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ANNO

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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Prepared by and Return to:

Andrew Barden
City of Winterset
124 W. Court Avenue
Winterset IA 50273
515-462-1422

CERTIFICATION

The undersigned, the duly appointed and acting City Administrator of the City of Winterset, Iowa, does hereby certify the following described documents as true and authentic copies of the official records in the custody of the Office of Clerk of the City of Winterset, Iowa.

Ordinance No. #667 for the adoption of new code sections 4.1701 through 4.1713 for the purposes of implementing the Residential Rental Housing Inspection Program

Relating to documents:

- 1) Resolution 2025-33 A Resolution to set a date for public hearing, passed and approved on June 13, 2025
- 2) Affidavit of Publication for Public Hearing dated June 18, 2025
- 3) City Council Meeting Minutes for the Public Hearing held on July 7, 2025, the first reading of Ordinance #667, waiving of the second and third reading, and final adoption
- 4) Affidavit of Publication of Ordinance #667 following Council approval on July 9, 2025

The undersigned further certifies the Resolution described above were duly passed by the Council and approved by the Mayor on the dates shown thereon.

Andrew Barden
City Administrator/City Clerk
City of Winterset, Iowa



RESOLUTION NO. 2025-33

A RESOLUTION SETTING A DATE OF PUBLIC HEARING FOR THE ADOPTION OF NEW
CODE SECTIONS 4.1701 THROUGH 4.1713 FOR THE PURPOSES OF IMPLEMENTING THE
RESIDENTIAL RENTAL HOUSING INSPECTION PROGRAM

WHEREAS, the City of Winterset desires to protect the health, safety, and welfare of its residents by ensuring residential rental properties are maintained in accordance with minimum standards for habitability; and

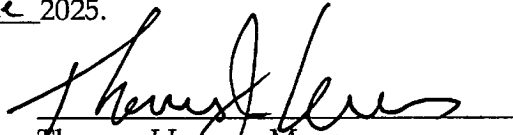
WHEREAS, the City Council is considering the adoption of a Residential Rental Housing Inspection Program to establish a proactive process for the registration and inspection of rental dwellings within the City; and

WHEREAS, the need for a rental housing inspection program was identified as a priority by Winterset residents through input gathered during the development of the City's Comprehensive Plan, which emphasized safe and quality housing for all residents;

NOW THEREFORE, It Is Resolved by the City Council of the City of Winterset, Iowa, as follows:

The City Council of the City of Winterset, Iowa, will meet on July 7, 2025 at the City Hall in the City, at 7 o'clock p.m., for the purpose of instituting proceedings on

Passed and Approved this 16th day of June 2025.


Thomas J Leheys, Mayor
City of Winterset, Iowa

ATTEST:



Andrew Barden, City Administrator/City Clerk

STATE OF IOWA
SS
MADISON COUNTY

AFFIDAVIT OF PUBLICATIONS

SUE SMITH being duly sworn says she is the Publisher of The WINTERSET MADISONIAN, a once weekly paper of General Circulation, published in Winterset, Iowa, and that the Notice, a copy which is annexed and made part hereof was Correctly published in said paper.

**NOTICE OF PUBLIC HEARING FOR THE ADOPTION OF
NEW CODE SECTIONS 4.1701 THROUGH 4.1713 FOR THE
PURPOSES OF IMPLEMENTING THE RESIDENTIAL
RENTAL HOUSING INSPECTION PROGRAM**

Notice is hereby given that the City Council of the City of Winterset, Iowa, will conduct a public hearing in accordance with Resolution No. 2025-32 for the purpose of the adoption of new code sections 4.1701 through 4.1713 for the purposes of implementing the Residential Rental Housing Inspection Program. Copies of the proposed code of ordinances are available at the city clerk's office as this notice states.

