell facilities, or any combinations thereof. This definition does not apply to equipment for radio or television studios, facilities designed for amateur radio use, or for residential or household uses (i.e. consumer microcells, etc.).

Y

Yard means a space on the same lot with a principal building, open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachment and accessory buildings are expressly permitted herein.

Z

Zoning Administrator means see "Administrator."

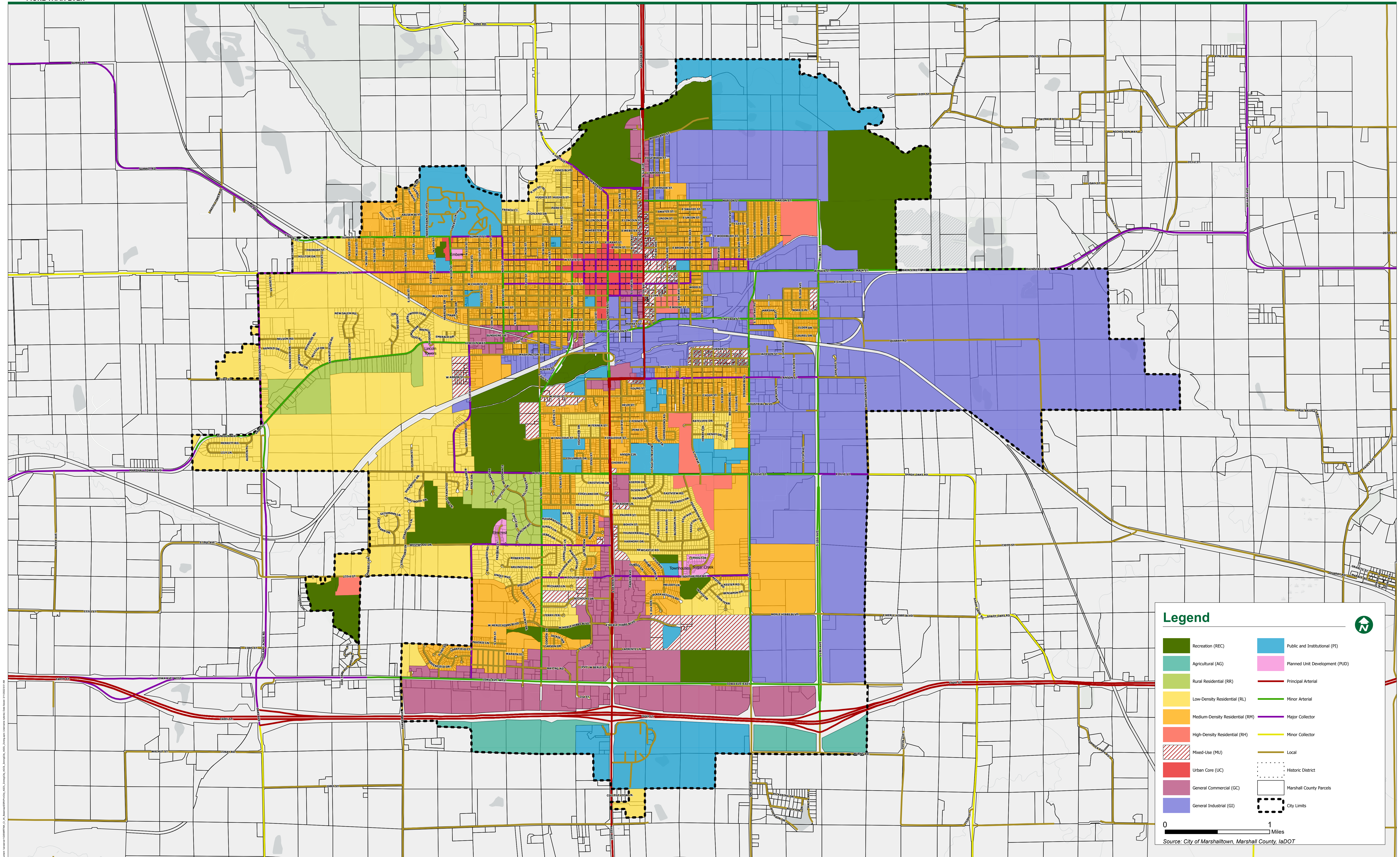
Zoning District means see "District."



MARSHALLTOWN
MORE THAN EVER

City of Marshalltown Zoning Map

March 2022



Legend

- | | |
|---------------------------------|--------------------------------|
| Recreation (REC) | Public and Institutional (PI) |
| Agricultural (AG) | Planned Unit Development (PUD) |
| Rural Residential (RR) | Principal Arterial |
| Low-Density Residential (RL) | Minor Arterial |
| Medium-Density Residential (RM) | Major Collector |
| High-Density Residential (RH) | Minor Collector |
| Mixed-Use (MU) | Local |
| Urban Core (UC) | Historic District |
| General Commercial (GC) | Marshall County Parcels |
| General Industrial (GI) | City Limits |

0 1 Miles
Source: City of Marshalltown, Marshall County, IaDOT

Chapter 156, Zoning Ordinance

REVIEW AND REWRITE PROJECT

Steve Sizemore, AICP, PhD Senior Associate, Kendig Keast Collaborative
Brian Mabry, AICP, Code Practice Leader, Kendig Keast Collaborative

Plan and Zoning Commission Public Hearing

February 24, 2022

Highlights of Key Changes to ZO

- **Consolidated** zoning districts (align w/ Comprehensive Plan)
- **Updated** Land Uses and produced **one land use table** to show permitted uses in all districts
- **Added standards** for limited, special, accessory, and temporary uses
- Added **contemporary uses** and standards (ADUs, solar panels, home-based business)
- Provided **Options** and Flexibility for Applicants
- Updated **Development Standards** to reflect BMPs
- **Strengthened** design standards, especially for mixed-use site and building design

Table 156.J.002.5-1 Common Review Criteria Applicability			
Common Review Criteria	All Applications ¹	Legislative Applications ¹	Quasi-Judicial Applications
The request complies with the applicable standards of this Zoning Ordinance, the City Code of Ordinances, and any applicable county, state, or federal requirements.	Yes	No	No
The request substantially conforms to any associated prior approval for the development, including, but not limited to, a Special Use Permit, Master Development Plan, or Site Plan.	Yes	No	No
The administrative body has considered the recommendation of Staff.	No	Yes	Yes
The request is consistent with applicable policies of the Comprehensive Plan and applicable utility plans and capital improvements plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.	No	Yes	Yes



Highlights of Key Changes to ZO

- **Consolidated** Elements that Many or Most Review Procedures Share
- Eliminated chance for **Duplication or Inconsistencies**
- Established **Clear Criteria** for Decision-Makers
- Provide **Options** for Applicant
- Provided more **Administrative** Decision-making procedures
- **Clarified** Roles, Procedures, and Cross-relates Elements

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General Provisions	Zoning Districts and Land Use	Building and Site Design
• Purposes/ General Statements • Inter- and Intersections w/ codes • Fundamentals of code	• Zoning Districts • Land Use Standards • Measurements and Allowances • Flood Hazard Districts • Wireless Tele-communications	• Bldg. Design • Parking, Loading, and Stacking • Landscaping, Buffering and Screening • Signs • Outdoor Lighting
Word Usage		
-General Definitions - Use Specific Definitions		

Module #2 | Contents

Development Review Bodies	Development Review Procedures	Nonconformities	Enforcement and Remedies
• Powers and Duties • Membership (where applicable) • Bodies: • City Council, PZC, BOA, Zoning Administrator, Floodplain Adm., Building Official	• Common Review Procedures • Legislative Review Procedures • Administrative Review Procedures • Quasi-Judicial Review Procedures	• Uses • Structures • Lots • Signs • Site Improvements • Conversions	• Violations • Non-Judicial Remedies • Judicial Remedies
Word Usage			
-Rules of Construction	- Acronyms and Abbreviations	- Definitions	

Zoning Districts

- **Residential:**
 - Aligned districts w/ comp plan recommendations
 - Provide development type options (cluster, infill)
- **Mixed-Use Nonresidential**
 - Created new districts – *MU, UC, UC-HD Overlay*
 - Consolidated multiple commercial districts into 1 “General Commercial”
 - Created 1 Industrial district (treat uses differently)

Planned Future Land Use Category	Zoning District	Development Type ¹	Purpose: The purpose of this zoning district is to provide for:	Former Zoning District ²
Residential Districts				
Agricultural	AG, Agricultural	Conventional	Preservation of land suitable for eventual development until such time as the necessary facilities and services are provided to such areas.	A-1
Rural Residential	RR, Rural Residential	Conventional	Existing residential or future residential areas in areas of difficult topography that will develop at a density of 2-3 units per acre.	R-1
Low-Density Residential	RL, Low-Density Residential	Conventional	Single-family and duplex homes at a density of 4-8 units per acre. A conventional development is characterized by private open space on each lot while a cluster development has smaller lots with a required percentage of common open space. Common open space may be used for parks, trails, or natural areas, to preserve environmental resources, provide for recreational amenities, provide for use compatibility, or provide natural drainage features.	R-2, R-2A
		Cluster		
Medium-Density Residential	RM, Medium Density Residential	Conventional	Single-family and duplex homes, townhomes, or small multiple-family developments at a density of 6-18 units per acre. The infill option promotes efficient of land, infrastructure and other researches and allows for additional density and land uses compared to conventional.	R-3, R-4
		Infill		
Mobile Home Park		Manufactured	Manufactured homes within a manufactured home park setting.	R-6
High-Density Residential	RH, High-Density Residential	Conventional	Duplexes, townhomes, multiple-family developments, and similar high-density dwellings at a density of 12-24 units per acre. Architecture and landscaping are important to ensure appropriate and consistent character.	R-5
		Infill		

Land Use Table

- **Unified Table**
 - Place all use permission in one place for ease of use
- **Use Categories**
 - Consolidate similar uses, possible uses in definition
- **Permissions:**
 - Assigned permissions by district and use, including new “limited use”
- **Defensible Meaning and Use**
 - Created new definitions to align with uses
 - Establish link between use table and use standards

Table 156.C.003-1, Use Table																	
Use Category	Specific Use ¹	Cv = Conventional Cl = Cluster In = Infill	Residential						Mixed- Use		Nonresidential				Standards		
			AG	RR	RL		RM		RH		MU	DT	GC	PI		REC	GI
					Cv	Cl	Cv	In	Cv	In							
Agriculture																	
Agriculture and Animal- Related Services	Community Garden	P	L	L	L	L	L	L	L	L	L	L	L	L	--	156.C.004	
	Kennel	--	--	--	--	--	--	--	--	--	--	L	--	--	P	156.C.004	
	Plant Nursery, Greenhouse, and Landscaping Business	P	P	--	--	--	--	--	--	--	--	--	--	L	P	156.C.004	
	Veterinary Clinic	--	--	--	--	--	--	--	--	P	P	P	--	--	--	N/A	
	Veterinary Hospital	--	--	--	--	--	--	--	--	S	S	P	--	--	P	N/A	
	All Other Agriculture and Animal-Related Services	L	L	--	L	--	--	--	--	--	--	--	--	--	P	156.C.004	
Residential																	
Household Living	Dwelling, Apartment	--	--	--	--	P	P	P	P	P	S	P	--	--	--	N/A	
	Dwelling, Single-Family Attached	--	--	P	P	P	P	P	P	--	--	--	--	--	--	N/A	
	Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P	--	--	--	--	--	--	N/A	
	Dwelling, Duplex	--	--	P	P	P	P	P	P	S	--	P	--	--	--	N/A	
	Dwelling, Townhouse	--	--	--	--	P	P	P	P	P	--	P	--	--	--	N/A	
	Dwelling, Multiplex	--	--	--	--	P	P	P	P	P	--	P	--	--	--	N/A	
	Manufactured Home Park	--	--	--	--	S	S	--	--	--	--	--	--	--	--	156.C.005	
	Upper-Story Residential	--	--	--	--	--	--	L	L	P	P	L	--	--	--	156.C.004	
Group Living	Boarding or Rooming House	--	--	--	--	--	--	S	S	--	--	--	--	--	S	156.C.005	
	Group Home	P	P	P	P	P	P	P	P	P	P					N/A	
	All Other Group Living Uses			S	S	S	S	S	S	S	S	--	--	--	--	156.C.005	

Use and Design Standards

- Specified by **zoning district**
- Focused on **function** and **form**
- Addresses **performance issues** and impact on surrounding properties
- **Modernized** to reflect contemporary trends



Home-based Business



Infill Standards



Accessory Dwelling Standards



Solar Panels (as primary use)

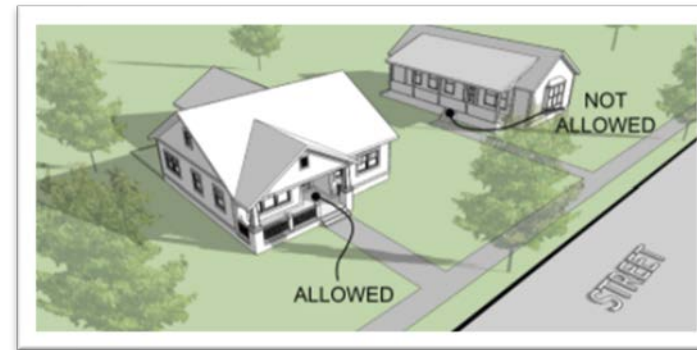


Mixed-use Building Design

Review and Rewrite of Zoning Ordinance

Design Standards

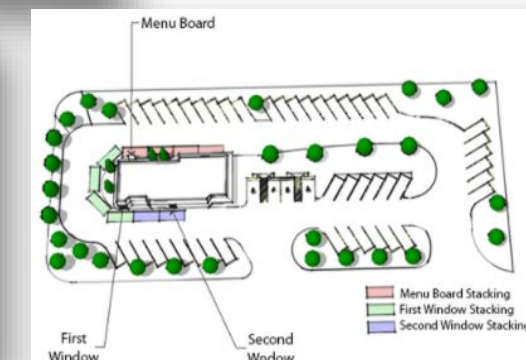
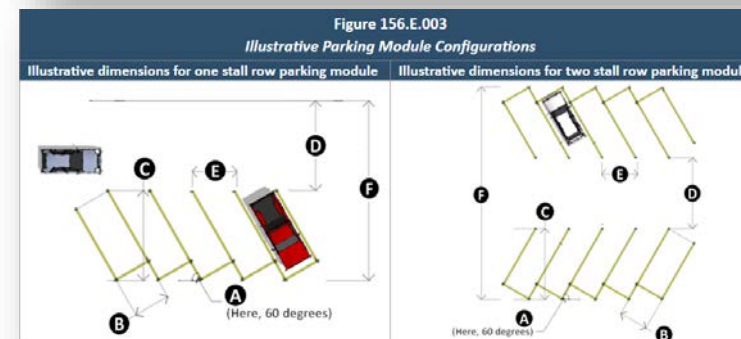
- **Residential Standards:**
 - Placement
 - Garage door orientation
 - Transitions (scale, buffers)
- **Nonresidential Standards**
 - Exterior wall materials
 - Building Form
 - Multi-story buildings
 - Building architectural articulation
 - Entrances
 - Roofing
- **Urban Core, Urban Core-Historic District**
 - Building façade elements
 - Support downtown plan
 - Applies to new construction or redevelopment of >10% of building.



