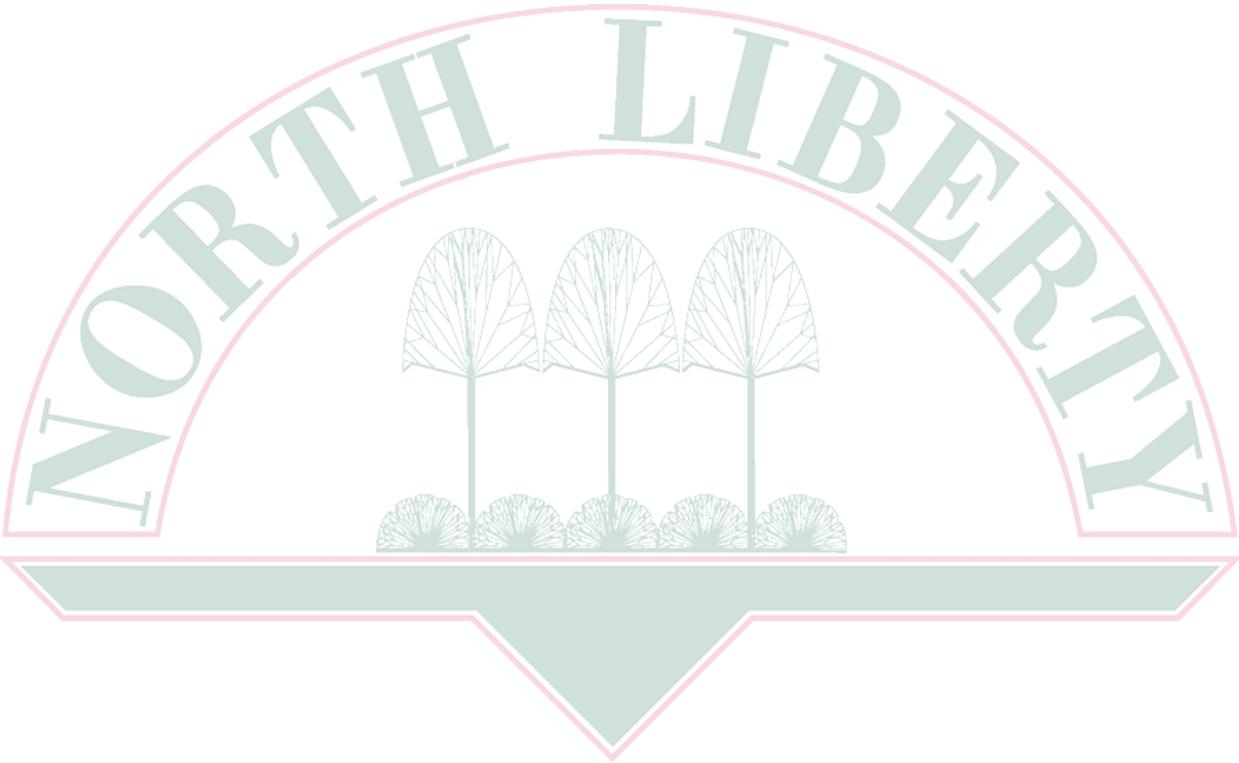




**North Liberty
City Council**

October 25, 2016
Regular Session

City Administrator Memo





City Council Memo

for October 25, 2016

from the desk of Ryan C. Heiar

Meetings & Events

Monday, Oct 24 at 4:00p.m.

Joint Government Meeting

Tuesday, Oct 25 at 6:30p.m.

City Council

Tuesday, Nov 1 at 6:30p.m.

Planning Commission

Thursday, Nov 3 at 7:00p.m.

Parks & Recreation

Commission

Monday, Nov 7 at 6:00p.m.

Telecommunications

Commission

Tuesday, Nov 8 at 6:00p.m.

City Council Work Session &
Meeting

Consent Agenda

The following items are on the consent agenda and included in your packet:

- City Council Minutes (10/11/16)
- Claims
- September Revenues
- Liquor License Renewal
 - J&A Tap
 - Fareway
- Street Light Removal Resolution
- Change Order #1, North Liberty SRF Sponsored Water Quality Project (Centennial Park), Metro Pavers Inc., \$905.10

Dahnovan Estates Final Plat & BMP Agreement

The developers of the Dahnovan Estates subdivision located west of North Liberty Road and north of Dubuque Street (adjacent to the Liberty High School site) have completed all public improvements within the subdivision and are requesting City acceptance of the improvements and approval of the final plat. All fees associated with the development have been paid (approximately \$580,000 for water, sewer and road improvements), and staff has completed the subdivision walk thru and is recommending approval of the final plat and storm water BMP agreement. Please note, the resolution for this final plat states that building permits will not be issued for certain lots until a dirt stockpile issue is resolved on an adjacent lot and power is provided to the new lift station on North Liberty Road. A site plan for the lower section of this subdivision (RM zone) will be forthcoming.

Highway 965 Renaming Committee

The Highway 965 Renaming Committee reconvened recently and a report from the Committee is included in your packet. The Committee is

Ryan C. Heiar, City Administrator

rheiar@northlibertyiowa.org • office (319) 626-5700 • fax (319) 626-3288 • cell (319) 541-8404

recommending Highway 965 be named Ranshaw Way, after Samuel and Emma Ranshaw. The Committee's recommendation and reasoning for the proposed name are stated in the aforementioned report. Communication's Director Nick Bergus will be at Tuesday's meeting to present the recommendation.

Minimum Wage Discussion

In November of 2015, the Johnson County minimum wage increased from \$7.25 to \$8.10, on May 1, 2016 it increased to \$9.15 and on January 1, 2017 the minimum wage is slated to increase to \$10.10. When the Council last discussed this issue, the consensus was to allow the first and second wage increase to happen, but to further discuss and evaluate prior to the scheduled January 1, 2017 wage increase. Staff has developed an online survey for employers and employees to help address the questions the Council presented after our last discussion. Survey results will be collected through the weekend, then compiled and sent to the Council and placed in the online packet on Monday morning.

Building Code Ordinance, Third Reading

The Board of Appeals recently met with Code Official Tom Palmer and Assistant Fire Chief Bryan Hardin to discuss and act upon the 2015 International Building Codes. Staff and the Board of Appeals are recommending approval of the 2015 Codes, with the exception of various amendments. Said amendments are included in the packet as well as are the minutes of the Board of Appeals meeting. The third and final reading is recommended for approval.

Precinct Boundaries Ordinance, Third Reading

The Secretary of State is requesting a minor amendment to our precinct boundaries to include recently annexed property within an existing precinct. The area in question is the approximately 30 acres recently purchased for the expansion of the wastewater plant. This area is all City owned and no one lives on the property. Nonetheless, in order to have all of the corporate limits within a precinct, this area must be added into the code.

Wellhead Protection Ordinance

Included in your packet is a proposed wellhead protection ordinance, which adopts state code provisions as they pertain to setback requirements for new well construction. Also included is a map identifying a 100 and 200 foot radius around the future wells, and the table from the state code that specifies the setback requirements for new wells. As you will see, the restrictions for the setbacks mainly apply to the property owned by the City. The other setback provisions that could impact residential property are limiting activity that is already prohibited by our City Code. In other words, this ordinance as proposed will not have an impact on the surrounding private property owners. In order to allow the well drilling project to move forward immediately, our engineering consultant, Fox Engineers, is recommending and staff concurs, waiving the 3rd reading of this ordinance.

Assessment Resolution

Over the course of the summer several property owners neglected to mow and maintain their yards. After sending a notice to each property owner, and after documenting that no action was taken on part of the property owner, the City hired a contractor to mow the lawns. The resolution on the agenda will allow the staff to file a lien on the property's taxes and collect for the mowing service.

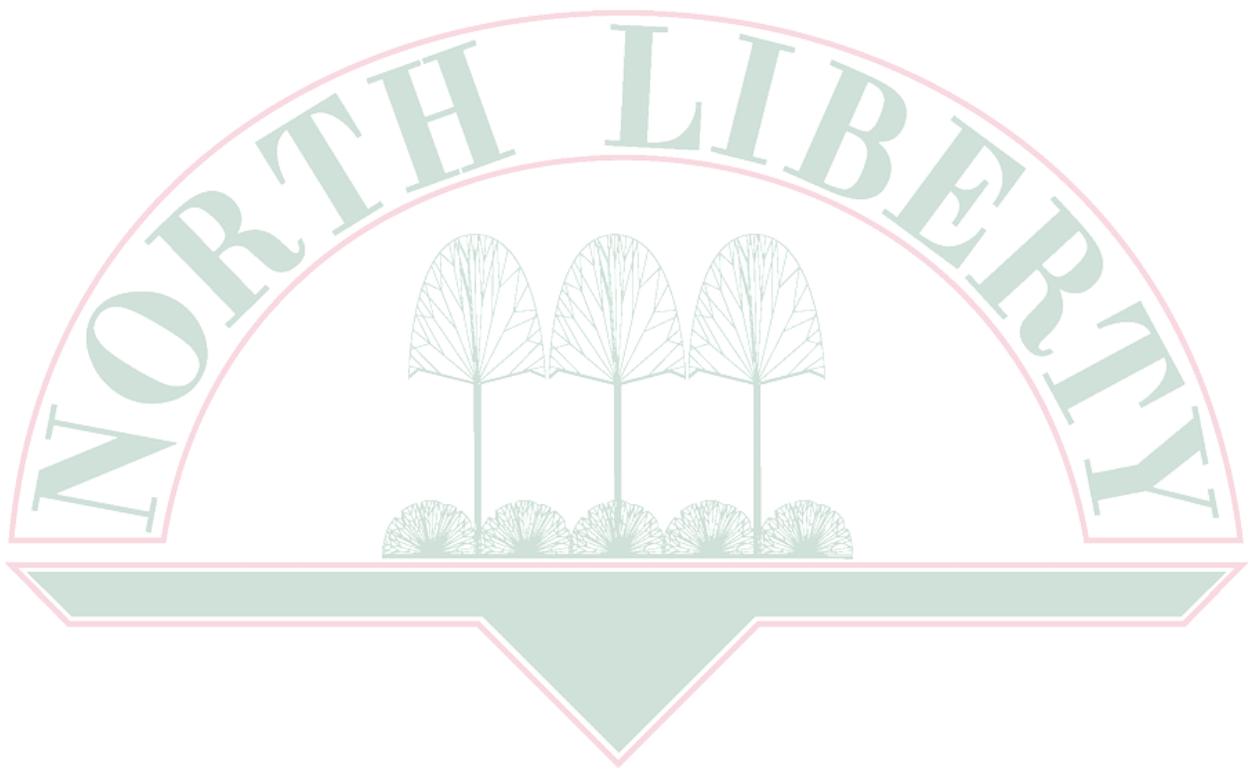
Street Renaming (Paca Court to Pace Court)

A police officer recently noticed that the name of a new street, Paca Court, is very similar and could be confused with the existing Pacha Drive also in the City. There are no addresses on Paca Court yet since it is new so now would be an ideal time to change the name. Staff has reached out to the developer, Alan Marks, and he has agreed with changing the name to Pace Court. Staff recommends approval of the street renaming resolution and if approved staff will record the resolution and notify the appropriate parties (emergency services, utilities, post office) of the change.

Alliant Energy Utility Relocation Agreement

In preparation for next year's Penn Street construction project from Alexander Way to Jones Boulevard, Alliant Energy would like to start relocating their utility infrastructure. Once again, we've asked Alliant Energy to go underground with their power lines and they have agreed as long as the City pays the difference in costs. Exhibit B in the included agreement shows a cost difference between above ground and underground relocation to be approximately \$27,000. Staff believes this is a fair price and recommends approval of the agreement so that Alliant Energy can begin work yet this year.

Agenda





AGENDA
North Liberty City Council
October 25, 2016
Regular Session
6:30 p.m.
City Council Chambers

1. Call to order
2. Roll call
3. Approval of the Agenda
4. Consent Agenda
 - A. City Council Minutes, Work & Regular Sessions, October 11, 2016
 - B. Claims
 - C. September Revenues
 - D. Liquor License Renewal, J & A Tap, Inc., Class C Liquor License with Catering Privilege and Outdoor Service and Sunday Sales endorsements
 - E. Liquor License Renewal, Fareway Stores, Inc., Class E Liquor License
 - F. Resolution Number 2016-108, Streetlight removal at the intersection of Penn Street and Kansas Avenue
 - G. North Liberty SRF Sponsored Water Quality Project, Metro Pavers, Inc., Change Order #1, \$905.10
5. Public Comment
6. City Planner Report
7. City Engineer Report
8. City Attorney Report
9. Assistant City Administrator Report
10. City Administrator Report
11. Mayor Report
 - A. Domestic Violence Proclamation
12. Dahnovan Estates
 - A. Resolution Number 2016-109, A Resolution approving the Stormwater Management Facility Maintenance Agreement and Easement between the City of North Liberty and Zoned Development, L.L.C.; Roller Development, LLC; and Kaiser Holdings, LLC that establishes the

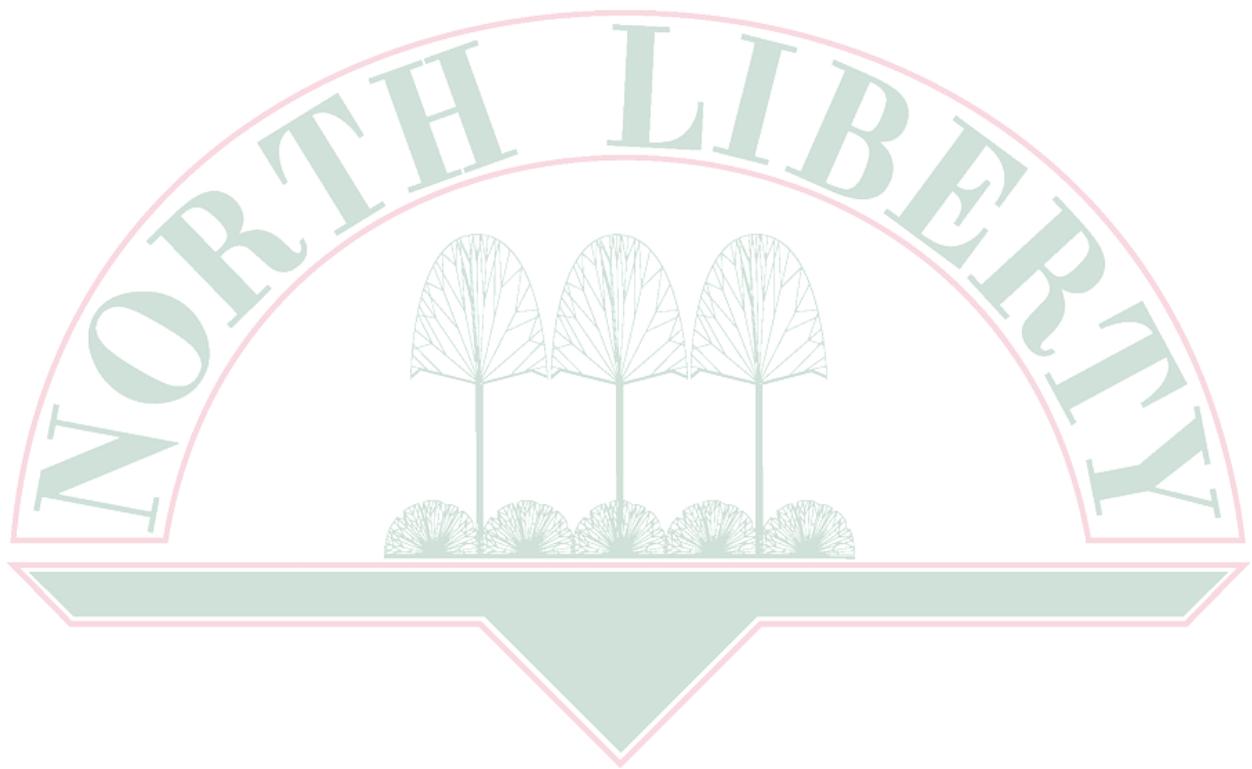
terms and conditions under which stormwater management facilities will be maintained on Dahnovan Estates in the City of North Liberty, Iowa

- B. Resolution Number 2016-110, A Resolution approving the Storm Sewer and Drainage Easement between the City of North Liberty and Scanlon Family, L.L.C that establishes the terms and conditions under which an easement will be established and maintained in the City of North Liberty, Iowa
 - C. Resolution Number 2016-111, A Resolution approving the Final Plat and accepting improvements for Dahnovan Estates, North Liberty, Iowa
13. Highway 965 Renaming
- A. Presentation of recommendation
 - B. Discussion and possible action regarding recommendation
14. Minimum Wage
- A. Discussion and possible action regarding minimum wage increase
15. Building Code Ordinance
- A. Third consideration and adoption of Ordinance Number 2016-14, An Ordinance amending Chapter 157 of the North Liberty Municipal Code entitled, "Building Code" by repealing Chapter 157 and adopting in lieu thereof new Chapter 157 to adopt the 2015 International Building Code and Chapter 158 entitled "Fire Code" by repealing Chapter 158 and adopting in lieu thereof a new Chapter 158 to adopt the 2015 International Fire Code to be utilized by the City
16. Precinct Boundaries
- A. Third consideration and adoption of Ordinance Number 2016-12, An Ordinance amending Chapter 6 of the North Liberty Code of Ordinances by amending Section 6.07 "Voting Precincts"
17. Wellhead Protection Ordinance
- A. Second consideration of Ordinance Number 2016-15, An Ordinance amending the North Liberty Code of Ordinances by adding Chapter 95, Wellhead Protection
 - B. Consideration of waiving the requirement of three separate readings on three separate dates
 - C. Third consideration and adoption of Ordinance Number 2016-15, An Ordinance amending the North Liberty Code of Ordinances by adding Chapter 95, Wellhead Protection
18. Assessment Resolution
- A. Resolution Number 2016-112, A Resolution authorizing the assessment of amounts owed to the City of North Liberty Iowa to individual property taxes
19. Street Name Change
- A. Resolution Number 2016-113, A Resolution authorizing and approving the change of a street name from Paca Court to Pace Court in Harvest Estates II, Part 3, North Liberty, Iowa
20. Alliant Utility Relocation Agreement
- A. Resolution Number 2016-114, A Resolution approving the Agreement for Utility Relocation between the City of North Liberty and Interstate Power and Light Company that establishes the terms and conditions under which certain overhead power lines will be installed underground in the City of North Liberty, Iowa

21.

22. Old Business
23. New Business
24. Adjournment

Consent Agenda





Minutes
North Liberty City Council
October 11, 2016
Work Session
Regular Session

Call to order

At 6:01, Mayor Amy Nielsen called the October 11, 2016 Regular and Work Sessions of the North Liberty City Council to order. Council members present: Terry Donahue, Chris Hoffman, Annie Pollock, Jim Sayre and Brian Wayson.

Others present: Ryan Heiar, Tracey Mulcahey, Scott Peterson, Kevin Trom, Dean Wheatley, Stefan Juran, Megan Benischek, Tom Palmer Chief Diane Venenga and other interested parties.

Approval of the Agenda

Pollock moved, Sayre seconded to approve the agenda. The vote was all ayes. Agenda approved.

Work Session

Council discussed the proposed ordinances regarding City Administrator, Mayor and City Council. Council will continue the discussion at a future meeting.

At 6:58 p.m., the Regular Session began.

Consent Agenda

Donahue moved, Pollock seconded to approve the Consent Agenda including City Council Minutes from the Regular Session on September 27, 2016; the attached list of Claims; Change Order Number 8 for the WWTP Phase II Project to Tricon Construction Group in a deduct of \$928.64; Pay Request Number 13R for the WWTP Phase II Project to Tricon Construction Group in the amount of \$751,314.65; Change Order Number 8 for the North Liberty Road/Dubuque Street Project to Streb Construction in an increase of \$2,567.25; Pay Application Number 7 for the North Liberty Road/Dubuque Street Project to Streb Construction in the amount of \$462,436.65; Pay Application Number 2 for the SRF Sponsored Water Quality Project to Metro Pavers, Inc. for \$231,284.12; and Pay Application Number 7 for the Penn Street ICAAP Project to Metro Pavers, Inc. in the amount of \$201,642.83. After discussion, the vote was all ayes. Consent Agenda approved.

Public Comment

Matthew Pollock, 432 Watts Court, spoke regarding the speed limit in school zones.

City Planner Report

City Planner Dean Wheatley reported on the Fixed Route Transit Service handout. Wheatley reported on the major street plan and definitions contained in the packet.

City Engineer Report

City Engineer Kevin Trom reported that the North Liberty Road/Dubuque Street Project is 96% complete. The remaining work is mostly landscaping and pavers. The contractor estimates the project will be open to traffic next week. The Penn Street ICAAP project is 97% complete. The final walk through with IDOT will be held on Thursday to generate the punch list. The Waste Water Treatment Plant Project is 75% complete. The contractor for the Water Plant Project has mobilized and has started excavation. The preconstruction meeting for the wells portion of the water project is being scheduled. The SRF Sponsored Water Quality Project has paved the east entrance drive. The project has required some saw cutting at odd hours. Trom has prepared the ROW acquisition and easement documents for the North Liberty Road Phase 2 Project. The 75% complete plan set has been distributed to staff for review. The Penn Street check plans have been sent to IDOT for review. The Water Storage and Brine Building kickoff meeting was held last week. Council discussed the report with Trom.

City Attorney Report

City Attorney Scott Peterson had no report.

Assistant City Administrator Report

Assistant City Administrator Tracey Mulcahey reported that 201 applications totaling \$243,000 have been received for the SQR project. Social service annual funding applications are being accepted. Hall of Fame applications are being sought. Council discussed the report with Mulcahey.

City Administrator Report

City Administrator Ryan Heiar reported that City staff is contacting North Liberty businesses and employees to complete a web based survey. At the next work session, this will be discussed. The Highway 965 Renaming Committee is ready to report at the next meeting. Fire Chief Eric Vandewater resigned after sixteen years of service. Heiar is working on the appointment of an interim chief. At the next council meeting, Council will discuss the filling of that position. Don Cox, a Fire Department consultant, will be providing his report on the department's future in the next thirty days. This is City Week. Staff is doing a Snapchat takeover and hosting a mock City Council meeting tomorrow at noon.

Mayor Report

Mayor Amy Nielsen reported that the soft start of the bus system happened this week. A ribbon cutting will happen next Monday.

Johnson County Refuse Contract

Heiar presented information regarding the proposed amendment. Steve Smith presented additional information regarding the proposed amendment. Council discussed the proposed amendment with Smith. Donahue moved, Hoffman seconded to approve Resolution Number 2016-105, A Resolution approving the Amendment to Appendix A to the Agreement for Refuse Collection Services between the City of North Liberty and Johnson County Refuse. After discussion, the vote was: ayes – Wayson, Pollock, Sayre, Donahue, Hoffman; nays – none. Motion carried.

Building Code Ordinance

Hoffman moved, Pollock seconded to approve the second consideration of Ordinance Number 2016-14, An Ordinance amending Chapter 157 of the North Liberty Municipal Code entitled, "Building Code" by repealing Chapter 157 and adopting in lieu thereof new Chapter 157 to adopt the 2015 International Building Code and Chapter 158 entitled "Fire Code" by repealing Chapter 158 and adopting in lieu thereof a new Chapter 158 to adopt the 2015 International Fire Code to be

utilized by the City. The vote was: ayes – Hoffman, Wayson, Donahue, Sayre, Pollock; nays – none. Motion carried.

Precinct Boundaries

Pollock moved, Hoffman seconded to approve the second consideration of Ordinance Number 2016-12, An Ordinance amending Chapter 6 of the North Liberty Code of Ordinances by amending Section 6.07 “Voting Precincts.” The vote was: ayes – Hoffman, Pollock, Donahue, Sayre, Wayson; nays – none. Motion carried.

Wellhead Protection Ordinance

At 7:51 p.m., Mayor Nielsen opened the public hearing regarding the proposed wellhead protection ordinance. No oral or written comments were received. The public hearing was closed.

Wayson moved, Hoffman seconded to approve the first consideration of Ordinance Number 2016-15, An Ordinance amending the North Liberty Code of Ordinances by adding Chapter 95, Wellhead Protection. After discussion, the vote was: ayes – Donahue, Wayson, Sayre, Pollock, Hoffman; nays – none. Motion carried.

Speed Limit Resolution

Hoffman moved, Wayson seconded to approve Resolution Number 2016-106, A Resolution approving special speed limits in the City of North Liberty, Iowa. After discussion, the vote was: ayes – Donahue; nays – Pollock, Hoffman, Wayson, Sayre. Motion failed.

Purchase Agreement

Wayson moved, Sayre seconded to approve Resolution Number 2016-107, A Resolution approving the Offer to Buy Real Estate and Acceptance Agreement. After discussion, the vote was: ayes – Hoffman, Wayson; nays – Sayre, Donahue, Pollock. Motion failed.

Old Business

Councilor Hoffman reported that two new solar arrays have been installed. The third is coming soon.

New Business

Councilor Pollock reported that the Library Waffle breakfast is Saturday.

Adjournment

At 8:38 p.m., Mayor Nielsen adjourned the meeting.

CITY OF NORTH LIBERTY

By: _____
Amy Nielsen, Mayor

Attest:

Tracey Mulcahey, City Clerk

SEPTEMBER 30TH, 2016

	MONTH-TO-DATE BALANCE	YEAR-TO-DATE BALANCE
010-GENERAL FUND	582,044.25	1,376,046.44
011-FIRE EQUIPMENT CAPITA	0.00	0.00
012-LIBRARY CAPITAL FUND	1,074.00	8,936.90
013-RECREATION CAPITAL FU	0.00	0.00
014-POLICE CAPITAL FUND	1,200.00	4,018.52
015-TRANSPORTATION IMPACT	37,140.54	375,271.40
016-STORMWATER IMPACT FEE	0.00	0.00
017-TREE PROGRAM	0.00	0.00
018-PARK CAPITAL FUND	0.00	0.00
019-YOUTH SPORTS SCHOLARS	1,013.49	3,786.20
020-EQUIPMENT REVOLVING	0.00	915.57
021-TELECOMMUNICATIONS EQ	0.00	0.00
022-LIBRARY TAG	0.00	0.00
023-LIBRARY ENDOWMENT	0.00	0.00
024-DRUG TASK FORCE	0.00	0.00
025-POLICE SEIZED FUNDS	0.00	0.00
060-ROAD USE TAX FUND	172,477.46	479,842.53
061-STREET CAPITAL PROJEC	0.00	0.00
062-IJOBS STREETS	0.00	0.00
090-TIF FUND	297,240.75	313,181.06
110-DEBT SERVICE FUND	56,533.17	63,336.30
210-TRUST AND AGENCY	71,230.96	81,196.21
280-CUSTOMER DEPOSITS	9,990.00	65,950.00
310-COMMUNITY CENTER II C	0.00	0.00
311-FRONT STREET RECONSTR	0.00	0.00
312-CHERRY STREET RECONST	0.00	0.00
313-TIF PROJECTS	0.00	0.00
314-ENTRYWAY DEVELOPMENT	0.00	0.00
315-HIGHWAY 965 IMPROVEME	0.00	283,799.87
316-COMMUNITY CENTER PHAS	0.00	0.00
317-TRAIL PROJECTS	0.00	0.00
318-EC DEVELOPMENT PROJEC	0.00	0.00
319-PENN STREET IMPROVEME	0.00	0.00
320-LIBERTY CENTER PROJEC	0.00	0.00
321-LAND/FACILITIES	0.00	0.00
322-LIBRARY BUILDING FUND	10.49	31.49
323-LIBERTY CENTRE BLUES/	0.00	0.00
324-RANSHAW HOUSE PROJECT	0.00	0.00
510-WATER FUND	300,721.67	871,614.15
511-WATER CAPITAL RESERVE	0.00	0.00
512-WATER SINKING FUND	77,057.08	231,171.24
513-WATER BOND RESERVE	0.00	0.00
514-WATER CAPITAL PROJECT	0.00	0.00
520-SEWER FUND	354,160.14	1,037,256.91
521-SEWER CAPITAL RESERVE	17,125.00	59,235.00
522-SEWER SINKING FUND	113,135.33	339,405.99
523-WASTEWATER TREATMENT	0.00	2,368,120.73
524-SEWER TRUNK AND I&I	0.00	0.00
525-SEWER DEBT SERVICE RE	0.00	0.00
530-STORMWATER MANAGEMENT	16,276.00	50,923.00
532-STORMWATER SINKING FU	0.00	0.00
GRAND TOTAL REVENUE	2,108,430.33	8,014,039.51

Applicant License Application (LC0036492)

Name of Applicant: <u>J & A Tap Inc</u>		
Name of Business (DBA): <u>J & A Tap</u>		
Address of Premises: <u>440 N Dubuque Street North</u>		
City <u>North Liberty</u>	County: <u>Iowa</u>	Zip: <u>52317</u>
Business <u>(319) 626-3033</u>		
Mailing <u>PO Box 555</u>		
City <u>North Liberty</u>	State <u>IA</u>	Zip: <u>52317</u>

Contact Person

Name <u>John Hruby</u>		
Phone: <u>(319) 631-4000</u>	Email <u>lynnaf22@yahoo.com</u>	

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 11/01/2016

Expiration Date: 10/31/2017

Privileges:

- Catering Privilege
- Class C Liquor License (LC) (Commercial)
- Outdoor Service
- Sunday Sales

Status of Business

BusinessType: <u>Privately Held Corporation</u>		
Corporate ID Number: <u>372348</u>	Federal Employer ID	

Ownership

John Hruby

First Name: John **Last Name:** Hruby
City: North Liberty **State:** Iowa **Zip:** 52317
Position: Owner
% of Ownership: 50.00% **U.S. Citizen:** Yes

Amanda Lynn-Hruby

First Name: Amanda **Last Name:** Lynn-Hruby
City: North Liberty **State:** Iowa **Zip:** 52317
Position: Owner
% of Ownership: 50.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: Houston Specialty Insurance Company

Policy Effective Date: 11/01/2016

Policy Expiration 10/31/2017

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

NORTHLIBERTY
25 W Cherry ST
PO Box 77 / Attn: Asst. Chief Hardin
North Liberty, IA 52317

North Liberty Fire Department Violation Notice

Friday October 14, 2016

J & A Tap
440 N Dubuque (City Limits) ST
North Liberty, IA 52317

An inspection of your facility on Friday October 14, 2016 revealed the violations listed below.