The public hearing will be held on July 7th, 2025, at 7:00 PM, at the City Hall. City Council will receive oral or written objections from any resident or property owner of the City; written objections must be received at City Hall prior to the beginning of the hearing. All interested persons are invited to attend this hearing. This notice is given by order of the City Council of Winterset, Iowa, in accordance with Section 362.3 of the Code of Iowa. .43

For the period of 1 consecutive weeks, the last Publication thereof being

On the 19 day of June 20 25

Susan R Smith

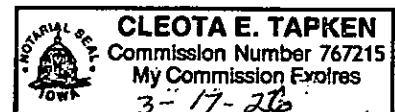
Subscribed and sworn to before me this

19 day of June 20 25

Cleota Tapken

NOTARY PUBLIC
In and for Madison County

Fee
\$ 16.42



Governmental Body: Winterset City Council

Date of Meeting: July 7, 2025

Time of Meeting: 7:00 PM

Place of Meeting: City Hall – 124 W Court Ave

PUBLIC NOTICE IS HEREBY GIVEN that the above-mentioned governmental body will meet at the date, time and manner set out. The tentative agenda for said meeting is as follows:

- 1) Call to order, Pledge of Allegiance, roll call, adopt agenda**
 - 2) Consent Agenda**
 - a) City Council Meeting Minutes from June 16th, 2025
 - b) Library Board Meeting Minutes from June 18th, 2025
 - c) Parks and Recreation Board minutes from June 10th, 2025
 - d) Library Board Minutes from June 18th, 2025
 - e) Cigarette, Tobacco, Nicotine, Vapor Permit for Winterset Vapor
 - f) Re-Appointing Shari Bush to Board of Adjustment
 - 3) Receipts, Filings, and Affidavits**
 - a) Claims in the amount of \$213,241.04
 - 4) Reports from City Boards and Departments**
 - a) Street Superintendent Ryan Flaherty
 - b) Library Director Dave Hargrove
 - c) Park & Recreation Director Sky Smothers
 - d) Fire Chief Jayson McDonald
 - e) Police Chief Ryan Pittman
 - f) Code Enforcement Officer Hollie Burgus
 - g) City Administrators Report
 - 5) Public Comment**
 - 6) Public Hearing**
 - a) Public Hearing on Amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs) *AND* Public Hearing for the Adoption of New Code Sections 4.1701- 4.1713 for the purposes of implementing the Rental Housing Inspection Program
 - 7) Resolutions and Actions**
 - a) Res No. 2025-39 Appointment of Fire Department Officers
 - 8) Ordinance Reading and Consideration**
 - a) Ordinance No #666 Amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs)
 - i) Possible waving of 2nd and 3rd readings of Ord #666
 - ii) Possible final reading and adoption of Ord #666
 - b) Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program
 - i) Possible waving of 2nd and 3rd readings of Ord #667
 - ii) Possible final reading and adoption of Ord #667
 - 9) Mayor and Council Discussion**
- Adjournment**

DATE POSTED: July 3, 2025

Andrew Barden, City Administrator/City Clerk

The City Council of the City of Winterset, Iowa met on July 7, 2025 in accordance with the above Notice and Call of Public meeting. The meeting was called to order at 7 P.M. by Mayor Leners and recited the pledge of allegiance.

PRESENT: Michael Cook, Christopher Fairholm, Michael Eller
Mike Fletcher, Mary Ann Orr

ABSENT: none

The Mayor asked for a motion to adopt the presented agenda. There being no further additions or deletions to the agenda and no further discussion, Council Member Fairholm made a motion, seconded by Council Member Cook. On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

Consent Agenda

- City Council Meeting Minutes from June 16th, 2025
- Library Board Meeting Minutes from June 18th, 2025
- Parks and Recreation Board minutes from June 10th, 2025
- Library Board Minutes from June 18th, 2025
- Cigarette, Tobacco, Nicotine, Vapor Permit for Winterset Vapor
- Re-Appointing Shari Bush to Board of Adjustment

