

May 19, 2014

To: Mayor Bemrich and City Council
From: David Fierke, City Manager
Subject: Building and Safety Code Updates
2nd Reading of Ordinances



ACTION: For vote Tuesday, May 27, 2014

Brief History

The Building, Plumbing, Mechanical, Fuel Gas, Fire Prevention, Electrical, and Property Maintenance Codes enforced by the City of Fort Dodge are generally adopted by reference from National and International code standards. These standards are updated on a very regular basis to reflect the latest safety standards and technology. The following codes will replace the existing adopted codes:

Mechanical: The International Mechanical Code, 2012 Edition, as published by the International Code Council.

Building: The International Building Code and International Residential Code, 2012 Edition, as published by the International Code Council.

Fire: The International Fire Code, 2012 Edition as published by the International Code Council.

Plumbing: The Uniform Plumbing Code, 2012 Edition, as published by the International Association of Plumbing and Mechanical Officials.

Electrical: The National Electrical Code of 2014, as published by the National Fire Protection Association.

Property Maintenance: The International Property Maintenance Code, 2012 Edition, as published by the International Code Council.

Fuel Gas: The International Fuel Gas Code, 2012 Edition, as published by the International Code Council.

The Council previously held the public hearing and 1st reading on May 12, 2014 as the first step in the update process. The attached Ordinances would adopt the code updates.

Analysis of Issue

The codes were last updated in 2006; regular updates are necessary for safety. The International Property Maintenance Code is proposed to be expanded to include owner occupied single family units.

Budget Impact

Updating the codes will not have a significant budget impact.

Strategic Plan Impact

Initiative D.6: Quality Housing and Residential Development; Initiative D.8: Safety and Security for All.

Existing Plan Impact

N/A

Subcommittee or Commission Review / Recommendation

N/A

Staff Conclusions / Recommendations

Staff recommends approval of the Mechanical, Building, Fire, Fuel Gas, Plumbing, and Electrical Ordinances. The City Manager is recommending the Property Maintenance Ordinance changes.

Alternatives

The alternative would be to not approve the Ordinances at this time. This would delay the code updates and may result in codes changing in the middle of the building season.

Implementation and Accountability

Upon passage of the Ordinances, staff will begin enforcement of the new codes.

Signed



Chad Schaeffer, Director of
Business Affairs and
Community Growth & Engineering

Approved

David R. Fierke
City Manager

CITY OF FORT DODGE
ORDINANCE NO. _____

AN ORDINANCE TO ADOPT A COMPLETE BUILDING CODE; TO PROVIDE MINIMUM STANDARDS FOR THE SAFEGUARDING OF LIFE OR LIMB, HEALTH PROPERTY, AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIAL, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY OF FORT DODGE, IOWA, AND CERTAIN EQUIPMENT SPECIFICALLY REGULATED THEREIN; TO PROVIDE FOR THE ISSUANCE OF PERMITS FOR THE INSPECTION OF BUILDINGS, THE REGISTRATION OF BUILDING CONTRACTORS, THE COLLECTION OF FEES; TO PROVIDE FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith AND TO PROVIDE FOR PENALTIES FOR THE VIOLATION HEREOF.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. SHORT TITLE

This ordinance shall be known as the "City of Fort Dodge, Building Ordinance," and may be so cited.

SECTION II. PURPOSE AND SCOPE

It is the purpose of this ordinance to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Fort Dodge, and certain equipment specifically regulated herein; to provide for the issuance of permits, inspection of buildings, the registration of building contractors, the collection of fees, the repeal of ordinances in conflict herewith and penalties for the violation of this ordinance.

SECTION III. ADOPTION OF BUILDING CODE

The International Building Code, 2012 Edition, as published by the International Code Council (IBC), and the International Residential Code 2012 Edition, as published by the International Code Council (IRC), Chapters 1 –24, with appendices B, C, D, G, H, and J are hereby adopted by reference.