ORDER TO COMPLY: Since these conditions are contrary to law, you must correct them upon receipt of this notice. An inspection to determine compliance with this Notice will be conducted on or after 30 days from Friday October 14, 2016 .

If you fail to comply with this notice before the reinspection date listed, you may be liable for the penalties provided for by law for such violations.

Fire Inspections Fees:

- Initial Fire Inspection: No Charge
- 1st Re-Inspection: No Charge
- 2nd Re-Inspection: \$75.00
- Additional Re-Inspections: Municipal Infraction

Violation Code	Article	Division	Page	Count
1004.3 Posting of occupant load			0	1

Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent. Approved occupant load signs can be obtained from the North Liberty Building Department.

- Obtain city issued occupant load sign, post near main entrance.

605.5 Extension cords			0	1
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Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

Completed 10/14/16

- Behind bar, removed extension cord to Margaritaville machine, plug directly into surge protector.

605.4.3 Installation			0	1
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Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage. Must be plugged directly into an outlet. Must be placed on the floor or secured to the wall.

Completed 10/14/16

- Behind bar, upper shelf. Black surge protector is currently plugged into wall mounted surge protector. Plug directly into outlet.

NORTHLIBERTY
25 W Cherry ST
PO Box 77 / Attn: Asst. Chief Hardin
North Liberty, IA 52317

North Liberty Fire Department Violation Notice

Friday October 14, 2016

J & A Tap
440 N Dubuque (City Limits) ST
North Liberty, IA 52317

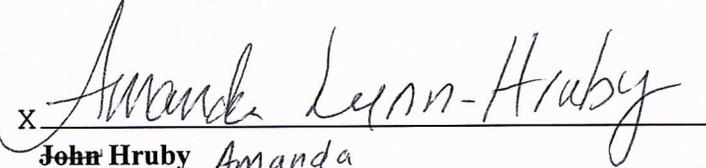
1008.1.9.3 Locks and latches

0 1

North exit door to volleyball area. Only panic hardware is allowed. Thumb locking mechanism was removed in prior inspection so it could be used but the thumb turn portion remained. Remove all components of thumb lock and blank out.



HARDIN, BRYAN
Fire Inspector

X 
John Hruby Amanda
Occupant/Owner

City of North Liberty
Inspection Report for Alcoholic Beverage Licensing
Chapter 15.04 of the Municipal Code

License Type C Beer/Liquor Sunday Sales Yes New/Renewal/Amended

Catering + Outdoor Service

Legal Name of Applicant: J + A Tap, Inc.

Name of Business (DBA): J + A Tap

Address of Business: PO Box 555
440 N. Dubuque St. - North Liberty, Ia.

Contact Phone: Ph. 626-3033 or John Hruby 319-631-4000
lynnaf22@yahoo.com

Section 5.04.100 of the Municipal Code requires approval from the following City and County Departments

City of North Liberty Inspection Department:

The above mentioned property is located within a zoning district permitting the sale or consumption of alcoholic beverage.

[Signature]
Code Official

9-1-16
Date

An inspection was performed at the above referenced property to verify fire extinguisher maintenance program and exit requirements.

[Signature]
Designated Fire Inspector

10/4/16
Date

Johnson County Health Department: emailed 9-1-16

The above mentioned food facility at the listed address is: (check one)

Is currently license in accordance with Iowa Food Code.

In the process of becoming licensed in accordance with the Iowa Food Code.

Johnson County Health Official

Date

City of North Liberty

Iworq Permit 6315

Renewal letter emailed

9/1/16 to
lynnaf22@yahoo.com

License Expires 10/31/2016

Official e-mail 9/1/16

State License # LC 0036492

Council Agenda date 10/25/2016

City of North Liberty
Inspection Report for Alcoholic Beverage Licensing
Chapter 15.04 of the Municipal Code

License Type C Beer/Liquor Sunday Sales Yes New/Renewal/Amended
Catering + Outdoor Service
Legal Name of Applicant: J + A Tap, Inc.
Name of Business (DBA): J + A Tap
Address of Business: PO Box 555
440 N. Dubuque St. - North Liberty, Ia.
Contact Phone: Ph. 626-3033 or John Hruby 319-631-4000
lynnaf22@yahoo.com

Section 5.04.100 of the Municipal Code requires approval from the following City and County Departments

City of North Liberty Inspection Department:

The above mentioned property is located within a zoning district permitting the sale or consumption of alcoholic beverage.

[Signature] Code Official 9-1-16 Date

An inspection was performed at the above referenced property to verify fire extinguisher maintenance program and exit requirements.

Designated Fire Inspector emailed to B Hardin Date 9/13/16
Johnson County Health Department: emailed 9-1-16

The above mentioned food facility at the listed address is: (check one)

Is currently license in accordance with Iowa Food Code.

In the process of becoming licensed in accordance with the Iowa Food Code.

[Signature] Johnson County Health Official 10/20/16 Date

City of North Liberty

Iworq Permit 6315 License Expires 10/31/2016 State License # LC 0036492
Renewal letter emailed 9/1/16 to lynnaf22@yahoo.com Official e-mail 9/1/16 Council Agenda date 10/25/2016



North Liberty Police Department

5 E Cherry St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

October 15, 2016

Liquor License Check

Business: J&A Tap
440 N. Dubuque Street
North Liberty, IA 52317

Owners: John Hruby (DOB: 1967)
 Amanda Hruby (DOB: 1962)

A record check of the above business shows contact with the North Liberty Police Department by the business name and the business address. From October 15th, 2015 until the above date, many of the calls for service are officer initiated type activity. This would include bar/business checks and contact in the parking lot with subjects.

Listed below are other calls:

Assault/Fight – 4
Intoxication calls – 11
Alarms – 6

The majority of the other calls have been at the request of employees and the owners of the business for police assistance. The owners continue to keep the police department aware of activity, restrict customers that have caused problems, and police their business on their own.

I would recommend the council renew the liquor license permit.

Completed by Sergeant Chris Shine

Applicant License Application (LE0001589)

Name of Applicant: <u>Fareway Stores, Inc.</u>		
Name of Business (DBA): <u>Fareway Stores, Inc. #993</u>		
Address of Premises: <u>615 Westwood Drive</u>		
City <u>North Liberty</u>	County: <u>Johnson</u>	Zip: <u>52317</u>
Business <u>(319) 626-6798</u>		
Mailing <u>2300 Industrial Park Road</u>		
City <u>Boone</u>	State <u>IA</u>	Zip: <u>50036</u>

Contact Person

Name <u>Tracey Wilson</u>		
Phone: <u>(515) 433-5336</u>	Email <u>twilson@farewaystores.com</u>	

Classification Class E Liquor License (LE)

Term:12 months

Effective Date: 11/16/2016

Expiration Date: 11/15/2017

Privileges:

Class B Wine Permit

Class C Beer Permit (Carryout Beer)

Class E Liquor License (LE)

Status of Business

BusinessType: <u>Privately Held Corporation</u>		
Corporate ID Number: <u>253</u>	Federal Employer ID <u>42-0240920</u>	

Ownership

Fred E. Vitt Trust

First Name: Fred E. **Last Name:** Vitt Trust
City: Boone **State:** Iowa **Zip:** 50036
Position: Trust
% of Ownership: 10.85% **U.S. Citizen:** Yes

Frederick Greiner

First Name: Frederick **Last Name:** Greiner
City: Boone **State:** Iowa **Zip:** 50036
Position: President
% of Ownership: 0.00% **U.S. Citizen:** Yes

Paul S. Beckwith Trust

First Name: Paul S. **Last Name:** Beckwith Trust
City: Boone **State:** Iowa **Zip:** 50036

Position: Trust

% of Ownership: 55.78%

U.S. Citizen: **Yes**

Various Individuals & Trust each holding less than 5%.

First Name: Various Individuals & Trust **Last Name:** each holding less than 5%

City: Unknown

State: Iowa

Zip: 55555

Position: Stockholders

% of Ownership: 33.37%

U.S. Citizen: **Yes**

Insurance Company Information

Insurance Company: <u>Merchants Bonding Company</u>	
Policy Effective Date: <u>11/16/2016</u>	Policy Expiration <u>01/01/1900</u>
Bond Effective <u>2</u>	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

City of North Liberty
Inspection Report for Alcoholic Beverage Licensing
Chapter 15.04 of the Municipal Code

Class C Beer

License Type Beer/Liquor Sunday Sales New Renewal Amended

Class B Wine

Legal Name of Applicant: Fareway Stores, Inc.

Name of Business (DBA): Fareway Stores, Inc. # 993

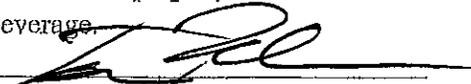
Address of Business: 615 Westwood Dr. North Liberty

Contact Phone: 626-6798

Section 5.04.100 of the Municipal Code requires approval from the following City and County Departments

City of North Liberty Inspection Department:

The above mentioned property is located within a zoning district permitting the sale or consumption of alcoholic beverage.


Code Official

9-14-16
Date

An inspection was performed at the above referenced property to verify fire extinguisher maintenance program and exit requirements.

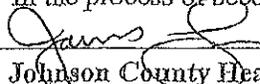
Designated Fire Inspector - emailed 9/13/16 Date

Johnson County Health Department:

The above mentioned food facility at the listed address is: (check one)

Is currently license in accordance with Iowa Food Code.

In the process of becoming licensed in accordance with the Iowa Food Code.


Johnson County Health Official

9/14/16
Date

City of North Liberty

Iworq Permit 6348
Renewal letter 9/15/16

License Expires 11/15/2016 State License # LE001589
Official e-mail 9/15/16 Council Agenda date 10/25/2016

City of North Liberty
Inspection Report for Alcoholic Beverage Licensing
Chapter 15.04 of the Municipal Code

Class C Beer

License Type Beer/Liquor Sunday Sales New Renewal/Amended

Class B Wine

Legal Name of Applicant: Faraway Stores, Inc.

Name of Business (DBA): Faraway Stores, Inc. # 993

Address of Business: 615 Westwood Dr. North Liberty

Contact Phone: 626-6798

Section 5.04.100 of the Municipal Code requires approval from the following City and County Departments

City of North Liberty Inspection Department:

The above mentioned property is located within a zoning district permitting the sale or consumption of alcoholic beverage.

Code Official Date

An inspection was performed at the above referenced property to verify fire extinguisher maintenance program and exit requirements.

[Signature] 10/14/16
Designated Fire Inspector Date

Johnson County Health Department:

The above mentioned food facility at the listed address is: (check one)

Is currently license in accordance with Iowa Food Code.

In the process of becoming licensed in accordance with the Iowa Food Code.

Johnson County Health Official Date

City of North Liberty

Iworq Permit 6348
Renewal letter 9/15/16

License Expires 11/15/2016
Official e-mail 9/15/16

State License # LE001589
Council Agenda date 10/25/2016

NORTHLIBERTY
25 W Cherry ST
PO Box 77 / Attn: Asst. Chief Hardin
North Liberty, IA 52317

North Liberty Fire Department Violation Notice

Friday October 14, 2016

Fareway Store #993
615 Westwood DR
North Liberty, IA 52317

An inspection of your facility on Friday October 14, 2016 revealed the violations listed below.

ORDER TO COMPLY: Since these conditions are contrary to law, you must correct them upon receipt of this notice. An inspection to determine compliance with this Notice will be conducted on or after 30 days from Friday October 14, 2016 .

If you fail to comply with this notice before the reinspection date listed, you may be liable for the penalties provided for by law for such violations.

Fire Inspections Fees:

- Initial Fire Inspection: No Charge
- 1st Re-Inspection: No Charge
- 2nd Re-Inspection: \$75.00
- Additional Re-Inspections: Municipal Infraction

Violation Code	Article	Division	Page	Count
7.1.2.1 Annual Fire Inspection - Fire Extinguisher			0	1
A trained and certified person who has undergone the instructions necessary to reliably perform maintenance and has the manufacturer's service manual shall service the fire extinguishers not more than 1 year apart. A current inspection tag shall be placed on the fire extinguisher.				
- Tunnel, far fire extinguisher was missed during last inspection. Overdue for inspection				
1006.3 Illumination emergency power			0	3
The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, an emergency electrical system shall automatically illuminate. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator.				
4 Tunnel, near ladder				
4 NW display area, near meat counter Asile 4/6				
2 Back Stock Room				
907.9 Inspection, testing and maintenance			0	1
The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.9.1 through 907.9.5 and NFPA 72.				
Fire Alarm systems shall be inspected annually. A current inspection tag shall be placed on the fire alarm control panel. A current copy of the fire alarm system inspection report shall be kept on-site and on file with the North Liberty Fire Department.				

Completed 10/14/16

NORTHLIBERTY
25 W Cherry ST
PO Box 77 / Attn: Asst. Chief Hardin
North Liberty, IA 52317

North Liberty Fire Department Violation Notice

Friday October 14, 2016

**Fareway Store #993
615 Westwood DR
North Liberty, IA 52317**

- Fire alarm panel/sprinkler monitoring was due 9/2/16 for annual inspection.

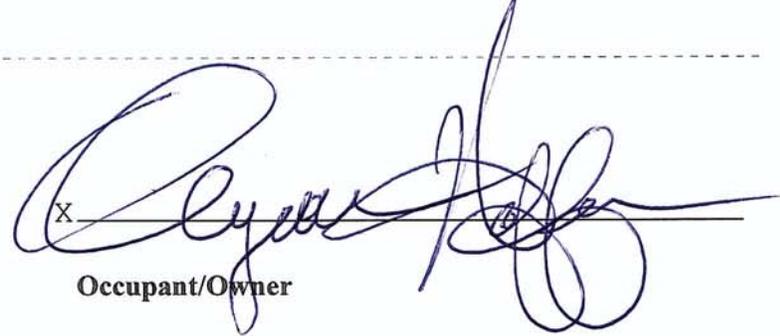
315.2.1 Ceiling clearance

0 1

Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or a minimum of 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

- Top of meat freezer, reduce storage height.


HARDIN, BRYAN
Fire Inspector


Occupant/Owner

Resolution No. 2016-108

RESOLUTION APPROVING THE DELETION OF A STREET LIGHT ACCORDING TO THE TERMS SET FORTH IN THE EXISTING STREET LIGHT CONTRACT

BE IT RESOLVED by the City Council of the City of North Liberty, Iowa that Alliant Energy is hereby directed to make the following changes to the existing system, at the locations described herein (or shown on an attached maps made part of this Resolution) according to the terms expressed in the existing street light contract.

NEW INSTALLATION OR CHANGES IN EXISTING SYSTEM

Add Number	Delete Number	Wattage	Style of Luminaire	Type and Height of Pole	Wiring OH/UG
	1				

LOCATION OF NEW INSTALLATION OR CHANGES

1. Remove light at the corner of Penn Street and Kansas Avenue.

APPROVED AND ADOPTED this 25th day of October, 2016.

CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

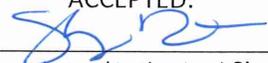
Date of Issuance:	Effective Date:
Owner: City of North Liberty	Owner's Contract No.: NA
Contractor: Metro Pavers, Inc.	Contractor's Project No.: NA
Engineer: Shive-Hattery, Inc.	Engineer's Project No.: 1152610
Project: North Liberty SRF Sponsored Water Quality Project	Contract Name: -

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

Description: During proof-roll of subgrade for the east entrance driveway several areas of unsuitable soils were identified to be removed and replaced with suitable onsite material or additional subbase thickness.

Attachments: Metro Transmittal 28, Metro CR 01, DeLong CR 01, Email from 10/3/16

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>1,650,000.00</u>	Original Contract Times: Substantial Completion: <u>May 15, 2017</u> Ready for Final Payment: <u>June 15, 2017</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : \$ <u>NA</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial Completion: <u>NA</u> Ready for Final Payment: days
Contract Price prior to this Change Order: \$ <u>1,650,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>May 15, 2017</u> Ready for Final Payment: <u>June 15, 2017</u> days or dates
Increase of this Change Order: \$ <u>905.10</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,650,905.10</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>May 15, 2017</u> Ready for Final Payment: <u>June 15, 2017</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u></u>	By: _____	By: <u></u>	By: _____	By: _____	By: _____
Title: <u>Construction Administrator</u>	Title: _____	Title: <u>CFO</u>	Title: _____	Title: _____	Title: _____
Date: <u>10/16/16</u>	Date: _____	Date: <u>10/17/16</u>	Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if
applicable)

By: _____ Date: _____
Title: _____

Mayor Report





NORTH LIBERTY PROCLAMATION TO RECOGNIZE FREEDOM FROM DOMESTIC VIOLENCE AS A FUNDAMENTAL HUMAN RIGHT

WHO/HOW DOMESTIC VIOLENCE AFFECTS

WHEREAS, domestic violence is a human rights concern that affects individuals of every gender, race, age, nationality, religion, sexual orientation, and economic status; and

WHEREAS, domestic violence includes various forms of abuse not always apparent to members of the community, nor do victims or perpetrators of domestic violence fit into any particular category or stereotype associated with the issue; and

WHEREAS, domestic violence can take many forms, including physical, sexual, psychological or economic abuse, intimidation, isolation, and coercive control by intimate partners or family members; and

WHEREAS, 30% to 60% of perpetrators of intimate partner violence also abuse children in the household; and

WHEREAS, traumatized children are often the silent victims in homes where domestic violence occurs; this trauma has detrimental effects upon a child's cognitive, emotional, and psychological development, significantly increasing an exposed child's risk of developing behavioral problems during childhood as well as the potential for becoming an abuser or engaging in criminal violence as an adult; and

WHEREAS, children are always negatively impacted by violence in the home, whether they are physically or verbally abused themselves or witness the violence; and

STATISTICS

WHEREAS, relationship violence is chronically underreported, and statistics from the National Coalition Against Domestic Violence show that only 1 out of 3 cases is ever reported; and

WHEREAS, the North Liberty Police Department (NLPD) made 133 domestic violence related arrests between 2011 and 2015; and

WHEREAS, in 2015, the NLPD responded to 113 calls related to violations of no-contact orders, harassment, trespass, and other domestic-type calls; and

WHEREAS, the Domestic Violence Intervention Program (DVIP) helped 1,989 men, women, and children with services during their 2016 fiscal year; and



WHEREAS, domestic violence victims made 14,288 calls to the DVIP crisis hotline during DVIP's 2016 fiscal year; and

WHEREAS, DVIP provided safe shelter to 266 victims of domestic violence in its 2016 fiscal year; and

WHEREAS, in 2015, 96 adult and youth victims from North Liberty utilized DVIP's services; and

WHEREAS, the Iowa Department of Justice reports that domestic abuse has led to murder by methods that include stabbing, strangling, shooting, beating, drug overdosing, deliberate car crashes, and burning to death in the home; and

WHEREAS, 279 women, men, and bystanders in the state of Iowa died as a result of intimate partner homicide between 1995 and September 30, 2016; and

WHEREAS, the Iowa Department of Justice reported that, of the 190 women killed between 1995 and September 30, 2016 in domestic abuse murder, 73 women were known to have left or been leaving their partners at the time of their deaths; and

WHEREAS, the Iowa Department of Justice reported that 291 daughters and sons survived these murdered women. 170 of the surviving children were minors at the time of their mothers' deaths and 64 of the surviving children witnessed the domestic abuse murders; and

WHEREAS, the Iowa Crime Victim Assistance Division reported that 472 people filed for protective orders for domestic abuse in 2015; and

WHEREAS, the Iowa Crime Victim Assistance Division reported that domestic abuse programs across the state served 23,111 domestic violence victims in 2015; and

WHEREAS, the Iowa Crime Victim Assistance Division reported that \$429,265 of compensation payments were made due to domestic abuse in 2015; and

WHEREAS, the Iowa Crime Victim Assistance Division reported that Iowa domestic abuse programs statewide offered 2,642 people 101,976 nights of shelter in 2015; and

WHEREAS, the Iowa Crime Victim Assistance Division reported that in 2015, advocates assisted with 72,614 crisis calls, a 21% increase from 59,846 calls in 2014; and

WHEREAS, according to the National Network Against Domestic Violence, there are more than 20,000 phone calls per day placed to domestic violence hotlines nationwide; and

WHEREAS, according to the U.S. Department of Justice, intimate partner violence accounts for 15% of all violent crime in the United States; and



WHEREAS, the Centers for Disease Control and Prevention report that more than one in three women and more than one in four men in the United States will experience rape, physical violence, and/or stalking by intimate partners during their lifetimes; and

WHEREAS, as reported by the National Intimate Partner and Sexual Violence Survey (NISVS) conducted by the National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States; and

WHEREAS, as reported by NISVS, every 9 to 15 seconds a woman is battered in the United States, and every 2.5 minutes someone is sexually assaulted in the United States; and

WHEREAS, domestic violence problems disproportionately impact women and children of color, women and children with disabilities, women and children with low incomes, and immigrant women and children as these groups are less likely to be aware of or have access to domestic violence resources; and

WHEREAS, 44% of African American women, 37% of Hispanic women, and 35% of white women have experienced rape, physical violence, and/or stalking by an intimate partner; and 39% of African American men, 27% of Hispanic men, and 28% of white men have experienced rape, physical violence, and/or stalking by an intimate partner, according to the Centers for Disease Control; and

WHEREAS, according to a study conducted by Liz Claiborne Inc. and the Family Violence Prevention Fund, almost half of the teenagers in the United States report having a controlling partner and 80% report knowing someone who has been controlled by a partner; and

SURVIVORS

WHEREAS, survivors of domestic violence have the fundamental right to be free from torture and cruel, inhuman, or degrading treatment; and

WHEREAS, survivors of domestic violence face many challenges, some of which directly or indirectly relate to the fact that many survivors are unaware of or have trouble accessing the domestic violence services provided by the City of North Liberty and other public and private agencies, such as DVIP; and

WHEREAS, survivors of domestic violence endure physical injuries, long-term psychological and emotional damage, financial and career instability, insecure or inadequate safe housing, and social stigma; and

FINANCIAL

WHEREAS, the Centers for Disease Control estimate that the cost of intimate partner violence in the United States exceeds \$10 billion per year, including medical care services and productivity losses; and

WHEREAS, law enforcement agencies, courts, cities, social service agencies, and other local government entities incur significant monetary costs due to domestic violence; and

LOCAL



WHEREAS, law enforcement departments, courts, cities, counties, towns, villages, social service agencies, and other local government entities constitute the first line of defense against domestic violence; and

WHEREAS, promoting the recognition of domestic violence as an issue of human rights will raise public awareness, encourage family-violence education in communities, and enhance public welfare; and

WHEREAS, by recognizing that freedom from domestic violence is a human right, the City of North Liberty seeks to raise awareness of domestic violence and enhance domestic violence response and education in communities, the public and private sectors, and within government agencies; and

WHEREAS, there are 30 local domestic violence crisis hotlines throughout Iowa, and one statewide domestic violence hotline; and

UNITED STATES

WHEREAS, millions of domestic violence incidents occur in the United States every year; and

WHEREAS, political leaders of the United States recognize that domestic violence is a human rights concern; and

WHEREAS, in 1988 the federal Office of Victims of Crime was established, and in 1995 the federal Office of Violence Against Women was established, and these federal initiatives led to state initiatives that govern the local protocols in place today; and

WHEREAS, the Violence Against Women Act of 1994 and its amendments apply to all victims of domestic violence, irrespective of their gender; and

WHEREAS, in 2013 President Barack Obama reauthorized and extended the Violence Against Women Act to advance the cause of security, justice, and dignity for all domestic violence victims in the United States; and

INTERNATIONAL

WHEREAS, domestic violence is a global problem and the United Nations and other international organizations have recognized that freedom from domestic violence is a human right and that governments have a responsibility to prevent and respond to such violence; and

WHEREAS, domestic violence is a violation of the human rights guaranteed by international law, including: the (1) International Covenant on Civil and Political Rights; and (2) the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which the United States has ratified through coordination and consent between the Executive Branch and the Senate; and

WHEREAS, the United Nations Special Rapporteur on Violence Against Women has stated that "violence against women is the most pervasive human rights violation" and that responses to violence should recognize human rights as a premise; and



WHEREAS, the United Nations Declaration on the Elimination of Violence Against Women recognizes the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity, and dignity of all human beings; and

WHEREAS, the United Nations Special Rapporteur on Violence Against Women has stated that the United States' "lack of substantive protective legislation at federal and state levels, and the inadequate implementation of some laws, policies and programs has resulted in the continued prevalence of violence against women and the discriminatory treatment of victims, with a particularly detrimental impact on poor, minority and immigrant women;" and

WHEREAS, the United Nations Special Rapporteur on Violence Against Women identified several deficiencies in the regulation of domestic violence in the United States, including the need to explore more uniform remedies for victims of domestic violence; the need to re-evaluate existing mechanisms for protecting victims and punishing offenders at federal, state, and local levels, given that calls for help often do not result in either arrests or successful prosecutions; and the need for additional public education campaigns that condemn all forms of violence; and

WHEREAS, the Inter-American Commission on Human Rights found in *Jessica Lenahan (Gonzalez) v. United States* that the United States' failure to protect women from gender-based violence constitutes discrimination and a human rights violation and urged the United States to enact law and policy reforms at all levels to protect survivors of domestic violence and their children; and

IOWA SUPREME COURT AND IOWA LEGISLATURE

WHEREAS, the Iowa Supreme Court has acknowledged that domestic violence rarely involves a single isolated incident. Rather, domestic violence is a pattern of behavior, with each episode connected to the others; and

WHEREAS, the Iowa Supreme Court has recognized a strong interest in preventing domestic violence and responding to the psychological and emotional needs of victims; and

WHEREAS, the Iowa Legislature has acknowledged a compelling interest in preventing domestic violence by enacting and amending Iowa Civil Code 236 and Iowa Criminal Codes 708.2A and 664A.