The Mayor stated that the minutes of the June 16, 2025 City Council meeting were previously distributed to the Council Members for their review. There being no further discussion; a motion was made to approve the Consent Agenda by Council Member Fletcher and seconded by Council Member Cook to approve the minutes as submitted. On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

The claims submitted are in the amount of \$213,241.04

The Mayor called for a report on the claims. Council Member Fletcher stated that he reviewed the claims and moved to approve the following list of claims. Council Member Orr seconded the motion. On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

GENERAL

POLICE:

Axon Enterprise Inc, training	895.00
Breedings Hardware, supplies	15.99
Galls Inc, uniforms	391.11
Ben Garrison, boots	122.41
L-Tron Corporation, equipment	39.50
Lexipol LLC, annual contract	6,666.53
Mainstay Systems of Iowa LLC, server	4,464.00
Mediacom, phone/internet service	376.90
Navigate360 LLC, training	749.00
Shield Technology Corp, software	3,152.50
T-Mobile, phone service	699.10
Winterset Municipal Utilities, utilities	50.82
Payroll Account, salaries	30,469.29

FIRE:

Centurylink, phone service	209.40
Brittains Standard Parts, parts	230.43
Winterset Municipal Utilities, utilities	379.81

ADMINISTRATION:

Ahlers & Cooney PC, professional services	63.00
IA Municipalities Workers Comp, work comp premium	32,310.00
Iowa League of Cities, member dues	3,267.00
Integrity Financial Group, final GL audit	1,811.00
Winterset Madisonian, publications	583.80
PFM Financial Advisors LLC, financial services	15,000.00
Payroll Account, salaries	2,275.00
Payroll Account, salaries	8,826.15

ANIMAL CONTROL:

Winterset Veterinary Center, impound fees	59.25
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BUILDING INSPECTOR:

Veenstra & Kimm Inc, zoning map	698.50
Payroll Account, salaries	3,005.48

GARBAGE FUND

SOLID WASTE/GARBAGE:

Payroll Account, salaries	934.68
Payroll Account, benefits	439.73

INTERNAL SERVICE FUND

ADMINISTRATION:

Access Systems, maintenance contract	277.43
D&D Pest Control, pest control	45.00
First Citizens Bank & Trust Co, copier lease	485.02
Greatamerica Financial Svcs, server lease	349.72
Midwest Auto Fire Sprinkler Co, sprinkler maintenance	251.00
MMIT Business Solutions Group, copier maintenance	72.60
Quadient Finance USA Inc, postage	600.00
Quill Corporation, office supplies	429.84
Thirst Park, supplies	43.25
Winterset Municipal Utilities, utilities	1,930.60

ROAD USE TAX

ROADWAY MAINTENANCE:

Construction & Aggregate Prod, supplies	56.20
Brittains Standard Parts, parts	102.12
Paint Pump Pros, repairs	244.00
Thirst Park, supplies	58.75
Winterset Municipal Utilities, utilities/street lights	7,024.49
Payroll Account, salaries	8,772.45

STREET CLEANING

Payroll Account, salaries	247.60
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SEWER UTILITY FUND

SANITARY SEWER:

Air Cooled Engines, repairs	196.76
Centurylink, phone service	220.24
ERA, lab testing	187.19
US Water Services Corp, contract labor	27,011.00
USA Blue Book, supplies	62.47
Winterset Municipal Utilities, utilities	13,401.78
Payroll Account, salaries	2,598.25
Payroll Account, benefits	1,087.40

TRUST & AGENCY

POLICE:

Payroll Account, benefits	13,659.57
Payroll Account, benefits	

ADMINISTRATION:

Payroll Account, benefits	5,443.90
Payroll Account, benefits	5,443.90

ROADWAY MAINTENANCE:

Payroll Account, benefits	4,753.13
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Reports from City Boards and Departments

Street Department Ryan Flaherty presented report to council prioritizing tree trimming in the Right-of-Way. Further discussion relative to improved efficiencies in street cleaning practices have been reduced based upon brining and snow operations improvements. An additional discussion about street repairs and improvements was held.