SECTION IV. AMENDMENTS, MODIFICATIONS, ADDITIONS, AND DELETIONS

IBC:

- (1) Section 101.1 insert "City of Fort Dodge" as name of jurisdiction.
- (2) Section 101.4.1 – Delete and insert in lieu thereof "all electrical installations shall comply with the electrical code adopted by the City of Fort Dodge".
- (3) Section 101.4.3 – Delete and insert in lieu thereof "all plumbing installations shall complete with the plumbing code adopted by the City of Fort Dodge".
- (4) Delete Section 105.1.1 and 105.1.2.
- (5) Section 105.2 – Building 7 delete "cabinets, countertops".
- (6) Historic buildings may be allowed to use the provisions of the International Existing Building Code, 2012 Edition, published by the International Code Council, when allowed to do so by a variance granted by the Building and Construction Appeals Board.
- (7) New Section 108.2.1 – Fees will be as established by resolution of the City Council.
 - a. Removal of Underground Storage Tanks - \$20.00 per tank.
- (8) New section 109.4.1 – The fee required by Section 109.4 shall be an amount equal to the building permit fee.
- (9) Section 1612.3 shall refer to the FIRM for Fort Dodge, Iowa, dated December 4, 2012.
- (10) Add Section 1301.1.2 buildings designed and constructed in conformance with Iowa Administrative Code 661 – Chapter 303 shall be considered an acceptable alternative to section 1301.1.1.
- (11) Section 3202.3.1 – Delete last sentence and insert in lieu thereof "awnings, canopies, marquees, and signs shall be supported entirely by the building".

IRC:

- (1) Section 101.1 insert "City of Fort Dodge" in name of jurisdiction.
- (2) Section R105.2 – Building 6, delete "Cabinets, Countertops".
- (3) Delete Section R112.
- (4) Table R301.2(1) shall be completed as follows:
 - a. Ground snow load: 30PSF
 - b. Wind Speed: 90 MPH

- c. Seismic design category: A
 - d. Subject to damage from:
 - a. Weathering – Severe
 - b. Frost line depth: 42"
 - c. Termite – Slight to Moderate
 - e. Winter Design Temperature: -8°F
 - f. Ice shield underlayment: Yes
 - g. Flood hazards: HUD Community No. 195181A
 - h. Air freezing index: 2132
 - i. Mean annual temperature: 46.4°F
- (5) Delete Section R313
- (6) R403.1.4.1 – Exception 1, change “600 square feet (56m2) to “720 square feet (66.9m2)”.
- (7) Delete Section 907.3 condition 2 and replace with “where the existing roof covering is asphalt shingles, wood shake, slate, clay, cement or asbestos – cement tile.
- (8) Add Section 1100 “Compliance with the technical standards of Iowa Administration Code 661 – Chapter 303 will be considered an acceptable alternative to the technical standards of Chapter R11.
- (9) Section G2445 – Delete.

SECTION V. PERMIT – TO WHOM ISSUED

A permit required by Section 105 of the IBC or R105 of the IRC shall be issued only to a registered building contractor, however, any permit required by this ordinance may be issued to the owner of a building to do any work regulated by this ordinance in that building, including the usual accessory buildings; provided, that the owner shall personally purchase all material and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this ordinance and shall be inspected.

SECTION VI. APPLICATION FOR PERMIT

Application for permit shall be made to the Building Inspector pursuant to rules provided therefore and on forms provided by the Inspection Department. The application shall be accompanied by fees in accordance with the schedule of fees set out in Section 14.04.060 remitted to the City Treasurer’s Office.

SECTION VII. PLANS AND SPECIFICATIONS

Plans and specifications showing the proposed work in the necessary detail shall be submitted when requested by the Building Inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications, and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original application for a permit, shall be issued to cover the change.

SECTION VIII. ADMINISTRATION AND ENFORCEMENT

It shall be the duty of the Building Inspector to administer and enforce the provisions of this ordinance and to make any required inspections or tests; and to establish departmental rules subject to Council approval for the effective and efficient administration and enforcement hereof.

SECTION IX. ANNUAL PERMITS

In lieu of individual permits provided for in Section V an annual permit shall be issued after application to any registered building contractor or building owner entitled to secure permits for the repair, maintenance or remodeling in or on a building or premises for any repair, maintenance or remodeling of a value less than five hundred dollars. An application for a permit shall be in writing and shall contain a description of the premises on which the work is to be done. The annual permit fee in the sum of one hundred dollars shall accompany the application therefore. The permit holder shall keep a record of all work done under the permit. This record shall be accessible to the Building Inspector at all reasonable times and shall be delivered to the Building Inspector’s office monthly by the registered building contractor. All work done under such permits shall be performed in conformance with the provision of this ordinance and be subject to inspection.