FINAL PROCLAMATION

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF NORTH LIBERTY, that this Council joins world leaders and leaders in the United States in recognizing freedom from domestic violence as a fundamental human right; and

BE IT FURTHER PROCLAIMED, that the Council recognizes that North Liberty departments and agencies already have protocols in place that acknowledge and address multiple problems that arise from domestic violence; and



BE IT FURTHER PROCLAIMED, that the Council strongly supports the continuation and expansion of City personnel's efforts to eradicate domestic violence in our community; and

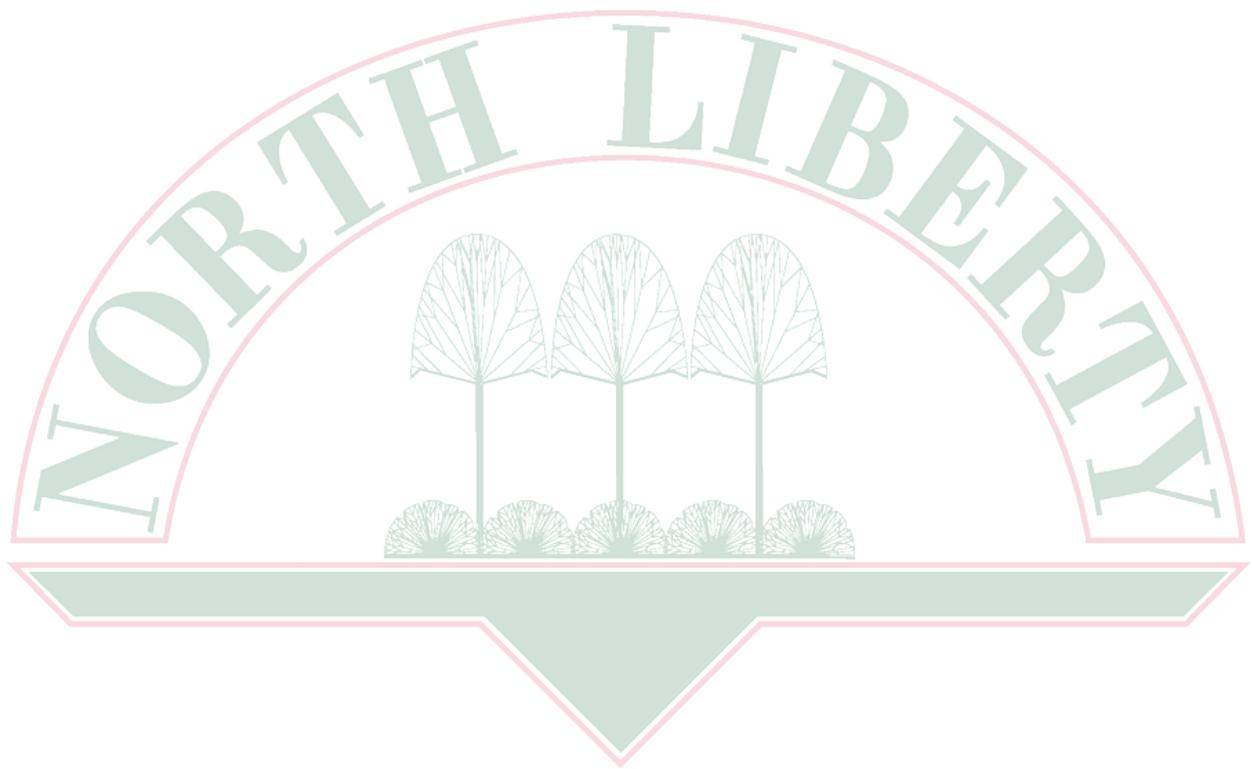
BE IT FURTHER PROCLAIMED, that this proclamation shall serve to assure the residents of North Liberty that all government bodies bear a moral responsibility to secure this human right on behalf of their residents; and

BE IT FINALLY PROCLAIMED, that this proclamation shall serve as a charge to all City personnel to ensure that City policies and practices are informed by the principles contained in this proclamation and by domestic violence survivors' voices and needs.

Signed this 25th day of October, 2016, in North Liberty, Iowa

Amy Nielsen, Mayor

Dahnovan Estates



Prepared by and Return to:
Scott C. Peterson, 3 Quail Creek Circle, P.O. Box 77, North Liberty, IA 52317 319-626-5767

**STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT
AND
EASEMENT
DAHNOVAN ESTATES**

THIS AGREEMENT, made by and between the City of North Liberty, Iowa, a municipal corporation, hereinafter referred to as "City," and Zoned Development L.L.C., Roller Development, LLC, and Kaiser Holdings, LLC, hereinafter collectively referred to as "Owner".

SECTION 1. REQUEST FOR STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT.

A. The Owner has requested that the City approve this Stormwater Management Facility Maintenance Agreement and Easement with respect to the real estate situated in North Liberty, Johnson County, Iowa, upon which the Stormwater Management Facility for Dahnovan Estates (the "Facility") will be constructed, with said real estate legally described as follows and also set out in Exhibit A, which is attached hereto and incorporated herein by reference:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, LIBERTY BEND FIRST ADDITION, IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN BOOK 50, AT PAGE 327, OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE; THENCE S89°32'45"W, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 305.84 FEET, TO THE SOUTHWEST CORNER THEROF; THENCE N00°42'41"W. ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 429.13 FEET; THENCE S89°37'19"W, 1013.91 FEET, TO A POINT ON THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE FIFTH PRINCIPAL MERIDIAN; THENCE N01°59'02"W, ALONG SAID WEST LINE,

895.51 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE N02°15'23"W, ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE FIFTH PRINCIPAL MERIDIAN, 663.30 FEET; THENCE N89°31'01"E, 1309.94 FEET; THENCE S02°10'26"E, 661.67 FEET; THENCE S02°02'04"E, 1328.43 FEET, TO SAID POINT OF BEGINNING, CONTAINING 49.84 ACRES, AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

B. As part of this request, the Owner acknowledges the following:

1. The Owner has full ownership and control of the real estate described above;
2. The Owner, for the purposes of this Agreement, includes the current owner of the property described above; any successor owners, assigns, and heirs of the original Owner, including a homeowners association; and any other person or party determined to be a "responsible person" as defined in Chapter 156, City of North Liberty Code of Ordinances, or any successor ordinance thereto.
3. This Agreement is required by and shall be enforced pursuant to Chapter 156, City of North Liberty Code of Ordinances, or any successor ordinance thereto, and the Iowa Stormwater Management Manual, or any successor manual thereto.

SECTION 2. CONDITIONS OF APPROVAL OF AGREEMENT.

A. The Owner agrees that this Agreement shall be a covenant running with the land and shall be binding on the present and future owners of the property in perpetuity.

B. This Agreement shall be filed with the City Clerk, approved by the City Council, fully executed by both parties, and recorded at the Owner's expense at the Office of the Johnson County Recorder.

SECTION 3. MAINTENANCE AND REPAIR OF STORMWATER MANAGEMENT FACILITY.

A. The Owner and any future owners of any part or all of the property described above shall be responsible for maintaining and repairing the Facility in a properly functioning condition, as determined in the sole judgment of the City, after approval of the final plat that includes the property described in Section 1 above. Maintenance and repair shall include but is not limited to the following best management Practices:

Maintenance & Repair Plan for Wet Detention Basins

ACTIVITY	SCHEDULE	RESPONSIBLE PARTY
-Clean and remove debris from the inlet and outlet structures. -Mow side slopes.	Monthly	Developer or HOA
-Inspect for invasive plants and animals.	Semi-annual	Developer or HOA
-Inspect for damage, paying particular attention to the outlet. -Check for signs of eutrophic conditions. -Note signs of hydrocarbon build-up and remove appropriately. -Monitor for sediment accumulation in the facility and forebay. -Examine to ensure that inlet and outlet devices are free of debris and operational.	Annual	Developer or HOA
-Repair undercut or eroded areas.	As needed	Developer or HOA
-Remove sediment from forebay.	When 50% of volume is lost	Developer or HOA
-Monitor sediment accumulations, and remove sediment when the pool volume has been reduced significantly or the pond becomes eutrophic.	If 25% of pool volume is lost	Developer or HOA

B. A complete copy of the specifications for the as-built Facility and related documents will be kept on file with the City to provide more detail as to the Facility and the maintenance and repair requirements related thereto.

C. The Owner is responsible for documenting maintenance and repair needs and ensuring compliance with the requirements of this ordinance and accomplishment of its purposes.

SECTION 4. MAINTENANCE AND REPAIR EASEMENT.

The Owner grants to the City perpetual permission for access to the Facility at reasonable times for periodic inspection by City or City's designee to ensure that the Facility is maintained in proper working condition to meet City stormwater requirements and, if necessary, for maintenance and repair of the Facility in accordance with the terms of this Agreement.

SECTION 5. INSPECTION OF FACILITY.

The Facility is subject to periodic inspections by the City on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of uses of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the NPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in the Facility, and evaluating the condition of the Facility.

SECTION 6. RIGHT OF ENTRY FOR INSPECTION.

In the event any new stormwater management facility is installed on private property within Dahnovan Estates, or when any new connection is made between private property and a public stormwater management facility, sanitary sewer or combined sewer, the Owner of that private property will be required to grant to the City the perpetual right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when City has a reasonable basis to believe that a violation of this Agreement or the City's ordinance is occurring or has occurred or when necessary for abatement of a public nuisance or correction of a violation of this Agreement or the City's ordinance.

SECTION 7. RECORDS OF INSTALLATION AND MAINTENANCE AND REPAIR ACTIVITIES.

The Owner is responsible for the operation and maintenance of the Facility, shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least twenty five (25) years. These records shall be made available to the City during inspection of the facility and at other reasonable times upon the City's request.

SECTION 8. FAILURE TO MAINTAIN STORMWATER MANAGEMENT FACILITY.

In the event that the Facility is not being maintained and repaired as required by this Agreement or the City's ordinances, the City shall notify the Owner in writing. Upon receipt of that notice, the Owner shall have thirty (30) days to effect maintenance and repair of the Facility in an approved manner. A reasonable extension may be allowed if the work cannot be completed within the thirty days due to weather, unavailability of necessary materials, or other good cause shown by the Owner.

If the Owner fails or refuses to meet the requirements of the maintenance covenant or any provision of this Agreement or the City's ordinance, the City, after reasonable notice, may correct a violation by performing all necessary work to place the Facility in proper working condition. After correcting said violation, City may assess, jointly and severally, the Owner of the Facility, and any other persons or parties responsible for maintenance under any applicable written agreement with the Owner, for the cost of repair work and any penalties; and the cost of the work shall be a lien on the property or prorated against the beneficial users of the property, which are all property owners of this subdivision, and may be placed on the tax bill and collected as ordinary taxes. The Owner hereby agrees that it shall not be necessary for the City to seek a court order for permission to enter upon the property or take the corrective actions it determines necessary under this Section.

SECTION 9. ENFORCEMENT AND APPEALS.

A. Building and occupancy permits shall not be issued until the Facility has been constructed by the Owner and inspected and approved by the City; however, upon request of the Owner and prior to completion of the Facility, the City may, in its discretion, conditionally approve the Facility, subject to certain terms and the posting of sufficient security in accordance with Subsection 180.11(8)(A)(2) of the City's Subdivision Ordinance. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, City may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

B. Violation of any provision of this ordinance may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover attorney fees and court costs from any person or party who is determined by a court of competent jurisdiction to have violated this ordinance.

C. Violation of any provision of this ordinance may also be enforced as a municipal infraction within the meaning of §364.22 of the Code of Iowa, pursuant to the City's municipal infraction ordinance.

SECTION 10. OWNER'S OBLIGATION AND CITY ACTIONS.

A. The Owner of part or all of the property described above agrees and is fully obligated to perform as provided in this Agreement. The Owner is liable and responsible for each and every obligation agreed to be undertaken pursuant to this Agreement. Failure of any party responsible to perform under this Agreement is not a defense against any action to be taken by the City.

B. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers must be in writing, signed by both parties and approved by written resolution of the City Council.

C. Upon completion of the stormwater management facility and, further, upon inspection and approval of the facility by the City, the Owner shall have the right to assign all of its obligations under this Agreement to a homeowners association, and is thereafter released from performance under this Agreement. Such assignment shall not affect the obligations or rights other persons may have under this Agreement.

SECTION 11. FEES.

The Owner agrees to pay for the costs of recording this Agreement. The Owner agrees to pay all necessary recording and filing fees that accrue as a result of any work that is performed under this Agreement or made necessary as a result of this development project. A copy of all recorded documents, including but not limited to this Agreement, shall be provided to the City.

SECTION 12. NOTICES.

Required notices to the Owner shall be in writing and shall either be hand delivered to the Owner, its agents or employees, or mailed to the Owner by registered mail at the following address:

Ryan Abraham
Roller Development L.L.C.
401 North Highland Drive
Cedar Falls, IA 50613

Ryan Abraham
Zoned Development, Inc.
401 North Highland Drive
Cedar Falls, IA 50613

Matthew Adam
Kaiser Holdings, LLC
1150 5th St. Suite 170
Coralville, IA 52241

The Owner is required to maintain current contact information on file with the City at all times. In the event ownership of the property changes for any reason and under any circumstances, any new owner shall maintain current contact information on file with the City.

Notices to the City shall be in writing and shall be either hand delivered to the City Administrator or mailed to the City by registered mail in care of the City Administrator at the following address:

North Liberty City Administrator
3 Quail Creek Circle
P.O. Box 77
North Liberty, IA 52317

Notices mailed in conformance with this section shall be deemed properly given.

SECTION 13. SUCCESSORS AND ASSIGNS.

This Agreement shall be a covenant running with the land and inure to the benefit of and be binding upon the Owner and all successors, heirs, and assigns in perpetuity.

DATED this ___ day of _____, 2016.

CITY OF NORTH LIBERTY, IOWA

ROLLER DEVELOPMENT L.L.C.,

By: _____
Amy Nielsen, Mayor

By: _____
Ryan Abraham, Manager

ATTEST: _____
Tracey Mulcahey, City Clerk

KAISER HOLDINGS, LLC
By: _____
Matthew Adam, Manager

ZONED DEVELOPMENT, Inc.

By: _____
Ryan Abraham, President

STATE OF IOWA, JOHNSON COUNTY: ss

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Amy Nielsen and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation; and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the ____ day of _____, 2016; and that Amy Nielsen and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on this ____ day of _____, 2016, by Ryan Abraham, as Manager of Roller Development LLC.

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on this ____ day of _____, 2016, by Matthew Adam, as Manager of Kaiser Holdings, LLC.

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on this ____ day of _____,
2016, by Ryan Abraham, as President of Zoned Development, Inc.

Notary Public in and for the State of Iowa

Resolution No. 2016-109

RESOLUTION APPROVING THE STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT AND EASEMENT BETWEEN THE CITY OF NORTH LIBERTY AND ZONED DEVELOPMENT L.L.C., ROLLER DEVELOPMENT, LLC AND KAISER HOLDINGS LLC THAT ESTABLISHES THE TERMS AND CONDITIONS UNDER WHICH STORMWATER MANAGEMENT FACILITIES WILL BE MAINTAINED ON DAHNOVAN ESTATES IN THE CITY OF NORTH LIBERTY, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the terms and conditions for the maintenance of the stormwater management facilities of Dahnovan Estates have been set forth in an Agreement between the City of North Liberty (“City”) and Zoned Development, L.L.C.; Roller Development, LLC, and Kaiser Holdings, LLC (“Owner” and “Developer”);

WHEREAS, the owner of the property shown in the attachment have executed the Public Storm Sewer Easement Agreement to permit the City to utilize property delineated in the agreement for the purpose of excavating for and the installation, replacement, maintenance and use of public storm sewer infrastructure;

NOW, THEREFORE, BE IT RESOLVED that that the Storm Water Management Facility Maintenance Agreement and Easement between the City of North Liberty and Zoned Development, L.L.C.; Roller Development, LLC, and Kaiser Holdings, LLC is approved for the development of Dahnovan Estates, North Liberty, Iowa.

APPROVED AND ADOPTED this 25th day of October, 2016.

CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

Prepared by and after recording return to:

Matthew J. Adam
Simmons Perrine Moyer Bergman PLC

1100 5th Street, Suite 205
Coralville, IA 52241

(319) 354-1019
FAX (319) 354-1760

STORM SEWER AND DRAINAGE EASEMENT

THIS STORM SEWER AND DRAINAGE EASEMENT is hereby made and granted by Scanlon Family, L.L.C. f/k/a Scanlon Family Farm, L.C. (“Owner”), which expression shall include its successors in interest and assigns, in favor of the City of North Liberty, Iowa (the “City”), which expression shall include its successors in interest and assigns.

For the sum of \$1.00 plus other valuable consideration, the receipt of which is hereby acknowledged, Owner hereby grants and conveys to the City an easement for the purposes of excavating for and the installation, replacement, maintenance and use of such storm water lines, pipes, mains, conduits, and overland drainageways as the City shall from time to time elect for conveying storm water, with all necessary appliances and fittings, for the use in connection with said lines, together with adequate protection therefor, and also a right of way, with the right of ingress and egress thereto, over and across the area designated as “Storm Sewer and Drainage Easement” on the Easement Plat attached hereto as Exhibit “A” hereinafter described as “Easement Area.”

Owner further grants to the City:

1. The right of grading said Easement Areas for the full width thereof, and to extend the cuts and fills for such grading into and onto said lands along and outside of the said Easement Area to such extent as the City may find reasonably necessary.
2. The right from time to time to trim, cut down and clear away any and all trees and brush on said Easement Area and also to trim, cut down and clear away any trees on either side of said Easement Area which now or hereafter in the opinion of the City may be a hazard to said Easement Area, or which may interfere with the exercise of the City’s rights hereunder in any manner.

The City shall promptly backfill any trench made by it, and repair any damages caused by the City within the Easement Area. The City shall indemnify Owner against unreasonable loss or damage which may occur in the negligent exercise of the easement rights by the City. Except as expressly provided herein, the City shall have no responsibility for maintaining the Easement Area.

Owner reserves the right to use said Easement Area for purposes which will not interfere with the City's full enjoyment of the rights hereby granted, including, but not limited to, agricultural purposes; provided that the Owner shall not erect or construct any building, fence, retaining wall, or other structure, plant any trees, drill or operate any well, or construct any reservoir or other obstruction on said areas, or diminish or substantially add to the ground cover over said Easement Area. Fences and/or trees placed in the Easement Area, with or without City approval, may be removed by the City without compensation or replacement. Notwithstanding the provisions above, fences may be placed in the easement area, so long as the property is used for agricultural purposes and until said agricultural use is discontinued for a period of twelve (12) months or more.

Owner agrees that as and when the land including the Easement Area is subdivided pursuant to the ordinances of The City, Owner shall depict the Easement Area on said subdivision final plat.

City covenants and agrees to remove and stockpile existing topsoil from area to be excavated, to be used in the event of any repair. Following installation of the improvements described herein, all areas within the easement area which are disturbed will be graded to form a uniform slope, and topsoil shall be replaced and respread over disturbed areas, thereby restoring said area substantially to their prior condition, with the exception of the replacement of trees, shrubs and brush.

Owner does hereby covenant with the City that it is lawfully seized and possessed of the real estate above described, and that it has a good and lawful right to convey it, or any part thereof.

Nothing in this Agreement shall be construed to impose a requirement on the City to install the original public improvements at issue herein.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective Parties hereto, and all covenants shall apply to and run with the land and with the title to the land.

(Signature page to follow)

(Signature page to Storm Sewer and Drainage Easement)

Dated this _____ day of April, 2016.

SCANLON FAMILY, L.L.C. f/k/a SCANLON
FAMILY FARM, L.C.

By: _____
Name: J. Patrick Scanlon,
Title: Managing Member

STATE OF IOWA)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me on this _____ day of April, 2016 by J. Patrick Scanlon, as Managing Member of Scanlon Family, L.L.C., f/k/a Scanlon Family Farm, L.C.

Notary Public in and for said State
My commission expires _____

CITY OF NORTH LIBERTY, IOWA

By: _____
Amy Nielsen, Mayor

Attest: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA)
)
COUNTY OF JOHNSON) ss:

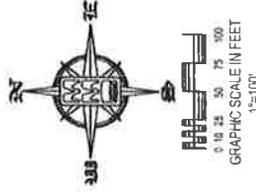
This instrument was acknowledged before me on this ____ day of _____, 2016 by Amy Nielsen and Tracey Mulcahey, as Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation.

Notary Public in and for said State of Iowa

EASEMENT PLAT

PERMANENT STORM SEWER AND DRAINAGE AND A PORTION OF THE NORTH 1/4 OF THE SW 1/4 - NW 1/4 OF SECTION 17 OF T80N-R6W OF THE 5TH P.M. NORTH LIBERTY, JOHNSON COUNTY, IOWA

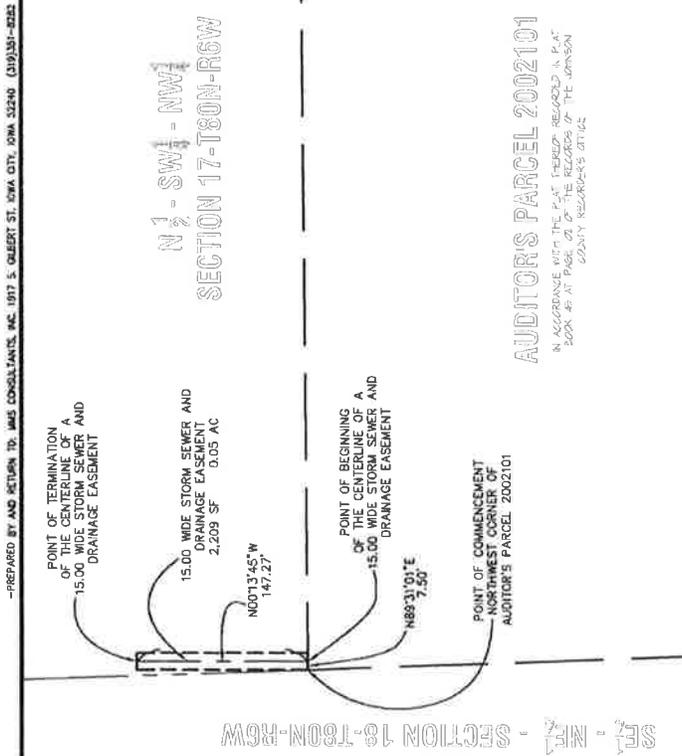
PROPRIETOR: SCANLON FAMILY FARM, LC
 REQUESTED BY: ROLLER DEVELOPMENT LLC
 DATE OF SURVEY: 03-06-2016



LEGEND AND NOTES

- - PROPERTY CORNER(S), FOUND (as noted)
- - PROPERTY CORNERS SET (5/8" Iron pin, 1/2" aluminum, plastic LS Cap embossed with "MMS")
- - PROPERTY &/or BOUNDARY LINES
- - RIGHT-OF-WAY SECTION LINES
- - RIGHT-OF-WAY LINES
- - CENTER LINES
- - LOT LINES, PLATTED OR BY DEED
- - EASEMENT LINES, WIDTH & PURPOSE NOTED
- - EXISTING EASEMENT LINES, PURPOSE NOTED
- (R) - RECORDED DIMENSIONS
- (M) - MEASURED DIMENSIONS

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDRETHS



AUDITOR'S PARCEL 2002101
 IN ACCORDANCE WITH THE "P.A.C. METHOD" RECORDED IN P.A.C. BOOK 45 AT PAGE 02 OF THE RECORDS OF THE JOHNSON COUNTY RECORDERS OFFICE

CENTERLINE DESCRIPTION OF A 15.00 FOOT WIDE STORM SEWER AND DRAINAGE EASEMENT

A PORTION OF THE NORTH ONE HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, NORTH LIBERTY, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the Northwest Corner of Auditor's Parcel 2002101, in accordance with the Plat thereof Recorded in Plat Book 45 of Page 102 of the Records of the Johnson County Recorder's Office; Thence N89°31'01"E, along the North Line of said Auditor's Parcel 2002101, a distance of 7.50 feet, to the POINT OF BEGINNING OF THE CENTERLINE OF 15.00 FOOT WIDE STORM SEWER AND DRAINAGE EASEMENT; Thence N0013'45"W, 147.27 feet, to the POINT OF TERMINATION. Said 15.00 wide Storm Sewer and Drainage Easement contains 2.209 square feet, and is subject to easements and restrictions of record.

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision under the laws of the State of Iowa.

GLEN D. MEISNER
 L.S. LICENSE No. 865
 My license is valid through December 31, 20__.

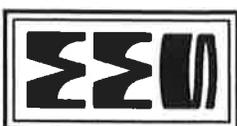
Seal of the Surveyor

LAND SURVEYOR
 GLEN D. MEISNER
 865
 IOWA

SEAL

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision under the laws of the State of Iowa.

GLEN D. MEISNER
 L.S. LICENSE No. 865
 My license is valid through December 31, 20__.



MMS
 CIVIL ENGINEERS
 LAND PLANNERS
 LAND SURVEYORS
 LANDSCAPE ARCHITECTS
 ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
 IOWA CITY, IOWA 52240
 (319) 351-8282
www.mmsconsultants.net

Date	Revision

EASEMENT PLAT

PERMANENT STORM SEWER AND DRAINAGE

A PORTION OF THE NORTH 1/4 OF THE SW 1/4 - NW 1/4 OF SECTION 17 OF T80N-R6W OF THE 5TH P.M.

**NORTH LIBERTY
 JOHNSON COUNTY
 IOWA**

MMS CONSULTANTS, INC.

Date: 03-12-2016

Designed by:	DAAM
Field Book No.:	
Drawn by:	RLW
Scale:	1"=100'
Checked by:	GDM
Sheet No.:	1
Project No.:	IC 8944010
of:	1

Resolution No. 2016-110

RESOLUTION APPROVING THE STORM SEWER AND DRAINAGE EASEMENT BETWEEN THE CITY OF NORTH LIBERTY AND SCANLON FAMILY, L.L.C. THAT ESTABLISHES THE TERMS AND CONDITIONS UNDER WHICH AN EASEMENT WILL BE ESTABLISHED AND MAINTAINED IN THE CITY OF NORTH LIBERTY, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the terms and conditions for the installation and maintenance of the Easement for the property shown in Exhibit A have been set forth in an Agreement between the City of North Liberty and Scanlon Family, L.L.C.;

NOW, THEREFORE, BE IT RESOLVED that that the Public Easement Agreement between the City of North Liberty and Scanlon Family, L.L.C. is approved for the property legally described in Exhibit A located in North Liberty, Iowa.

APPROVED AND ADOPTED this 25th day of October, 2016.

CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

Resolution No. 2016-110

RESOLUTION APPROVING THE FINAL PLAT AND ACCEPTING IMPROVEMENTS FOR DAHNOVAN ESTATES, NORTH LIBERTY, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the owner, Zoned Development, L.L.C.; Roller Development, LLC; and Kaiser Holdings LLC have filed with the City Clerk a final plat for the property described in Exhibit A, which is attached hereto and made a part hereof;

WHEREAS, said real estate is owned by the above-named parties and the subdivision is being made with the free consent and in accordance with the desires of the owners;

WHEREAS, said final plat is found to conform with Chapter 354 of the Code of Iowa and ordinances of the City of North Liberty;

WHEREAS, the all Public Property Improvements, except for sidewalks, have been installed in accordance with the design standards and Municipal Code requirements of the City of North Liberty and approved through the approval of previous plats of this property.

NOW, THEREFORE, BE IT RESOLVED that the final plat of Dahnovan Estates as shown on the exhibits and all public improvements except for sidewalks, are hereby approved and accepted.

BE IT FURTHER RESOLVED that building permits will not be issued for Lots 1, 2, 3, 4, and 5 until the stockpile issue is resolved and building permits will not be issued for Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, & 25 until the City's lift station is operational.

APPROVED AND ADOPTED this 25th day of October, 2016.