Parking Standards

- **Parking**
 - Minimums and Maximums by use
 - Shared Parking
 - Parking Dimensions
 - Accessible Parking
- **Loading**
 - Designed to minimize impacts
- **Stacking:**
 - Needed for uses including Fast Food, banks, car wash, etc.
 - Designed to minimize impacts

SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
	Stadium, Running Track, or Ball Field	1 per 6 seats or 1 per 50 SF if no permanent seats	1 per 4 seats or 1 per 30 SF if no permanent seats
Offices	Bank or Credit Union	1 per 350 SF GFA	1 per 200 SF GFA
	Offices (Other than Listed)	1 per 400 SF GFA	1 per 200 SF GFA
Overnight Accommodations	Bed and Breakfast Inn	0.3 per guest room + 1 per 3 persons (based on maximum design occupancy) for accessory meeting space and catered functions	1 per guest room + 1 per 1 person (based on maximum design occupancy) for accessory meeting space and catered functions
	Campground with Overnight Accommodations	1 per campsite	--
	Overnight Accommodations (Other than Listed)	.8 per guest room + 1 per 800 SF public meeting area and restaurant space	1 per guest room + 1 per 400 SF public meeting area and restaurant space
Parking, Commercial	All Uses	--	--
Restaurants	Catering Establishment	1 per employee or 1 per 1,500 SF GFA, whichever is less	--
	Food Delivery	1 per employee	2 per employee
	Microbrewery	1 per 200 SF dining or tasting area	1 per 100 SF dining or tasting area
	Restaurant (Other than Listed)	1 per 200 SF GFA	1 per 100 SF GFA
	Restaurant, Drive-In or Drive-Through	1 per 250 SF GFA	1 per 150 SF GFA
Retail Repair, Sales, and Service	All Uses	1 per 400 SF GFA	1 per 200 SF GFA



Development Review Bodies

- City Council
- Plan and Zoning Commission
- Zoning Administrator
- Floodplain Administrator
- Building Official

**See Subsec. 156.J.002.12 for
Devt. Review Summary Table for roles
(*recommend/final decision*)**



TYPES OF APPLICATIONS



Administrative

Staff approved; no public notice and a hearing; follow objective standards



Legislative

Recommended; requires public notice and a hearing; final decision by the City Council.



Quasi-Judicial

BOA approval final; requires public notice and a hearing; appeal by court of competent jurisdiction

Development Review Procedures

- **Section 156.J.002, Common Review Procedures**

- Sequence of development approvals when multiple development review application are required for project
- Table that summarizes applications and procedures covered in Article.
 - Application w/ reference
 - Shows timing or when needed
 - Shows expiration time if no action is taken
 - Establishes who makes recommendation and who takes final action
 - Cross-references related standards (for example, Sign Permit points to Sign standards)

Table 156.J.002.12-1 Development Review Summary Table					
Development Application (Reference)	Submittal Timing	Expiration ¹	Review Responsibilities		Applicable Standards
			Recommendation	Final Decision	
ADMINISTRATIVE APPLICATIONS: Require final decisions in which City staff apply the standards in this Zoning Ordinance. Administrative applications typically require objective analysis by City staff and may involve the exercise of very limited discretion.					
Site Plan (156.J.004.1)	In order to make a limited modification to a site plan that has already been approved but that has not received a Certificate of Occupancy	365 days	Zoning Administrator		--
Building Permit (156.J.004.2)	Prior to erecting, altering, replacing, relocating, rebuilding, repairing, or restoring a principal or accessory building or structure	180 days	Zoning Administrator	Building Official	--
Floodplain Development Permit (156.J.004.3)	Prior to initiating or continuing any development or substantial improvement within a regulatory floodplain as shown on a Flood Insurance Rate Map (FIRM)	90 days	Floodplain Administrator		<u>Section 156.C.006</u>
Sign Permit (156.J.004.4)	Prior to constructing, installing, placing, relocating a sign, or modifying a sign's dimensions or illumination	The use associated with the sign is abandoned; The sign is removed or abandoned; or The sign is not completely constructed, installed, placed, changed, relocated, or attached within 180 days from the date of the Sign Permit issuance	Zoning Administrator		<u>Article G</u>

Development Review Procedures

➤ Section 156.J.002, Common Review Procedures

- Pre-Application Conference
- Application Completeness Review
- Common Review Criteria
 - Review considerations for all types
- Public Notice Requirements
 - Timing, contents, and recipients of notice
 - How public hearings are to be conducted
- Continuances and Withdrawals
- Post approval provisions
 - Inactive and Expired, Successive, Extensions

Table 156.J.002.6-1 Required Notice				
Review Procedure	Application Type	Review Body	Publication	Posted
Legislative Applications	Text Amendment	City Council	Required	Not Required
	Zone Change		Required	Required
	Master Development Plan		Required	Required
Quasi-Judicial Applications	Special Use Permit	Board of Adjustment	Required	Required
	Variances		Required	Required
	Appeals of Administrative Decisions		Required	Not Required

- **Section 156.K.001, Purpose and Applicability**
- **Types of Conformities**
 - Uses
 - Structures
 - Lots
 - Signs
 - Site Improvements
- **Conversion of Nonconformities**
 - Special Use Permit
 - Criteria for Approval



Major



Minor



Conversions



QUESTIONS AND DISCUSSION

ZONING ORDINANCE COMMENTS AND POSSIBLE AMENDMENTS						
The following is a listing of comments received from the public, staff and/or board/commission/Council members to be considered as part of the final code adoption.						
Received By	Code Section	Proposed Change/Comments	Staff Comments	PZ Rec.	INC.	Council Rec.
City Staff - PW/Eng	156.A.007.A	AMENDMENT: A. Compliance. No structure or land shall be used and no structure shall be located, extended, converted, or structurally altered without the impacted area being brought into full compliance with the terms of this Ordinance and other applicable regulations that apply to uses and structures within the jurisdiction of this Ordinance.	states "No structure or land....shall be structurally altered without full compliance withOrdinance". Does this mean when a company wants to expand, even a small one, they are required to bring building / property in full compliance with zoning ordinance. For example - business adds a structural vestibule on the building, is only that modification required to be in compliance or do they need to follow the foundation buffer requirements. Looking for more clarification in this aspect. Parking lots is a big one too, if they resurface or add a few stalls, what sections of this zoning get triggered for full compliance.	APPROVAL	X	
Commissioner	156.B.004-1	RE: RL Conventional, permitted nonresidential uses, front setback change from 20' to 30' to match other uses.	Discussion PZ would like setbacks to match.	APPROVAL	X	
Commissioner	156.B.004-1	RE: RL Conventional rear setback. AMENDMENT: Change all to 35 ft.	Discussion PZ would like larger rear yard setback.	APPROVAL	X	
City Staff	156.B.004-1	TECHNICAL CORRECTION: Notes correction on numbering. 1-6		APPROVAL	X	
Commissioner	156.B.004-1 TABLE	RE: Permitted nonresidential uses. AMENDMENT: Add a note (7) to Table 156.B.004-1 for All Permitted Nonresidential Uses - 7. Refer to Table 156.C.003-1 for list of uses.	Based on conversation will add a note to explain where to find permitted uses.	APPROVAL	X	
City Staff - PW/Eng	156.B.005.B	AMENDMENT B. Setbacks Related to Driveways and Garages. A minimum setback of 20 feet shall apply where a driveway provides access on a residential property from a street, other than an alley. This maintains an adequately sized parking space on the driveway between the structure and the street and helps to avoid encroachment into public sidewalks, despite lower minimum setback standards in Table 156.B.005-1 for the remainder of the building. In the MU zoning district, no garage entry shall extend toward the street beyond the front facade of the habitable space of the structure.	"In the MU zoning district, no garage entry shall extend towards the street beyond the front façade of the habitable space of the structure." This requirement is in conflict with the proposed Creekside Estates Development, which is proposed to be zoned MU. Strike the last sentence and still need action on 20 vs. 24 feet on the driveway.	APPROVAL	X	
City Staff - PW/Eng	156.B.005-1 TABLE	AMENDMENT to Table: Change Townhouse, Multiplex, Apartment, Mixed Use Building, Commercial Building and Other permitted Uses to 100% Frontage Build Out	in UC and UC-HD, requesting clarification on the 80% maximum frontage build out. Does this mean no longer can buildings in the downtown be shared wall to shared wall for the full width of the lots?	APPROVAL	X	
City Staff	156.B.006	TECHNICAL CORRECTION: Section numbering starts with B.		APPROVAL	X	
Council	156.B.006.E.3.c	RE: Infill Appearance requirements - recommend reducing the requirement to match appearance standards AMENDMENT: c. Delete sentence "This provision shall be satisfied by constructing..." and delete i-v.	Discussion PZ to eliminate criteria listed and allow for administrative interpretation on compatibility. Appeals would go to BOA.	APPROVAL	X	
City Staff	156.B.006.E.3.j	TECHNICAL CORRECTION: Two (g) listed - change 2nd to j		APPROVAL	X	
Council	156.B.007-1	RE: Natural Area: Min. area 1 contiguous ac. AMENDMENT: Delete the word "contiguous"	PZ Discussion to maintain the 1 acre in area but allow it to be in sections not contiguous.	APPROVAL	X	
City Staff - PW/Eng	156.B.007-1 TABLE	Formatting Change: Plaza - need a space between pervious and cover.		APPROVAL	X	
City Staff - PW/Eng	156.B.008.a-1 MEASUREMENTS	AMENDMENT: Add to Setback Required section: The horizontal distance of a required open space at grade between the outer wall of a building or structure and the adjoining property lines, unoccupied and unobstructed by any portion of a structure from the ground upward. The front and rear setback lines span the entire width or length of the property. The side and side street setback lines extend from the required front setback line to the required rear setback line. Setbacks are defined in TABLE 156.B.004-1 and TABLE 156.B.005-1.	Setback Required Illustration. Recommend referencing where in zoning code the definition for what is front and what is side on corner lots. I think I missed it in my review, but I know someone else saw it - so just referencing its location in the zoning ordinance here might be helpful if possible.	APPROVAL	X	

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City Staff - PW/Eng	156.B.008.a-1 MEASUREMENTS	Corrected Graphic	Calculation is wrong for gross density based on definition. Gross acres is defined as site area minus open space. Example states there is 10 acres of land including 1.5 acres open space. Therefore the gross acres should be 10-1.5 or 8.5. The calculation would then be 45 units/8.5 Gross Acres = 5.3 Units per Acre	APPROVAL	X	
City Staff - PW/Eng	156.B.008.b	TECHNICAL CORRECTION: Subsection for allowances starts at B - reformat to start at A. (pg 38)		APPROVAL	X	
City Staff - PW/Eng	156.B.008.b	TECHNICAL CORRECTION: What level of list does Yard Requirements go with, assume same as Height Requirements, so it should be a capital letter? (Pg 39)... same with d. Lots on pg 40.		APPROVAL	X	
City Staff - PW/Eng	156.C.003 & 156.C.004	Review of Limited Uses comparison between table and descriptions to make sure everything covered in the correct category.	Primary included moving sections and some minor adjustments for clarity. (i.e. parking for public assembly)	APPROVAL	X	
Commissioner/Chamber	156.C.003-1 TABLE & 156.C.004.H.2.c.	AMENDMENT: Only allow mini-warehousing in GI	PZ Commission decision only allow in GI district - PZ Discussion related to requiring mini-warehouse to not front Highway 14. Buffering restrictions already included. Considered Limited Use in GC.	APPROVAL	X	
City Staff - PW/Eng	156.C.005.D.1.d	RE: Accessory Buildings in manufactured home park AMENDMENT: Accessory Buildings. Private accessory buildings may be located in the rear yard of a manufactured home space and set back a minimum of five feet from any lot line and shall not exceed 10 feet in height.	Discussion at 03/03 resulted in direction to allow garages.	APPROVAL	X	
City Staff - PW/Eng	156.C.005.D.1.h-i	RE: Road width in manufactured home park. AMENDMENT: "... Interior access drives shall be properly lighted, with right-of-way at least 50 feet in width that acts as a public utility easement, and paved in accordance with City Engineering and Fire Access standards."	We don't want to require paved 32' streets in manufactured home parks; this is wider than our City standard and there are cases we allow only 24' wide. Recommend changing sentence "Interior.....specifications." to "Interior access drives shall be properly lighted, with right-of-way at least 50 feet in width that acts as a public utility easement, and paved in accordance with City Engineering and Fire Access standards."	APPROVAL	X	
City Staff - PW/Eng	156.C.005.E	Formatting Change: Cant Find Subsection E in this Section (156.C.005)	CORRECTED	APPROVAL	X	
City Staff - PW/Eng	156.C.005.F	Formatting Change: Subsection for 'Standards for Public and Institutional Uses' starts at 2 - reformat to start at 1. (pg 50)	CORRECTED	APPROVAL	X	
City Staff	156.C.005.F.1.iv	RE: Adult Entertainment Businesses: AMENDMENT: Delete - "use for a period of not more than six years thereafter"		APPROVAL	X	
City Staff - PW/Eng	156.C.005.G	Formatting Change: Subsection for Standards for 'Standards for Commercial Uses' starts at 2 - reformat to start at 1. (pg 50)	CORRECTED	APPROVAL	X	
City Staff - PW/Eng	156.C.005.G.2.c.iv	Request looking at this requirement that the non-conforming use is only allowed for six years. Do we need to send notice that they would not be able to continue operation at existing location for more than six years?	Discussion at 03/03 resulted in direction to have Michelle look into this impact to the one business in Marshalltown that this would impact.	APPROVAL	X	
City Staff - PW/Eng	156.C.005.G.4	RE: Setback distance in Heavy Industrial from other districts. AMENDMENT: 4. New and expanding structures used for the principal heavy industrial activity are subject to review under the Special Use Permit standards and additional setbacks from any district zoned AG, RR, RL, RM, RH, MU, UC, GC, PI, and REC districts may be required.	Discussion on how this impacts JBS. Is there any sort of grandfathering in or review of any building/modifications that already are within 100 feet. (This appears to potentially impact things like their accessory structure (office) located east of N 10th Ave, storage at 811 Woodbury St, and building at the NE corner of Woodbury & N 8th Ave.)	APPROVAL	X	
City Staff - PW/Eng	156.C.005.H	Formatting Change: Subsection for Standards for 'Heavy Industrial Uses' starts at 2 - reformat to start at 1. (pg 51)	CORRECTED	APPROVAL	X	