Library Director Dave Hargrove reported children and adult patronage, circulated items. Use of adventure pass, applicants for open positions, and pending retirements of tenured employees.

Park & Recreation Director Sky Smothers was excused from the meeting.

Fire Chief Jayson McDonald reported 8 calls for the month, attendance for 4th of July festivities. Pending events include station tours, county and state fair support, and hosting the Junior Academy. Finally, report on elected officers for 2025-2026.

Police Chief Ryan Pittman provided a written report including calls for service, community events, complete training, and acknowledgement of Officer Brett Douglas and Ben Garrison both celebrating 8 years of service.

Code Enforcement Officer Hollie Burgus presented new and closed cases for the month. Reports for BOA and P&Z meeting. Iowa Thriving Community application was denied but feedback will be provided for future applications.

City Administrator Report was provided to council including appreciation and acknowledgement for staff work and efforts. Attendance at multiple meetings, assistance to citizens and elected officials, and updates on projects for the prior weeks.

Public Comment – Individuals wishing to speak shall sign up prior to the meeting. When called upon please stand and give your address for the record. Each person may speak for up to three minutes. Please professionally and tactfully express your specific concerns and not disrespect individuals.

The Mayor noted that no one had signed up for public comment at this time.

Public Hearing

Public Hearing on Amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs) **AND** Public Hearing for the Adoption of New Code Sections 4.1701- 4.1713 for the purposes of implementing the Rental Housing Inspection Program.

A motion was made by Council Member Fairholm to enter into public hearing, the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

Public Hearing was entered at 7:25 p.m.

Notice of Publication was on file, No written protests received.

No Public was present to speak on the matter.

A motion was made by Council Member Orr to exit public hearing; the motion was seconded by Council Member Fletcher. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

Public Hearing was exited at 7:26 p.m.

Resolutions and Actions

A motion was made by Council Member Cook to approve Resolution No. 2025-39 a Resolution for the Appointment of Fire Department Officers seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

RESOLUTION APPROVING FIRE OFFICERS

A motion was made by Council Member Fletcher to approve the final reading and adoption of Ordinance #666 an amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs) the motion was seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program

Possible waving of 2nd and 3rd readings of Ord #667

Possible final reading and adoption of Ord #667

A motion was made by Council Member Fairholm to approve the first reading of Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program, the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fairholm to waive the second and third reading of Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program, the motion was seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fletcher to approve the final reading and adoption of Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program, the motion was seconded by Council Member Fairholm. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

Mayor and Council Discussion

Council Member Fletcher remarked about the new west doors on the light plant being period appropriate and a dramatic improvement to the façade.

City Attorney Rosien provided updates relative to court proceedings and the compliance of a nuisance property.

Mayor Leners remarked mobilization and onsite review of such at the Wastewater Treatment Facility.

The Adjournment

There being no further business, Council Member Fairholm then made a motion to adjourn the meeting. The motion to adjourn was seconded by Council Member Eller. All Council Members voted Aye.

Whereupon the Mayor declared that the motion carried, and the meeting was adjourned at 7:41 p.m.

/s/
Thomas J. Leners, Mayor

ATTEST:

Andrew Barden, City Administrator/City Clerk

STATE OF IOWA
SS
MADISON COUNTY

AFFIDAVIT OF PUBLICATIONS

SUE SMITH being duly sworn says she is the Publisher of The WINTERSET MADISONIAN, a once weekly paper of General Circulation, published in Winterset, Iowa, and that the Notice, a copy which is annexed and made part hereof was Correctly published in said paper.