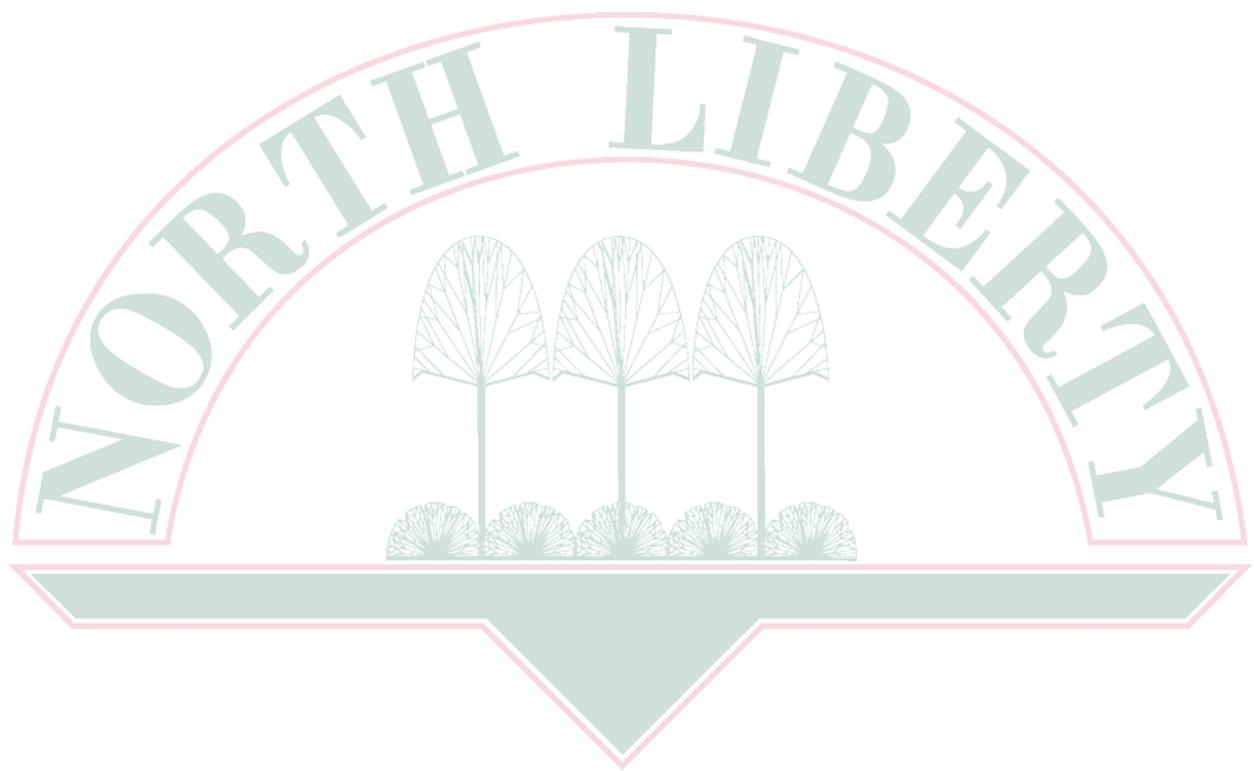
CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

Highway 965 Renaming





Renaming Highway 965

October 2016

At the request of the City Council, in March 2016 city staff devised a plan to rename Highway 965 in a way that gave the public a chance to offer input, didn't place a burden on local businesses, property owners or residents, and allowed the name to take root organically. This report lays out the process that was followed and the committee's consensus recommendation.

RECOMMENDATION

The committee recommends the Highway 965 bear the name **Ranshaw Way**, after Samuel and Emma Ranshaw who once owned the acreage the road currently runs through.

The name Ranshaw presents a rare opportunity. It is first a name that honors North Liberty's history, using a name from our town's past. But it also reflects our self-identity as a forward-thinking community: the Ranshaws' North Liberty home had indoor plumbing with hot and cold taps, gas lighting, softened water and other amenities before such innovations were common place.

Additionally, the name fits with other nearby streets named after early settlers of the area, such as Zeller, Stewart and George.

As the committee deliberated, it discussed a wide array of potential names it believed could fulfill the criteria. The committee also considered their potential for acceptance by the community. No formal votes were taken, rather, this recommendation represent the consensus of the committee.

The criteria, approved by council, that we considered, in reaching the recommendation of Ranshaw Way were:

Community Pride

The Ranshaws are a part of our town's history, and offer an exemplary example of forward-thinking and innovation.

Timeless

Well past the point of fad, the name Ranshaw has a timeless dignity.



Native

The Ranshaws built their home near the present-day intersection of Penn Street and Highway 965, and owned the 40 acres that Highway 965 ran through.

Originality

A search of Google and Bing maps shows no matches for "Ranshaw Way," and, while it fits with other streets bearing historic last names, doesn't blend with others in our area.

Ease of Use

Ranshaw Way is only three syllables (one shorter than "nine sixty-five") and is easy to pronounce, use and remember.

Additional Recommendations

In addition to updated street signs bearing both "Ranshaw Way" and the MUTCD-standard state highway black-and-white circle market, the committee recommends the city council support the instillation of interpretive markers at points along the street as well as a celebration of the name.

PROCESS

On March 8, the City Council approved the process and criteria by which a name would be selected.

On March 9, we began accepting applications for appointment to the committee as well as naming suggestions from the public.

On April 1, we closed the application for committee appointment. We had eight applicants.

On April 18, we closed the public suggestion form. We had 76 suggestions; 30 of them were unique. This list can be found at the end of the packet.

On April 28, the City Council approved Mayor Nielsen's appointments to the committee. The committee included appointees Adam Blind, Shaun Kinney, Larry Pacha, and Jana Bennett, Councilor Jim Sayre, and staff Nick Bergus, Don Colony, and Tom Palmer.

On April 29, the renaming committee was provided a list of public suggestions (staff removed only names that were duplicates of already-existing streets names in North Liberty) and asked to

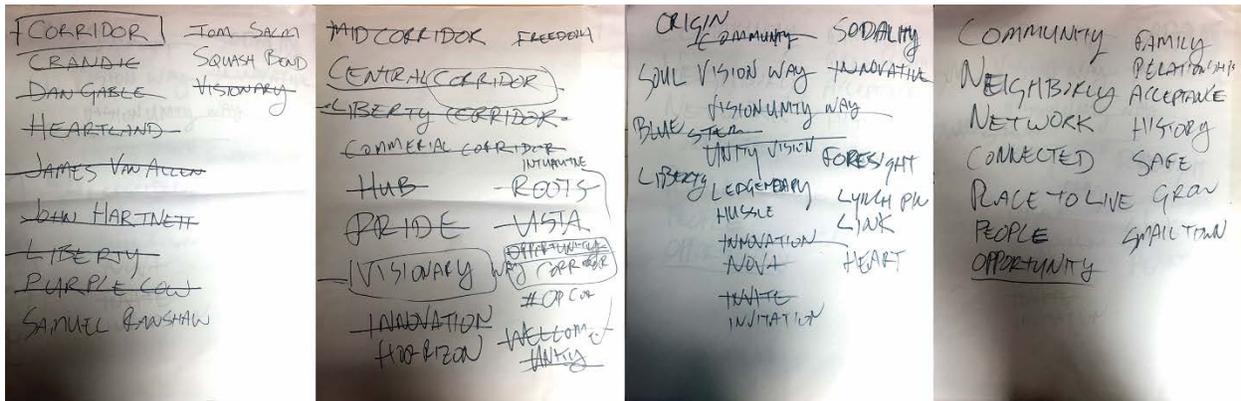
individually put forward names they felt warranted further consideration. This reduced the list to 13 suggestions. This list can also be found at the end of the packet.

On May 13, the committee met and discussed what the members hoped to evoke with the name, what the name should do and how the names suggested might or might not accomplish that, as well as to discuss other options and come to consensus recommendations.

The committee's first report considered four potential names: Corridor (for our place at the heart of Iowa's Creative Corridor has been a driving force in the growth of our town), Liberty (for its simplicity and flexibility), Ranshaw (for its historic significance), and Opportunity (for what members of the committee viewed as central to what North Liberty offers).

On July 11, the City Council discussed the recommendations from the committee and asked the committee to reconvene and bring forward a single recommendation for approval.

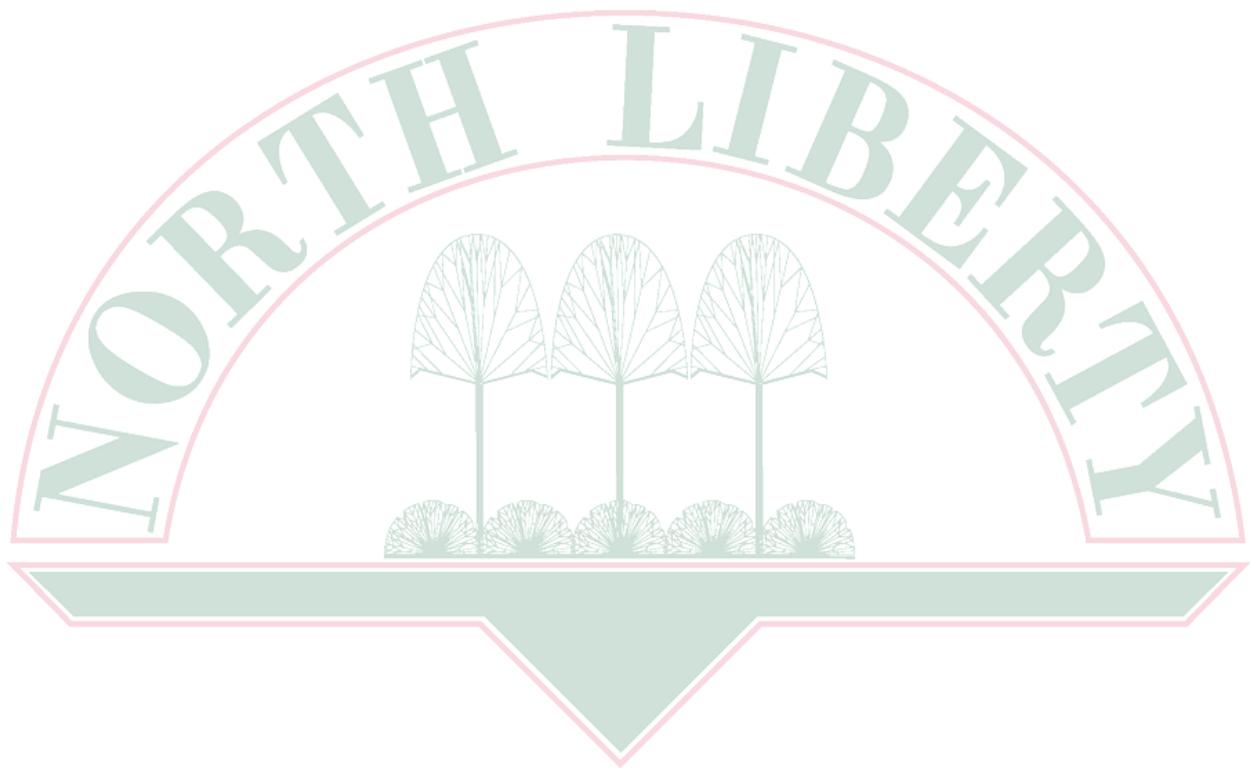
On Sept. 8, a quorum of the committee convened to pare down to a single recommended name.



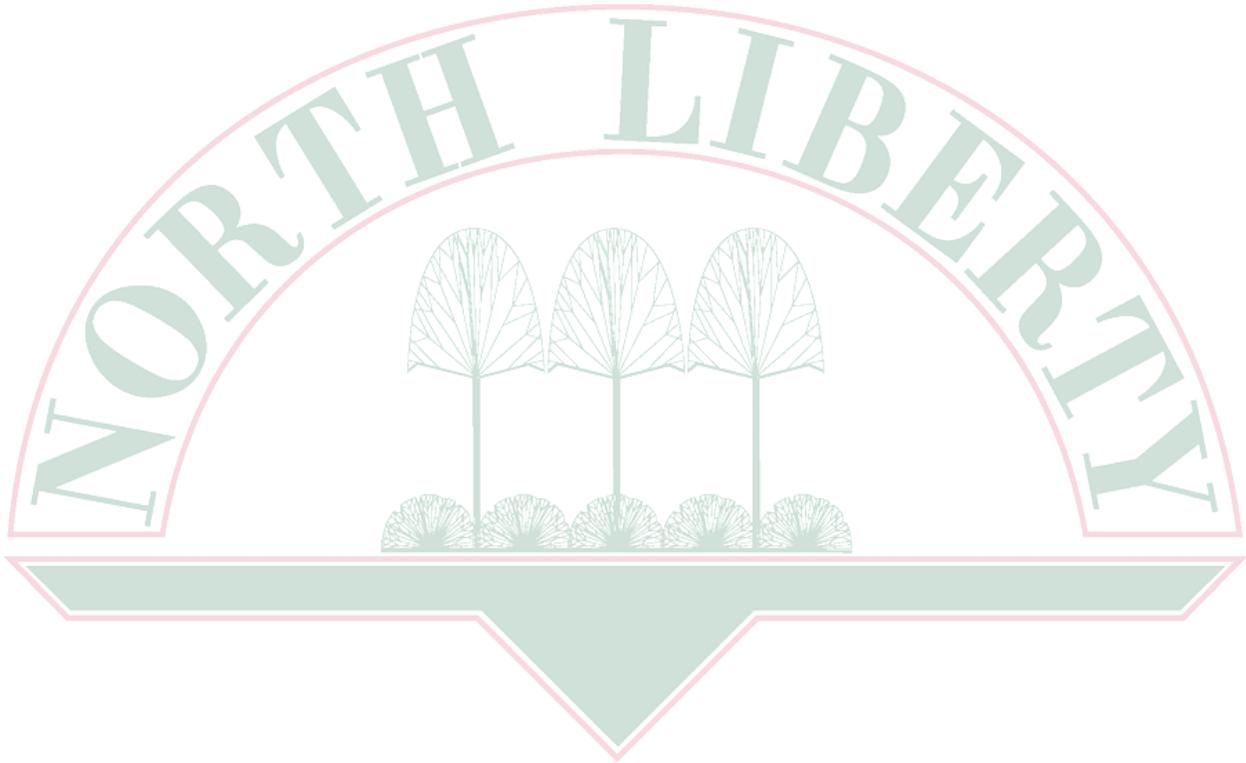
Public Suggestions	Committee Selections	Initial Recommendations
---------------------------	-----------------------------	--------------------------------

<i>Duplicates and unfeasible suggestions removed.</i>	<i>The combined top four selections from members</i>	<i>Presented to council in July 2016</i>
Adele	Corridor	Corridor
Brown Cow	Crandic	Liberty
Business	Dan Gable	Ranshaw
Colony	Gateway	Opportunity
Corridor	Heartland	
Crandic	James Van Allen	
Crappie	John Hartnett/Hartnett	
Dan Gable	Liberty	
Freedom	Purple Cow	
Gateway	Samuel Ranshaw	
Gaylore/Garlore's	Squash Bend	
Heartland	Tom Salm	
James Van Allen	Visionary	
John Hartnett/Hartnett		
Kirk Ferentz		
Liberty		
Lightning		
Martin Luther King Jr		
Patriot		
Prairie Run		
Purple Cow		
Ranshaw		
Runaway Goat		
Sac & The Fox		
Squash Bend		
Iowa River Valley		
White Way		
Tom Salm		
University		
Visionary		

Minimum Wage



Building Code Ordinance





NORTH LIBERTY BOARD OF APPEALS
MEETING NOTICE AND AGENDA
Wednesday, August 31, 2016, 6:30 PM
City Council Chambers
1 Quail Creek Circle

- 1. ROLL CALL**
- 2. AGENDA APPROVAL**
- 3. APPOINTMENT OF CHAIRPERSON**
- 4. BUILDING AND FIRE CODES:** Public hearing to consider amendment to Chapter 15 of the Municipal Code regulating building construction within City of North Liberty by recommending the adoption and amendments of the Building and Fire Codes.
 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council
- 5. ADJOURNMENT**

Chapter 157, "North Liberty Building Code"

157.01 Short Title	157.04 Availability of the Building Code
157.02 International Building Codes Adopted	157.05 Board of Appeals
157.03 Amendments to the International Building Code and the International Residential Code	

157.01 SHORT TITLE.

The ordinance codified in this chapter shall be known as the "North Liberty Building Code," may be cited as such, and will be referred to as such herein in this chapter. Any higher standards in the state statute or city ordinance shall be applicable.

157.02 INTERNATIONAL BUILDING CODES ADOPTED.

Except as hereinafter modified, that certain building codes known as the *International Building Code*, 2015 Edition, including Appendix H titled "Signs," the *International Residential Code*, 2015 Edition, including Appendices E titled "Manufactured Housing Used as Dwellings," F titled "Radon Controlled Methods," G titled "Swimming Pools, Spas and Hot Tubs," H titled "Patio Covers" and K titled "Sound Transmission" as published by the International Code Council in cooperation with the International Conference of Building Officials, which codes are specifically incorporated by reference shall be known as the building code. The provisions of said building code shall control the design, construction, quality of materials, erection, installation, addition, alteration, repair, location, relocation, replacement, removal, demolition, use and maintenance of buildings and other structures within the incorporated limits of North Liberty, Iowa.

157.03 AMENDMENTS OF THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE.

Certain sections, and portions of sections, of the *International Building Code*, 2015 Edition (hereinafter IBC) and the *International Residential Code for One- and Two-Family Dwellings*, 2015 Edition (hereinafter IRC), are modified as set forth in this section.

1. Delete the following Sections from Chapter One of the IBC and insert in lieu thereof the following:

101.1 Title.

These regulations shall be known as the Building Code of North Liberty, hereinafter referred to as "this code."

101.4 Referenced codes.

The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical.

The provisions of the Electrical Code adopted by the State of Iowa Electrical Board shall

apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

101.4.2 Gas.

The provisions of the 2015 International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances, and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical.

The provisions of the 2015 International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems.

101.4.4 Plumbing.

The provisions of the 2015 International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.

101.4.5 Property maintenance.

The provisions of the 2015 International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.6 Fire prevention.

The provisions of the 2015 International Fire Code and as amended in Chapter 158 shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy.

The provisions of the State of Iowa Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Existing buildings.

The provisions of the 2015 International Existing Building Code shall apply to matters

governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

105.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.1 Issuance of permits.

No permit shall be issued to an individual who does not have a valid license to perform such work.

105.1.2 Licenses required.

- a) North Liberty contractor license.
- b) State of Iowa electrical contractor license with a class A master electrician for all electrical work defined by the State of Iowa contractor licensing program.
- c) State of Iowa master license for hydronic, mechanical, medical gas and plumbing work defined by State of Iowa contractor licensing program.
- d) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing water based fire protection system.
- e) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing fire alarm system.
- f) City of North Liberty sewer & water installer license.

110.3 Required inspections.

The building official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.10.

110.3.1 Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and

prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.

110.3.4 Frame inspection.

Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

110.3.5 Fire-resistant penetrations.

Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected and approved.

110.3.6 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

110.3.7 Special inspections.

For special inspections, see Section 1704.

110.3.8 Final inspection.

The final inspection shall be made after all work required by the building permit is completed.

2. Delete the following Section from Chapter Five of the IBC and insert in lieu thereof the following:

501.2 Address numbers.

Approved numbers or addresses shall be placed on all buildings in accordance with the fire code.

3. Amend the following Sections from Chapter Ten of the IBC and insert in lieu the following:

1008.3.3 Rooms and spaces.

5. Public restrooms with an area greater than 50 square feet.

1013.6.2 Exit Sign Illumination.

In new construction, or if an exit sign is replaced, exit signs shall use an LED lighting system and be illuminated internally. Exit signs shall have a battery backup unless an on-site generator set is used. Luminance on the face of an exit sign shall have an intensity of not less than 5.0 foot-candles (53.82 lux).

1013.7 Combination Lights.

Combination exit sign/emergency light devices are prohibited in all new construction.

1013.8 Separation of Emergency Lighting.

In new construction, emergency lighting shall be separated from the exit sign by a minimum of 6 feet.

1013.9 Self-luminous and Photo luminescent exit signs.

Self-luminous and photo luminescent exit signs are not allowed. Exception: Approved self-luminous and/or photo luminescent exit may be allowed in tents by approval of the Fire Official.

1013.10 Self-Testing Exit Signs and Emergency Lights.

Exit signs and/or emergency lights mounted higher than 8 1/2 feet from floor level to the bottom of the exit sign or emergency light or if the exit sign or emergency light is mounted in a location where it cannot be manually tested, the exit sign and/or emergency light shall be self-testing and have a visual diagnostic indicator.

4. Delete the following Section from Chapter Thirteen of the IBC and insert in lieu thereof the following:

1301.1.1 Criteria.

Buildings shall be designed and constructed in accordance with the State of Iowa Energy Conservation Code.

5. Delete the following Sections from Chapter One of the IRC and insert in lieu thereof the following:

R101.1 Title.

These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of North Liberty, and shall be cited as such and will be referred to herein as is "this code".

R105.1 Required.

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

R105.1.1 Issuance of permits.

No permit shall be issued to an individual who does not have a valid license to perform such work, except for state's exemption for a homeowner that qualifies for a Homestead Tax Exemption.

R105.1.2 Licenses required.

- a) North Liberty contractor license.

- b) State of Iowa electrical contractor license with a class A master electrician for all electrical work defined by the State of Iowa contractor licensing program.
- c) State of Iowa master license for hydronic, mechanical, medical gas and plumbing work defined by State of Iowa contractor licensing program.
- d) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing water based fire protection system.
- e) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing fire alarm system.
- f) City of North Liberty sewer & water installer license.

R105.2 Work exempt from permit.

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

- 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (13.29 m²).
- 2. Fences not over 7 feet (1829 mm) high.
- 3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- 4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- 5. Sidewalks and driveways.
- 6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- 7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
- 8. Swings and other playground equipment.
- 9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- 10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point and do not serve the exit door required by Section R311.4.
- 11. Reapplication of shingles and roof sheathing provided less than 50% of the sheathing is replaced and other structural alterations are not required.
- 12. Reapplication of siding.
- 13. Window replacement provided window opening sizes are not altered and conforming rescue and escape windows are present in all sleeping rooms.

R108.3 Building permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for

which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. The building official shall verify the applicant's valuation by using the most current Building Valuation Data Table published in Building Safety Journal to determine the permit value. Final building permit valuation shall be set by the building official.

6. Modify the following Sections from Chapter Three of the IRC and inserting the following:

R301.2 Climatic and geographic design criteria.

Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2 (1).

Ground Snow Load	Wind (mph)	Seismic Design Category	Subject to Damage From				Winter Design Temp (e)	Ice Shield Underlayment Required (h)	Flood Hazards (g)	Air Freezing Index (i)	Mean Annual Temp (G)
			Weathering (a)	Frost Line depth (b)	Termite (c)	Decay (c)					
25	115	A	Severe	42"	M-H	S-M	-5° F	Yes	8/22/2002	2000	50°F

R302.2 Townhouses.

Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with Chapters 33 through 42. Penetrations of electrical outlet boxes shall be in accordance with Section R302.3.

R302.5.1 Opening protection.

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches in thickness, solid or honeycomb core steels doors not less than 13/8 inches thick, or 20-minute fire-rated doors.

Delete **R302.13 Fire Protection of Floors.**

Delete **R309.5 Fire sprinklers.**

Delete **R312.2 Window fall protection.**

R313.1 Townhouse automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in townhouses with five or more units.

Exceptions:

An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential

fire sprinkler system installed.

Delete **R313.2 One- and two-family dwellings automatic fire systems.**

R317.1 Location required.

Protection of wood and wood based products from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative-treated in accordance with AWP A U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of AWP A U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.
2. All wood framing members that rest on concrete or masonry exterior foundation walls and are less than 8 inches (203 mm) from the exposed ground.
3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.
4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 1/2 inch (12.7 mm) on tops, sides and ends.
5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches (152 mm) from the ground or less than 2 inches (51 mm) measured vertically from concrete steps, porch slabs, patio slabs, and similar horizontal surfaces exposed to the weather and installed with frost protection methods approved by the Building Official.
6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.
7. Wood furring strips or other wood framing members attached directly to the interior of exterior masonry walls or concrete walls below grade except where an approved vapor retarder is applied between the wall and the furring strips or framing members.
8. Modify the following Sections from Chapter Four of the IRC and inserting the following:

Delete Table R403.1(1) and insert the following table.

TABLE R403.1(1)

MINIMUM WIDTH OF CONCRETE, PRECAST OR MASONRY FOOTINGS (inches) Minimum two #4 reinforcement steel bars shall be placed continuously in the footing minimum of 3" from bottom, top and sides of the footing.

	LOAD-BEARING VALUE OF SOIL (psf)	
	1,500	2,000
Conventional light-frame construction		

1-story	12	12
2-story	15	12
3-story	23	17
4-inch brick veneer over light frame or 8-inch hollow concrete masonry		
1-story	12	12
2-story	21	16
3-story	32	24
8-inch solid or fully grouted masonry		
1-story	16	12
2-story	29	21
3-story	42	32

Delete Tables R404.1.2 (3) and R404.1.2 (8) and insert the following table.

Minimum Vertical Reinforcement for 8-inch Thick Concrete Wall

Wall	Vertical Reinforcement Bar Size and Spacing
Less than 6-ft	Not
6-ft to 8-	#4@ 32" o.c.
9 -ft to 10-	#4@ 10" o.c. #5 @ 16" #6@ 22" o.c.
Greater than 10-ft	Design

157.04 Availability of the Building Code.

An official copy of the building code, including a certificate by the city clerk as to its adoption and effective date thereof, is on file in the office of the city clerk in the administration building, and shall be kept there on file. Copies shall be available at the department of building safety for public inspection. Additionally the *International Building Code, 2015 Edition* and the *International Residential Code for One- and Two-Family Dwellings, 2015 Edition* are available to the public at the North Liberty public library.

157.05 Board of Appeals.

1. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the North Liberty Building Code, there is hereby established a Board of Appeals consisting of five (5) members who are residents of North Liberty and qualified and experienced in training to pass on matters pertaining to building construction and who are not employees or officials of the City. The terms of office for the members of the Board shall be staggered five-year terms, such that only one regular term expires each year so as to provide continuity in policy and personnel. Each term shall commence on July 1. The Board of Appeals shall be appointed by the Mayor with City Council approval.
2. Any person affected by any written notice or order of the Building Official may appeal to the Board of Appeals. The appeal must be made in writing and filed with the office of the City Clerk within seven (7) days of the written notice or order from which the appeal is

taken. The Board of Appeals shall have no authority to waive the requirements of the Building Code.

3. The Board of Appeals shall conduct a hearing following the filing of a written notice of appeal within the established time limits. The Board shall set a time and place for the hearing. Notice of such hearing shall be posted and be open to the public in compliance with the Iowa open meetings law. The applicant will be advised, in writing of such time and place of hearing at least seven (7) days prior to the date of the hearing. At the hearing, the applicant shall have an opportunity to testify and present evidence to show cause why the notice or order should be modified, extended or revoked. The Board of Appeals may sustain, overrule, modify or revoke a notice or order. A hearing may be continued from time to time for good cause at the request of the applicant, City or the Board. The burden of proof shall be on the applicant.

CITY OF NORTH LIBERTY ADOPTION OF THE INTERNATIONAL FIRE CODE ORDINANCE

An ordinance of the City of North Liberty adopting the 2015 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of North Liberty; providing for the issuance of permits and collection of fees therefor; repealing Chapter 15.03 of the City of North Liberty Municipal Code and all other ordinances or parts of laws in conflict therewith.

The City Council of the City of North Liberty does ordain as follows:

Section I. That a certain document, one (1) copy of which are on file in the office the City Clerk of the City of North Liberty being marked and designated *International Fire Code*, 2015 edition, including Appendix Chapters B, C, D, E, F, G, H, I, K, L, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of North Liberty, in the State of Iowa regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of North Liberty are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section II. That the following sections are hereby revised:

Section 101.1. Insert: City of North Liberty

Section 109.4. Insert: Insert: Municipal Infraction, as prescribed in City of North Liberty Municipal Code, Chapter 1.18; Municipal Infraction.

Section 111.4. Insert: \$500, repeat offense \$750.

Section 1103.5.3. Insert: Five years from date of notification.

Section III. That the geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

Section 3404.2.9.6.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited in the entire City of North Liberty, Iowa.

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section 5706.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited in the entire City of North Liberty, Iowa.

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section 5806.2 The storage of flammable cryogenic fluids in stationary containers is prohibited in the entire City of North Liberty, Iowa. Exceptions: As approved by the Fire Chief.

Section 6104.2 The storage of liquefied petroleum gas is prohibited in the entire City of North Liberty
Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section IV. Fees. Fees for inspections, re-inspections, plans review, acceptance testing, permits and other services related to enforcement of this Code shall be established by the City Council by resolution and paid to the Fire Department.

Section V. Amendments to the Fire Code. The following sections are amended to read as follows:

Section 104.12 Add a new section to read as follows: The code official is authorized to order an operation or use stopped or the evacuation of any premises, building, or vehicle or portion thereof which has or is a fire, life safety or health hazard.

Section 105.2 Add a sentence to the end of the section to read as follows: Application for an operational permit shall be submitted with all required information not less than 14 days prior to the event requiring a permit.

Section 105.4 Add a sentence to the end of the section to read as follows: The fire code official at their discretion shall send plans to an outside agency for review. The fire code official shall choose the plans review agency. The applicant shall pay all fees associated with the plan review directly to the outside agency. A certificate of occupancy shall not be issued until the review fees have been paid.

Section 105.6 Add a sentence to the end of the section to read as follows: The fire code official at their discretion shall send plans for operational permits requests to an outside agency for review. The fire code official shall choose the plans review agency. The applicant shall pay all fees associated with the plan review directly to the outside agency. The permit shall not be issued until the review fees have been paid.

Section 108 Delete in its entirety. See City of North Liberty Ordinance 99.18; Boards of Appeals.

Section 202 Add a new definition to read as follows: CODE OFFICIAL. The Fire Chief, the Assistant Fire Chief, or the Chief's authorized representative.