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City Staff - PW/Eng	156.C.006.O.2.f.iii	Request change of wording: "New or replacement water supply systems and water supply treatment facilities shall be designed in accordance with Iowa DNR requirements and protected to a level equal to or greater than one foot above the 100-year flood elevation.	PZ Discussed agreement with City Engineer changes to Flood section.	APPROVAL	X
City Staff - PW/Eng	156.C.006.O.2.h	Request the addition of the word Private throughout. "Private flood control structural....." or "private structural flood control"	PZ Discussed agreement with City Engineer changes to Flood section.	APPROVAL	X
City Staff - PW/Eng	156.C.006.O.2.j	Request modification of last sentence to "Subdivision proposals shall meet City Standard Specifications in regards to flood protection and storm water conveyance."	PZ Discussed agreement with City Engineer changes to Flood section.	APPROVAL	X
City Staff - PW/Eng	156.C.006.P through T	Throughout section, request removal of Board of Adjustment's involvement with floodplain permitting. Change to "Engineering's Office or Floodplain Administrator". If appeal still goes through BOA, I'm okay with that (Letter T).	PZ Discussed agreement with City Engineer changes to Flood section.	APPROVAL	X
City Staff - PW/Eng	156.C.006.S.2.e	Request complete change to eliminate all verbiage under "e" and replace with "applicant acknowledges such construction increases risks to life and property"	PZ Discussed agreement with City Engineer changes to Flood section.	APPROVAL	X
City Staff - PW/Eng	156.C.007.C.6	156.C.007.C.6 of 6-ft separation conflicts with 156.C.007.E.1.b of 5-feet separation. Michelle to review and confirm I'm reading that correctly.	Discussion at 03/03 resulted in direction to have Michelle confirm they refer to same thing and then change to 5-ft.	APPROVAL	X
Commissioner/City Staff	156.C.007-1 TABLE	RE: Residential Accessory Structures Setbacks AMENDMENT: Add column to the table for Setbacks (footnote 2). 5' less than 5 ac. 10' more than 5 ac. Add a footnote 2. Side and Rear setback for structures located entirely in the rear yard. Refer to 156.C.007.E for alternative locations.	Staff had been discussing 5' setbacks for building in the rear, after multiple revisions to large lot it was missed.	APPROVAL	X
City Staff - PW/Eng	156.C.011.K.2	add "or provisions shall be made by the property owner for the snow to be hauled off-site."		APPROVAL	X
City Staff - PW/Eng	156.D.001.C.1	PZ Discussion related to exterior materials including vinyal siding acceptable and EIFS.	why not allow vinyl siding on some of the other construction types? Can it be used on not frontage sides? I'm thinking multiplex's proposed for like Creekside Estates, HCI Apartments, Shrom's on Olive, etc.	APPROVAL	X
Commissioner	156.D.003 TABLE	RE: Garage Orientation AMENDMENT: Add 3 stalls in width or 34 feet. Commissioner question related to the 5' maximum distance in front of the house recommending increased distance.	Current regulations limit to 3 stalls. 34' is based on the maximum driveway width allowed in front of garage/front line of the house.	APPROVAL	X
City Staff - PW/Eng	156.D.007.J	Remove tree language from this section. We covered it previously in the section we modified from street trees to just trees. I think we also addressed all of the parking lot screening and landscping in other sections.		APPROVAL	X
City Staff - PW/Eng	156.D.007.L.7	I think the maximum number of stalls is too restrictive.		APPROVAL	X
City Staff - PW/Eng	156.D.007.M.4	I think this should be changed to two driveway approaches allowed.		APPROVAL	X
City Staff - PW/Eng	156.D.009.F	Consider only requiring two of the list instead of three.		APPROVAL	X
City Staff - PW/Eng	156.E.003 (Table)	Are these the only dimentions allows or the minimum dimensions? I think it should be minimum.		APPROVAL	X
City Staff - PW/Eng	156.E.003.E	This language contradicts what we propose in Section F.		APPROVAL	X
City Staff - PW/Eng	156.E.004 (Table)	In apartment dwellings / multiplexes that have three bedrooms, it is impossible to meet the minimum and maximum number of parking spaces required.		APPROVAL	X
Commissioner/City Staff	156.E.004 TABLE	RE: Parking standards: Household Living; Dwelling, Apartment & Dwelling Multiplex; Minimum Spaces 1 per dwelling; Maximum Spaces; 1 per bedroom.	Comment that maximum should be higher. Staff recommends switching for apartments and multiplex to min. based on number of units and max based on bedroom size to meet the concern.	APPROVAL	X

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City Staff - PW/Eng	156.E.005-1 (Figure)	Figure doesn't meet ADA compliance for van accessibility. Provided new image		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.001.B.2	Desire to exclude single family and duplex from increase in intensity section.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.002	Need to define what an overstory and understory tree is in the definition. Overstory tree - mature height equal to or exceeds 30-ft. Understory is less than 30-feet.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.002.B.2	Refer to Parks and Recreation Website, eliminate table 156.F.002-1		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.002.C.1	Put period after public right-of-way and delete rest of text in this number 1.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.002.C.3	Change to: Easements: No trees shall be placed within any public utility easement. Any shrubs or ornamental grasses planted within public utility easement (if allowed by the easement) shall not be required to be replaced in the event maintenance, repair, or installation of a utility is needed.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.002.D.4	Remove "Understory trees....overstory trees." Replace with Two understory trees may be substituted in place of one required overstory tree.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.002.D.6	Remove this section of Overhead Utilities.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.A.2	change Canopy and small to Overstory and Understory		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.A.3	Remove this A3, substitution in its entirety.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.B	Remove Building Foundation Landscaping in entirety		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.C.2.a	All rows of parking that exceed 20 stalls in length shall be terminated		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.C.2.b	Off-street parking that exceeds 100 stalls shall require no parking stall to be more than 100 feet from a tree.		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.C.3	change 50 spaces to 100 spaces		APPROVAL	X	
City Staff Mtg (Zoning, PW, P&R)	156.F.003.C.4	Change to: Landscaping Required: All parking lot islands shall be landscaped with turf grass, ornamental grass plantings, plant beds, shrubs, trees, rock, and / or chip brick. The use of pavers in an island shall only be used in combination with plantscaping materials. Sidewalks may be constructed within a parking lot island as necessary to accomodate pedestrian circulation. See Figure 156.F.003-1, Off-Street Parking, Driveways, and Loading Areas.		APPROVAL	X	

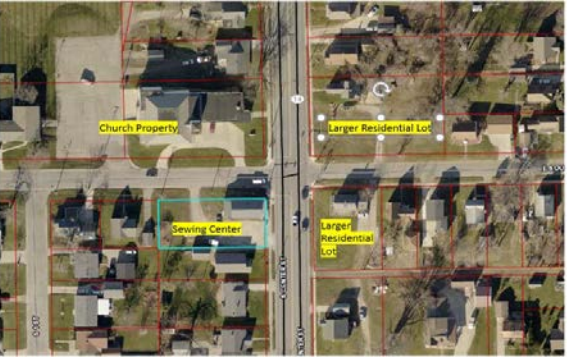
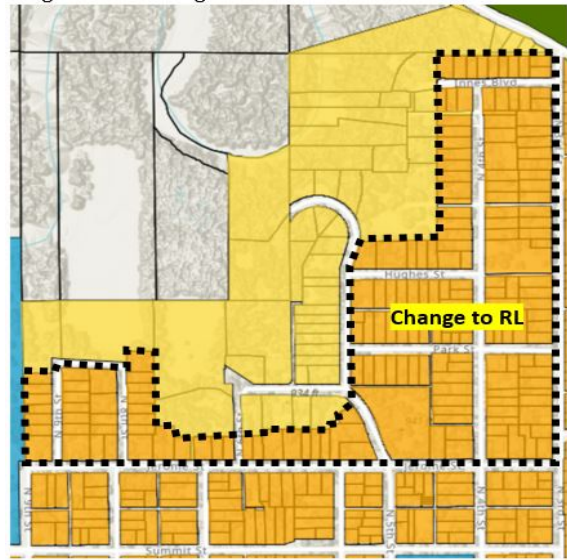
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City Staff Mtg (Zoning, PW, P&R)	156.F.003.C.5	Change to: Parking Lot Screening. Whenever an off-street parking area fronts along a public street, an average of one overstory and two understory trees shall be planted every 75 feet within the parking lot setback area. In areas of public utility easement, no trees are required but the screening material must incorporate plantscaping. Additionally, a minimum three-foot-tall screen shall be installed between the parking lot and the adjoining street along the entire frontage in accordance with minimum visibility requirements at intersections, driveways, and alleys. This screen can be constructed with any combination of ornamental grasses, shrubs, earth berming, low masonry walls, and decrotative fencing. Shrubs and ornamental grasses shall have a mature height of at least three-feet.		APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003.C.6	Add 6. Parking Lot Setback. The parking lot setback shall be a minimum width of five-feet.		APPROVAL	X
City Staff	156.F.003.D	Recommended changes to street tree requirements	Details still being reviewed, anticipate administrative exemption when utilities are present or space is limited which would result in overcrowding of the trees. Anticipate removing the list and referencing it as a Park & Rec allowance so the code doe not have to change based on environmental changes with trees.	APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003.D	Replace 'Street Tree Requirments' section with just a 'Tree Requirements' section		APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003.D	Tree Requirements. Trees shall be required in all zoning districts following the design standards within this Section.		APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003.D	1. Single Family Detached. A minimum of two overstory trees is required per single-family lot.		APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003.D	2. Single Family Attached and Duplex. A minimum of one overstory tree per every 40-feet of average lot width.		APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003.D	3. Other Residential and Nonresidential. A minimum of ___ overstory tree(s) per acre.		APPROVAL	X
City Staff Mtg (Zoning, PW, P&R)	156.F.003-2 (Figure)	Update or remove figure		APPROVAL	X
Commissioner	156.F.004.B.1	RE: Illustrative bufferyards - graphic looks like turf grass. AMENDMENT: B.1. "... groundcover ." Delete "other than turf grass."	PZ Discussion ok with turf grass as a groundcover.	APPROVAL	X
City Staff - PW/Eng	156.F.004.D.5	AMENDMENT: 5. <i>Along a Natural Resource Feature, Park, or Recreation Area</i> . Development must meet applicable City Codes related to stream/riparian protection.	One of the goals listed in B2 is preserving and protecting riparian corridors. On page 118 (156.F.004, D5) - it states no buffer is required along riparian areas (also water bodies, rivers, streams, natural drainage, channel, wetlands, steep slopes, etc.). Engineering is looking at creating a stream buffer protection and management ordinance. Can we word the zoning ordinance to require development to meet other applicable sections of City code in regards to stream/riparian protection and remove the verbiage in F.004 for no buffer required?	APPROVAL	X
City Staff - PW/Eng	156.F.004.D.6	remove word "street" from "street trees"		APPROVAL	X
City Staff - PW/Eng	156.F.004-1 (Figure)	Update figure to match table changes.		APPROVAL	X
City Staff - PW/Eng	156.F.004-1 (Table)	Change headings in table to match overstory trees and understory trees. Also, consider following changes to requirements:		APPROVAL	X