SECTION X. REGISTRATION OF BUILDING CONTRACTOR

- (1) Building Contractor. Any person, firm, corporation or other association doing any building work for hire for which a permit is required pursuant to Section 105 of the IBC or R105 of the IRC other than a building owner performing his/her own work.
- (2) All building contractors shall be registered with the City Treasurer's Office of the City of Fort Dodge.
- (3) Any person desiring to be registered as a building contractor shall register with the City Treasurer's Office on forms provided therefore and pay an annual registration fee of \$50.00 therefore. Annual registrations provided hereunder shall expire the last day of September of each year, but may be renewed prior to the expiration date. Building contractors with expired registrations may not secure building permits.

SECTION XI. CONDITIONS OF REGISTRATION

Any person who has been registered as a building contractor shall execute and deposit with the City Treasurer's Office a bond in the sum of five thousand dollars with sureties approved by the City Treasurer and Mayor. This bond is to be held as surety that the registered contractor will fulfill these conditions.

- (1) All building work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Building Ordinance.
- (2) They will pay all fines and penalties properly imposed upon them for violation of the Building Ordinance.
- (3) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.
- (4) They shall indemnify the City for any work done by the City to correct any condition during excavation or backfilling, including safety measures required therefore.
- (5) The registrant shall supply the contractor registration number required by Iowa Code, Chapter 91C.

SECTION XII. REVOCAION OF REGISTRATION

The Building Inspector may revoke any registration if it is obtained through willful nondisclosure, misstatement or misrepresentation of a material fact, or if a material provision of the Building Ordinance has been violated. Before a registration may be revoked, the registrant shall be given notice in writing, either personally or as required by the applicable Iowa Rules of Civil Procedure, enumerating the charges against him/her. He/She shall be entitled to a fair hearing before the Building Inspector neither sooner than five days nor later than thirty days after receipt of the notice. The decision of the Building Inspector may be appealed to the City Council at its next regular meeting. The Council may affirm, amend, remand or reverse the Inspector's decision. A person whose registration has been revoked shall not be permitted to apply for another registration within one year from the date of revocation.

SECTION XIII. USE OF REGISTRANT'S NAME BY ANOTHER

No registrant shall allow his/her name to be used by another person either for the purpose of doing business or work under the registration. Every registrant shall notify the Inspector of the address of his/her place of business, if any, and the name under which such business is carried on and shall give immediate notice to the Inspector of any change in either. No registration issued under this ordinance shall be transferable.

SECTION XIV. RIGHT OF ENTRY

The Building Inspector and his/her authorized representative may enter any premises on proof of authority for the purpose of inspecting any building work, at such times as may be reasonably necessary to protect the public health, safety and welfare.

SECTION XV. BOARD OF APPEALS

Any person aggrieved by a decision of the Building Inspector pursuant to this ordinance, except the registration provisions thereof may appeal to the Board of Appeals, pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

SECTION XVI. VIOLATION – PENALTY

Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

SECTION XVII. REPEALER

All ordinance and parts of ordinances in conflict with this Ordinance are hereby repealed, specifically Ordinance No. 2083.

SECTION XVIII. EFFECTIVE DATE

This ordinance shall be in full force and effect following its passage and publication as provided by law.

SECTION XXIV. SEVERABILITY CLAUSE

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.

PASSED AND APPROVED this _____ day of _____, 2014.

AYES: _____

NAYS: _____

OTHER: _____

CITY OF FORT DODGE, IOWA

By: _____

Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

Published in the Fort Dodge Messenger this _____ day of _____, 2014.