Section 307 See also City of North Liberty Ordinance 8.12.020, Section O, Open Burning.

Section 307.1.1 Delete the section and replace with: Prohibited burning. Burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section 307.3 Delete the section and replace with: Extinguishment authority. The fire code official is authorized to order the extinguishment by the responsible person or the fire department of any burning that creates or adds to a hazardous or objectionable situation.

Section 312.3 Delete the words: or visually deter.

Section 401.9 Add a new section to read as follows: Building evacuation. Upon activation of the building fire alarm system or upon notification by other means of detecting and reporting unwanted fire, all building occupants shall promptly evacuate the building. Building employees and tenants shall implement the appropriate emergency plan and procedures. Exception: When the emergency evacuation plan, as approved by the fire code official, does not require the immediate total evacuation of the building.

Section 405.2 Add to the end of the section as follows: Fire and evacuation drills in Group E occupancies, excluding daycares and preschools shall be conducted in accordance with Section 100.31 of the Code of Iowa. Emergency evacuation/fire drills shall be conducted at least four times a year. Not less than two drills shall be conducted between July 1 and December 31 of each year and not less than two drills shall be conducted between January 1 and June 30 of each year. The North Liberty Fire Department shall conduct one of the two drills during July 1 and December 31 and one of the two drills during January 1 and June 30 of each year. The fire department emergency evacuation/fire drills shall be unannounced.

Section 405.2 Table Add footnote e. as follows: Group E occupancies, excluding Preschools and Daycares shall conduct fire and evacuation drills at least four times a year in accordance with Section 100.31 of the Code of Iowa. Footnote shall be added to Group E occupancy frequency.

Section 503.1.1 Delete exception 1.1 and replace with: The dimension can be increased up to 200 feet if the building is equipped throughout with an approved NFPA 13 automatic sprinkler system.

Section 505.1 Delete the section and replace with: Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Address numbers and exterior suite numbers shall be in Arabic numerals or alphabet letters a minimum of 4 inches in height with a minimum stroke width of 1/2 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Exterior address location for commercial buildings shall be determined by the Code Official

Exceptions:

1. Monument signs shall have the address installed a minimum of 36 inches from the ground.
2. Addresses located 100 to 199 feet from the street shall have a minimum of 6 inches in height with a minimum stroke width of 1/2 inch. Addresses located 200 to 299 feet from the street shall have a minimum of 8 inches in height with a minimum stroke width of 1 inch. For each additional 100 feet from the street, the number shall increase by an additional 2 inches in height with the stroke increased proportionally. Measurements to determine the minimum number or letter size shall be measured from the approved address location to the center line of the street for which the premise is addressed. Minimum height and minimum stroke may be increased by the Code Official.
3. Interior suite numbers shall be a minimum of 3 inches in height.

Section 505.3 Add a new section to read as follows: Addresses for Buildings under Construction. All new commercial and residential buildings under construction shall have plainly visible addresses from the street. The temporary address sign shall be approved and issued by the City of North Liberty Building Department and be placed no further than 10 from the street. Additional address signage may be required at the discretion of the code official.

Section 506.1 Add a sentence to the end of the section to read as follows: An approved key box shall be installed in accordance to the City of North Liberty Ordinance 15.34, Key Lock Box.

Section 507.3 Delete the section and replace with: Fire flow. Fire flow requirements for buildings or portions of buildings shall be determined by "Appendix B" of this code.

Section 507.5.1 Delete exceptions 1 & 2.

Section 507.5.1.1 Delete section and add a new section to read as follows: Fire Sprinkler System & Standpipe System Support. A fire hydrant shall be located no more than 100 feet from a fire sprinkler or standpipe system connection on hard surface, easily accessible by fire apparatus and meeting the approval of the Code Official.

Section 507.5.7 Add a new section to read as follows: Fire Hydrant Installation

Section 507.5.7.2 Add a new section to read as follows: Fire hydrant outlet direction: All fire hydrants shall be positioned so that the four and one-half (4 1/2) inch connection is facing the street or driveway accessible to fire department apparatus.

Section 507.5.7.3 Fire hydrants threads: All new fire hydrants within the limits of the city of North Liberty shall have National Standard Threads (NST) on the two and one-half (2 1/2) inch connections and the four and one-half (4 1/2) inch connection will have a Storz connection.

Section 507.5.7.4 Flow: The minimum flow requirements for a water main serving a fire hydrant is the rate of water flow, at a residual pressure of twenty pounds per square inch (20psi) and for a specified duration, as specified in appendix B of this code.

Section 507.5.7.5 Add a new section to read as follows: Fire Hydrant height: Fire hydrants shall be installed a minimum of eighteen (18) inches from the nominal ground level to the center of the lowest water outlet.

Section 510.1 Delete exceptions 1 & 2.

Section 605.10 Delete the section and replace with: Portable, electric, space heaters. Portable electric space heaters shall comply with Sections 605.10.1 through 605.10.5.

Section 605.10.5 Add a new section to read as follows: Fully enclosed. Portable, electric space heaters shall be fully enclosed space heaters that by design have no external surfaces that reach temperatures capable of igniting materials placed against the surface.

Section 607.7. Add a sentence to the end of the section to read as follows: The required elevator keys shall be secured in an approved elevator key box in an approved location by the Fire Code Official.

Section 609.4 Delete the last sentence and replace with: Movement of new and existing cooking appliances with caster(s) under a Type I hood shall be limited by an approved floor mounted restraining device and flexible gas connector installed in accordance with the connector and appliance manufacturer's instructions.

Section 609.5 Add a new section to read as follows: Required separation. All deep-fat fryers shall be installed with at least 16 inch space between the fryer and surface flames from adjacent cooking equipment. Where a steel or tempered glass baffle plate is installed at a minimum 8-inch height between the fryer and surface flames to the adjacent appliance, the requirement for a 16-inch space shall not apply.

Section 609.6 Add a new section to read as follows: Kitchen Hood Exhaust Fan Hinge Requirement. New and existing Type I hood kitchen hood exhaust/up blast fans shall be installed with listed hinges, weatherproof electrical cable and hold open retainer for servicing and cleaning.

Section 803.11 Add a new section to read as follows: Maintenance. The interior finish of buildings shall be maintained in accordance with the conditions of original approval. Any change to the interior finish that is regulated by the provisions of this code or the building code shall be made in accordance with all applicable requirements.

Section 806.1 Add a sentence to the end of the section to read as follows: Natural or resin-bearing cut trees and natural decorative vegetation used in buildings open to the general public shall be properly treated with an approved flame retardant.

Section 806.1.1 Delete the section and replace with: Restricted occupancies. Natural cut trees shall be prohibited in Group A, B, E, I-1, I-2, I-3, I-4, M, R-1, R-2 and R-4 occupancies.

Exception:

- 1) Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, B, E, M, R-1 and R-2.
- 2) Trees shall be allowed within dwelling units in Group R-2 occupancies.

Section 807.5.2.1 Delete exceptions 1 & 2.

Section 901.2 (a) Add a new section to read as follows: Water based fire protection systems. Working plans submitted to the fire department for water based fire protection systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the North Liberty Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Automatic Sprinkler System Layout OR be a licensed engineer with experience in life safety system design. Other qualifications may be approved by the code official.

Section 901.2 (b) Add a new section to read as follows: Fire alarm systems. Working plans submitted to the fire department by a qualified person for fire alarm systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the North Liberty Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Fire Alarm Systems OR be a licensed engineer with experience in life safety system design. Other qualifications may be approved by the code official.

Section 901.6.2.2 Add a new section to read as follows: Inspection Record Submission. Contractors who perform installation, inspection, testing and/or maintenance services on fire and life safety systems are required to electronically submit all installation and compliant & non-compliant inspection reports to the Fire Department via a method approved by the Fire Code Official within 30 calendar days of the installation/inspection date. Reports submitted after 30 calendar days may incur late fees.

Section 901.7 Add a sentence to the end of the section to read as follows: A person assigned to firewatch must walk through the building at least once every 30 minutes checking for fire or smoke. A firewatch must be continued until the fire alarm system and/or fire protection system has been restored to normal operating condition or the building has been evacuated. A competent adult familiar with the building must conduct the firewatch. If a fire is discovered, call 911 and immediately evacuate the building.

Section 903.3.1.1.2 Delete the section and replace with: Bathrooms. Sprinkler protection shall be provided in all bathrooms in NFPA 13 & NFPA 13R systems regardless of the bathroom size.

Section 903.3.5.3 Add a new section to read as follows: Water supply safety margin. Provide a minimum 10%, but not less than 5 psi, safety margin below the available water supply flow test curve at full system demand and required hose stream allowances. Flow test must have been conducted within 90 days of the fire sprinkler plan submittal to the city and third party reviewer (if applicable).

Section 903.3.5.4 Add a new section to read as follows: Fire Sprinkler Riser Room. Fire sprinkler riser room shall be separated from electrical room and have no electrical panels inside the rooms other than the outlets required for the use of the fire sprinkler system or fire alarm panel. The fire sprinkler riser room shall have an exterior access door and a floor drain. The room shall have a hard cleanable walking from the fire department access road.

Exception: Non-mixed use R-2 Occupancies and approval by Code Official.

Section 903.4.2 Delete the section and replace with: Alarms. An approved weatherproof horn/strobe device shall be mounted directly above the fire department connection between seven (7) and ten (10) feet in height above grade. The water-flow alarm device shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Approved and supervised audible visual notification appliances shall be installed throughout each level of the interior of the building as required by the fire code official and NFPA 72.

Section 903.5 Add a sentence to the end of the section to read as follows: An inspector's test valve is required at the most remote location in each fire sprinkler system or tenant/floor control valve space, for use at the acceptance test and to remove air from the system after maintenance work is done on the system.

Section 903.7 Add a new section to read as follows: Zones. Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13 or NFPA 13R and shall provide a sprinkler control valve and water flow device for each normally occupied floor or normally occupied space in a multi-tenant building. Except by approval of the fire code official, all control valves shall be located in the sprinkler system riser room.

Section 903.8 Add a new section to read as follows: Fire sprinkler for canopies. A canopy covering a door that is required to be marked as an exit shall be required to have fire sprinklers installed outside that door if the canopy extends more than 4 feet out from the door and is 12 feet or less in height from the ground regardless of whether the canopy is combustibile or noncombustibile. Canopies that have vehicle access under them with door openings shall be required to have fire sprinklers installed under the total canopy regardless of whether the canopy is combustibile or non-combustibile. Exception: If the Code does not require a building to have a fire sprinkler system, section 903.8 does not apply.

Section 904.12.2.1 Add a new section to read as follows: System Annunciation. Commercial cooking automatic fire extinguishing systems installed in buildings that do not have a fire alarm system, shall be connected to an approved audible and visible emergency notification device to warn of system discharge. The horn/strobe and signage shall be installed in a location approved by the fire code official, typically in the kitchen.

Section 904.12.6.4 Add a new section to read as follows: Ventilation Operation. The ventilation system shall shut down the make-up air to the hood and continue to exhaust upon activation of the hood fire extinguishing system. Supply air openings other than part of the hood system shall be a minimum of 6 feet from any part of a Type 1 Hood. Supply air openings closer than 6 feet must shut down upon activation of the extinguishing system. Exception: Section 904.12.6.6 may be revoked if the fire extinguishing agent will not perform to specifications due to exhausting requirements.

Section 905.1.1 Add a new section to read as follows: Delete all references to class II standpipe system and replace with class III standpipe systems.

Section 905.3.9 Add a new section to read as follows: Additional Standpipe Systems: Additional standpipe systems may be added to new buildings or structures as deemed necessary by the Code Official.

Section 905.9 Delete exception 2 without substitution.

Section 906.1 Delete the exception without substitution.

Section 906.3 Add a sentence to the end of the section to read as follows: The minimum size and rating of any required portable fire extinguisher for Class A, Class B, or Class C hazard shall be 5lb. 2-A, 10-B C.

Section 907.1.4 Add a new section to read as follows: Fire alarm control panels and Fire alarm annunciator panels. Installation of fire alarm control panels and fire alarm annunciator panels shall be installed in accordance with section 907.1.4.1 through 907.1.4.5

Section 907.1.4.1 Add a new section to read as follows: Fire Alarm Panel Height: Installation of fire alarm panels shall not exceed 6 feet in height measured from the floor to the top of the panel. Exception: Panel height may be altered by the code official.

Section 907.1.4.2 Add a new section to read as follows: Number of Fire Alarm Control Panels in Buildings: Only one listed fire alarm control panel shall be allowed per building and shall lock in the alarm until the system is reset and shall not be canceled by the operation of an audible – alarm silencing switch. This control panel shall only receive alarm signals from fire protection equipment.

Section 907.1.4.3 Add a new section to read as follows: Combination Fire/Security Alarm System Panels. A listed combination fire/security alarm system panel that meets all the requirements of this code and amendments may be permitted by approval of the fire code official. The fire/security panel shall be capable of providing a signal that can differentiate between the fire and security alarm.

Section 907.1.4.4 Add a new section to read as follows: Password/PIN Protection Prohibited: Fire alarm control panels and/or fire alarm annunciator panels that require a password/PIN to silence an alarm/supervisory/trouble signal and/or to reset an alarm/supervisory/trouble signal shall be prohibited.

Section 907.1.4.5 Add a new section to read as follows: Fire Alarm Annunciator Panels: The fire code official can require addition fire alarm annunciator panels based on the size of building and access to the building, these panels shall meet the requirements of 907.1.4 and 907.2.

Section 907.2 Delete the section and replace with: Where required new buildings and structures. An approved and addressable manual, automatic or manual and automatic fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with 907.10, unless other requirements are provided by another section of this code. A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm system employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

- 1) The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
- 2) The manual fire alarm box is required for Group R-2 occupancies to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. The manual fire alarm box shall not be located in an area that is accessible to the public.
- 3) Multi-tenant buildings required to have a manual/automatic fire alarms system shall install one manual pull station per tenant space.

Section 907.2.1.2 Add a new section to read as follows: Electrical Shunt for Amplified Sound Conditions. Group A occupancies having an occupancies having an occupant load of 300 or more, electrical shunts shall be provided to de-energize the music or sound systems upon fire alarm activation.

Section 907.2.11.2 Modify by adding a fourth location requirement as follows: 4) Supervised smoke detectors shall be installed in all common corridors and at the top and bottom of all stairway enclosures in Groups R-2, R-4 and I-1 occupancies. In corridors, detectors shall be located within fifteen (15) feet of the end of the corridor and in such a way that one detector is located for each thirty (30) feet of corridor length or spaced as allowed by the code.

Section 907.4.2 Add a sentence to the end of the section to read as follows: Where in the opinion of the code official manual fire alarm boxes may be used to cause false fire alarms, the code official is authorized to modify the requirements for manual fire alarm boxes.

Section 907.5.2.3.4 Add a new section to read as follows: Alarm Signal Deactivation. Both audible and visual appliances shall shut off when the signal silence feature is activated on the fire alarm control panel or the fire alarm annunciator panel. Exception: Exterior water flow horn/strobe.

Section 907.6.4.3 Add a new section to read as follows: Zone and address location labeling. Fire alarm and/or annunciator panels shall have all zones and address points plainly and permanently labeled as to their location on the outside of the panel or on an easily readable map of the building, if no display is present.

Section 907.6.6 Delete the section and replace with: Monitoring. Fire alarms required by this chapter, the International Building Code, or the Code Official, an approved UL listed Central Station service in accordance with NFPA 72 shall monitor fire alarm systems to provide for the immediate and automatic notification of the Fire Department. Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings
4. Fire alarm systems in one- and two-family dwellings

Section 907.6.6.3 Add a new section to read as follows: Each address point id shall have an alpha/numeric descriptor location. Alpha/numeric descriptor locations are required to be reported to the Emergency Communications/Dispatch Center upon activation of a water-flow tamper and/or alarm conditions as specified by the fire code official.

Section 907.10 Add a new section to read as follows: Approved hold-open devices. When installed in buildings that have a fire alarm system and/or sprinkler system, all approved hold open devices shall release upon activation of a fire alarm and sprinkler water-flow activation.

Section 912.4.1 Delete the sentence and replace with: Locking fire department connections caps. Locking fire department connections caps approved by the fire department are required for all new construction that have a water-based fire protective system and existing structures that have a water-based fire protective system immediately after conducting the five year obstruction and maintenance testing or if one or more of the fire department caps are missing.

Section 912.8 Add a section to read as follows: Fire Department Connection Height. The fire department connection shall be located not less than 18 inches from the bottom of the cap(s) and not more than 3 feet from the top of the cap(s) above the level of the adjacent grade or access level. Deviation from this

height may be granted by the Code Official for just cause.

Section 912.9 Add a section to read as follows: Size. Minimum fire department connection size shall be 2 ½" National Standard Thread.

Section 1008.3.3 Delete number 5 and replace with: 5. Public restrooms with an area greater than 50 square feet.

Section 1013.6.2 Delete the section and replace with: Exit Sign Illumination. In new construction, or if an exit sign is replaced, exit signs shall use an LED lighting system and be illuminated internally. Exit signs shall have a battery backup unless an on-site generator set is used. Luminance on the face of an exit sign shall have an intensity of not less than 5.0 foot-candles (53.82 lux).

Section 1013.7 Add a new section to read as follows. Combination Lights: In new construction, combination exit sign/emergency light devices shall not be allowed.

Section 1013.8 Add a new section to read as follows: Separation of Emergency Lighting. In new construction, emergency lighting shall be separated from the exit sign by a minimum of 6 feet.

Section 1013.9 Add a new section to read as follows: Self-luminous and Photoluminescent exit signs. Self-luminous and photoluminescent exit signs are not allowed.

Exception: Approved self-luminous and/or photoluminescent exit may be allowed in tents by approval of the Code Official.

Section 1013.10 Add a new section to read as follows: Self-Testing Exit Signs and Emergency Lights. Exit signs and/or emergency lights mounted higher than 8 1/2 feet from floor level to the bottom of the exit sign or emergency light or if the exit sign or emergency light is mounted in a location where it cannot be manually tested, the exit sign and/or emergency light shall be self-testing and have a visual diagnostic indicator.

Section 1013.11 Add a new section to read as follows: Exit Signs and Emergency Lights. Exit signs and/or emergency lights that are not self-testing and do not have a visual diagnostic indicator shall be on a dedicated electrical circuits for the purpose of conducting monthly and yearly testing requirements; the circuits shall have lockable breakers.

Section 1013.12 Add a new section to read as follows. Additional Exit Signs: Exit signs may be required at the discretion of the code official to clarify an exit or exit access.

Section 1103.1.2 Add a new section to read as follows: Existing fire alarm systems monitoring requirements. Existing fire alarms systems that are currently not monitored by an approved UL listed Central Station shall become monitored within 1 year from receiving notice in accordance with section 907.6.6.

Section 1103.1.3 Add a new section to read as follows: Existing sprinkler systems monitoring requirements. Existing sprinkler systems shall have all valves controlling the sprinkler system and water flow electrically supervised and monitored by an approved UL listed Central Station in accordance with sections 903.4 and 903.4.1 within 1 year from receiving notice.

Section 5003.11.3.6 Add a new section to read as follows: Tier II Reporting. Facilities reporting hazardous chemical inventories in excess of their Threshold Planning Quantities pursuant to Section 312 of the Emergency Planning and Community Right to Know Act shall use an approved electronic "Emergency and Hazardous Chemical Inventory" form or show reason to use paper forms and submit the electronic or paper form prior to March 1 of each year.

Section 5601.1.3 Delete exception 4 and insert in lieu thereof: The possession, storage, sale, handling and use of gold star producing sparklers on wires which contain no magnesium or chlorate or perchlorate, flitter sparklers in paper tubes that do not exceed one-eighth of an inch in diameter, toy snakes which contain no mercury or caps used in cap pistols.

Section 5704.2.9 Add a sentence to the end of the section to read as follows: For above ground storage tanks of 276 gallons capacity or more, the minimum distance between such above ground tanks and any Residential Zone boundary must be at least 100 feet. If the above ground tank is located in an approved vault, the minimum separation distance from a Residential Zone boundary may be reduced to no less than 50 feet.

Section 5704.2.11.1 Add a #4 to the end of the section to read as follows:

4. A minimum distance of ten (10) feet shall be maintained between underground tanks and any Residential Zone boundary.

Section 5704.2.13.2.4 Add a section to read as follows: Existing above-ground tank hazards. Existing above-ground tank installations, even if previously approved, that are determined to constitute a hazard by the fire code official, shall not be continued in service. Unsafe tanks shall be removed as required by the fire code official and in accordance with this code.

Section 5705.5.1 Add an exception to read as follows:
6. Corridor installations are prohibited in Group-E occupancies.

Section 45 Referenced Standards. Amend the NFPA referenced standards list to reflect the most current NFPA editions.

Appendix D, Fire Apparatus Roads, Table D103.4. Delete 96' Diameter Cul-de-sac and replace with Public and private turnarounds shall be a minimum eighty (80) foot diameter cul-de-sac with no obstructions or parking within the cul-de-sac.

Appendix D, Multiple-Family Residential Developments. Add section D106.4 Multi-family dwelling units are defined in this section any dwelling unit constructed under the International Building/Fire Code.

Appendix D, One- or Two Family Residential Developments. Add section D107.3 One- or Two Family dwellings units are defined in this section as any dwelling unit constructed under the International Residential Code.

SECTION VI. REPEALER. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION VII. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of North Liberty City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION VIII. EFFECTIVE DATE. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted shall be in full force and effect after its final passage, approval and publication, as provided by law. PASSED AND APPROVED this XX day of XXXX, 2016.

AN ORDINANCE AMENDING CHAPTER 157 OF THE NORTH LIBERTY MUNICIPAL CODE ENTITLED "BUILDING CODE" BY REPEALING CHAPTER 157 AND ADOPTING IN LIEU THEREOF NEW CHAPTER 157 TO ADOPT THE 2015 INTERNATIONAL BUILDING CODE AND CHAPTER 158 ENTITLED "FIRE CODE" BY REPEALING CHAPTER 158 AND ADOPTING IN LIEU THEREOF NEW CHAPTER 158 TO ADOPT THE 2015 INTERNATIONAL FIRE CODE TO BE UTILIZED BY THE CITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

SECTION 1. Section 157, "Building Code," the North Liberty Municipal Code of Ordinances, City of North Liberty, Iowa, is hereby repealed and the following adopted in lieu thereof:

- 157.01 Short Title
- 157.02 International Building Codes Adopted
- 157.03 Amendments to the International Building Code and the International Residential Code
- 157.04 Availability of the Building Code
- 157.05 Board of Appeals

157.01 SHORT TITLE.

The ordinance codified in this chapter shall be known as the "North Liberty Building Code," may be cited as such, and will be referred to as such herein in this chapter. Any higher standards in the state statute or city ordinance shall be applicable.

157.02 INTERNATIONAL BUILDING CODES ADOPTED.

Except as hereinafter modified, that certain building codes known as the *International Building Code*, 2015 Edition, including Appendix H titled "Signs," the *International Residential Code*, 2015 Edition, including Appendices E titled "Manufactured Housing Used as Dwellings," F titled "Radon Controlled Methods," G titled "Swimming Pools, Spas and Hot Tubs," H titled "Patio Covers" and K titled "Sound Transmission" as published by the International Code Council in cooperation with the International Conference of Building Officials, which codes are specifically incorporated by reference shall be known as the building code. The provisions of said building code shall control the design, construction, quality of materials, erection, installation, addition, alteration, repair, location, relocation, replacement, removal, demolition, use and maintenance of buildings and other structures within the incorporated limits of North Liberty, Iowa.

157.03 AMENDMENTS OF THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE.

Certain sections, and portions of sections, of the *International Building Code*, 2015 Edition (hereinafter IBC) and the *International Residential Code for One- and Two-Family Dwellings*, 2015 Edition (hereinafter IRC), are modified as set forth in this section.

1. Delete the following Sections from Chapter One of the IBC and insert in lieu thereof the following:

101.1 Title.

These regulations shall be known as the Building Code of North Liberty, hereinafter referred to as "this code."

101.4 Referenced codes.

The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical.

The provisions of the Electrical Code adopted by the State of Iowa Electrical Board shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

101.4.2 Gas.

The provisions of the 2015 International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances, and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical.

The provisions of the 2015 International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems.

101.4.4 Plumbing.

The provisions of the 2015 International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.

101.4.5 Property maintenance.

The provisions of the 2015 International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.6 Fire prevention.

The provisions of the 2015 International Fire Code and as amended in Chapter 158 shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy.

The provisions of the State of Iowa Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Existing buildings.

The provisions of the 2015 International Existing Building Code shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

105.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.1 Issuance of permits.

No permit shall be issued to an individual who does not have a valid license to perform such work.

105.1.2 Licenses required.

- a) North Liberty contractor license.
- b) State of Iowa electrical contractor license with a class A master electrician for all electrical work defined by the State of Iowa contractor licensing program.
- c) State of Iowa master license for hydronic, mechanical, medical gas and plumbing work defined by State of Iowa contractor licensing program.
- d) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing water based fire protection system.
- e) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing fire alarm system.
- f) City of North Liberty sewer & water installer license.

110.3 Required inspections.

The building official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.10.

110.3.1 Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.

110.3.4 Frame inspection.

Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

110.3.5 Fire-resistant penetrations.

Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected and approved.

110.3.6 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

110.3.7 Special inspections.

For special inspections, see Section 1704.

110.3.8 Final inspection.

The final inspection shall be made after all work required by the building permit is completed.

2. Delete the following Section from Chapter Five of the IBC and insert in lieu thereof the following:

501.2 Address numbers.

Approved numbers or addresses shall be placed on all buildings in accordance with the fire code.

3. Amend the following Sections from Chapter Ten of the IBC and insert in lieu thereof the following:

1008.3.3 Rooms and spaces.

5. Public restrooms with an area greater than 50 square feet.

1013.6.2 Exit Sign Illumination.

In new construction, or if an exit sign is replaced, exit signs shall use an LED lighting system and be illuminated internally. Exit signs shall have a battery backup unless an on-site generator set is used. Luminance on the face of an exit sign shall have an intensity of not less than 5.0 foot-candles (53.82 lux).

1013.7 Combination Lights.

Combination exit sign/emergency light devices are prohibited in all new construction.

1013.8 Separation of Emergency Lighting.

In new construction, emergency lighting shall be separated from the exit sign by a minimum of 6 feet.

1013.9 Self-luminous and Photo luminescent exit signs.

Self-luminous and photo luminescent exit signs are not allowed. Exception: Approved self-luminous and/or photo luminescent exit may be allowed in tents by approval of the Fire Official.

1013.10 Self-Testing Exit Signs and Emergency Lights.

Exit signs and/or emergency lights mounted higher than 8 1/2 feet from floor level to the bottom of the exit sign or emergency light or if the exit sign or emergency light is mounted in a location where it cannot be manually tested, the exit sign and/or emergency light shall be self-testing and have a visual diagnostic indicator.

4. Delete the following Section from Chapter Thirteen of the IBC and insert in lieu thereof the following:

1301.1.1 Criteria.

Buildings shall be designed and constructed in accordance with the State of Iowa Energy Conservation Code.

5. Delete the following Sections from Chapter One of the IRC and insert in lieu thereof the following:

R101.1 Title.

These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of North Liberty, and shall be cited as such and will be referred to herein as is "this code".

R105.1 Required.

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

R105.1.1 Issuance of permits.

No permit shall be issued to an individual who does not have a valid license to perform such work, except for state's exemption for a homeowner that qualifies for a Homestead Tax Exemption.

R105.1.2 Licenses required.

- a) North Liberty contractor license.
- b) State of Iowa electrical contractor license with a class A master electrician for all electrical work defined by the State of Iowa contractor licensing program.
- c) State of Iowa master license for hydronic, mechanical, medical gas and plumbing work defined by State of Iowa contractor licensing program.
- d) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing water based fire protection system.
- e) National Institute for certification in Engineering Technologies (NICET) Level III for any person designing fire alarm system.
- f) City of North Liberty sewer & water installer license.

R105.2 Work exempt from permit.

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (13.29 m²).
2. Fences not over 7 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point and do not serve the exit door required by Section R311.4.
11. Reapplication of shingles and roof sheathing provided less than 50% of the sheathing is replaced and other structural alterations are not required.
12. Reapplication of siding.
 13. Window replacement provided window opening sizes are not altered and conforming rescue and escape windows are present in all sleeping rooms.

R108.3 Building permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application.

Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. The building official shall verify the applicant's valuation by using the most current Building Valuation Data Table published in Building Safety Journal to determine the permit value. Final building permit valuation shall be set by the building official.