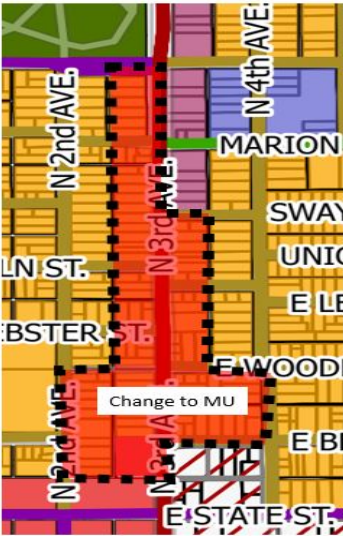
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City Staff - PW/Eng	156.F.005.B	Repetitive information stated in #1-#3. Also for discussion, the screening that City Hall / Coliseum just put in does not meet these requirements. Consider modifying ordinance or do we need to modify the Pocket Park just installed?		APPROVAL	X
City Staff - PW/Eng	156.F.005.C.2	Ground-Mounted: Can we add fencing that has at least 80% of the object no longer visible to the list? In other words, chain link would not be allowed, but a wooden fence or other decorative fence might be.		APPROVAL	X
City Staff - PW/Eng	156.F.005.C.3	Roof-Mounted: Is there a limit on how far the person can be away from the mechanical equipment. IE can't see from other side of street, but if they were a block away they could. Possibly recommend consistency with right of way widths and use either 66 feet or 80 feet.		APPROVAL	X
Commissioner	156.F.005.E.2.b & 156.F.005.G.2.a	RE: Fences. AMENDMENT (front yard): Add E.2.b. Outside such setbacks shall be six feet in all residential and mixed-use districts, eight feet in nonresidential districts and ten feet in GI districts East of 18th Avenue ; and AMENDMENT: G.1. Rear and Side Yards. No fence or wall shall exceed a height of six feet above grade. G.2.a. The maximum height of a fence or wall shall not exceed four feet. DELETE - A minimum opacity of 50% is required.	PZ Decision to incorporate our current code since there was a lot of time spent on that. Staff to make adjustments. PZ Discussion agree with 4' height amendment in front. We have a conflict between 6' and 8' in side and rear residential. Added the 10' height to GI East of 18th ave which had previously been established. Need to discuss 50% opacity requirement, this would not allow a privacy fence in the front yard which has been permitted.	APPROVAL	X
City Staff - PW/Eng	156.F.005.E.3	Add "alley" to the 25 feet requirement with driveways	Change to street intersections to match current code	APPROVAL	X
Commissioner/City Staff	156.G.002.C.15	RE: Private traffic control signs: AMENDMENT: "...including entrance and exit signs provided they do not exceed six square feet in area and four feet in height. Signs in the PI,REC District shall not be limited in area or height. "	PZ Discussion related to technical correction and amending to allow larger traffic control signs for places such as hospital and college (PI District)	APPROVAL	X
City Staff	156.G.002.C.4	RE: Athletic Field Signs. Signs located on the field side of scoreboards and fences of athletic fields. Add maximum size per sign	Discussion currently may have signs facing out.	APPROVAL	X
City Staff	156.G.002.C.7.e	RE: Government Signs. AMENDMENT: delete e.	Staff recommends deleting section related to schools and libraries. PI district covers allowable signs for these uses.	APPROVAL	X
Commissioner	156.G.003.C.6	RE: Prohibited Design Elements: "6. Indecent or Obscene..."	PZ Discussion on content neutrality and where this section falls.	APPROVAL	X
City Staff - PW/Eng	156.G.004	Can we add somewhere in this section: No permanenet Signs shall be located in any public utility easement nor within 5' of any underground public utility.		APPROVAL	X
Commissioner	156.G.004.J.3.a	RE: Limiting the number of electronic message signs per lot. AMENDMENT: 3.a. iv Limited to one such sign per lot.	PZ Discussion to not allow multiple electronic message signs on a single lot	APPROVAL	X
City Staff	156.G.004.J.3.a.ii	RE: Electronic Message Center Locational Requirements: AMENDMENT: ii. Prohibited in the UC- HD , Urban Core-Historic District, with...	Only limit in the Historic District	APPROVAL	X
City Staff	156.G.004.J.3.a.iii	RE: Electronic Message Center Signs: AMENDMENT: Permitted in the UC, MU, GC, GI and PI districts subject to the standards in subparagraphs b and c below.	Recommend allowing in GC, GI, UC, MU, PI	APPROVAL	X
City Staff	156.G.004.J.3.c.ii	AMENDMENT - Change to 8 sec. -Decision to not allow animation.	A number of businesses do use animation and video on the electronic signs.	APPROVAL	X
Public	156.G.004-1 TABLE	Table of Allowable signs. - MU, PI, REC and GI districts P for all categories. - Remove note on P for monument sign in residential districts.		APPROVAL	X
City Staff	156.G.004-2 TABLE	Wall Sign: See attachment with changes	Edit to description of sign area calculation to match current code. Edit of home-based business sign down to 1 sf. Edit to PI,REC district as not limited.	APPROVAL	X
City Staff	156.G.004-2 TABLE	Awning Sign	Extend to allow in MU District using same standards	APPROVAL	X

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City Staff	156.G.004-2 TABLE	Marquee Sign MU District: Extend to allow same as UC	Staff recommends extending to MU district using same standards as UC	APPROVAL	X	
Public	156.G.004-2 TABLE	Canopy (or Over-Canopy) Sign PI,REC District; Number Allowed: Not limited; Maximum Area: 100% of canopy width; Maximum Height 6; Illumination: External or Internal; Sign Permit Required: Yes	PZ Discussion allow addition, staff suggested details	APPROVAL	X	
Public	156.G.004-2 TABLE	Hanging Sign PI,REC, GI District; Number Allowed: 1 per entrance; Maximum Area: 10 s.f.; Other categories same as others.	PZ Discussion allow addition, staff suggested details	APPROVAL	X	
City Staff	156.G.004-2 TABLE	TECHNICAL CORRECTION: Delete Table Note 1. - not applicable		APPROVAL	X	
City Staff	156.G.004-3 TABLE	Pylon or Pole Sign: See attachment with changes		APPROVAL	X	
City Staff	156.G.004-3 TABLE	Monument Sign UC District: Maximum Area (per sign) 50 s.f.; Remove footnote 4 from Minimum Setback		APPROVAL	X	
Commissioner	156.G.005.E.2	RE: Sign Illumination AMENDMENT: to change 35 watts to 350 lumens.		APPROVAL	X	
City Staff/Public	156.G.006.A.3 & 156.G.003.D.3	AMENDMENT: Creat a new category for signs in the ROW	Some temp. signs currently allowed in ROW some are not. Based on Supreme Court ruling we cannot regulate based on content so need to confirm can temp signs be in ROW. Common signs seen in ROW today include: real estate signs, garage sales, community events/organizations. If we allow in ROW can specify area, height and general location such as not a visual obstruction to traffic. OPTIONAL ALTERNATIVE: Create a ROW Sign that allows small signs 6 sf. 4' in height to be in the ROW for maximum of 72 hours with 7 days between placement at the same location.	APPROVAL	X	
Public/City Staff	156.G.006-1	PROPOSED AMENDMENT: Refer to table - Freestanding Development Sign: Allow for development signs at residential subdivisions and development containing more than 3 units. Duration: Shall be removed at project completion or once all lots are sold. Allow these signs in all districts. Remove prohibition if they have a permanent sign - example might be a large addition taking place to an existing facility.	PZ Discussion related to allowing signs for residential developments but not single lot development. Discussion also about timing. Staff prepared amendment to the table.	APPROVAL	X	
Commissioner/Public	156.G.006-1 TABLE	H-frame sign: Some realtors use L-Frame signs instead of H-Frame. Recommend adding L-Frame/H-Frame	Add graphic 	APPROVAL	X	
Commissioner	156.I.002.2	Powers and Duties. The Plan and Zoning Commission shall have the authority to make recommendations to the City Council and BOA or make final decisions on the development review applications denoted in Table 156.J.002.12-1, Development Review Summary Table .		APPROVAL	X	
Commissioner	156.I.003.G.2.a	TECHNICAL CORRECTION: "...single ownership after the effective date of this chapter."		APPROVAL	X	
City Staff - PW/Eng	156.I.005	Floodplain Administrator: Currently the city does not have a workflow or data management system in place to maintain the records that are required within this section. I like the direction this is headed, but request the implementation of this section to be delayed so we have additional time to determine the best management practice for this section on Floodplain Administration.		APPROVAL	X	
Commissioner	156.J.002.5-1	"Adequate facilities..." Change to YES for All Applications.		APPROVAL	X	
City Staff	156.J.002.7.6.c	"...concurring vote of three regular members of the board"	Complies with Iowa Code 414.14	APPROVAL	X	
Commissioner	156.J.003.D	Add 4. <i>Substantive Amendments</i> . The Plan and Zoning Commission shall review and conduct a public hearing on any substantive amendment prior to making a recommendation to the City Council.	Table 156.J.002.12-1 does show PZC as a step in the process.	APPROVAL	X	

ZONING ORDINANCE COMMENTS AND POSSIBLE AMENDMENTS					
The following is a listing of comments received from the public, staff and/or board/commission/Council members to be considered as part of the final code adoption.					
Received By	Code Section	Proposed Change/Comments	Staff Comments	PZ Rec.	INC. Council Rec.
City Staff - PW/Eng	156.J.004.10	Eliminate some of the language. We want to minimize ability to apply for floodplain variance. At a minimum remove specific language associated with insurance rates. Remove repetitiveness with 156.C.006 section.		APPROVAL	X
Commissioner	156.J.005.2.B.1	DELETE: by more than 10 percent - Variation required for deviation of more than 10% - consider eliminating the 10% reference because it could cause problems.	PZ Discussion decision to eliminate reference to 10% deviation.	APPROVAL	X
Commissioner	156.L.003.C	Discussion regarding ability of staff to write "tickets"	Discussion with legal - recommendation is to replace Article L with current section 156.999. All actions should be processed under the Municipal Infraction process.	APPROVAL	X
Commissioner	156.M.002	RE: Basement has two definitions AMENDMENT: Delete 2nd definition.		APPROVAL	X
Commissioner	156.M.002	TECHNICAL CORRECTION: Definition Lot, nonconforming. "not conform to the minimum area or width requirements"		APPROVAL	X
	156.M.002	RE Definition: Bed and Breakfast facilities see "short term rentals"	Delete word means	APPROVAL	X
		Option 1, Type A: 0 Overstory, 2 Understory - no change to evergreen/shrubs		APPROVAL	X
		Option 1, Type B: 1 Overstory, 2 Understory - no change to evergreen/shrubs		APPROVAL	X
		Option 1, Type C: 2 Overstory, 1 Understory, 1 Evergreen - no change to shrubs		APPROVAL	X
		Option 2, Type A: no change		APPROVAL	X
		Option 2, Type B: 0 Overstory, 0 Understory - no change to evergreen/shrubs		APPROVAL	X
		Option 2, Type C: 0 Overstory, 2 Understory, 0 Evergreen - no change to shrubs		APPROVAL	X
Council	156.B.002-1	Mobile Home Park Development Type: Manufactured (concern related to mobile homes vs. manufactured/modular)	No concerns - Manufactured homes allowed in all districts on a single lot. Refer to notes 156B.004-1 and definitions.	NO ACTION	
City Staff - PW/Eng	156.B.003.A	states "Official Zoning Map is on file in the office of the Engineering Department". Need workflow/info distributed to Engineering as none of engineering staff know where to get the most up to date map - we go to website to look generally.	All GIS mapping is handled by Engineering Office so just need to ensure the staff are aware.	NO ACTION	
Commissioner	156.B.004-1	RE: Lot areas RL are smaller than our current code. NO AMENDMENT	Discussion this allows for additional flexibility. PZ favorable to keep as proposed.	NO ACTION	
Council	156.B.004-1	Setbacks in table for infill - make sure setback flexibility.	No concerns - 156.B.006.E.3.g - allows for use of % of average setbacks.	NO ACTION	
Council	156.B.004-1	Setbacks for tiny house cottage development - concern about existing neighborhoods.	No concerns - 156.B.006.E.4 - No existing developments so any new developments using this would all be following the min standards established. Not an infill development type.	NO ACTION	
City Staff - PW/Eng	156.B.004-2 & -3 (Figures)	Can't notice a difference. What is the difference in single family attached and duplex? They have different setbacks.	Single-family attached have a dividing property line. A duplex could be an up/down situation.	NO ACTION	
Commissioner	156.B.005.B	B. Setbacks Related to Driveways and Garages. A minimum setback of 20 (Change to 24) feet shall apply where a driveway provides access on a residential property from a street, other than an alley (apply distance to street and to alley).	PZ Commission decision no changes - KKC recommended 20' as an industry standard. Most garages are set closer to back line and people pull into them from the alley. Establishing a 24' drive would change location of the building allowed in the rear.	NO ACTION	
Commissioner	156.B.005-1	Note 6 - needs explanation	Setback applies to nonresidential uses adjacent to residential uses or districts.	NO ACTION	