For the period of 1 consecutive weeks, the last Publication thereof being

On the 9 day of July 20 25

Susan R Smith

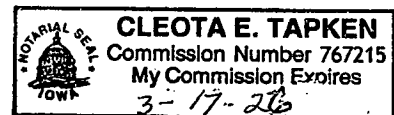
Subscribed and sworn to before me this

10 day of July 20 25

Cleota Tapken

NOTARY PUBLIC
In and for Madison County

Fee
\$ 141.48



ORDINANCE NO. 667

AN ORDINANCE FOR THE ADOPTION OF NEW CODE SECTIONS 4.1701 THROUGH 4.1713 FOR THE PURPOSES OF IMPLEMENTING THE RESIDENTIAL RENTAL HOUSING INSPECTION PROGRAM

RESIDENTIAL RENTAL HOUSING INSPECTION PROGRAM

4.1701 RESIDENTIAL RENTAL HOUSING INSPECTION PROGRAM. Sections 4.1701 through 4.1713 shall be known as the Residential Rental Housing Inspection Program and will be referred hereto in as "this program." The requirements of this program shall be based upon the provisions set forth in the 2021 International Property Maintenance Code as adopted by City Council and as hereafter may be amended and the provisions of Winterset Code Title IV Chapter 12.

4.1702 PURPOSE. The purpose of this program is to provide for the inspection of residential rental properties within the corporate limits of the City of Winterset, Iowa, in order to ensure that such properties conform to minimum standards deemed necessary for the protection of the health and safety of the occupants thereof and the occupants of surrounding properties, and to inhibit the spread of urban blight.

4.1703 SCOPE. The provisions of this program shall apply to the maintenance, repair, equipment, use, and occupancy of all residential rental buildings and accessory structures now in existence or hereafter constructed, rehabilitated, renovated, or converted to residential use within the corporate limits, including, but not limited to, single- and two-family dwellings, multiple-family dwellings and rooming/sleeping units with the following exceptions:

- a. Single-family dwellings occupied by the owner, or members of that owner's family as defined in Title IV Chapter 4.12003.(A) only.
- b. A duplex, at least one of the units of which is occupied by the owner, and the other unit is occupied by a member of that owner's family as defined in Title IV Chapter 4.12003.(A) only.
- c. Transient shelters and group homes subject to state licensing.
- d. Hotels, motels, extended stay hotels, and other similar uses subject to state licensing.
- e. Dormitory rooms of higher education institutions.
- f. Nursing homes, long-term care, and medical care facilities.
- g. Church parsonages, and other similar facilities owned by religious institutions, that provide housing for their clergy or other similar staff.
- h. Dwellings owned by the local, state, or federal governments.

4.1704 INDEMNIFICATION. The applicant for any rental permit under this program, by making such application, assumes and agrees to pay for all loss or damage to property whatsoever, and injury to or death of any person or persons whatsoever, including all costs and expenses incident thereto, however arising from or in connection with or related to the issuance of such rental permit or the doing of anything thereunder, or the failure of such applicant, or the agents, employees, or servants of such applicant, to abide by or comply with any of the provisions of this program or any other ordinance of the City; and such applicant, by making such application, forever indemnifies the City, its officers and employees and agrees to save it and them harmless from any and all claims, demands, lawsuits, or liability whatsoever for any loss, damage, injury or death, costs and expenses, by reason of the foregoing even though acts or omissions of the City, its officers or employees may have caused or contributed thereto. The foregoing provisions shall be deemed to be a part of any certificate issued under this program whether expressly recited therein or not.

4.1705 FEES. The fees for activities and services performed by the City of Winterset in carrying out its responsibilities under this Residential Rental Code shall be as indicated in a fee schedule adopted from time to time by the City Council.

4.1706 REGISTRATION REQUIRED. Unless excepted in accordance with 4.1703, all rental properties and rental units, as defined and in accordance with Municipal code 4.601, within the corporate limits of the City of Winterset shall be required to register with the City by the owner or the owner's representative. The owner or owner's representative shall file a completed registration form, as provided by the City, with the Zoning Administrator or its designee within thirty days of the property becoming a rental property, and subsequently at the time the rental certificate renewal is due. A registration form shall be accompanied by a fee as established by resolution of council and in accordance with the Winterset Residential Rental Housing Inspection Administrative Policy. By submitting an application for a rental property and/or rental units, the property owner consents to the City of Winterset inspector or designee entering and conducting an inspection as described in the Winterset Residential Rental Inspection Administrative Policy.