CITY OF FORT DODGE
ORDINANCE No. _____

AN ORDINANCE TO ADOPT BY REFERENCE A COMPLETE ELECTRICAL CODE REGULATING THE PRACTICE, MATERIALS AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION AND ALTERATION OF ALL WIRING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH VARIOUS ELECTRICAL SYSTEMS, TO PROVIDE FOR THE APPOINTMENT OF AN ELECTRICAL INSPECTOR, THE ISSUANCE OF PERMITS FOR ELECTRICAL INSTALLATION AND THE COLLECTION OF FEES, TO ESTABLISH AN ELECTRICAL APPEAL BOARD AND TO PROVIDE PENALTIES FOR VIOLATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. SHORT TITLE

This ordinance shall be known as the “Fort Dodge, Iowa, Electrical Ordinance” and may be so cited.

SECTION II: PURPOSE AND SCOPE

- (1) It is the purpose of this ordinance to adopt a complete electrical code, including provisions for the inspection and regulation of electrical installations, issuance of permits and collection of fees and to provide penalties for violations of this ordinance in order to protect the public safety, health and welfare.
- (2) The provisions of this ordinance shall apply to and govern the supply of electricity and all sales, rentals, leases, uses, installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment. For the purposes of this ordinance, the term “electrical equipment” means all materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.
- (3) The following activities are exempt from the provisions of this chapter:
 - (a) The installation, alteration or repair of electrical generation, transmission or distribution equipment, but no utilization equipment, owned and operated by an electrical public utility company or the City;
 - (b) The installation, alteration or repair of electrical signal or communication equipment owned or operated by a public utility company or the City;
 - (c) Any work on or in boats, railway cars, trackless trolleys, buses, aircraft and motor vehicles;
 - (d) Any work in connection with electrical equipment used for radio and television transmission, but not including supply wire to such equipment;
 - (e) Any work involved in the manufacturing or testing of electrical equipment or apparatus, but not including any permanent wiring or equipment;
 - (f) Any work associated with:
 - (i) The repair of plug-connected electrical appliances or devices,
 - (ii) Permanently connected electrical appliances or devices that have been electrically and mechanically disconnected and separated from all sources of electrical supply. The opening of switches or the blowing or removal of fuses shall not be considered an electrical or mechanical disconnection or separation;
 - (g) The installation or replacement of approved fuses;
 - (h) The installation or replacement of pin-type lamps, screw base lamps or plug-connected portable appliances.

SECTION III. ADOPTION OF ELECTRICAL CODE

The National Electrical Code of 2014 (NFPA no. 70-2014) as recommended by the National Fire Protection Association, is adopted in full except for the portions that are deleted, modified or amended by this ordinance. From the effective date of this ordinance, all electrical work as defined in Section II shall be performed in accordance with the provisions of the Fort Dodge Municipal Code as modified by this ordinance. A copy of the National Electrical Code as adopted and a certified copy of this ordinance shall be on file in the office of the City Clerk for public inspection.

SECTION IV. AMENDMENTS, MODIFICATION, ADDITIONS, AND DELETIONS

The following amendments, modifications, additions and deletions to the National Electrical Code are made:

- (1) Wiring Classification. The following modifications and additions are made, any provision of the National Electrical Code adopted in this ordinance notwithstanding.
 - (a) All business buildings, public buildings, schools, motels, churches, oil stations, warehouses, bulk oil plants and institutional buildings shall be wired throughout in a raceway system, M.I., A.C., or MC cable. Cable shall contain an insulated grounding conductor sized in accordance with table 250.122 and terminated in accordance with article 250. Any cable or flexible raceway run exposed on a wall shall be considered subject to physical abuse and protected in accordance with section 334.15.
 - (b) All signboards or posters shall be wired in rigid conduit or electrical metallic tubing.

(c) Rigid conduit or electrical metallic tubing shall protect all wiring run on the exposed sidewalls of basements.

(2) Services.

- (a) In all installations where there is more than one meter grouped, each meter shall be permanently identified.
- (b) All new services shall be a minimum of one hundred amperes, one hundred twenty to two hundred forty volts, unless approved by the enforcing authority before installation is made. Exceptions may be made for such services as, but not limited to, outdoor lighting, fixed loads and security systems. For multiple dwellings, the above-established minimum shall be applied per dwelling unit.
- (c) All entrances shall be of rigid conduit, intermediate metallic tubing, electrical metallic tubing, or approved duct.
- (d) All new and replacement services on buildings shall have an intersystem bonding termination as described in NEC Sec. 250.94 located on the exterior of the structure on or in the immediate vicinity of the metering equipment enclosure.