ZONING ORDINANCE COMMENTS AND POSSIBLE AMENDMENTS					
The following is a listing of comments received from the public, staff and/or board/commission/Council members to be considered as part of the final code adoption.					
Received By	Code Section	Proposed Change/Comments	Staff Comments	PZ Rec.	INC. Council Rec.
Council	156.B.006.E.2.b	Development types: Cluster Dev. - Concern over 70% limit for one housing type in phased development built out over time.	Administrative monitoring of permits issued if this style of development is chosen. Would have to work with developer/builders in the planning stages.	NO ACTION	
Council	156.B.006.E.3.b.i	Eligibility for infill - requires 1 year vacant or unoccupied. - Propose eliminating the time requirement.	PZ Discussion that 1 yr. hold encourages conventional development - no changes recommended.	NO ACTION	
Council	156.B.006.E.4.c	Min. Site are cottage/tiny home development. Min is 1/2 ac. Recommend no min. site size.	This is for a new development area not a single lot being built on.	NO ACTION	
Commissioner	156.B.006-2	Question if we are comfortable with requirements in cluster development.	PZ Discussion no amendment needed	NO ACTION	
Commissioner	156.B.006-3.e	Does not agree with 80% (3.g)	PZ Discussion no amendment needed	NO ACTION	
Commissioner	156.B.007	Civic and open space - how does a pond fit in?	Refer to 156.B.007.B - open space can be incorporated into stormwater management. Could fall under natural area potentially	NO ACTION	
Council	156.B.007-1	Rooftop Garden 42" min barrier height. - Recommend reducing height.	Cannot Reduce this height it is a Building Code Requirement.	NO ACTION	
Council	156.B.007-1	Parklet - Recommend a fee schedule for parklets.	City Code covers public use permits when parking spaces or public spaces or used. There are fees established through that process not a zoning code item,	NO ACTION	
Council	156.C.004.E.1	Community gardens: Concern about not allowing sale of produce on site. Discussion about lemonade stands and garage sales.	Currently limit sales on site of produce so that areas do not become retail locations. Other City codes address items such as transient merchants, ag/fresh produce sales, garage sales etc.	NO ACTION	
Council	156.C.007.C.5	Acc. Uses and Structures. - Same property and ownership. Comment expressed concern that this requires owner of primary residence to reside in the primary dwelling. Reference to Boulder CO.	This particular section just addresses ownership of the structures on the property as one in the same not occupancy. Section 156.C.007.F.11.d does require with an ADU occupancy of either primary or ADU is owner. We confirmed info from Boulder that owner occupancy is a requirement of ADU and they have extensive restrictions as part of the application. The rental inspection program would be our method of enforcement monitoring.	NO ACTION	
Commissioner	156.E.007.C.3.b	Concern that the requirement is to extreme reference to Fareway.	Staff not concerned, Fareway is Enclosed Loading and this section refers to the Absence of enclosed loading.	NO ACTION	
Commissioner	156.G.006.-1	Yard Sign: Recommendation add restriction on number and duration in residential and MU districts - reduce size less than 6 s.f.	PZ Discussion and no changes recommended	NO ACTION	
Commissioner	156.H.001.B	Applicability - question why not apply to existing?	Majority of regulations apply to new, expanding, changing situations. We do not go back to previously approved projects and enforce changes.	NO ACTION	
Commissioner	156.J.005.3.D.4	Requires 3 members where another section says 75%	This section is correct. Modify 156.J.002.7.6.c	NO ACTION	
Commissioner	156.K.001	"Grandfathering" what is it or is not?	Article K addressed legal non-conforming. Basically is use, structure, lot etc. was legal prior to new code than legal non-conforming and can continue. This article does set out limits to expanding nonconformities. Several sections detailing nonconforming situations.	NO ACTION	

ZONING ORDINANCE COMMENTS AND POSSIBLE AMENDMENTS								
The following is a listing of comments received from the public, staff and/or board/commission/Council members to be considered as part of the final code adoption specifically related to the proposed Zoning Map.								
Received By	Property Address/Area	PIN	Proposed on Map	Change to	Graphic	Staff Comments	PZ Rec.	Council Rec.
Commissioner	1101 S. Center St.	8318-02-127-017 - possible others	RM	MU		Sewing Center - possibility of MU at all 4 corners. Have had interest over the years in East lots for commercial use	APPROVAL	
Commissioner	E. Southridge	Multiple	RL	RM		Correction to match prior zone	APPROVAL	
Resident	Residential neighborhood (Hughes Grove) - Proposal to also establish an historic overlay district	Multiple	RM	RL		The zoning can be adjusted between RM and RL. Staff recommendation would be to evaluate the appropriateness of an overlay district if a Historic District is established and then develop standards based on the defined district.	APPROVAL	

Received By	Property Address/Area	PIN	Proposed on Map	Change to	Graphic	Staff Comments	PZ Rec.	Council Rec.
City Staff	N. 5th Ave - Linwood to Woodland	Multiple	RM	GI		17/28 (61%) of properties are vacant, used for storage or have a residential dwelling value <\$10k	APPROVAL	
Commissioner	206 W. High St.	8418-35-378-027	RM	MU		Daycare uses allowed as limited use in RM so can remain. If desire to change consider the full stretch of High St.	APPROVAL	
City Staff	Hwy 14 Corridor/N. 3rd Ave	Multiple	UC/RM	MU		Change corridor to MU to promote redevelopment based on the Highway 14 Corridor study.	APPROVAL	

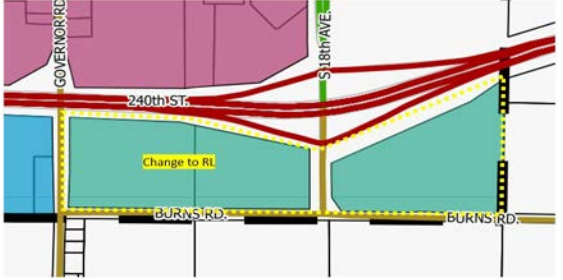
Received By	Property Address/Area	PIN	Proposed on Map	Change to	Graphic	Staff Comments	PZ Rec.	Council Rec.
Staff	911 N. Center St	8418-26-103-002	REC	RL		Correction - still needs to be changed on map	APPROVAL	
Council	Ag land West of Hwy 14	Multiple	AG	RL		AG uses can continue in RL district	NO ACTION	
Council	Ag land East of Hwy 14	Multiple	AG	RL		AG uses can continue in RL district	NO ACTION	
Commissioner	301 W High St.	8418-35-351-003	MU	GC	 High St. Area MICA - Proposal to change to MU Storage Units - Proposal to change to GC Consider all lots fronting High St to MU	Storage units allowed as Limited use in MU. Changing to GC would be the only lot in area.	NO ACTION	

Table 156.G.004-2

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Wall Sign						
						
Number Allowed	Home-Based Business: 1 per establishment Group Living: 1 per premise	No maximum number, subject to aggregate area restrictions.				
Maximum Area	1 s.f.	Total sign area shall not exceed 1.5 s.f. for each foot of linear foot of building length; a 2nd wall sign shall not exceed 0.5 s.f. per linear foot of building length.	Total sign area shall not exceed 1.5 s.f. for each foot of linear foot of building length; a 2nd wall sign shall not exceed 0.5 s.f. per linear foot of building length. ⁴	No maximum area	Total sign area shall not exceed 1.5 s.f. for each foot of linear foot of building length; a 2nd wall sign shall not exceed 0.5 s.f. per linear foot of building length. ⁴	
Maximum Height	The eaveline or the bottom of the second story window sill, whichever is lower.			The eaveline or building parapet wall		
Illumination	No	Yes	Yes, External Only	Yes		
Sign Permit Required	Yes					
Other Signs	--					
Other Standards	1. No wall sign shall project more than 18 inches from the building wall. 2. No wall sign or its supporting structure shall cover any window or part of a window. 3. In the UC district, wall signs shall have a texture or depth to distinguish them from the wall. 4. Buildings having a setback from the street of at least 150 feet will be permitted to have two square feet for every one linear foot of primary wall frontage					

Table 156.G.004-3

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Pylon or Pole Sign						
						
Number Allowed	--	1 per frontage on sites that are not residential and not abutting residential use	--	1 per frontage	1 per frontage	1 per frontage
Maximum Area	--	120 s.f. per sign	--	120 s.f. per sign	120 s.f. per sign	120 s.f. per sign
Maximum Height	--	30 ft.	--	30 ft.	30 ft.	30 ft.
Minimum Clearance	--	8 ft. above grade and 20 ft. above drive aisle if edge of sign is within one foot of aisle	--	8 ft. above grade and 20 ft. above drive aisle if edge of sign is within one foot of aisle	8 ft. above grade and 20 ft. above drive aisle if edge of sign is within one foot of aisle	8 ft. above grade and 20 ft. above drive aisle if edge of sign is within one foot of aisle
Minimum Setback	--	10 ft.	--	10 ft.	10ft.	10ft.
Illumination	--	Internal or External	--	Internal or External	Internal or External	Internal or External
Sign Permit Required	--	Yes	--	Yes	Yes	Yes
Other Signs			See Paragraph B, below			
Other Standards	1. No wall sign shall project more than 18 inches from the building wall. 2. No wall sign or its supporting structure shall cover any window or part of a window. 3. In the UC district, wall signs shall have a texture or depth to distinguish them from the wall.					

Table 156.G.006-1

Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts				
	AG, RR, RL, RM, RH	MU	UC, UC-HD	GC	PI, REC	GI
Freestanding Development Sign						
						
Number Allowed	1 per lot ¹			2 per street frontage		
Maximum Area	48 sf. per sign					
Maximum Height	8 ft.					
Minimum Separation	--			5 ft. between signs		
Minimum Setback	--	10 ft.	--	10 ft.		
Maximum Days Sign May be Displayed (Cycle)	Sign shall be removed at project completion or once all lots are sold.					
Other Standards	1. Development signs for a residential development project shall only be permitted for developments which include more than three dwelling units or lots.					



Joel Greer, Mayor
Jessica Kinser, City Administrator
Michael W. Tupper, Chief of Police
909 South Second Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5725
Fax - (641) 752-1211

TO: Mayor Joel Greer
Members of the City Council
Jessica Kinser, City Administrator

FROM: Michael W. Tupper
Chief of Police

DATE: 22 March 2022

RE: Marshalltown Police and Community Team (MPACT) Training Request & YSS Contract Amendment

Policy Issue: City policy requires governing body approval of contracts, agreements, contract amendments, and budgetary expenses.

Recommendation: Police department staff recommends council approve and authorize a contract change with YSS of Marshall County to allow the use of MPACT designated funds through the CARES Act to be expended on training. If approved, YSS and the police department will be sending MPACT personnel to the National Co-Responder Conference being held in Chapel Hill, NC on June 6-8, 2022.

Background: The council previously approved a contract with YSS of Marshall County to provide staff and services to assist the police department with crisis and social service response. This agreement led to the formation of the Marshalltown Police and Community Team (MPACT). The initial agreement provided \$150,000.00 in funding from the CARES Act to support implementation of MPACT. The agreement did not address staff training.

As the police department and YSS of Marshall County continue to build the MPACT program, MPACT team members have identified the need to expand team training and knowledge in the area of co-response programs. Co-response programs pair law enforcement and social service professionals. Such partnerships are unique and have unique challenges. The International Co-Responder Alliance hosts a national training conference. This conference provides training that will promote and strengthen MPACT efforts to utilize a multi-disciplinary response to address social and crisis issues in Marshalltown. The networking and training provided at this conference is critically important to our efforts to build the MPACT program and to ensure we are providing services based on developed best practices. MPACT team members will learn innovative approaches which will prepare the MPACT team for the many challenges and demands our team faces each day. This training will enhance our team abilities and improve the services we are providing.

Budget Impact: We are requesting council approval to amend the contract with YSS of Marshall County to allow original CARES Act dollars, allocated to MPACT, to be used for staff training. If authorized, MPACT will spend an amount not to exceed \$12,000.00 to send three YSS of Marshall County MPACT team members and three police department MPACT team members to this national conference.

Attachment: None. The money is already allocated for MPACT and is available.

CITY COUNCIL

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker

MARSHALLTOWN

— I O W A —

CITY CLERK'S OFFICE

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, City Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701
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March 23, 2022

To: Mayor Joel Greer & Members of the City Council
From: Alicia Hunter, City Clerk
Re: Chapter 118 Permits

Policy Issue: Goal 3 / Objective 1 of the Strategic Plan: Review City-issued licenses and permits for necessity.

Recommendation: To amend Chapter 118 with the attached revisions and to amend the fee schedule.

Background: Chapter 118 – Peddlers and Solicitors, outlines the permit requirements for a peddler, solicitors, or transient merchants. Staff recommend separating the currently combined application to two separate applications for Peddler/Solicitors and Transient Merchants since they have different requirements.

Currently, transient merchants are limited to selling only seven days or less during any calendar month. There is no restriction on peddler/solicitors. A State of Iowa food license is a requirement of our Transient Merchant permit and it does not have any sales restrictions. The city also does not have staff to monitor when Transient Merchants are operating. It is staff recommendation to eliminate the restriction on the number of days.

Currently, transient merchants are only allowed to operate on private commercial property. Staff would like to allow operation on public property with a new 24-hour license. This license would be in addition to an annual license.

The current fee schedule for all 3 permits is: \$200 per year, \$60 per month, \$25 per week, \$6 per day. Staff recommendations include the following: eliminating weekly and monthly rates; issuing Peddler/Solicitors licenses by the day and increasing the fee to \$10; issuing annual Transient Merchant licenses at the \$200 per unit that expire May 1st each year (the State of Iowa license is \$250); issuing annual Transient Merchant licenses for owners who also have a brick and mortar business at a reduced rate of \$25 annually; creating a new 24-hour public property transient merchant license at \$50 per day.

CITY COUNCIL

Michael Gowdy, Al Hoop, Gabriel Isom, Mike Ladehoff,
Bill Martin, Gary Thompson, Bethany Wirin



Budget Impact:

License	Current Fee	New Fee
Peddler/Solicitor (per person)	\$6 per day	\$10 per day
Peddler/Solicitor (per person)	\$25 per week	N/A
Peddler/Solicitor (per person)	\$60 per month	N/A
Peddler/Solicitor (per person)	\$200 per year	N/A
Transient Merchant (per unit)	\$6 per day	\$50
Transient Merchant (per unit)	\$25 per week	N/A
Transient Merchant (per unit)	\$60 per month	N/A
Transient Merchant (per unit)	\$200 per year	\$200 per year
Transient Merchant (with brick & mortar)	N/A	\$25 per year
24-hr Transient Merchant (on public property)	N/A	\$50 per day

Attachment: Chapter 118 Markup Revision

CITY COUNCIL

Michael Gowdy, Al Hoop, Gabriel Isom, Mike Ladehoff,
Bill Martin, Gary Thompson, Bethany Wirin



CHAPTER 118: PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

Section

General Provisions

- 118.001 Definitions
- 118.002 License required
- 118.003 Certain exemptions
- 118.004 License application
- 118.005 Sales tax permit required
- 118.006 State food license required
- 118.007 License issuance
- 118.008 Permitted locations
- 118.009 Time restrictions
- 118.010 Permitted mobile facilities or vehicles
- 118.011 Fees
- 118.012 License display
- 118.013 License revocation; right to appeal
- 118.014 Transfer of license and limited use

- 118.999 Penalty

GENERAL PROVISIONS

§ 118.001 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLER. Any person who sells or offers for sale for immediate delivery goods or merchandise from house-to-house, business-to-business or upon public property.