4.1707 EXPIRATION OF CERTIFICATE. Prior to the expiration date of the rental certificate, the Zoning Administrator or its designee shall mail a renewal notice to the owner advising of the requirements for renewal of the rental certificate. Failure of the owner to complete the requirements for renewal will result in a late payment penalty being applied to the balance owed. If the renewal is not completed within 30 days following expiration of the rental certificate, a notice of violation will be issued to the property owner.

4.1708 REVOCATION OF CERTIFICATE. Any rental certificate may be summarily revoked by the Board of Appeals upon the review of a notice of violation of any provision of this program. If, at the discretion of the Code Official, an emergency exists which threatens the immediate health, safety, or general welfare of the occupant(s) or general public, the Code Official may immediately issue an order suspending the rental certificate. Upon issuance of the order, the occupant(s) of the unit(s) shall immediately vacate the premises until the rental certificate is reinstated.

4.1709 TRANSFER OF OWNERSHIP. Residential Rental Compliance Certificates shall not be transferable to succeeding owners. Residential Rental Compliance Certificates shall automatically terminate and become null and void, without further action of the City, upon transfer of property ownership or upon execution of an agreement to purchase property on contract.

Every seller of a residential rental property shall give notice to the Zoning Administrator or its designee within thirty (30) days after closing or execution of a contract for sale. This notice shall include the name and address of the buyer.

Every buyer of a residential rental property, including contract buyer, shall submit a new registration form to the Zoning Administrator or its designee within thirty (30) days after closing. This notice shall include the name and address of the buyer and their agent.

4.1710 OUTSTANDING ISSUES. If an owner has outstanding fees, fines, or violations on any property within the City, the issuance of a rental certificate may be withheld by the Zoning Administrator or its designee.

4.1711 COMPLAINT BY TENANT. Unless there are significant health, safety, or general welfare issues, a tenant must first make written contact to the owner or agent. Tenant shall allow at least fourteen (14) days for the owner or agent to correct the basis of the complaint. In the event that the owner or agent does not correct the basis of the tenant's complaint, the tenant may file a complaint with City staff. Complaints shall be made in writing using the city Residential Rental Housing Complaint Form. The complaint form shall be supplemented with documentation that the tenant has first made a written complaint to the owner or agent, and their complaint has not been resolved. City Staff will contact the owner or agent to advise of the complaint and schedule an inspection.

4.1712 COLLECTION OF FEES, FINES, PENALTIES, AND COSTS. All fees, fines, penalties, and costs imposed upon an owner in the enforcement of this program shall be due when notice of the amount of such fees, fines, penalties, and costs is mailed to the owner.

1. If notice containing the information required by Section 364.17 of the Code of Iowa is given and the total amount of such fees, fines, penalties, and costs is not paid within 30 days of when due, or within 10 days of the final action of the Board of Appeals, then:

- A. The owner shall be charged a late payment penalty in the amount of \$25 as per Iowa Code 347.17.5;
- B. Interest shall thereafter accrue on the unpaid balance at the rate of 1.5 percent per month; and,
- C. The City may certify the unpaid balance, interest, and late payment penalty to the County Auditor as a lien upon the rental property for collection in the same manner as a property tax.

4.1713 PENALTIES. In addition to any other penalties provided by this Code, any person violating any provision of this program shall be guilty of a municipal infraction with remedies to the City as provided by this Code.

This Ordinance was adopted and passed by the City Council of the City of Winterset, Iowa and approved by the Mayor on the 7th day of July 2025.

/s/

ATTEST:

/s/

Andrew Barden, City Administrator/City Clerk

Thomas J Lenners, Mayor
City of Winterset, Iowa