6. Modify the following Sections from Chapter Three of the IRC and inserting the following:

R301.2 Climatic and geographic design criteria.

Buildings shall be constructed in accordance with the provisions of this code as limited

by the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2 (1).

Ground Snow Load	Wind (mph)	Seismic Design Category	Subject to Damage From				Winter Design Temp (e)	Ice Shield Underlayment Required (h)	Flood Hazards (g)	Air Freezing Index (i)	Mean Annual Temp (j)
			Weathering (a)	Frost Line depth (b)	Termite (c)	Decay (c)					
25	115	A	Severe	42"	M-H	S-M	-5° F	Yes	8/22/200	2000	50° F

R302.2 Townhouses.

Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with Chapters 33 through 42. Penetrations of electrical outlet boxes shall be in accordance with Section R302.3.

R302.5.1 Opening protection.

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches in thickness, solid or honeycomb core steels doors not less than 13/8 inches thick, or 20-minute fire-rated doors.

Delete **R302.13 Fire Protection of Floors.**

Delete **R309.5 Fire sprinklers.**

Delete **R312.2 Window fall protection.**

R313.1 Townhouse automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in townhouses with five or more units.

Exceptions:

An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

Delete **R313.2 One- and two-family dwellings automatic fire systems.**

R317.1 Location required.

Protection of wood and wood based products from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative-treated in accordance with AWPA U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of AWPA U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.
2. All wood framing members that rest on concrete or masonry exterior foundation walls and are less than 8 inches (203 mm) from the exposed ground.
3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.
4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 1/2 inch (12.7 mm) on tops, sides and ends.
5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches (152 mm) from the ground or less

- than 2 inches (51 mm) measured vertically from concrete steps, porch slabs, patio slabs, and similar horizontal surfaces exposed to the weather and installed with frost protection methods approved by the Building Official.
6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.
 7. Wood furring strips or other wood framing members attached directly to the interior of exterior masonry walls or concrete walls below grade except where an approved vapor retarder is applied between the wall and the furring strips or framing members.
 8. Modify the following Sections from Chapter Four of the IRC and inserting the following:

Delete Table R403.1(1) and insert the following table.

TABLE R403.1(1)
MINIMUM WIDTH OF CONCRETE, PRECAST OR MASONRY FOOTINGS
(inches) Minimum two #4 reinforcement steel bars shall be placed continuously in the footing minimum of 3" from bottom, top and sides of the footing.

	LOAD-BEARING VALUE OF SOIL (psf)	
	1,500	2,000
Conventional light-frame construction		

1-story	12	12
2-story	15	12
3-story	23	17
4-inch brick veneer over light frame or 8-inch hollow concrete		
1-story	12	12
2-story	21	16
3-story	32	24
8-inch solid or fully grouted masonry		
1-story	16	12
2-story	29	21
3-story	42	32

Delete Tables R404.1.2 (3) and R404.1.2 (8) and insert the following table.

Minimum Vertical Reinforcement for 8-inch Thick Concrete Wall

Wall	Vertical Reinforcement Bar Size and Spacing
Less than 6-ft	Not
6-ft to 8-	#4@ 32" o.c.
9-ft to 10-	#4@ 10" o.c. #5 @ 16" #6@ 22" o.c.
Greater than 10-ft	Design

157.04 Availability of the Building Code.

An official copy of the building code, including a certificate by the city clerk as to its adoption and effective date thereof, is on file in the office of the city clerk in the administration building, and shall be kept there on file. Copies shall be available at the department of building safety for public inspection. Additionally the *International*

Building Code, 2015 Edition and the *International Residential Code for One- and Two-Family Dwellings*, 2015 Edition are available to the public at the North Liberty public library.

157.05 Board of Appeals.

1. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the North Liberty Building Code, there is hereby established a Board of Appeals consisting of five (5) members who are residents of North Liberty and qualified and experienced in training to pass on matters pertaining to building construction and who are not employees or officials of the City. The terms of office for the members of the Board shall be staggered five-year terms, such that only one regular term expires each year so as to provide continuity in policy and personnel.

Each term shall commence on July 1. The Board of Appeals shall be appointed by the Mayor with City Council approval.

2. Any person affected by any written notice or order of the Building Official may appeal to the Board of Appeals. The appeal must be made in writing and filed with the office of the City Clerk within seven (7) days of the written notice or order from which the appeal is taken. The Board of Appeals shall have no authority to waive the requirements of the Building Code.

3. The Board of Appeals shall conduct a hearing following the filing of a written notice of appeal within the established time limits. The Board shall set a time and place for the hearing. Notice of such hearing shall be posted and be open to the public in compliance with the Iowa open meetings law. The applicant will be advised, in writing of such time and place of hearing at least seven (7) days prior to the date of the hearing. At the hearing, the applicant shall have an opportunity to testify and present evidence to show cause why the notice or order should be modified, extended or revoked. The Board of Appeals may sustain, overrule, modify or revoke a notice or order. A hearing may be continued from time to time for good cause at the request of the applicant, City or the Board. The burden of proof shall be on the applicant.

SECTION 2: Section 158, "Fire Code," the North Liberty Municipal Code of Ordinances, City of North Liberty, Iowa, is hereby repealed and the following adopted in lieu thereof:

An ordinance of the City of North Liberty adopting the 2015 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of North Liberty; providing for the issuance of permits and collection of fees therefor; repealing Chapter 15.03 of the City of North Liberty Municipal Code and all other ordinances or parts of laws in conflict therewith.

The City Council of the City of North Liberty does ordain as follows:

Section I. That a certain document, one (1) copy of which are on file in the office the City Clerk of the City of North Liberty being marked and designated *International Fire Code*, 2015 edition, including Appendix Chapters B, C, D, E, F, G, H, I, K, L, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of North Liberty, in the State of Iowa regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of North Liberty are hereby referred to, adopted, and made a part hereof,

as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section II. That the following sections are hereby revised: Section 101.1. Insert: City of North Liberty Section 109.4. Insert: Insert: Municipal Infraction, as prescribed in City of North Liberty Municipal Code, Chapter 1.18; Municipal Infraction.

Section 111.4. Insert: \$500, repeat offense \$750.

Section 1103.5.3. Insert: Five years from date of notification.

Section III. That the geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

Section 3404.2.9.6.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited in the entire City of North Liberty, Iowa.

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section 5706.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited in the entire City of North Liberty, Iowa.

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section 5806.2 The storage of flammable cryogenic fluids in stationary containers is prohibited in the entire City of North Liberty, Iowa. Exceptions: As approved by the Fire Chief.

Section 6104.2 The storage of liquefied petroleum gas is prohibited in the entire City of North Liberty

Exceptions: I-1 and I-2 Zoning Districts and/or as approved by the Fire Chief.

Section IV. Fees. Fees for inspections, re-inspections, plans review, acceptance testing, permits and other services related to enforcement of this Code shall be established by the City Council by resolution and paid to the Fire Department.

Section V. Amendments to the Fire Code. The following sections are amended to read as follows:

Section 104.12 Add a new section to read as follows: The code official is authorized to order an operation or use stopped or the evacuation of any premises, building, or vehicle or portion thereof which has or is a fire, life safety or health hazard.

Section 105.2 Add a sentence to the end of the section to read as follows: Application for an operational permit shall be submitted with all required information not less than 14 days prior to the event requiring a permit.

Section 105.4 Add a sentence to the end of the section to read as follows: The fire code official at their discretion shall send plans to an outside agency for review. The fire code official shall choose the plans review agency. The applicant shall pay all fees associated with the plan review directly to the outside agency. A certificate of occupancy shall not be issued until the review fees have been paid.

Section 105.6 Add a sentence to the end of the section to read as follows: The fire code official at their discretion shall send plans for operational permits requests to an outside agency for review. The fire code official shall choose the plans review agency. The applicant shall pay all fees associated with the plan review directly to the outside agency. The permit shall not be issued until the review fees have been paid.

Section 108 Delete in its entirety. See City of North Liberty Ordinance 99.18; Boards of Appeals.

Section 202 Add a new definition to read as follows: CODE OFFICIAL. The Fire Chief, the Assistant Fire Chief, or the Chief's authorized representative.

Section 307 See also City of North Liberty Ordinance 8.12.020, Section O, Open Burning.

Section 307.1.1 Delete the section and replace with: Prohibited burning. Burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section 307.3 Delete the section and replace with: Extinguishment authority. The fire code official is authorized to order the extinguishment by the responsible person or the fire department of any burning that creates or adds to a hazardous or objectionable situation.

Section 312.3 Delete the words: or visually deter.

Section 401.9 Add a new section to read as follows: Building evacuation. Upon activation of the building fire alarm system or upon notification by other means of detecting and reporting unwanted fire, all building occupants shall promptly evacuate the building. Building employees and tenants shall implement the appropriate emergency plan and procedures. Exception: When the emergency evacuation plan, as approved by the fire code official, does not require the immediate total evacuation of the building.

Section 405.2 Add to the end of the section as follows: Fire and evacuation drills in Group E occupancies, excluding daycares and preschools shall be conducted in accordance with Section 100.31 of the Code of Iowa. Emergency evacuation/fire drills shall be conducted at least four times a year. Not less than two drills shall be conducted between July 1 and December 31 of each year and not less than two drills shall be conducted between January 1 and June 30 of each year. The North Liberty Fire Department shall conduct one of the two drills during July 1 and December 31 and one of the two drills during January 1 and June 30 of each year. The fire department emergency evacuation/fire drills shall be unannounced.

Section 405.2 Table Add footnote e. as follows: Group E occupancies, excluding Preschools and Daycares shall conduct fire and evacuation drills at least four times a year in accordance with Section 100.31 of the Code of Iowa. Footnote shall be added to Group E occupancy frequency.

Section 503.1.1 Delete exception 1.1 and replace with: The dimension can be increased up to 200 feet if the building is equipped throughout with an approved NFPA 13 automatic sprinkler system.

Section 505.1 Delete the section and replace with: Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Address numbers and exterior suite numbers shall be in Arabic numerals or alphabet letters a minimum of 4 inches in height with a minimum stroke width of 1/2 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Exterior address location for commercial buildings shall be determined by the Code Official

Exceptions:

1. Monument signs shall have the address installed a minimum of 36 inches from the ground.
2. Addresses located 100 to 199 feet from the street shall have a minimum of 6 inches in height with a minimum stroke width of 1/2 inch. Addresses located 200 to 299 feet from the street shall have a minimum of 8 inches in height with a minimum stroke width of 1 inch. For each additional 100 feet from the street, the number shall increase by an additional 2 inches in height with the stroke increased proportionally. Measurements to determine the minimum number or letter size shall be measured from the approved address location to the center line of the street for which the premise is addressed. Minimum height and minimum stroke may be increased by the Code Official.
3. Interior suite numbers shall be a minimum of 3 inches in height.

Section 505.3 Add a new section to read as follows: Addresses for Buildings under Construction. All new commercial and residential buildings under construction shall have plainly visible addresses from the street. The temporary address sign shall be approved and issued by the City of North Liberty Building Department and be placed no further than 10 from the street. Additional address signage may be required at the discretion of the code official.

Section 506.1 Add a sentence to the end of the section to read as follows: An approved key box shall be installed in accordance to the City of North Liberty Ordinance 15.34, Key Lock Box.

Section 507.3 Delete the section and replace with: Fire flow. Fire flow requirements for buildings or portions of buildings shall be determined by "Appendix B" of this code.

Section 507.5.1 Delete exceptions 1 & 2.

Section 507.5.1.1 Delete section and add a new section to read as follows: Fire Sprinkler System & Standpipe System Support. A fire hydrant shall be located no more than 100 feet from a fire sprinkler or standpipe system connection on hard surface, easily accessible by fire apparatus and meeting the approval of the Code Official.

Section 507.5.7 Add a new section to read as follows: Fire Hydrant Installation

Section 507.5.7.2 Add a new section to read as follows: Fire hydrant outlet direction: All fire hydrants shall be positioned so that the four and one-half (4 1/2) inch connection is facing the street or driveway accessible to fire department apparatus.

Section 507.5.7.3 Fire hydrants threads: All new fire hydrants within the limits of the city of North Liberty shall have National Standard Threads (NST) on the two and one-half (2 1/2) inch connections and the four and one-half (4 1/2) inch connection will have a Storz connection.

Section 507.5.7.4 Flow: The minimum flow requirements for a water main serving a fire hydrant is the rate of water flow, at a residual pressure of twenty pounds per square inch (20psi) and for a specified duration, as specified in appendix B of this code.

Section 507.5.7.5 Add a new section to read as follows: Fire Hydrant height: Fire hydrants shall be installed a minimum of eighteen (18) inches from the nominal ground level to the center of the lowest water outlet.

Section 510.1 Delete exceptions 1 & 2.

Section 605.10 Delete the section and replace with: Portable, electric, space heaters. Portable electric space heaters shall comply with Sections 605.10.1 through 605.10.5.

Section 605.10.5 Add a new section to read as follows: Fully enclosed. Portable, electric space heaters shall be fully enclosed space heaters that by design have no external surfaces that reach temperatures capable of igniting materials placed against the surface.

Section 607.7. Add a sentence to the end of the section to read as follows: The required elevator keys shall be secured in an approved elevator key box in an approved location by the Fire Code Official.

Section 609.4 Delete the last sentence and replace with: Movement of new and existing cooking appliances with caster(s) under a Type I hood shall be limited by an approved floor mounted restraining device and flexible gas connector installed in accordance with the connector and appliance manufacturer's instructions.

Section 609.5 Add a new section to read as follows: Required separation. All deep-fat fryers shall be installed with at least 16 inch space between the fryer and surface flames from

adjacent cooking equipment. Where a steel or tempered glass baffle plate is installed at a minimum 8-inch height between the fryer and surface flames to the adjacent appliance, the requirement for a 16-inch space shall not apply.

Section 609.6 Add a new section to read as follows: Kitchen Hood Exhaust Fan Hinge Requirement. New and existing Type I hood kitchen hood exhaust/up blast fans shall be installed with listed hinges, weatherproof electrical cable and hold open retainer for servicing and cleaning.

Section 803.11 Add a new section to read as follows: Maintenance. The interior finish of buildings shall be maintained in accordance with the conditions of original approval. Any change to the interior finish that is regulated by the provisions of this code or the building code shall be made in accordance with all applicable requirements.

Section 806.1 Add a sentence to the end of the section to read as follows: Natural or resin-bearing cut trees and natural decorative vegetation used in buildings open to the general public shall be properly treated with an approved flame retardant.

Section 806.1.1 Delete the section and replace with: Restricted occupancies. Natural cut trees shall be prohibited in Group A, B, E, I-1, I-2, I-3, I-4, M, R-1, R-2 and R-4 occupancies.

Exception:

- 1) Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, B, E, M, R-1 and R-2.
- 2) Trees shall be allowed within dwelling units in Group R-2 occupancies.

Section 807.5.2.1 Delete exceptions 1 & 2.

Section 901.2 (a) Add a new section to read as follows: Water based fire protection systems. Working plans submitted to the fire department for water based fire protection systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the North Liberty Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Automatic Sprinkler System Layout OR be a licensed engineer with experience in life safety system design. Other qualifications may be approved by the code official.

Section 901.2 (b) Add a new section to read as follows: Fire alarm systems. Working plans submitted to the fire department by a qualified person for fire alarm systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the North Liberty Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Fire Alarm Systems OR be a licensed engineer with experience in life safety system design. Other qualifications may be approved by the code official.

Section 901.6.2.2 Add a new section to read as follows: Inspection Record Submission. Contractors who perform installation, inspection, testing and/or maintenance services on fire and life safety systems are required to electronically submit all installation and compliant & non-compliant inspection reports to the Fire Department via a method approved by the Fire Code Official within 30 calendar days of the installation/inspection date. Reports submitted after 30 calendar days may incur late fees.

Section 901.7 Add a sentence to the end of the section to read as follows: A person assigned to firewatch must walk through the building at least once every 30 minutes checking for fire or smoke. A firewatch must be continued until the fire alarm system and/or fire protection system has been restored to normal operating condition or the building has been evacuated. A competent adult

familiar with the building must conduct the firewatch. If a fire is discovered, call 911 and immediately evacuate the building.

Section 903.3.1.1.2 Delete the section and replace with: Bathrooms. Sprinkler protection shall be provided in all bathrooms in NFPA 13 & NFPA 13R systems regardless of the bathroom size.

Section 903.3.5.3 Add a new section to read as follows: Water supply safety margin. Provide a minimum 10%, but not less than 5 psi, safety margin below the available water supply flow test curve at full system demand and required hose stream allowances. Flow test must have been conducted within 90 days of the fire sprinkler plan submittal to the city and third party reviewer (if applicable).

Section 903.3.5.4 Add a new section to read as follows: Fire Sprinkler Riser Room. Fire sprinkler riser room shall be separated from electrical room and have no electrical panels inside the rooms other than the outlets required for the use of the fire sprinkler system or fire alarm panel. The fire sprinkler riser room shall have an exterior access door and a floor drain. The room shall have a hard cleanable walking from the fire department access road.

Exception: Non-mixed use R-2 Occupancies and approval by Code Official.

Section 903.4.2 Delete the section and replace with: Alarms. An approved weatherproof horn/strobe device shall be mounted directly above the fire department connection between seven (7) and ten (10) feet in height above grade. The water-flow alarm device shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Approved and supervised audible visual notification appliances shall be installed throughout each level of the interior of the building as required by the fire code official and NFPA 72.

Section 903.5 Add a sentence to the end of the section to read as follows: An inspector's test valve is required at the most remote location in each fire sprinkler system or tenant/floor control valve space, for use at the acceptance test and to remove air from the system after maintenance work is done on the system.

Section 903.7 Add a new section to read as follows: Zones. Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13 or NFPA 13R and shall provide a sprinkler control valve and water flow device for each normally occupied floor or normally occupied space in a multi-tenant building. Except by approval of the fire code official, all control valves shall be located in the sprinkler system riser room.

Section 903.8 Add a new section to read as follows: Fire sprinkler for canopies. A canopy covering a door that is required to be marked as an exit shall be required to have fire sprinklers installed outside that door

if the canopy extends more than 4 feet out from the door and is 12 feet or less in height from the ground regardless of whether the canopy is combustible or noncombustible. Canopies that have vehicle access under them with door openings shall be required to have fire sprinklers installed under the total canopy

regardless of whether the canopy is combustible or non-combustible. Exception: If the Code does not require a building to have a fire sprinkler system, section 903.8 does not apply.

Section 904.12.2.1 Add a new section to read as follows: System Annunciation. Commercial cooking automatic fire extinguishing systems installed in buildings that do not have a fire alarm system, shall be connected to an approved audible and visible emergency notification device to warn of system discharge. The horn/strobe and signage shall be installed in a location approved by the fire code official, typically in the kitchen.

Section 904.12.6.4 Add a new section to read as follows: Ventilation Operation. The ventilation system shall shut down the make-up air to the hood and continue to exhaust upon activation of the hood fire extinguishing system. Supply air openings other than part of the hood system shall be a

minimum of 6 feet from any part of a Type 1 Hood. Supply air openings closer than 6 feet must shut down upon activation of the extinguishing system. Exception: Section 904.12.6.6 may be revoked if the fire extinguishing agent will not perform to specifications due to exhausting requirements.

Section 905.1.1 Add a new section to read as follows: Delete all references to class II standpipe system and replace with class III standpipe systems.

Section 905.3.9 Add a new section to read as follows: Additional Standpipe Systems: Additional standpipe systems may be added to new buildings or structures as deemed necessary by the Code Official.

Section 905.9 Delete exception 2 without substitution. Section 906.1 Delete the exception without substitution.

Section 906.3 Add a sentence to the end of the section to read as follows: The minimum size and rating of any required portable fire extinguisher for Class A, Class B, or Class C hazard shall be 5lb. 2-A, 10-B C.

Section 907.1.4 Add a new section to read as follows: Fire alarm control panels and Fire alarm annunciator panels. Installation of fire alarm control panels and fire alarm annunciator panels shall be installed in accordance with section 907.1.4.1 through 907.1.4.5

Section 907.1.4.1 Add a new section to read as follows: Fire Alarm Panel Height: Installation of fire alarm panels shall not exceed 6 feet in height measured from the floor to the top of the panel. Exception: Panel height may be altered by the code official.

Section 907.1.4.2 Add a new section to read as follows: Number of Fire Alarm Control Panels in Buildings: Only one listed fire alarm control panel shall be allowed per building and shall lock in the alarm until the system is reset and shall not be canceled by the operation of an audible – alarm silencing switch. This control panel shall only receive alarm signals from fire protection equipment.

Section 907.1.4.3 Add a new section to read as follows: Combination Fire/Security Alarm System Panels. A listed combination fire/security alarm system panel that meets all the requirements of this code and amendments may be permitted by approval of the fire code official. The fire/security panel shall be capable of providing a signal that can differentiate between the fire and security alarm.

Section 907.1.4.4 Add a new section to read as follows: Password/PIN Protection Prohibited: Fire alarm control panels and/or fire alarm annunciator panels that require a password/PIN to silence an alarm/supervisory/trouble signal and/or to reset an alarm/supervisory/trouble signal shall be prohibited.

Section 907.1.4.5 Add a new section to read as follows: Fire Alarm Annunciator Panels: The fire code official can require addition fire alarm annunciator panels based on the size of building and access to the building, these panels shall meet the requirements of 907.1.4 and 907.2.

Section 907.2 Delete the section and replace with: Where required new buildings and structures. An approved and addressable manual, automatic or manual and automatic fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with 907.10, unless other requirements are provided by another section of this code. A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm system employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

- 1) The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
- 2) The manual fire alarm box is required for Group R-2 occupancies to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. The manual fire alarm box shall not be located in an area that is accessible to the public.
- 3) Multi-tenant buildings required to have a manual/automatic fire alarms system shall install one manual pull station per tenant space.

Section 907.2.1.2 Add a new section to read as follows: Electrical Shunt for Amplified Sound Conditions. Group A occupancies having an occupancies having an occupant load of 300 or more, electrical shunts shall be provided to de-energize the music or sound systems upon fire alarm activation.

Section 907.2.11.2 Modify by adding a fourth location requirement as follows: 4) Supervised smoke detectors shall be installed in all common corridors and at the top and bottom of all stairway enclosures in Groups R-2, R-4 and I-1 occupancies. In corridors, detectors shall be located within fifteen (15) feet of the end of the corridor and in such a way that one detector is located for each thirty (30) feet of corridor length or spaced as allowed by the code.

Section 907.4.2 Add a sentence to the end of the section to read as follows: Where in the opinion of the code official manual fire alarm boxes may be used to cause false fire alarms, the code official is authorized to modify the requirements for manual fire alarm boxes.

Section 907.5.2.3.4 Add a new section to read as follows: Alarm Signal Deactivation. Both audible and visual appliances shall shut off when the signal silence feature is activated on the fire alarm control panel or the fire alarm annunciator panel. Exception: Exterior water flow horn/strobe.

Section 907.6.4.3 Add a new section to read as follows: Zone and address location labeling. Fire alarm and/or annunciator panels shall have all zones and address points plainly and permanently labeled as to their location on the outside of the panel or on an easily readable map of the building, if no display is present.

Section 907.6.6 Delete the section and replace with: Monitoring. Fire alarms required by this chapter, the International Building Code, or the Code Official, an approved UL listed Central Station service in accordance with NFPA 72 shall monitor fire alarm systems to provide for the immediate and automatic notification of the Fire Department. Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.

3. Automatic sprinkler systems in one- and two-family dwellings
4. Fire alarm systems in one- and two-family dwellings

Section 907.6.6.3 Add a new section to read as follows: Each address point id shall have an alpha/numeric descriptor location. Alpha/numeric descriptor locations are required to be reported to the Emergency Communications/Dispatch Center upon activation of a water-flow tamper and/or alarm conditions as specified by the fire code official.

Section 907.10 Add a new section to read as follows: Approved hold-open devices. When installed in buildings that have a fire alarm system and/or sprinkler system, all approved hold open devices shall release upon activation of a fire alarm and sprinkler water-flow activation.

Section 912.4.1 Delete the sentence and replace with: Locking fire department connections caps. Locking fire department connections caps approved by the fire department are required for all new construction that have a water-based fire protective system and existing structures that have a water-based fire protective system immediately after conducting the five year obstruction and maintenance testing or if one or more of the fire department caps are missing.

Section 912.8 Add a section to read as follows: Fire Department Connection Height. The fire department connection shall be located not less than 18 inches from the bottom of the cap(s) and not more than 3 feet from the top of the cap(s) above the level of the adjacent grade or access level. Deviation from this height may be granted by the Code Official for just cause.

Section 912.9 Add a section to read as follows: Size. Minimum fire department connection size shall be 2 ½" National Standard Thread.

Section 1008.3.3 Delete number 5 and replace with: 5. Public restrooms with an area greater than 50 square feet.

Section 1013.6.2 Delete the section and replace with: Exit Sign Illumination. In new construction, or if an exit sign is replaced, exit signs shall use an LED lighting system and be illuminated internally. Exit signs shall have a battery backup unless an on-site generator set is used. Luminance on the face of an exit sign shall have an intensity of not less than 5.0 foot-candles (53.82 lux).

Section 1013.7 Add a new section to read as follows. Combination Lights: In new construction, combination exit sign/emergency light devices shall not be allowed.

Section 1013.8 Add a new section to read as follows: Separation of Emergency Lighting. In new construction, emergency lighting shall be separated from the exit sign by a minimum of 6 feet.

Section 1013.9 Add a new section to read as follows: Self-luminous and Photoluminescent exit signs. Self-luminous and photoluminescent exit signs are not allowed. Exception: Approved self-luminous and/or photoluminescent exit may be allowed in tents by approval of the Code Official.

Section 1013.10 Add a new section to read as follows: Self-Testing Exit Signs and Emergency Lights. Exit signs and/or emergency lights mounted higher than 8 1/2 feet from floor level to the bottom of the exit sign or emergency light or if the exit sign or emergency light is mounted in

a location where it cannot be manually tested, the exit sign and/or emergency light shall be self-testing and have a visual diagnostic indicator.

Section 1013.11 Add a new section to read as follows: Exit Signs and Emergency Lights. Exit signs and/or emergency lights that are not self-testing and do not have a visual diagnostic indicator shall be on a dedicated electrical circuits for the purpose of conducting monthly and yearly testing requirements; the circuits shall have lockable breakers.

Section 1013.12 Add a new section to read as follows. Additional Exit Signs: Exit signs may be required at the discretion of the code official to clarify an exit or exit access.

Section 1103.1.2 Add a new section to read as follows: Existing fire alarm systems monitoring requirements. Existing fire alarms systems that are currently not monitored by an approved UL listed Central Station shall become monitored within 1 year from receiving notice in accordance with section 907.
6.6.

Section 1103.1.3 Add a new section to read as follows: Existing sprinkler systems monitoring requirements. Existing sprinkler systems shall have all valves controlling the sprinkler system and water flow electrically supervised and monitored by an approved UL listed Central Station in accordance with sections 903.4 and 903.4.1 within 1 year from receiving notice.

Section 5003.11.3.6 Add a new section to read as follows: Tier II Reporting. Facilities reporting hazardous chemical inventories in excess of their Threshold Planning Quantities pursuant to Section 312 of the Emergency Planning and Community Right to Know Act shall use an approved electronic "Emergency and Hazardous Chemical Inventory" form or show reason to use paper forms and submit the electronic or paper form prior to March 1 of each year.

Section 5601.1.3 Delete exception 4 and insert in lieu thereof: The possession, storage, sale, handling and use of gold star producing sparklers on wires which contain no magnesium or chlorate or perchlorate, flitter sparklers in paper tubes that do not exceed one-eighth of an inch in diameter, toy snakes which contain no mercury or caps used in cap pistols.

Section 5704.2.9 Add a sentence to the end of the section to read as follows: For above ground storage tanks of 276 gallons capacity or more, the minimum distance between such above ground tanks and any Residential Zone boundary must be at least 100 feet. If the above ground tank is located in an approved vault, the minimum separation distance from a Residential Zone boundary may be reduced to no less than 50 feet.

Section 5704.2.11.1 Add a #4 to the end of the section to read as follows:

4. A minimum distance of ten (10) feet shall be maintained between underground tanks and any Residential Zone boundary.

Section 5704.2.13.2.4 Add a section to read as follows: Existing above-ground tank hazards. Existing above-ground tank installations, even if previously approved, that are determined to constitute a hazard by the fire code official, shall not be continued in service. Unsafe tanks shall be removed as required by the fire code official and in accordance with this code.