(3) Except as otherwise provided in this ordinance, all electrical equipment installed, used or made available to the public shall be in conformity with the provisions of this ordinance, and with approved electrical standards for safety to persons and property. Unless by this ordinance a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriter's Laboratories, Inc., or other nationally-recognized testing laboratory as approved by the American Standards Association is required. The electrical provisions of other standards approved by the American Standards Association shall be prima facie evidence of conformity with approved standards for safety to persons and property provided, however, that the provisions of this section shall not apply to equipment owned or used by an electric supply or communications agency in the generation, transmission or distribution of electricity or for the operation of signals for the transmission of intelligence.

(4) All references in the aforesaid 2014 National Electric Code shall be deemed a reference to the building code currently adopted by the City of Fort Dodge.

SECTION V. ADMINISTRATION AND ENFORCEMENT

It shall be the duty of the Electrical Inspector to administer and enforce the provisions of this ordinance. He shall keep records of all permits issued, inspections and reinspections made and other official work performed in accordance with the provisions of this ordinance pursuant to established City recordkeeping procedures.

SECTION VI. PERMIT REQUIREMENTS

- (1) No electrical work as defined in Sections II and III of this ordinance shall be done unless the Electrical Inspector has issued a permit authorizing the work. A permit shall be issued if the electrical work, as proposed in the application for a permit, meets all the requirements of this ordinance. If the Electrical Inspector requests plans and specifications, they must meet the requirements of this ordinance.
- (2) Permits shall be issued only to electrical contractors licensed by the City of Fort Dodge, Iowa, holders of a State of Iowa Class A Masters Electrician's license, and registered maintenance electricians. However, any permit required by this ordinance may be issued to the owner of a single-family dwelling (or mobile home) used exclusively for living purposes, to do any work regulated by this ordinance in that dwelling, including the usual accessory buildings and quarters; provided, that the dwelling will be occupied by the owner, and that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this ordinance and shall be inspected like other work.

SECTION VII. REGISTRATION

Every person holding a valid state of Iowa Electrical Contractor's License/Class A Master Electrician's License shall register with City Treasurer of the City of Fort Dodge prior to performing any electrical work within the corporate limits of the City of Fort Dodge. Each registrant shall:

- (1) Place on file a copy of his/her state of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code 91C.
- (3) Supply other information as may be required by the City Treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a \$50.00 per year registration fee to the City Treasurer.
- (5) Any person who has been registered as an electrical contractor shall execute and deposit with the City Treasurer a bond in the sum of five thousand dollars with sureties approved by the City Treasurer and Mayor. This bond is to be held as surety that the registered contractor will fulfill these conditions:
 - (a) All electrical work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Electrical Ordinance.
 - (b) They will pay all fines and penalties properly imposed upon them for violation of the Electrical Ordinance.

- (c) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

State of Iowa Class B Master's Licenses will be honored as a Class B Journeyman's License.

SECTION VIII. APPLICATION FOR PERMIT

Applicants for permits shall be made to the Electrical Inspector, on forms provided by the City Treasurer's Office, prior to beginning the particular work, except for emergency work. The applicant shall include the name and business address of the person, firm, corporation or other association that is to do the work, a description of the property where the work is to be done, the name of the owner of the property, the name of the occupant and a general description of the materials to be used, and shall specify the particular part or parts of the work that must be inspected as required by this ordinance. The application shall be accompanied by fees in accordance with the schedule of fees set out in Section XII. Every permit issued by the Electrical Inspector or under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety days from the date of such permit or, if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of ninety days. Before such work can be recommenced, a new permit shall be first obtained therefore. A permittee may apply for an extension of time within which to commence or complete such work for good and satisfactory reason.

(1) Work without a Permit.

- (a) Whenever any work for which a permit is required by this ordinance has been commenced without first obtaining a said permit, a special investigation shall be made before a permit may be issued for such work.
- (b) Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this ordinance. The minimum investigation fee shall be the same as the minimum fee set forth in this ordinance. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this ordinance nor from any penalty prescribed by law.