SOLICITOR. Any person who solicits or attempts to solicit from house-to-house, business-to-business or upon public property an order for goods, subscriptions or merchandise to be delivered at a future date.

SPECIAL COMMUNITY-WIDE EVENT. Any event or community celebration for which a public use permit under § 130.003 of this code has been issued.

TRANSIENT MERCHANT. Any person, firm or corporation who engages in a merchandising business from a mobile facility (self-contained motorized or trailer) at any parcel.

(2013 Code, § 17-154) (Ord. 31, passed 8-14-1950; Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.002 LICENSE REQUIRED.

Unless otherwise exempted by other provisions of this subchapter, any peddler, solicitor or transient merchant operating within the city without first obtaining a license for such

activity as herein provided, or operating in violation of the terms of the license, commits a simple misdemeanor subject to a fine.

(2013 Code, § 17-155) (Ord. 31, passed 8-14-1950; Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011) Penalty, see § 118.999

§ 118.003 CERTAIN EXEMPTIONS.

(A) The following persons shall be exempted from the license requirement:

- (1) Newspaper carriers;
- (3) Farmer's Market Vendors
- (4) armer and gardener stands selling agricultural products they have grown; and
- (5) Persons operating during special community-wide events, at the discretion of the City Clerk.

(2013 Code, § 17-155.1) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.004 LICENSE APPLICATION.

A written application shall be filed with the City Clerk for a license under this subchapter unless exempted under § 118.003 of this chapter. Such application shall set forth the applicant's name; permanent and local address; business address, if any; local and permanent telephone number; email address, and recent photograph. The application also shall set forth the applicant's employer, if any, and the employer's address, telephone number, the nature of the applicant's business. An applicant for a license shall also provide a copy of a current Department of Criminal Investigations (DCI) background check. The application shall also set forth the locations of activities and the length of time requested to be covered by the license and be accompanied by current written permission from any property owner upon whose property a transient merchant will be operating, or whose property (including parking) will be affected by the transient merchant's operation. Transient merchants shall make the facility or vehicle available for visual inspection by the Fire Marshal or their designee at a reasonably convenient location.

(2013 Code, § 17-156) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011; Ord. 14997, passed 6-22-2020)

§ 118.005 SALES TAX PERMIT REQUIRED.

Before a license is issued under provisions of this subchapter, the applicant for license shall submit to the City Clerk for inspection and copying a state sales tax permit when taxable items are intended to be sold.

(2013 Code, § 17-156.1) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.006 STATE FOOD LICENSE REQUIRED.

Before such license is issued under provisions of this subchapter, the applicant for license shall submit to the City Clerk a state food sales permit when applicable food items are intended to be sold.

(2013 Code, § 17-156.2) (Ord. 14886, passed 6-27-2011)

§ 118.007 LICENSE ISSUANCE.

If the City Clerk finds the application in conformity with the requirements of this subchapter, that all federal and state law requirements have been met, that the facts stated within the application are accurate, that the applicant has not committed a crime of violence, theft, fraud or dishonesty, other than simple misdemeanors, has committed no prior violations of this subchapter and is not a person required to register as a sex offender, the City Clerk shall issue a license upon payment of the applicable fee. The Clerk may rely upon the results of any routine background check without responsibility for verifying the accuracy of any information contained therein. The Chief of Police or City Attorney may authorize exceptions to criminal histories based on circumstances such as the number of years since the charge. State of Iowa Division of Criminal Investigation background checks are valid for one year.

(2013 Code, § 17-157) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.008 PERMITTED LOCATIONS.

- (A) Peddler or solicitor licenses are issued for use in locations across the city without restrictions.
- (B) Transient merchants issued an annual license are permitted to operate only on paved portions of private commercial property locations as identified on the application. A license must be obtain even if the transient merchant is operating on their own commercial property..
- (C) Transient merchants issued a 24-hour license are authorized to operate on public property locations as approved on the application.

(2013 Code, § 17-157.1) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)
Penalty, see § 118.999

§ 118.009 TIME RESTRICTIONS.

- (A) Peddler or solicitor licenses allow peddling activities in residential area only between the hours of 9:00 a.m. and 7:00 p.m., Monday through Saturday.
- (B) Transient merchant licenses issued for private commercial properties shall be allowed at all times, Sunday through Saturday, upon proper showing that the owner of the location where sales occur consents to use of its business premises for that purpose and that neither traffic or nearby residents will be adversely affected.

(2013 Code, § 17-157.2) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011; Ord. 14932, passed 9-8-2014) Penalty, see § 118.999

§ 118.010 PERMITTED MOBILE FACILITIES OR VEHICLES.

- (A) Mobile vendors shall operate only from facilities or vehicles which are structurally sound, in good repair and appearance, with no visible rust or damage. Adequate waste disposal receptacles shall be conveniently provided for customer use. No waste or garbage shall be allowed to accumulate on the exterior of the facility or vehicle. All grease shall be disposed of lawfully. Electrical connections shall be outdoor rated with functioning ground fault interrupters (GFIs) and no extension cords shall cross any sidewalk or public access.

(B) Electrical connections across any sidewalk or public access shall be made by proper underground wiring method in compliance with the National Electric Code (NEC).

(C) Vendors shall be in compliance with Chapter 91: Fire Prevention and Protection of this code.

(2013 Code, § 17-157.3) (Ord. 14886, passed 6-27-2011; Ord. 14997, passed 6-22-2020) Penalty, see § 118.999

§ 118.011 FEES.

(A) Except as provided in § 118.003 of this chapter, every applicant for a license under this subchapter shall pay the fee, set by Council resolution, before a license shall be issued.

(B) A peddler or solicitor license shall be issued by the day.

(C) A transient merchant license shall be issued annually for operation on private commercial property and shall expire May 1st of each year.

(1) Transient merchants who also have a brick and mortar operation shall be issued an annual license for operation on private commercial property.

(D) A 24-hour public use transient merchant license may be issued for operation on public property.

(2013 Code, § 17-158) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.012 LICENSE DISPLAY.

(A) Each solicitor or peddler shall, at all times while doing business in the city, keep in his or her possession and display upon request of any city official, peace officer or prospective customer, the license issued pursuant to this subchapter, and shall, upon the request of prospective customers, exhibit the license as evidence that they have complied with all requirements of this subchapter.

(B) Each transient merchant shall publicly and visibly display the license at its temporary place of business.

(C) Licenses issued to any entity under the provisions of this subchapter are not transferable in any situation and grants authority only to the entity filing the application.

(2013 Code, § 17-159) (Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.013 LICENSE REVOCATION; RIGHT TO APPEAL.

(A) If the licensee, in the application for the license or in the course of conducting his or her business, has made incorrect or fraudulent statements, or has conducted his or her business or activity in an unlawful manner, or violated an ordinance or statute, including placement of illegal signage, or if the licensee has conducted his or her business in such manner as to endanger the public welfare or safety, the City Clerk may revoke any license issued under this subchapter. If a license is revoked the licensee is not eligible for reimbursement of any portion of the license fee.

(2013 Code, § 17-160)

(B) The licensee may appeal the revocation of the license to the City Council at its next regularly scheduled meeting by filing with the Clerk a written request for an appeal to the

City Council. The City Council may affirm, modify or reverse its decision or the decision of the Clerk to revoke such license.

(2013 Code, § 17-160.1)

(Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

§ 118.014 TRANSFER OF LICENSE AND LIMITED USE.

No license provided for in this chapter shall be transferred without the consent of the Mayor endorsed thereon in writing. No license issued under this chapter shall include more than one separate place and independent place of business of a transient merchant or extend to or include more than one peddler under a single license.

(Ord. 15001, passed 8-12-2020)

§ 118.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.999 of this code of ordinances.

(B) (1) Anyone violating any of the provisions of §§ 118.001 through 118.013 of this chapter shall, upon conviction, be subject to the penalties as provided in §§ 10.999(A) and (B) of this code of ordinances.

(2013 Code, § 17-161)

(2013 Code, § 17-155)

(Ord. 31, passed 8-14-1950; Ord. 14884, passed 3-14-2011; Ord. 14886, passed 6-27-2011)

MARSHALLTOWN

— I O W A —

CITY CLERK'S OFFICE

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, City Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5701
Fax - (641) 754-5717

March 22, 2022

To: Mayor Joel Greer & Members of the City Council
From: Alicia Hunter, City Clerk
Re: Chapter 118 Permits

Policy Issue: Goal 3 / Objective 1 of the Strategic Plan: Review City-issued licenses and permits for necessity.

Recommendation: To amend Chapter 130 Assemblies, Parades and Demonstrations to reflect the Public Use and Special Event Permit requirements.

Background: The City Clerk issues permits for events held on public property. The application process is done through the City website. Applications are reviewed by department directors before issuing.

Attached is the suggested markup revision of the ordinance updating the title and changing the application process to the City Clerk not the Chief of Police. It also adds information about the special events trailer that is used for events.

Budget Impact: The current fee schedule has a \$100 deposit for barricades that is refunded upon return of barricades. This would be eliminated due the use of the special events trailer which has a \$150 fee or barricade drop off/pick up for large scale events of \$300.

The current fee schedule charges \$100 for a public use permit where there is alcohol which liquor licensing is not obtain. Staff recommend eliminating this fee as this would only occur in small scale neighborhood events which require the rental of the trailer.

Attachment: Markup revision of ordinance.

CITY COUNCIL

Michael Gowdy, Al Hoop, Gabriel Isom, Mike Ladehoff,
Bill Martin, Gary Thompson, Bethany Wirin



§ 130.003 PUBLIC USE AND SPECIAL EVENT PERMITS.

(A) Required. It is unlawful for any person to be or be concerned in or join or participate in any assembly, meeting, concert, parade or other exercise or display or demonstration upon any street, sidewalk or public ground or other public place without a written permit issued to one or more of the participants thereof by the City Clerk.

(B) Contents of the online application can be completed on the City website The application for a permit shall state the following:

- (1) The name, phone number, and email address of the applicant;
- (2) The sponsoring organization, if any;

(6) The exact location of the event or the exact starting and ending points of the parade as well as the exact route to be followed;

(7) Exactly what provisions have been made for dispersal of the event or parade, so such may be accomplished in a reasonable manner;

(8) What contingency plans exist to maintain order and to control the group, if any;

(9) The exact time the event or parade is to commence and terminate;

(10) Devices or things that may produce noise, dirt, smoke, litter or odor and the applicant's means of limiting, controlling or removing such; and

(11) If alcohol is requested at said event.

(12) Such other and further information the City Clerk may request.

(C) Conditions. All such permits shall be issued on the express condition that all laws, statutes or ordinances be observed and obeyed and that all activities be organized, peaceful and controlled. Applicants must adhere to State of Iowa event guidelines and licensing requirements.

(D) Restrictions.

(E) Fees.

(1) The Public Works Division will drop off and pick up a stocked trailer with barricades, cones, and channelizers for small scale events for a required fee as set by resolution.

(2) The Public Works Division will deliver and pickup barricades, cones, and channelizers at requested drop points for large scale events for a required fee as set by resolution.

(3) The Chief of Police may bill for the use of equipment or extra-duty police personnel due to public use permits.

(2013 Code, § 21-2) (Ord. 13149, passed 6-13-1977) Penalty, see § 130.999

§ 130.004 ASSEMBLY INTERFERING WITH LAWFUL BUSINESS, OCCUPATIONS; USE OF PRIVATE PROPERTY WITHOUT CONSENT.

It is unlawful for any person to assemble or congregate with others in such a manner and for the purpose of preventing or interfering with another's pursuit of a lawful occupation, public duty or the ordinary conduct of business, public or private, or for any persons, individually or collectively, to use another's property for any purpose without his or her consent.

(2013 Code, § 21-3) (Ord. 11806, passed 1-12-1971) Penalty, see § 130.999

MARSHALLTOWN

— I O W A —

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, City Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Jessica Kinser, City Administrator
Date: March 23, 2022
RE: Urban Tree Fee/Compost Fee

As part of the FY23 budget process, the Council directed staff include a new urban tree fee, which would be used to capture staff and contractor costs related to the removal and regeneration of a public tree canopy. With the budget now adopted, staff is ready to bring forward the necessary steps for the City Council to implement this fee. There are some required discussions necessary for staff to be able to move forward.

1. Determination of the fee
2. Discussion of Compost Facility as part of this fee
3. Draft of Chapter 58 amendments

Urban Tree Fee

City staff proposed a monthly Urban Tree Fee to be placed on utility bills as part of the FY23 budget to support the City staff time, contractor expenses, etc. dedicated to the removal of public trees and stumps as well as the repopulation of the City's tree canopy. The set-up of this fee is very similar to the Landfill Fee which is currently charged on residential utility bills. Water Works has stated that 10,150 units are billed for the landfill fee, which would include residential, commercial and industrial. We have based the following estimates off of this number.

The budget below is adjusted to include a fee for Water Works. Please note this budget still anticipates the use of Road Use Tax funds in the near term to help with the timely clearing of stumps in the right-of-way. Please think of the budget below as including \$80,000 for contracted services rather than always set at the shown estimates/distribution.

Wages- 20% of Park Supervisor, Horticulturist		24,991.00
Associated Benefits		10,828.00
Other Park employees- as work is done		5,000.00
Tree trimming, Removal		30,000.00
Stump removal		40,000.00
Tree replanting		10,000.00
MWW Billing (\$0.05/bill/month)		6,090.00
Est. Annual expenses		126,909.00

City Council

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



The chart below demonstrates the amount of revenue anticipated by the corresponding monthly rate, billing 10,150 accounts.