Section 5705.5.1 Add an exception to read as follows:

6. Corridor installations are prohibited in Group-E occupancies.

Section 45 Referenced Standards. Amend the NFPA referenced standards list to reflect the most current NFPA editions.

Appendix D, Fire Apparatus Roads, Table D103.4. Delete 96' Diameter Cul-de-sac and replace with Public and private turnarounds shall be a minimum eighty (80) foot diameter cul-de-sac with no obstructions or parking within the cul-de-sac.

Appendix D, Multiple-Family Residential Developments. Add section D106.4 Multi-family dwelling units are defined in this section any dwelling unit constructed under the International Building/Fire Code.

Appendix D, One- or Two Family Residential Developments. Add section D107.3 One- or Two Family dwellings units are defined in this section as any dwelling unit constructed under the International Residential Code.

SECTION 2. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect January 1, 2017.

First reading on September 27, 2016.

Second reading on October 11, 2016.

Third and final reading on _____, 2016.

CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. _____ in the North Liberty *Leader* on the ____ day of _____, 2016.

TRACEY MULCAHEY, CITY CLERK

Precinct Boundaries Ordinance



Ordinance No. 2016-12

AN ORDINANCE AMENDING CHAPTER 6 OF THE NORTH LIBERTY CODE OF ORDINANCES BY AMENDING SECTION 6.07 "VOTING PRECINCTS"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

SECTION 1. AMENDMENT. That Section 6.07, "Voting Precincts," of Chapter 6 of the North Liberty Code of Ordinances are and the same is hereby repealed and the following adopted in lieu thereof:

6.07 VOTING PRECINCTS. The boundaries of the voting precincts in the City are as follows:

Precinct 01: Beginning at the intersection of Penn Street and Jones Boulevard, then east on Penn Street to the intersection of Highway 965, then south on Highway 965 to Zeller Street, then east on Zeller Street to George Street, then north on George Street to Cherry Street, then west on Cherry Street to Stewart Street, then north on Stewart Street to Penn Street, then north on Dubuque Street to Highway 965, then north on Highway 965 to Scales Bend Road; then north on Scales Bend Road to the north boundary of the city, then westerly following the north boundary of the city, then southerly along the west boundary of the city to 230th Street, then west on 230th Street to the west boundary of the city, then south, west, and south along the north and west boundaries to 240th Street, then east along 240th Street to the east line of Section 11, Township 80 N, Range 7 W, then south along the section line to the point of the beginning.

Precinct 02: Beginning at the intersection of Penn Street, Stewart Street, and Dubuque Street, then east on Penn Street to Dubuque Street, then southeast on Dubuque Street to the city boundary on the east line of Section 18, Township 80, Range 6 W of the 5th Prime Meridian, then south and west along the city boundary to the west right - of - way of Front Street, then south on Front Street to the southeast corner of Section 13, Township 80 N, Range 7 W, then west from Front Street to the intersection of Sadler Street and the section line, then Northerly to the South end of Rachel Street, then northerly on Rachel Street to Muddy Creek, then north along Muddy Creek to the CRANDIC right of way, then north along the CRANDIC right of way to Zeller Street, then east on Zeller Street to George Street, then north on George Street to Cherry Street, then west on Cherry Street to Stewart Street, then north on Stewart Street to the point of the beginning.

Precinct 03: Beginning at the intersection of Penn Street, Stewart Street, and Dubuque Street, then east on Penn Street to Dubuque Street, then southeast on the centerline of Dubuque Street to the city boundary on the east line of Section 18, Township 80, Range 6 W of the 5th Prime Meridian extending south of Dubuque Street to the city limits, then following the city boundary to the east, then northerly and westerly along the city boundary to Scales Bend Road, then south on Scales Bend Road to Highway 965, then south on Highway 965 to Dubuque Street, then south on Dubuque Street to the point of the beginning.

Precinct 04: Beginning at the intersection of Zeller Street and Highway 965, then east on Zeller Street to the CRANDIC right of way, then south along the CRANDIC right of way to Muddy Creek, then south along Muddy Creek to Rachel Street, then southerly along Rachel Street and Rachel Street extended to the south line of Section 13, Township 80 N, Range 7 W, then east along the section line to the east city boundary, then south, east, and south along the city boundary, then west along the southern city boundary to Highway 965, then north on Highway 965 to the point of the beginning.

Precinct 05: Beginning at the intersection of Jones Boulevard and Penn Street, then east along Penn Street to Highway 965, then south on Highway 965 to Fairview Lane, then west on Fairview Lane to Jones Boulevard, then north on Jones Boulevard to the point of the beginning.

Precinct 06: Beginning at the intersection of Jones Boulevard and Penn Street, then south along Jones Boulevard to Fairview Lane, then east on Fairview Lane to Highway 965, then south on Highway 965 to the southern city boundary, then westerly, northerly, and easterly following the city boundaries around the south, west, and north to the point of the beginning.

SECTION 2. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on September 27, 2016.
Second reading on October 11, 2016.
Third and final reading on _____.

CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. ____ in the *North Liberty Leader* on the ____ day of _____, 20__.

TRACEY MULCAHEY, CITY CLERK

Wellhead Protection Ordinance



conducted and analyzed prior to utilization of the source. The samples shall be collected during June, July, and August. In addition, quarterly monitoring shall be conducted in March, June, September, and December at a location representative of the raw water at its point of withdrawal. Monitoring shall be for turbidity, alkalinity, pH, calcium, chloride, color, copper, hardness, iron, magnesium, manganese, potassium, silica, specific conductance, sodium, sulfate, filterable and nonfilterable solids, carbonate, bicarbonate, algae (qualitative and quantitative), total organic carbon, five-day biochemical oxygen demand, dissolved oxygen, surfactants, nitrogen series (organic, ammonia, nitrite, and nitrate), and phosphate.

TABLE A: SEPARATION DISTANCES

SOURCE OF CONTAMINATION	REQUIRED MINIMUM DISTANCE FROM WELL, IN FEET	
	Deep Well ¹	Shallow Well ¹
WASTEWATER STRUCTURES:		
Point of Discharge to Ground Surface		
Sanitary & industrial discharges	400	400
Water treatment plant wastes	50	50
Well house floor drains	5	5
Sewers & Drains ²		
Sanitary & storm sewers, drains	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer pipe	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer main pipe
Sewer force mains	0 – 75 feet: prohibited 75 – 400 feet if water main pipe 400 – 1000 feet if water main or sanitary sewer pipe	0 – 75 feet: prohibited 75 – 400 feet if water main pipe 400 – 1000 feet if water main or sanitary sewer main pipe
Water plant treatment process wastes that are treated onsite	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer pipe	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer main pipe
Water plant wastes to sanitary sewer	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer pipe	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer main pipe
Well house floor drains to sewers	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer pipe	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer main pipe
Well house floor drains to surface	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer pipe	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer main pipe
Land Disposal of Treated Wastes		
Irrigation of wastewater	200	400
Land application of solid wastes ³	200	400
Other		
Cesspools & earth pit privies	200	400
Concrete vaults & septic tanks	100	200
Lagoons	400	1000
Mechanical wastewater treatment plants	200	400
Soil absorption fields	200	400
CHEMICALS:		
Chemical application to ground surface	100	200

SOURCE OF CONTAMINATION	REQUIRED MINIMUM DISTANCE FROM WELL, IN FEET	
	Deep Well ¹	Shallow Well ¹
Chemical & mineral storage above ground	100	200
Chemical & mineral storage on or under ground	200	400
Transmission pipelines (such as fertilizer, liquid petroleum, or anhydrous ammonia)	200	400
ANIMALS:		
Animal pasturage	50	50
Animal enclosure	200	400
Earthen silage storage trench or pit	100	200
Animal Wastes		
Land application of liquid or slurry	200	400
Land application of solids	200	400
Solids stockpile	200	400
Storage basin or lagoon	400	1000
Storage tank	200	400
MISCELLANEOUS:		
Basements, pits, sumps	10	10
Cemeteries	200	200
Cisterns	50	100
Flowing streams or other surface water bodies	50	50
Railroads	100	200
Private wells	200	400
Solid waste landfills and disposal sites ⁴	1000	1000

¹Deep and shallow wells, as defined in 567—40.2(455B): A deep well is a well located and constructed in such a manner that there is a continuous layer of low permeability soil or rock at least 5 feet thick located at least 25 feet below the normal ground surface and above the aquifer from which water is to be drawn. A shallow well is a well located and constructed in such a manner that there is not a continuous layer of low permeability soil or rock (or equivalent retarding mechanism acceptable to the department) at least 5 feet thick, the top of which is located at least 25 feet below the normal ground surface and above the aquifer from which water is to be drawn.

²The separation distances are dependent upon two factors: the type of piping that is in the existing sewer or drain, as noted in the table, and that the piping was properly installed in accordance with the standards.

³Solid wastes are those derived from the treatment of water or wastewater. Certain types of solid wastes from water treatment processes may be land-applied within the separation distance on an individual, case-by-case basis.

⁴Solid waste means garbage, refuse, rubbish, and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities.

43.3(8) Drinking water system components. Any drinking water system component which comes into contact with raw, partially treated, or finished water must be suitable for the intended use in a potable water system. The component must meet the current American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 61 specifications, if such specification exists for the particular product, unless approved components are not reasonably available for use, in accordance with guidance provided by the department. If the component does not meet the ANSI/NSF Standard 61 specifications or no specification is available, the person seeking to supply or use the component must prove to the satisfaction of the department that the component is not toxic or otherwise a potential hazard in a potable public water supply system.

43.3(5) *Project planning and basis of design.* An engineering report containing information and data necessary to determine the conformance of the project to the standards for construction and operation in 43.3(2) and the adequacy of the project to supply water in sufficient quantity and at sufficient pressure and of a quality that complies with drinking water standards pursuant to 567—Chapters 41 and 43 must be submitted to the department either with the project or in advance.

a. Such information and data must supply pertinent information as set forth in part one of the Ten States Standards.

b. The department may reject receipt or delay review of the plans and specifications until an adequate basis of design is received.

43.3(6) *Standard specifications for water main construction.* Standard specifications for water main construction by an entity may be submitted to the department or an authorized local public works department for approval. Such approval shall apply to all future water main construction by or for that entity for which plans are submitted with a statement requiring construction in accordance with all applicable approved standard specifications unless the standards for public water supply systems specified in 43.3(2) are modified subsequent to such approval and the standard specifications would not be approvable under the modified standards. In those cases where such approved specifications are on file, construction may commence 30 days following receipt of such plans by the department or an authorized local public works department if no response has been received indicating construction shall not commence until a permit is issued.

43.3(7) *Site, separation distance, and monitoring requirements for new raw water source(s) and underground finished water storage facilities.*

a. Approval required. The site for each proposed raw water supply source or finished water below-ground level storage facility must be approved by the department prior to the submission of plans and specifications.

b. Criteria for approval. A site may be approved by the director if the director concludes that the criteria in this paragraph are met.

(1) Groundwater source. Wells shall be planned and constructed to adapt to the geologic and groundwater conditions of the proposed well site to ensure production of water from the wells that is both microbially safe and free of substances that could cause harmful human health effects. Groundwater wells must meet the following requirements:

1. Drainage must be directed away from the well in all directions for a minimum radius of 15 feet.
2. A well site must be separated from contamination sources by the distances specified in Table A at a minimum.

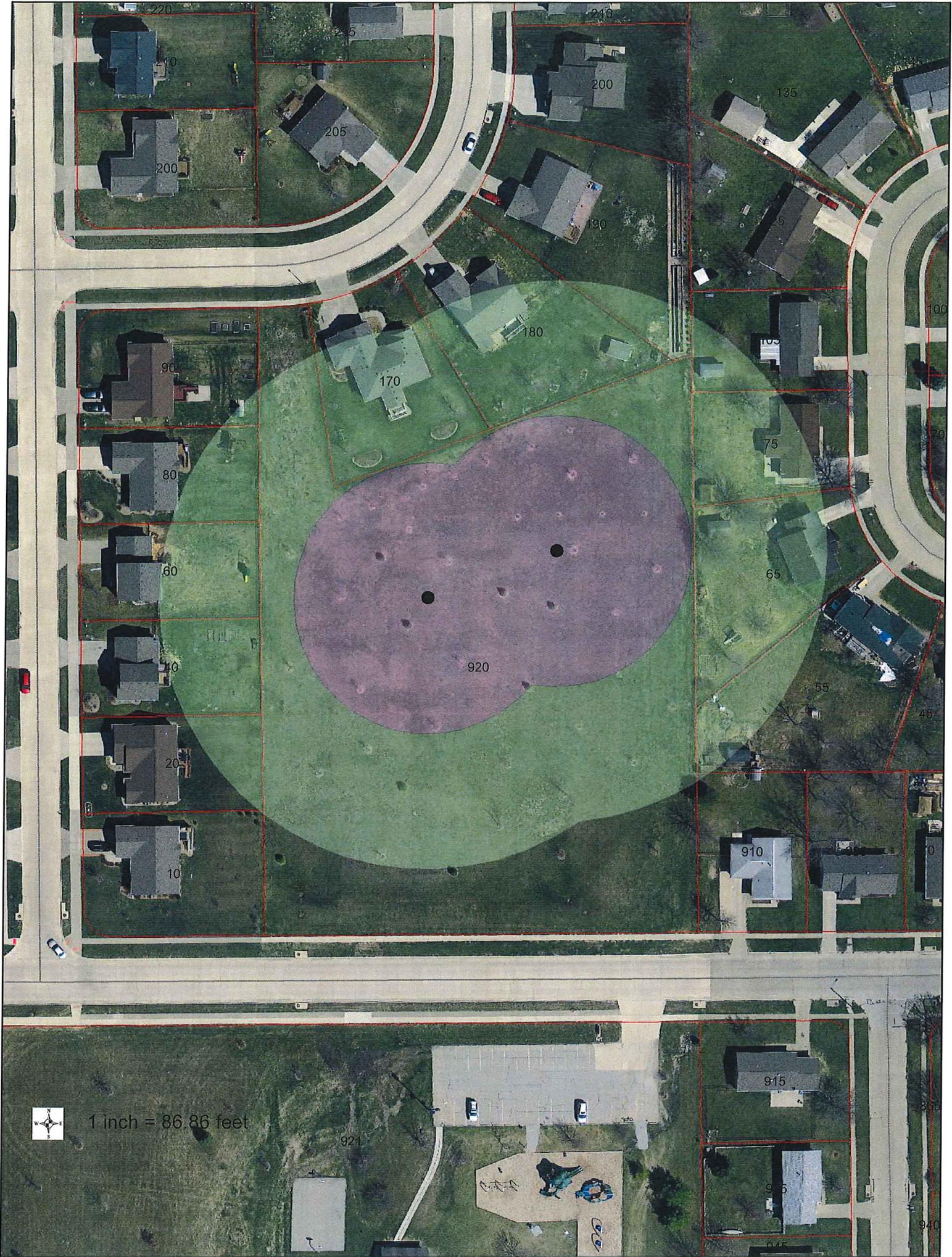
3. After the well site has received preliminary approval from the department, the owner of the proposed well must submit proof of legal control of the land for a 200-foot radius around the well, through purchase, lease, easement, ordinance, or other similar means. Proof of legal control must be submitted as part of the construction permit application, prior to construction. The legal control must be maintained by the public water system for the life of the well, and the system must ensure that the siting criteria indicated in Table A are met.

However, if the proposed well is for an existing noncommunity water system and is replacing an existing well that either does not meet the current standards or is in poor condition, the requirement of 200-foot legal control may be waived by the department provided that:

- The proposed well is located on the best available site;
- The existing facility does not have adequate land to provide the 200-foot control zone;
- The owner has attempted to obtain legal control without success; and
- There is no other public water supply available to which the supply could connect.

4. When the proposed well is located in an existing well field and will withdraw water from the same aquifer as the existing well(s), individual separation distances may be waived if substantial historical data are available indicating that no contamination has resulted.

5. No well shall be constructed within the projected plume of any known anthropogenic groundwater contamination without the department's written approval. The department may allow a well to be constructed within a contamination plume if the applicant can provide adequate treatment



220
210
200

205

210
200
190

135

90
80
60
40
20
10

180
170
920

75
65

55
45
910

921

915

910

865
940



1 inch = 86.86 feet

Ordinance No. 2016-15

AN ORDINANCE AMENDING THE NORTH LIBERTY CODE OF ORDINANCES BY ADDING CHAPTER 95, WELLHEAD PROTECTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

SECTION 1. AMENDMENT. The North Liberty Code of Ordinances (2015) is hereby amended by adding new Chapter 95 to read as follows:

CHAPTER 95

WELLHEAD PROTECTION

95.01 Purpose

95.03 Enforceability

95.02 Separation Requirements

95.01 PURPOSE. The City of North Liberty has determined that new wells must be drilled in order to maintain a reliable public water source for the City. In order to protect the quality of the water drawn from any new wells, the City shall comply with state water quality standards, as established in Paragraph 2 of this chapter.

95.02 SEPARATION REQUIREMENTS. The separation distances as contained in Iowa Administrative Code Section 567 Chapter 43 TABLE A are hereby adopted and incorporated herein.

95.03 ENFORCEABILITY. Any violation of this ordinance shall be considered a municipal infraction and the provision of Chapter 3 entitled Municipal Infractions shall apply.

SECTION 2. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on October 11, 2016.

Second reading on _____, 2016.

Third and final reading on _____, 2016.

CITY OF NORTH LIBERTY:

ATTEST:

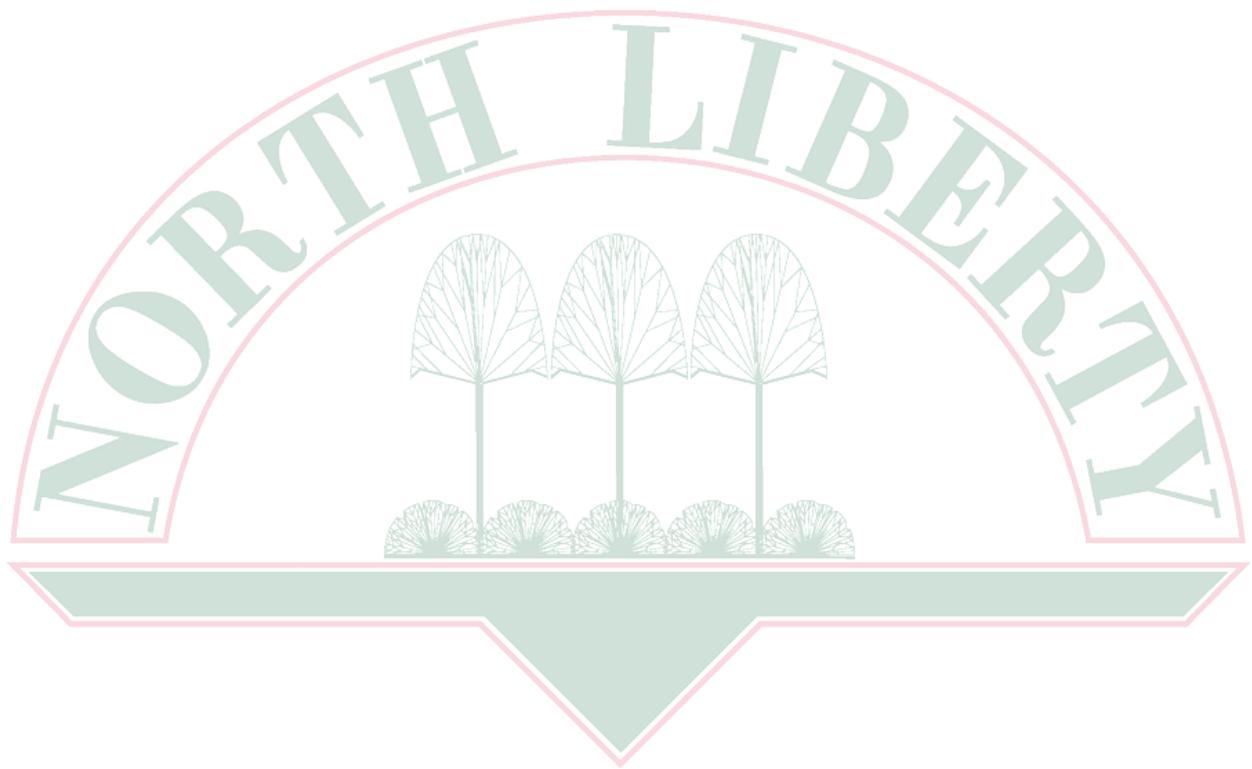
AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. _____ in the North Liberty
Leader on the ____ day of _____, 2016.

TRACEY MULCAHEY, CITY CLERK

Assessment Resolution



Resolution No. 2016-112

ASSESSMENT OF AMOUNTS OWED TO THE CITY OF NORTH LIBERTY, IOWA, TO INDIVIDUAL PROPERTY TAXES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the following individuals have not paid the amounts listed below which are due and payable to the City of North Liberty, Iowa as follows

<u>Name</u>	<u>Property</u>	<u>Amount</u>	<u>Description</u>
BILIAM PROPERTIES 465 HIGHWAY 965	0613283006	\$100.00	MOWING
KORBIN DEVEL 555 HIGHWAY 965	0613284002	\$100.00	MOWING
A&M DEVELOPMENT 2310 LANDON ROAD	0615103001	\$200.00	MOWING
A&M DEVELOPMENT 2320 LANDON ROAD	0615107001	\$200.00	MOWING
A&M DEVELOPMENT 2335 LANDON ROAD	0615107002	\$200.00	MOWING
A&M DEVELOPMENT 2315 LANDON ROAD	0615104001	\$200.00	MOWING
A&M DEVELOPMENT 2330 LANDON ROAD	0615106001	\$200.00	MOWING
A&M DEVELOPMENT 2350 LANDON ROAD	0615105001	\$200.00	MOWING
A&M DEVELOPMENT 2380 LANDON ROAD	0615102001	\$200.00	MOWING
BALAL GAMALIEDIN AWAD-45 N FRONT	0612485008	\$250.00	MOWING
LAURIE J CROFT 685 ANDY COURT	0707281040	\$250.00	MOWING
JR DEVELOPMENT 1830 TUPELO DRIVE	0706253002	\$300.00	MOWING

WEST CHERRY LLC 425 WEST CHERRY ST	0612451025	\$200.00	MOWING
TL&L INC FOREVERGREEN ROW	0624251001	\$300.00	MOWING
TL&L INC FOREVERGREEN ROW	0624251001	\$300.00	MOWING
LAURA J BROWN 1498 DOE RUN DRIVE	0602477001	\$100.00	MOWING
OLD CAPITAL BLD 1865 CYPRESS RIDGE	0706154004	\$100.00	MOWING
JR DEVELOPMENT 1865 SCARLET OAK CIR	0706280009	\$100.00	MOWING
A&M DEVELOPMENT 2310 LANDON ROAD	0615103001	\$200.00	MOWING
A&M DEVELOPMENT 2320 LANDON ROAD	0615107001	\$200.00	MOWING
A&M DEVELOPMENT 2335 LANDON ROAD	0615107002	\$200.00	MOWING
A&M DEVELOPMENT 2315 LANDON ROAD	0615104001	\$200.00	MOWING
A&M DEVELOPMENT 2330 LANDON ROAD	0615106001	\$200.00	MOWING
A&M DEVELOPMENT 2350 LANDON ROAD	0615105001	\$200.00	MOWING
A&M DEVELOPMENT 2380 LANDON ROAD	0615102001	\$200.00	MOWING
JR DEVELOPMENT 1855 ALDERWOOD	0706277010	\$300.00	MOWING
MEADE FAMILY REAL LIBERTY WAY	0612276001	\$200.00	MOWING
OLD CAPITAL BLDG 1865 CYPRESS RIDGE	0706154004	\$300.00	MOWING

JR DEVELOPMENT 1865 SCARLET OAK CIR	0706280009	\$300.00	MOWING
MICHAEL KABELA 767 W. ZELLER ST	0613203004	\$100.00	MOWING
ERIC CAMERON	0612176006	\$100.00	TREE TRIMMING

WHEREAS, diligent effort has been made to collect said amount;

WHEREAS, under the terms of the Municipal Code of North Liberty, Iowa, this amount is delinquent and should be certified pursuant to said Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED that the City Clerk is hereby authorized and directed to certify to the Johnson County Treasurer the above and foregoing delinquent amount to the appropriate real property in North Liberty, Johnson County, Iowa, as hereinbefore described.

APPROVED AND ADOPTED this 25th day of October, 2016.

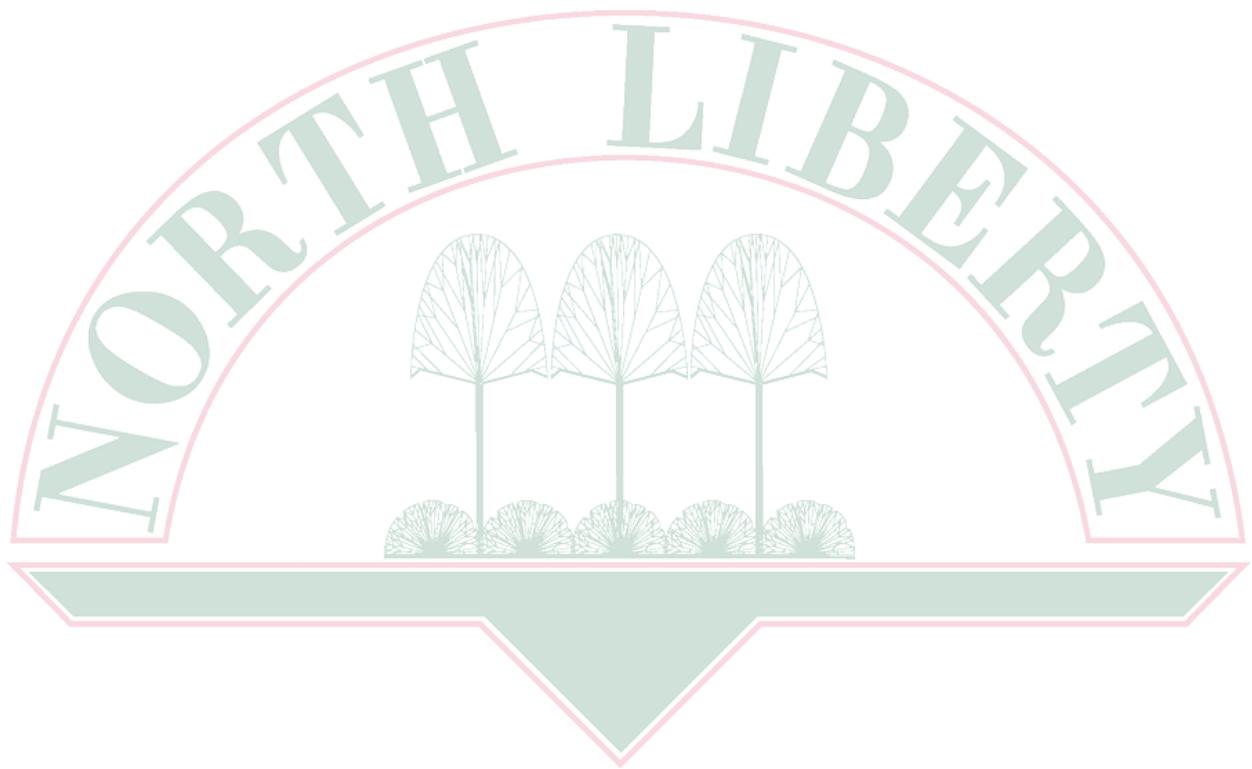
CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

Street Name Change



Resolution No. 2016-113

RESOLUTION AUTHORIZING AND APPROVING THE CHANGE OF A STREET NAME OF PACA COURT TO PACE COURT IN HARVEST ESTATES II, PART 3, NORTH LIBERTY, IOWA

WHEREAS, the final plat of Harvest Estates II, Part Three, North Liberty, Iowa, was approved by the North Liberty City Council by Resolution No. 2016-82 adopted on August 23, 2016, and was filed in the plat records of the Johnson County Recorder in Plat Book 60, Page 243, and

WHEREAS, the final plat of Harvest Estates II, Part Three, includes a street named Paca Court, and

WHEREAS, City staff have recommended the amendment of this street name to Pace Court.

NOW, THEREFORE, BE IT RESOLVED by the North Liberty City Council that the street formerly known as Paca Court in Harvest Estates II, Part 3 is hereby renamed Pace Court.

BE IT FURTHER RESOLVED that the clerk is hereby authorized and directed to send a copy of this Resolution to the Johnson County Recorder for recording.

APPROVED AND ADOPTED this 25th day of October, 2016.

CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

Alliant Utility Relocation Agreement



AGREEMENT FOR UTILITY RELOCATION

This agreement for utility relocation (“Agreement”) is made between the City of North Liberty, Iowa (the “CITY”) and Interstate Power and Light Company (“IPL”);

WHEREAS, North Liberty Code Section 111.01 grants to INTERSTATE POWER AND LIGHT COMPANY, hereinafter referred to as the "Company," its successors and assigns, the right and franchise to acquire, construct, reconstruct, erect, maintain and operate in the City works and plants for the manufacture and generation of electricity and a distribution system for electric light, heat and power, and the right to erect and maintain the necessary poles, lines, wires, conduits and other appliances for the distribution of electric current along, under and upon the streets, alleys and public places in the said City; and

WHEREAS, CITY has requested the removal of the existing overhead electrical lines and poles along the south side of Penn Street between Cameron Way and Jones Boulevard, as more specifically set forth at Exhibit A and hereby incorporated by reference; and

WHEREAS, the Project will be completed by IPL and in coordination with CITY and CITY’s contractors to minimize Project completion delays; and

WHEREAS, the above referenced Project is within the ambit of North Liberty Code Section 111.01 and anticipated to be completed by March 1, 2017 unless the parties agree otherwise in writing.

NOW, THEREFORE, IN CONSIDERATION OF VALUABLE CONSIDERATION RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, IPL AND CITY AGREE AS FOLLOWS:

1. IPL shall bore a 6” conduit from the existing junction cabinet located NE of 1425 Penn Street (L.L. Pelling’s building) in the easement to a new switch cabinet to be installed west of 1425 Penn St driveway along Penn Street. From this switch cabinet, there will be a bore made to the north across Penn Street to intercept the primary that runs to 720 Alexander Way (Maytag Bldg.). A second bore will be made to an existing junction cabinet west of Country Lane. From this junction cabinet, there will be a 4” bore back to intercept the primary that services 1425 Penn Street. From the new switch cabinet, Alliant Energy will continue a 6” bore to the existing switch cabinet west of Cameron Way. All bores will be completed in easement as shown in Exhibit A. Pole removal will be completed after Mediacom attachments have been relocated. At this time, Mediacom has indicated that they will be going joint bore with Alliant Energy’s facilities.
2. This agreement is conditioned upon the receipt of all necessary permits and easements by IPL as necessary to complete the Project in a form acceptable to IPL and without conditions that would create undue any additional burden or expense upon IPL or its

customers. For permits, easements, approvals or consents to be supplied by the CITY, CITY agrees to bear all costs and expense associated therewith. Furthermore, for permits necessary from the CITY, CITY shall not unreasonably withhold issuance of such permits.

3. CITY agrees to initially pay IPL \$27,577.00, as calculated and specified in Exhibit B, to cover the cost difference of underground and overhead installation as shown therein. CITY acknowledges that Exhibit B references an estimated cost of the Project and agrees to bear the actual cost of the Project. IPL agrees to keep CITY apprised of any potential overages between the amount estimated and the actual costs. Payment will be due prior to installation of facilities.

Upon completion of the Project, a final cost figure for the Project shall be determined by IPL. If the final cost figure is less than the amount included in Exhibit B, IPL shall reimburse CITY for the difference between the final cost figure and the cost estimate included in Exhibit B. If the final cost figure is more than the amount included in Exhibit B, IPL shall invoice CITY for the difference between the final cost figure and the amount included in Exhibit B, and CITY shall make payment within thirty (30) days.

This agreement is hereby approved this _____ day of October, 2016.

INTERSTATE POWER AND LIGHT COMPANY

By: _____

Title: _____

CITY OF NORTH LIBERTY, IOWA

By: _____

Amy Nielsen, Mayor

ATTEST: _____

Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Amy Nielsen and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of

North Liberty, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation; and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the ____ day of _____, 2016; and that Amy Nielsen and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

EXHIBIT A
Project Map

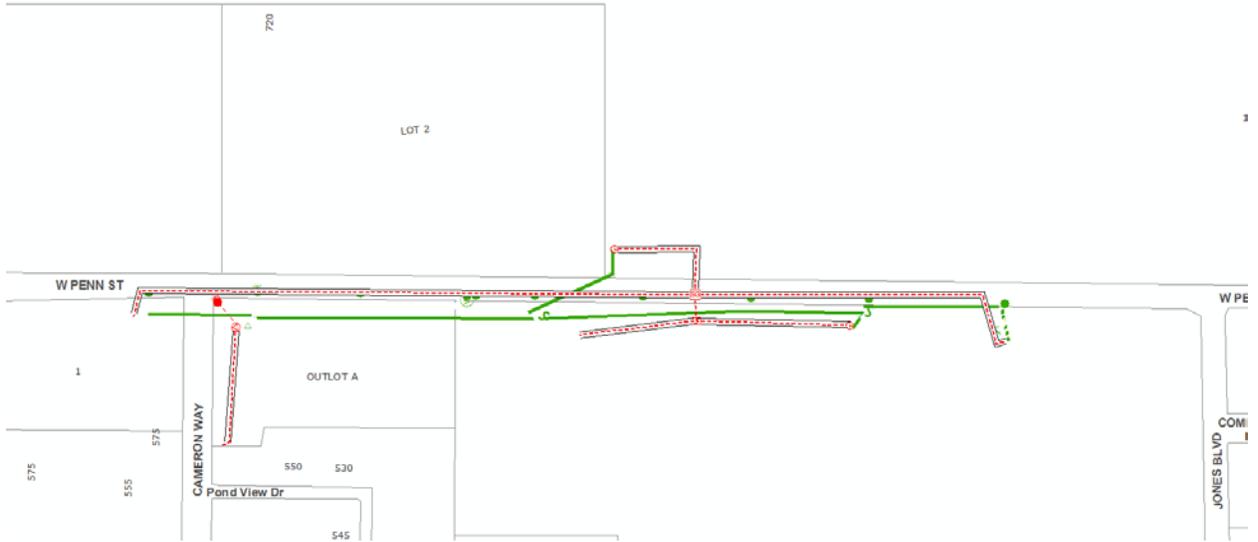


EXHIBIT B
Project Specifications

PROJECT SCOPE

IPL (its employees, agents and/or contractors) to install/remove the following along Penn St for road widening project:

- Conduct a utilities survey via One Call prior to any drilling or boring
- Acquire all necessary permits
- Bore a 6” conduit with 3 phase primary from the existing junction cabinet to Cameron Way switch cabinet.
- Install new electrical equipment including junction cabinets, switch cabinets, transformers in easements, south of Penn St.
- Route necessary primary and secondary to keep existing customers power active in ROW or easement where possible
- Wreck out and dispose of the old poles after Mediacom has relocated.
- Installation of concrete pole with 135 w LED light at the intersection of Penn St and Cameron Way

ESTIMATED COSTS

North Liberty Road Move Costs

\$101,356 Underground design

\$73,779 Overhead design

\$27,577 Cost difference

Resolution No. 2016-114

RESOLUTION APPROVING THE AGREEMENT FOR UTILITY RELOCATION BETWEEN THE CITY OF NORTH LIBERTY AND INTERSTATE POWER AND LIGHT COMPANY THAT ESTABLISHES THE TERMS AND CONDITIONS UNDER WHICH CERTAIN OVERHEAD POWER LINES WILL BE INSTALLED UNDERGROUND IN THE CITY OF NORTH LIBERTY, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the terms and conditions for the installation of underground electric service in certain City right-of-ways have been set forth in an Agreement between the City of North Liberty and Interstate Power and Light Company; and

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding regarding said agreement.

NOW, THEREFORE, BE IT RESOLVED that that the Agreement for Utility Relocation between the City of North Liberty and Interstate Power and Light Company is approved.

APPROVED AND ADOPTED this 25th day of October, 2016.

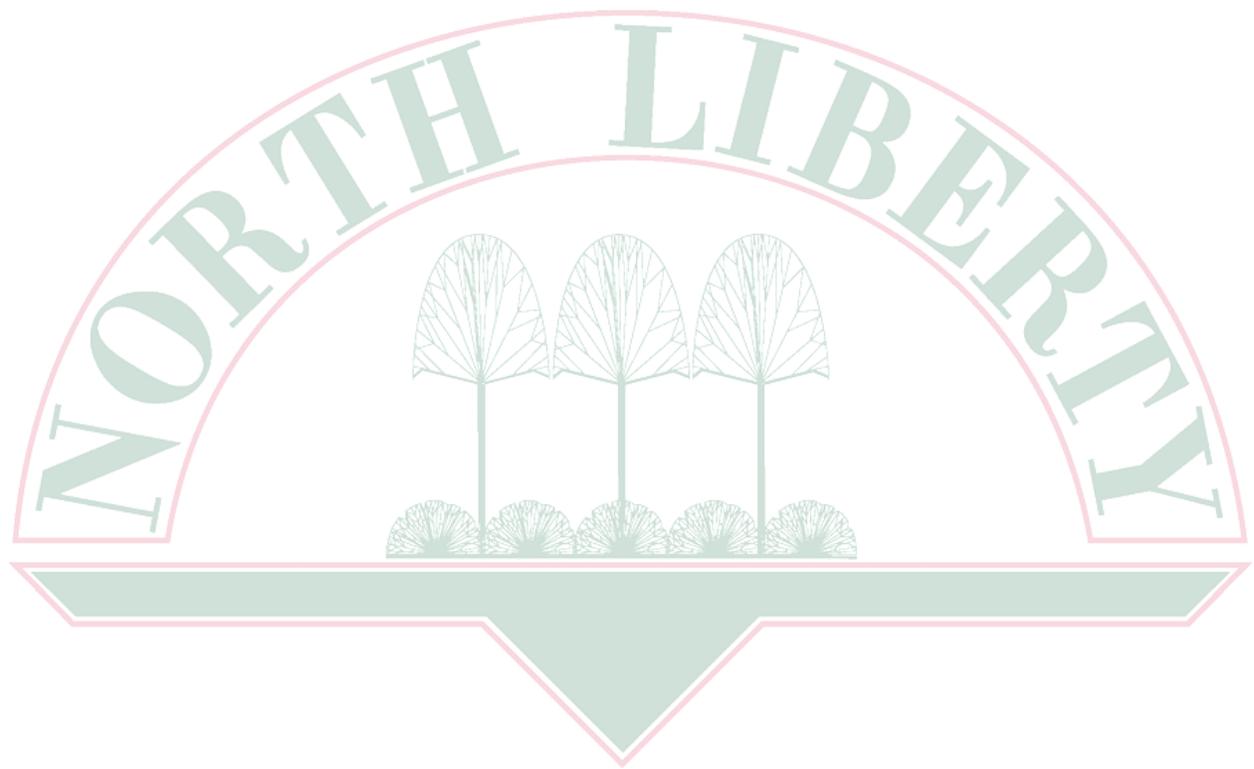
CITY OF NORTH LIBERTY:

ATTEST:

AMY NIELSEN, MAYOR

TRACEY MULCAHEY, CITY CLERK

Additional Information



To: Mayor and City Council

From: Greg Metternich, Water Superintendent

Re: Monthly Report

October 5, 2016

We read 8,046 radio reads last month that's an increase of 18 accounts. We had to re-read approximately 59 accounts.

We delivered 146 shut off notices and shut off approximately 43 overdue accounts for non-payment last month.

In the month of September we treated a total of 41,047,000 gallons of water, our average daily flow was 1,324,000 gallons a day, and our maximum daily flow was 1,762,000 gallons. The total for the month was 4.12% higher than last year. We recovered 14,050,000 gallons of water from the ASR well last month. We finished the recovery cycle on September 28th and recovered a total of 31,000,000 gallons over the summer. This was 100% of what was injected.

We spent a great deal of time last month rebuilding the second water softener, again we had to remove the old steel underdrain system and install a new PVC system, once the PVC was in place the entire underdrain was buried in concrete. We allowed six days for the concrete to cure and with the help of several staff members from the Street Department we installed 30,000lbs of media by hand. We started at around 8:30 AM and were finished by 12:30 PM. The softener was placed back into service on the 28th, which was the first time the plant has been at 100% since mid-July.

Northway Well and Pump removed the pump and motor they loaned us from well 5 and installed a new motor and rebuilt our pump. Well 5 has been flushed, tested, and was put back into service on the 28th.

We continue to stay busy collecting curb box location information, installing new meters and RF's, we've had several meter change outs this month.

Water Superintendent

Greg Metternich

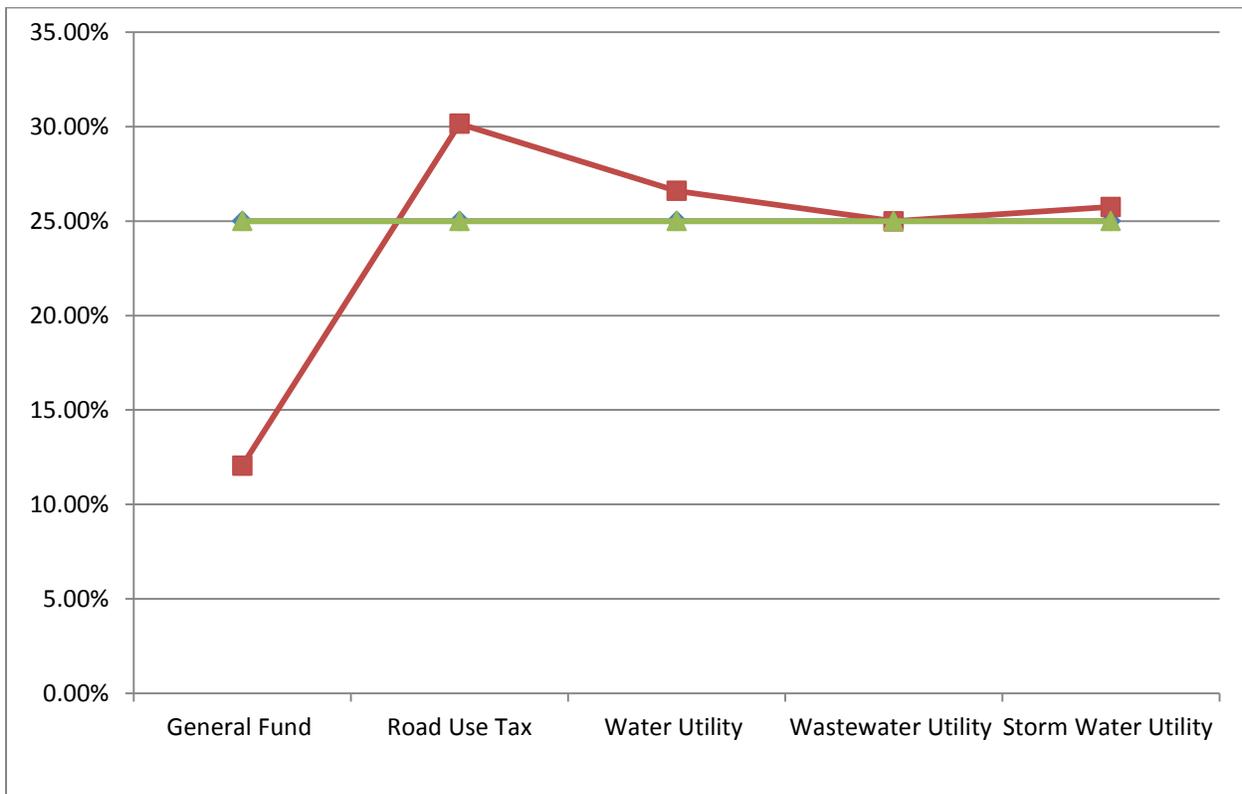


Monthly Report Summarization

September 30, 2016

This report provides a summarization of the budget status after the end September, 2016. At the end of September, the City is 25% through the budget year. The red line indicates the percentage where the budget area is and green/blue line is the percentage of the budget year. Any particular area falling approximately 10% below or above the percentage of the budget year will be explained below.

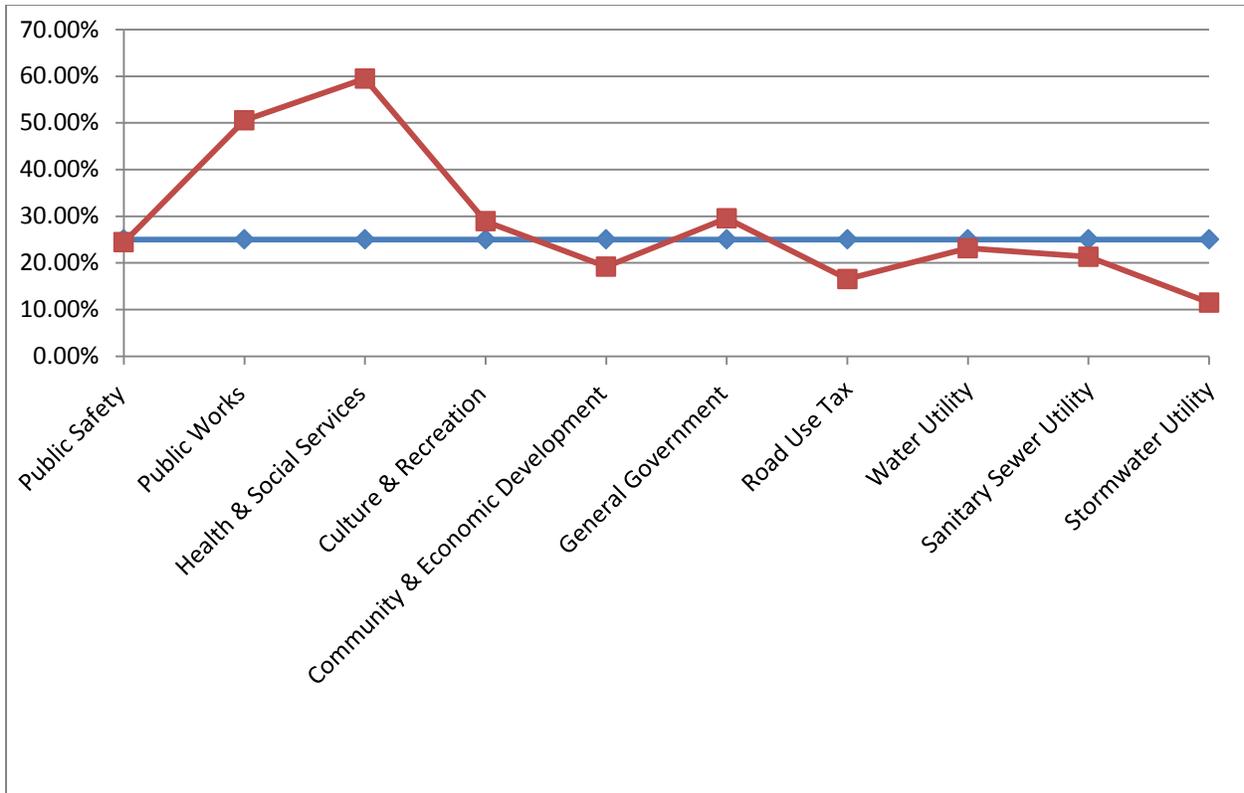
Revenues: The following chart demonstrates the condition of the City's budgeted revenues as of September 30, 2016:



- This chart represents the historical view at the end of September. The City will receive the first half of the property tax revenue in October and the second half in April.

Overall revenues for the year to date are \$8,014,039.51, 13.02% of the budgeted amount. This amount is less than the budgeted mark. Property tax revenues will bring this number in line with projected amounts.

Expenditures: The following chart demonstrates the condition of the City’s budgeted expenditures as of September 30, 2016:



- Health and Social Service expenses are higher due to the payment to the Food Pantry and the School Family Resource Centers and other social service commitments in July and August.
- Public works is higher than expected due to the volume of garbage sticker and bin costs paid in July and August.

Year to date total expenditures are \$12,067,140.22 or 19.99% of the projected budget amounts. This amount is less than the 25% of the fiscal year completed due to expenditures occurring later in the fiscal year.

Following is the Treasurer’s Report for September. The General Fund Balance is comprised of more than just the 010 General Fund. For accounting purposes of the budget and reporting, other funds such as Library Capital, Fire Capital and others are incorporated into the General total. The General

Fund for operating expenses has a fund balance of \$2,006,235.21. The other funds in the total shown here are obligated to specific departments or types of activities. The other funds are separated out to keep those obligations clear for future expenditures.

CITY OF NORTH LIBERTY

TREASURER'S REPORT

September 30, 2016

FUNDS	BALANCE FORWARD	REVENUE	EXPENSE	BALANCE ENDING
	09/01/2016			09/30/2016
GENERAL	5,111,708.09	619,574.57	-1,423,723.73	4,307,558.93
SPECIAL REVENUE	2,802,081.38	540,949.17	-117,330.22	3,225,700.33
DEBT SERVICE	265,034.70	56,533.17	0.00	321,567.87
CAPITAL PROJECTS	-2,794,505.09	10.49	-873,318.35	-3,667,812.95
WATER ENTERPRISE	4,000,155.79	360,888.18	-317,284.09	4,043,759.88
WASTEWATER ENTERPRISE	1,312,811.21	453,722.38	-986,859.66	779,673.93
STORM WATER ENTERPRISE	141,953.40	15,537.40	-7,001.54	150,489.26
TOTAL	10,839,239.48	2,047,215.36	-3,725,517.59	9,160,937.25

If you have questions regarding this document or would like additional information, please contact Tracey Mulcahey.



Quarterly Sustainability Report October 2016

This report provides a summarization of the improvements implemented in each department as a result of participation in the City Energy Management Program. All City buildings were subjected to an energy audit. The most cost effective projects were identified and implemented. Each quarter, Council will be provided with a status report on the implementation of these projects. On the included graphs, electric usage is designated in red and natural gas is blue. The yellow benchmark line represents the expected usage based on the type of use of the facility. The benchmark is basically an average of other buildings of similar usage to compare North Liberty’s building. The software used to generate the charts is called B3 Benchmarking. City staff has been entering data on gas and electric use since 2008.

Police Department

The Police Department has changed all of the interior and exterior lighting to LED lights.



This chart represents the historical view of gas and electric usage in the police department. The chart is not normalized for weather. Electric use in the most recent months is less than it was for last year at that time.

Library

The Library is further working with a local company to use sustainable, green cleaning and paper products. Maintenance staff continues to work toward replacing all of the library lighting with LED bulbs. The main library space is completed, except the corridor (bulbs have been ordered to complete this area) and the meeting rooms. The office space lighting will be replaced with LED bulbs in upcoming months as well.

Community Center

The Community Center continues to replace lightbulbs with LED including the elevators.



A review of the above chart shows the reduction in energy use from the year previous. This chart is not normalized for weather. Natural gas usage decreased in May and July from previous years. The use of the liquid pool cover is effective in reducing gas usage for heating the pool.

Streets Department

Solar panel installation is currently underway for the streets facility. Staff installed solar powered crosswalk signs on Penn Street. With the new construction projects, the luminaires on Alexander Way, North Liberty Rd, and S. Dubuque St. are all LED. The goal is to change out the intersection of Highway 965 and Ashley Court luminaires and pedestrian lights with LEDs.



This building, being newer construction, has a very low energy usage. The difference between the benchmark and actual use is significant.

Parks Department

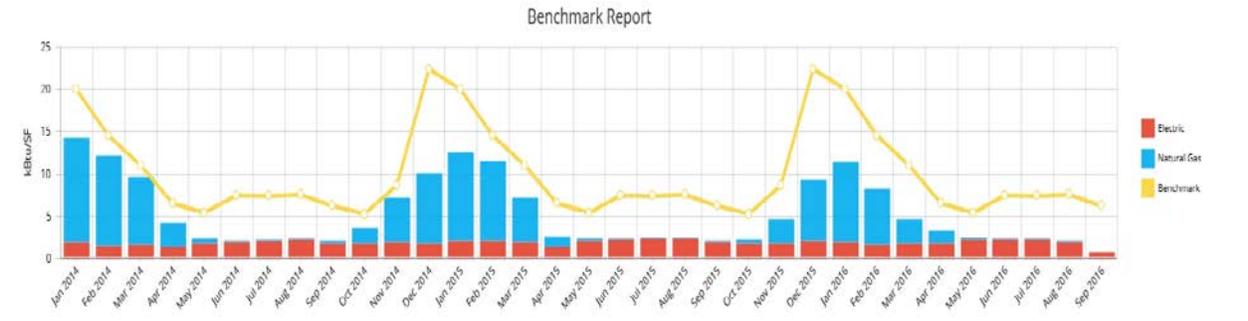
The Parks Department upgraded lighting on the Liberty Centre pond bridge and pier to LED. Solar panels are being installed.



The Parks Department has an older facility. Their usage, even though minor, has been reduced. The thermostat repair from last quarter is expected to reflect in a reduction of natural gas usage this winter.

Fire Department

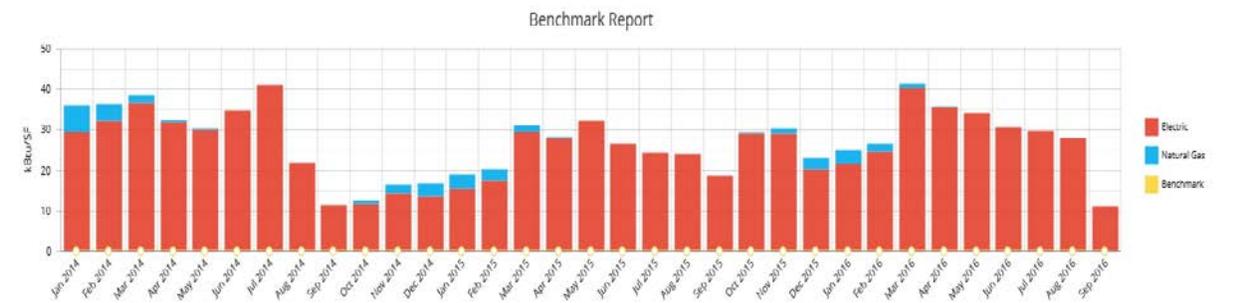
Solar panels are being installed at this facility.



Water Department

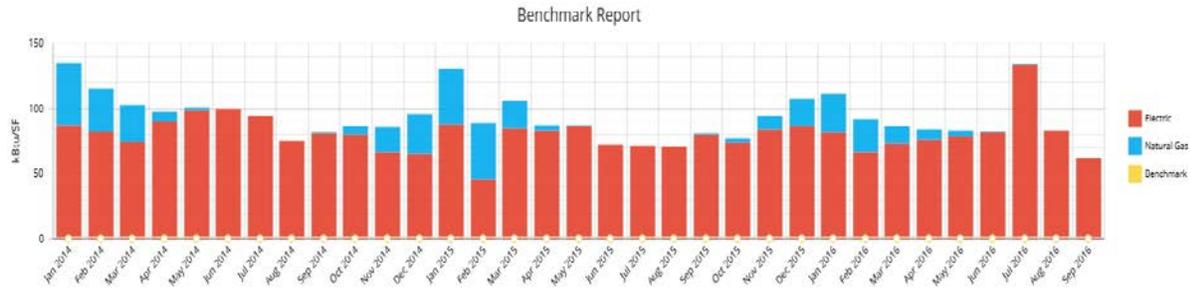
The usage shown in the chart below is operational, not just building functions. As water consumption increases, energy consumption increases. The software used for this process does not benchmark operational functions.

Last year the State made some rule changes to the Jordan Aquifer that had a small impact on the City of North Liberty. The IDNR is now monitoring the pumping levels of these wells and asking communities to reduce the impact they have on the aquifer. We decided to install Variable Frequency Drives (VFD's) on wells 5 and 6 so that we could slow down the pumping rates and reduce the draw down in the aquifer this also allows us to use more water from the Silurian Aquifer, before the VFD's were installed we could not produce much water from the Silurian's because all of our wells run into the same raw water line and the smaller wells could not overcome the pumping rates of the larger Jordan wells. The Silurian wells have a pump setting of about 300 to 400 feet and the piping is 4 inches in diameter, the Jordan's pump settings are 600 to 700 feet and the piping is 8 inches in diameter, this reduces the amount of energy it takes to overcome the head pressure to pump the water out of the ground. We've reduced our pumping levels in the Jordan Aquifer by about 61%. The VFD's cost around \$70,000 dollars. We should be receiving around \$19,000 dollars in rebates from Alliant Energy.



Wastewater Department

The usage shown in the chart below is operational, not just building functions. As water consumption increases, energy consumption increases due to the increased sewer demand. The software used for this process does not benchmark operational functions.



Weather normalization affects many of the utility uses. Unfortunately, this software does not have weather normalization functionality at this time.

Other Sustainability Achievements

No new achievements for this report.

If you have questions regarding this document or would like additional information, please contact Tracey Mulcahey.