\$1.00/month	121,800.00
\$1.25/month	152,250.00
\$1.50/month	182,700.00

If the Council wanted to consider just billing this to residential properties, only 9,650 accounts would be billed monthly for this charge. This decreases the total needed to operate by \$300 to \$126,609, but changes the revenue projections to the following:

\$1.00/month	115,800.00
\$1.25/month	144,750.00
\$1.50/month	173,700.00

Compost Facility as Monthly Charge

The Council directed staff to provide information showing Compost as a monthly fee on a utility bill versus the current charge to users of the Compost Facility. Currently, Water Works is unable to add more than one additional line to a utility bill, so if a compost fee is set, it has to be billed together with the urban tree fee. This means that the Compost enterprise fund would be the fund for both compost and urban tree functions. There would not be a separate fund, unless Council approved a policy to split all distributions by a set formula and not account for the funds directly by how they are billed.

The estimated fees below are only shown for the 9,650 bills for residential (including multi-family units of approximately 2,365) and does not include commercial and industrial. The rationale for the exclusion is that there are some tree removal vendors that would be charged as commercial/industrial, and the intent would not be to make the Compost Facility free of charge for a business use. It's not possible to distinguish one commercial or industrial user from another, so the users are just not included in this calculation.

The Compost Facility (in a normal year) has approximately \$75,000 worth of expenses, not including any capital equipment. An annual set aside of approximately \$38,000 is also necessary to use to maintain and eventually replace existing deteriorated equipment. The table below shows a range of possible monthly rates billed to 9,650 and the revenue anticipated closest to the \$113,000 annual need.

\$1.00/month	115,800.00
\$1.25/month	144,750.00
\$1.50/month	173,700.00

Historically, the City has burned material at the Compost Facility. However, due to DNR regulations that will not be possible moving forward, and chipping and hauling of materials accepted at Compost will need to be bid out, which is estimated at \$30,000 annually, but believe this will vary based on quantity. This is not taken into account

City Council

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above and would need to be re-examined in the next budget cycle as additional information is learned.

One concern related to putting Compost on a utility bill is verification of residency and payment of the monthly fee to allow for the free use of the facility. In past times when the Compost Facility has been open for free due to disaster clean-up, staff was not looking for who was or was not a resident. In a system where all residential utility accounts are paying, individuals would likely need to bring their utility bill or some proof of residency within the city which would demonstrate eligibility.

One potential positive aspect of taking residential composting materials for free at the Compost Facility is the ability of the City Council to then consider open burning no longer necessary. This would help resolve a number of complaints received by the Fire Department and elected officials each year.

Ordinance Amendment

Staff from Public Works and Parks and Recreation did a comprehensive review of Chapter 58 of the Code of Ordinances, which is attached. The changes presented seek to streamline this chapter and make it easier to understand for everyone, specifically:

- Removing the use of “terrace” as a term and being consistent with the use of “right-of-way”
- Clearly stating right-of-way permits and criteria
- Condensing sections related to tree removal and trimming from public property
- Removing the adjacent owner responsibility for trimming trees in the right-of-way
- Removal of language in a prior amendment to remove tree trimmer licensing requirements
- Creating a section to establish the urban tree fee, which can be adjusted to include an urban tree and compost fee with appropriate language adjustments

The ordinance does state that all fees shall be set by resolution. The intent is for a fee to be in place as of July 1, 2022, but the ordinance would go into effect upon passage. No public hearing is required for this ordinance.

Council Direction

At this time, staff is looking for direction from the City Council on how to proceed. There is time to implement an ordinance and a fee resolution prior to July 1, 2022, so this can come back for further discussion if necessary.

- Does the Council want to combine an urban tree fee and a compost fee?
- Who gets billed if just an urban tree fee or a combined fee?
- What is the fee to be set at?
- Are the changes to Chapter 58 acceptable to the City Council?

City Council

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,
Jeff Schneider, Gary Thompson, Dex Walker



MARK UP

§ 58.001 PURPOSE.

(A) It is the policy of the city to regulate and control the planting, removal, pruning and protection of trees and other vegetation within streets, highways and alley rights-of-way and public park areas within the boundaries of the city; to eliminate and guard against dangerous conditions which may result in injury to persons using the public areas of the city; to prevent damage to any public sewer or water main, street, sidewalk or other public property; to protect trees located in public areas from undesirable and unsafe planting, removal, pruning and protection practices; and to guard all trees within the public areas of the city against the spread of disease or pests. The provisions of this chapter shall apply to all trees, shrubs, weeds, vines and brush planted in or upon any public area and in certain instances on private property within the city and any existing trees that violate other sections of this chapter.

(B) It is also the intent of this chapter to maintain all public and private areas in the city in such a manner that they are free of weeds, vines and brush; to eliminate and guard against dangerous conditions which may cause injury or illness to persons using the public areas; to promote and enhance the beauty of the city; and to guard against pestilence and widespread weed invasion of any area of the city. State legislation or State Department of Transportation rules take precedence over this chapter if along a state-designated highway.

§ 58.002 REMOVAL OF WEEDS, VINES AND BRUSH.

All areas of the city are to be kept free of any noxious weeds and shall also be kept free of any other weeds, vines or brush for health and safety reasons.

§ 58.003 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A thoroughfare through the middle of a block giving access to the rear of a building.

PARK. Any property owned in whole or in part by the city used in whole or in part for recreational purposes, wildlife purposes or other municipally-owned public purpose related to recreation or wildlife, but does not include parking or terraces or municipal parking lots.

PROPERTY OWNER. The contract purchaser if there is one of record, otherwise the record holder of legal title.

PUBLIC AREA. Parks and other lands owned or leased by the city and all terraces along all streets, highways, boulevards and alleys.

PUBLIC RIGHT-OF-WAY. Dedicated public property containing or proposed to contain publicly owned street surfaces, curb and gutter, sidewalks and planted strips.

SHRUB. A woody plant with several stems and usually with a low mature height of eight feet or less.

STREET INTERSECTION. The intersection of the public street right-of-way lines of the two intersecting streets. On streets that have sidewalks, this would be the intersection of the inside edges on the private property side of the sidewalks.

~~**TERRACE.** The city-owned street right-of-way or street easement area between the property line and the outside edge of any street, road or boulevard in the city, including the sidewalk if present.~~

TREE. Any woody perennial plant of any age with a main trunk and many branches, and includes living or dead trees and standing or fallen trees.

TREES

§ 58.015 INJURING OR DAMAGING.

(A) No person shall in any public area of the city break, injure, mutilate, kill or destroy any tree or shrub; permit any animal under his or her control to do so; permit any fire to injure any portion of any tree or shrub; or permit any toxic chemicals or materials to seep, drain, be emptied on or otherwise enter into any tree or shrub.

(B) It shall be unlawful for any person to cut, damage, carve, transplant or remove any tree, or injure the bark of any tree located in a park, except for authorized city personnel in the performance of his, her or their duties.

(C) During building operations, commercial promotions or public promotions, the builder or sponsor shall erect suitable protective barriers around public trees and shrubs that may be injured.

§ 58.016 FASTENING MATERIALS.

No person shall fasten any sign, rope, wire or other materials to or around or through any trees or shrubs in any public area, except in emergencies such as storms or accidents.

§ 58.017 PLANTING IN PUBLIC RIGHT-OF-WAY ALLEYS AND UTILITY EASEMENTS.

a. It shall be unlawful to plant any tree or other woody plant material within any ~~platted alley right-of-way or dedicated utility or walkway easement area~~ within the city.

B . Any tree or other wood plant material planted within public right of way requires a planting permit.

§ 58.019 PLANTING PERMIT.

(A) No person shall plant a tree in a ~~terrace~~ public right-of-way area unless the individual has completed a planting permit application at the Parks and Recreation Office and has been issued a permit by the City Parks and Recreation Director or ~~his or her~~ their designee.

(B) (1) Trees shall be subject to conditions of the permit. Conditions of the permit shall include a requirement for diversity of species withal, the planting area, as well as other conditions as may be provided elsewhere in this subchapter.

(2) Whenever a tree is planted in conflict with the provisions of the permit or without obtaining a permit, it shall be lawful for city staff to remove or cause removal of the tree.

(3) The cost of the removal of such tree may be charged to the property owner responsible for the planting.

(C) The City may consider the following review criteria in permit approvals but not limited to:

- Visibility triangles at streets, alleys and driveways
- Sign visibility
- Proximity to other trees
- Proximity to utilities
- Proximity to pavement
- Area of space available

§ 58.020 CERTAIN SPECIES PROHIBITED.

(A) It shall be unlawful to plant any tree species on or ~~adjacent to any street, terrace, avenue or highway~~ within 25 feet of public right-of-way in the city that has been identified on a list of prohibited species compiled by city staff. The list shall be kept on file at the Parks and Recreation Office and on the city website.

(B)(1) The City Council Parks & Recreation Department may issue a ~~special decorative~~ planting permit for planting evergreen and deciduous shrubs with a mature height greater than 12 inches within the ~~terrace area~~ public right-of-way for decorative purposes.

(2) Each request will be reviewed upon its own merits, and the proposed plantings at mature height shall not interfere with pedestrian and vehicular safety or the free use of the street or sidewalk.

(C) It shall also be unlawful to plant any tree species that bears fruit, except for male sterile varieties, on a ~~city terrace~~ public right-of-way or on private property in a location where the tree will overhang a ~~sidewalk~~ the public right-of-way.

(D) Any plant species prohibited by this section, but in place on the effective date of Ord. 14429 this ordinance, need not be removed by virtue of its mere existence unless interference with other sections of this chapter so requires.

~~(E) A list of tree species recommended for public right-of-way plantings will be compiled by city staff and kept on file at the Parks and Recreation Office and on the city website.~~

§ 58.021 SPACING AND PLACEMENT IN TERRACE PUBLIC RIGHT-OF-WAY AREAS.

~~(A) All trees planted on or adjacent to any street, highway, terrace or avenue public right of way in the city shall be planted in a location that is midway between the outer line of the sidewalk and the curb where the curb line is established or midway between the proposed sidewalk and designed curb locations as established by the Director of Public Works/City Engineer where no sidewalk or curb is established. No tree shall be planted nearer than three feet to the curb or outer sidewalk line. No tree shall be planted within three feet of sidewalk in residential areas. On terraces 14 feet wide or greater, trees shall be planted seven feet from the outside edge of the sidewalk.~~

(B) (1) Trees planted on or adjacent to a **Highway 14** right of way shall be planted ten feet back from the back of the curb line.

(2) Other special considerations do exist and a special permit must be secured from the state's Department of Transportation; contact the local state's Department of Transportation Engineer. ~~Tree spacing for trees included in the listing of recommended tree for terrace areas less than eight feet in width as specified under § 58.020 of this chapter shall be planted no closer than 20 feet from one another, nor closer than 30 feet to a large tree.~~

(C) ~~Large trees such as those listed in the recommended tree species for terrace areas of eight feet or more in width~~ Trees shall be planted no closer than 40 feet than the sum of half of the mature spread of each tree from one another.

(D) Trees shall be planted no closer to a utility pole than a distance equal to half of the mature spread of the tree species being planted.

§ 58.022 PLANTING DISTANCE FROM STREET INTERSECTIONS AND FROM DRIVEWAYS.

~~No tree shall be planted closer than 30 feet to a street intersection. No tree shall be planted closer than ten feet to a driveway or alley in residential terrace areas of the city. Spacing of trees from commercial driveways shall be judged on an individual basis.~~

§ 58.023 LOCATION OF UNDERGROUND UTILITIES.

~~Before any digging is done in terrace areas, all underground utilities shall be located by the proper utility service companies, in particular mechanical diggers. Call 1-800-~~

292-8989, 48 hours before planting to verify all underground utilities located in the terrace area by the proper utility companies.

§ 58.024 UNAUTHORIZED TRIMMING PROHIBITED; PERMIT REQUIRED.

—It shall be unlawful to trim or cut in any manner, other than that otherwise allowed in this subchapter, any tree on any terrace, street, avenue and highway or in any public place public right of way in the city without the person receiving a permit from the parks and recreation office.

- (A) Property owners, agents or occupants may trim limbs or branches not exceeding six inches in diameter from trees on public right-of-way areas adjacent to their property without a written permit. Such cutting or trimming shall conform to the arboricultural specifications and standards of practice adopted by the city staff.
- (B) To remove branches larger than six inches the Parks & Recreation Department should be contacted to get a permit for removal by the property owner or a contractor.

§ 58.025 TRIMMING AND REMOVAL OF HAZARDOUS TERRACE TREES.

—(A) The city shall be responsible for removing dead or diseased trees from all public areas within the city. The abutting property owner, agent or occupant shall be responsible for trimming and maintaining the trees on the terrace abutting his, her or their property. Trees shall be so trimmed that the overhanging branches shall be at least 15 feet above the surface of the street and at least eight feet above the surface of the sidewalk so as not to interfere with the street lighting or the free and safe use of the street and sidewalk by the public, taking into consideration tree maturity and size. Branches or limbs over six inches in diameter or trees on terrace areas shall only be removed by the city or a public service company, or a person or firm licensed under § 120.001 of this code of ordinances upon a permit issued by City Clerk. No permit shall be required of any public service company, city employee, **or contractor acting on behalf of the City**, doing such work in the pursuit of their public service endeavors.

—(B) The city may serve notice as per section § 58.027 of this chapter to the abutting property owner, agent or occupant to trim or otherwise maintain the trees on the abutting terrace or remove trees, other than dead or diseased trees, that are not in compliance with the provisions of this subchapter. If the abutting property owner, agent or occupant does not perform the required action required within a reasonable time, the city may perform the required action and assess the costs against the abutting property as per § 58.027 of this chapter.

—(C) The city shall have the authority to trim or remove any tree, shrub or other plant material planted on any city terrace public right of way for non-compliance of this subchapter. This work shall be done at city expense if notice is not given to the abutting property owner.

NEW. REMOVAL AND TRIMMING ON PUBLIC PROPERTY.

(A) The City shall be responsible for the removal of all dead and diseased trees from the public right-of-way and other public areas.

(B) The City shall be responsible for the trimming of all trees in the public right-of-way and other public areas.

(1) Trees shall be so trimmed that the overhanging branches shall be at least 15 feet above the surface of the street and at least eight feet above the surface of the sidewalk so as not to interfere with the street lighting or the free and safe use of the street and sidewalk by the public, taking into consideration tree maturity and size.

(2) Property owners, agents or occupants may trim limbs or branches not exceeding six inches in diameter from trees on public right-of-way areas adjacent to their property. Such cutting or trimming shall conform to the arboricultural specifications and standards of practice adopted by the city staff.

(3) Only City staff, contractor of the City, or public service company can trim branches exceeding six inches in diameter from the public right-of-way area. Adjacent property owners, agents or occupants must contact the Parks and Recreation Department to have branches exceeding six inches removed.

(C) The city shall have the authority to trim or remove any tree, shrub or other plant material planted on any city terrace public right of way for non-compliance of this subchapter. This work shall be done at city expense if notice is not given to the abutting property owner.

§ 58.026 REMOVAL AND TRIMMING ON PRIVATE PROPERTY.

(A) The property owner, agent or occupant of any lot or parcel of land shall keep the trees on his or her property so trimmed that the overhanging branches shall be at least 15 feet above the surface of the street and at least eight feet above the surface of the sidewalk so as not to interfere with the street lighting or the free and safe use of the street and sidewalk by the public and shall be kept free of dead limbs and branches, taking into consideration the tree maturity and size.

~~—(B) Trees, branches or limbs over 12 inches in diameter on private property shall only be removed by a person or firm licensed under § 120.001 of this code of ordinances unless the tree canopy is inside the property. A licensed, bonded tree firm or person should do felling of all trees on private property.~~

(B) The city shall have the right to trim or prune any tree or shrub on private property without notice when it overhangs public property and interferes with the proper spread of light along the street from a streetlight or interferes with visibility of any traffic control device or sign. The city may serve notice on the abutting property owner as per § 58.027 of this chapter to remedy the situation and assess the cost to the property.

§ 58.027 NOTICE AND ASSESSMENT OF COSTS TO PROPERTY OWNERS.

(A) If the property owner does not perform an action required under this subchapter within a reasonable time after notice, the city may perform the required action and assess the costs against the property for collection in the same manner as a property tax. Notice may be by certified mail or other service to the address of the property owner as well as the occupant of the premises as shown by the records of the County Auditor and shall state the time within which action is required.

(B) In an emergency, the city may perform any action which may be required under this subchapter without prior notice if it is deemed an imminent hazard to the safety and well-being of the public and assess the costs as provided in this section after notice to the property owner and hearing. All action taken by the city without notice to the property owner is done at city expense and shall not be assessed to the property owner.

§ 58.028 BARRICADES AND OTHER PROTECTIVE DEVICES REQUIRED.

When necessary for the protection of the public, guards, barricades or other protective devices or warnings shall be maintained on any sidewalk, street or other public places where trees are being trimmed or removed. Barricades and other protective devices shall meet the standards set forth by the Public Works Department. Traffic on any street shall not be barricaded without first obtaining permission therefor from the Public Works Department and notifying the Fire Department, Police Department and the ambulance service of the closing and again when the street is reopened.

ADD:

[58.xxx] Establishment of Urban Forest Utility.

An urban forest utility is hereby established to provide for the collection of an urban tree fee for use to maintain trees in the public right-of-way and public areas, including the public right-of-way, and provide for the removal, disposal, or re-use of tree and tree-related materials, and for the repopulation of the City tree canopy.

[58.xxx] Public Tree Management Fee. The City Council shall, by resolution, set the fee for the management of trees on public right-of-way and public areas. This includes the initial establishment of fees and subsequent changes to the fees as deemed necessary by the City Council.

§ 58.999 PENALTY.

Violation of any section of this chapter shall be deemed to be a municipal infraction and be punished by a penalty as provided in § [10.999](#)(A) of this code of ordinances.

CLEAN VERSION

§ 58.001 PURPOSE.

(A) It is the policy of the city to regulate and control the planting, removal, pruning and protection of trees and other vegetation within streets, highways and alley rights-of-way and public park areas within the boundaries of the city; to eliminate and guard against dangerous conditions which may result in injury to persons using the public areas of the city; to prevent damage to any public sewer or water main, street, sidewalk or other public property; to protect trees located in public areas from undesirable and unsafe planting, removal, pruning and protection practices; and to guard all trees within the public areas of the city against the spread of disease or pests. The provisions of this chapter shall apply to all trees, shrubs, weeds, vines and brush planted in or upon any public area and in certain instances on private property within the city and any existing trees that violate other sections of this chapter.

(B) It is also the intent of this chapter to maintain all public and private areas in the city in such a manner that they are free of weeds, vines and brush; to eliminate and guard against dangerous conditions which may cause injury or illness to persons using the public areas; to promote and enhance the beauty of the city; and to guard against pestilence and widespread weed invasion of any area of the city. State legislation or State Department of Transportation rules take precedence over this chapter if along a state-designated highway.

§ 58.002 REMOVAL OF WEEDS, VINES AND BRUSH.

All areas of the city are to be kept free of any noxious weeds and shall also be kept free of any other weeds, vines or brush for health and safety reasons.

§ 58.003 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A thoroughfare through the middle of a block giving access to the rear of a building.

PARK. Any property owned in whole or in part by the city used in whole or in part for recreational purposes, wildlife purposes or other municipally-owned public purpose related to recreation or wildlife, but does not include parking or terraces or municipal parking lots.

PROPERTY OWNER. The contract purchaser if there is one of record, otherwise the record holder of legal title.

PUBLIC AREA. Parks and other lands owned or leased by the city and all terraces along all streets, highways, boulevards and alleys.

PUBLIC RIGHT-OF-WAY. Dedicated public property containing or proposed to contain publicly owned street surfaces, curb and gutter, sidewalks and planted strips.

SHRUB. A woody plant with several stems and usually with a low mature height of eight feet or less.

STREET INTERSECTION. The intersection of the public street right-of-way lines of the two intersecting streets. On streets that have sidewalks, this would be the intersection of the inside edges on the private property side of the sidewalks.

TREE. Any woody perennial plant of any age with a main trunk and many branches, and includes living or dead trees and standing or fallen trees.

TREES

§ 58.015 INJURING OR DAMAGING.

(A) No person shall in any public area of the city break, injure, mutilate, kill or destroy any tree or shrub; permit any animal under his or her control to do so; permit any fire to injure any portion of any tree or shrub; or permit any toxic chemicals or materials to seep, drain, be emptied on or otherwise enter into any tree or shrub.

(B) It shall be unlawful for any person to cut, damage, carve, transplant or remove any tree, or injure the bark of any tree located in a park, except for authorized city personnel in the performance of his, her or their duties.

(C) During building operations, commercial promotions or public promotions, the builder or sponsor shall erect suitable protective barriers around public trees and shrubs that may be injured.

§ 58.016 FASTENING MATERIALS.

No person shall fasten any sign, rope, wire or other materials to or around or through any trees or shrubs in any public area, except in emergencies such as storms or accidents.

§ 58.017 PLANTING IN PUBLIC RIGHT-OF-WAY EASEMENTS.

It shall be unlawful to plant any tree or other woody plant material within any dedicated utility easement area within the city. Any tree or other wood plant material planted within public right of way requires a planting permit.

§ 58.019 PLANTING PERMIT.

(A) No person shall plant a tree in a public right-of-way unless the individual has completed a planting permit application at the Parks and Recreation Office and has been issued a permit by the Parks and Recreation Director or their designee.

(B)(1) Trees shall be subject to conditions of the permit. Conditions of the permit shall include a requirement for diversity of species withal, the planting area, as well as other conditions as may be provided elsewhere in this subchapter.

(2) Whenever a tree is planted in conflict with the provisions of the permit or without obtaining a permit, it shall be lawful for city staff to remove or cause removal of the tree.

(3) The cost of the removal of such tree may be charged to the property owner responsible for the planting.

(C)The City may consider the following review criteria in permit approvals but not limited to:

- Visibility triangles at streets, alleys and driveways
- Sign visibility
- Proximity to other trees
- Proximity to utilities
- Proximity to pavement
- Area of space available

§ 58.020 CERTAIN SPECIES PROHIBITED.

(A) It shall be unlawful to plant any tree species on or within 25 feet of public right-of-way in the city that has been identified on a list of prohibited species compiled by city staff. The list shall be kept on file at the Parks and Recreation Office and on the city website.

(B)(1)The Parks & Recreation Department may issue a planting permit for planting evergreen and deciduous shrubs with a mature height greater than 12 inches within the public right-of-way for decorative purposes.

(2) Each request will be reviewed upon its own merits, and the proposed plantings at mature height shall not interfere with pedestrian and vehicular safety or the free use of the street or sidewalk.

(C) It shall also be unlawful to plant any tree species that bears fruit, except for male sterile varieties, on a public right-of-way or on private property in a location where the tree will overhang the public right-of-way.

(D) Any plant species prohibited by this section, but in place on the effective date of this ordinance, need not be removed by virtue of its mere existence unless interference with other sections of this chapter so requires.

§ 58.021 SPACING AND PLACEMENT IN PUBLIC RIGHT-OF-WAY AREAS.

(A) No tree shall be planted nearer than three feet to the curb. No tree shall be planted within three feet of sidewalk in residential areas.

(B) (1) Trees planted on or adjacent to-Highway 14 right-of-way shall be planted ten feet back from the back of the curb line.

(2) Other special considerations do exist and a special permit must be secured from the state's Department of Transportation; contact the local state's Department of Transportation Engineer.

(C) Trees shall be planted no closer than the sum of half of the mature spread of each tree from one another.

(D) Trees shall be planted no closer to a utility pole than a distance equal to half of the mature spread of the tree species being planted.

58.022. REMOVAL AND TRIMMING ON PUBLIC PROPERTY.

(A) The City shall be responsible for the removal of all dead and diseased trees from the public right-of-way and other public areas.

(B) The City shall be responsible for the trimming of all trees in the public right-of-way and other public areas.

(1) Trees shall be so trimmed that the overhanging branches shall be at least 15 feet above the surface of the street and at least eight feet above the surface of the sidewalk so as not to interfere with the street lighting or the free and safe use of the street and sidewalk by the public, taking into consideration tree maturity and size.

(2) Property owners, agents or occupants may trim limbs or branches not exceeding six inches in diameter from trees on public right-of-way areas adjacent to their property. Such cutting or trimming shall conform to the arboricultural specifications and standards of practice adopted by the city staff.

(3) Only City staff, contractor of the City, or public service company can trim branches exceeding six inches in diameter from the public right-of-way area. Adjacent property owners, agents or occupants must contact the Parks and Recreation Department to have branches exceeding six inches removed.

(C) The city shall have the authority to trim or remove any tree, shrub or other plant material planted on any city terrace public right of way for non-compliance of this subchapter. This work shall be done at city expense if notice is not given to the abutting property owner.

§ 58.023 REMOVAL AND TRIMMING ON PRIVATE PROPERTY.

(A) The property owner, agent or occupant of any lot or parcel of land shall keep the trees on their property so trimmed that the overhanging branches shall be at least 15 feet above the surface of the street and at least eight feet above the surface of the sidewalk so as not to interfere with the street lighting or the free and safe use of the

street and sidewalk by the public and shall be kept free of dead limbs and branches, taking into consideration the tree maturity and size.

(B) The city shall have the right to trim or prune any tree or shrub on private property without notice when it overhangs public property and interferes with the proper spread of light along the street from a streetlight or interferes with visibility of any traffic control device or sign. The city may serve notice on the abutting property owner as per § 58.024 of this chapter to remedy the situation and assess the cost to the property.

§ 58.024 NOTICE AND ASSESSMENT OF COSTS TO PROPERTY OWNERS.

(A) If the property owner does not perform an action required under this subchapter within a reasonable time after notice, the city may perform the required action and assess the costs against the property for collection in the same manner as a property tax. Notice may be by certified mail or other service to the address of the property owner as well as the occupant of the premises as shown by the records of the County Auditor and shall state the time within which action is required.

(B) In an emergency, the city may perform any action which may be required under this subchapter without prior notice if it is deemed an imminent hazard to the safety and well-being of the public and assess the costs as provided in this section after notice to the property owner and hearing. All action taken by the city without notice to the property owner is done at city expense and shall not be assessed to the property owner.

§ 58.025 BARRICADES AND OTHER PROTECTIVE DEVICES REQUIRED.

When necessary for the protection of the public, guards, barricades or other protective devices or warnings shall be maintained on any sidewalk, street or other public places where trees are being trimmed or removed. Barricades and other protective devices shall meet the standards set forth by the Public Works Department. Traffic on any street shall not be barricaded without first obtaining permission therefor from the Public Works Department and notifying the Fire Department, Police Department and the ambulance service of the closing and again when the street is reopened.

58.050 ESTABLISHMENT OF URBAN FOREST UTILITY.

An urban forest utility is hereby established to provide for the collection of an urban tree fee for use to maintain trees in the public right-of-way and public areas, including the public right-of-way, and provide for the removal, disposal, or re-use of tree and tree-related materials, and for the repopulation of the City tree canopy.

58.051 PUBLIC TREE MANAGEMENT FEE.

The City Council shall, by resolution, set the fee for the management of trees on public right-of-way and public areas. This includes the initial establishment of fees and subsequent changes to the fees as deemed necessary by the City Council.

§ 58.999 PENALTY.

Violation of any section of this chapter shall be deemed to be a municipal infraction and be punished by a penalty as provided in § [10.999](#)(A) of this code of ordinances.