SECTION IX. PLANS AND SPECIFICATIONS

Plans and specifications showing the proposed work in the necessary detail shall be submitted if requested by the Electrical Inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If, in the course of the work, it is found necessary to make any substantial change from the plans and specifications on which a permit was issued, amended plans and specifications shall be submitted. Fees in the amount of half the fees originally required shall be paid. A supplementary permit, subject to the same conditions applicable to the original permit, shall be issued to cover the change.

SECTION X. ANNUAL PERMITS

In lieu of individual permits, an annual permit shall be issued after application to any industrial or institutional maintenance electrician for the repair and maintenance of electrical equipment in or on buildings or premises owned or occupied by the employer or electrical contractor for maintenance, remodeling and repair jobs of less than six openings. An application for an annual permit shall be in writing and shall contain a description of the premises on which the work is to be done. The permit fee required in Section XII must accompany each application for a permit or renewal. The permit holder shall keep a record of all electrical repairs and maintenance work done under the permit. This record shall be accessible to the Electrical Inspector at all reasonable times and delivered monthly to the Electrical Inspector by the electrical contractors. All work done under such permits shall be maintained in conformance with the provisions of this ordinance and be subject to the inspection.

SECTION XI. EMERGENCY WORK

In emergency situations, work can be initiated and completed by licensed electricians without first obtaining a permit. However, a permit must be obtained within a reasonable time after the passage of the critical period. With this exception, all emergency work must be done in conformity with the provisions of this ordinance and shall be inspected by the Electrical Inspector for full compliance.

SECTION XII. SCHEDULE OF FEES

Fees will be as established by resolution of the City Council.

SECTION XIII. INSPECTIONS

Upon the completion of the electrical work, and at such other times as specified by the Electrical Inspector, that has been done under a permit other than an annual permit, the person, firm, corporation or other association doing the work shall notify the Electrical Inspector. The Electrical Inspector shall inspect the work within twenty-four hours,

exclusive of Saturdays, Sundays and holidays, after receipt of notice, or as soon thereafter as practicable pursuant to rules and regulations subject to Council approval.

SECTION XIV. RIGHT OF ENTRY

- (1) The Electrical Inspector shall have the right, during reasonable hours and upon consent of the occupant, to enter any building or premises in the discharge of his official duties to make any inspection, reinspection or test of electrical equipment that is reasonably necessary to protect the public health, safety and welfare.
- (2) Where the building or premises is unoccupied, the consent of the owner shall be obtained. If the Electrical Inspector has reasonable cause to believe that electrical installations or equipment within the building or premises constitute an extreme hazard to persons or property, he shall have the right to immediately enter and inspect such installations or equipment, and may use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained.

SECTION XV. SHUTTING OFF SUPPLY

If the Electrical Inspector finds that any electrical equipment or installation is defective or that it has been installed in conflict with the provisions of this ordinance, he shall notify the person, firm, corporation or other association responsible for the electrical equipment or installation by certified mail of his findings and orders. If the necessary changes or repairs are not completed within fifteen days (or longer period as specified in the notice), the Electrical Inspector shall have the authority to disconnect or order the discontinuance of electrical service to the equipment or installation in question. No disconnection shall be made during the dependence of appeal to the Electrical Appeal Board. In cases where maintenance of electrical service to electrical equipment or installation constitutes an extreme hazard to persons or property, the Electrical Inspector shall have authority to cause immediate discontinuance of such service. If fires have damaged the wiring of any building or structure, reconnection to electrical supply shall not be made until authorized in writing by the Electrical Inspector.

SECTION XVI. APPROVAL OF MATERIALS

The Electrical Inspector may approve in advance electrical materials inspected and approved by the Underwriter's Laboratories, Inc., and other materials of equal or higher quality.

SECTION XVII. BOARD OF APPEALS

Any person aggrieved by a decision of the Electrical Inspector pursuant to this ordinance may appeal to the Board of Appeals pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

SECTION XVIII. ELECTRICAL POWER SUPPLY

Except where work is done under an annual permit, it shall be unlawful for any person, firm, corporation or other association to make connection from a supply of electricity or to supply electricity to any electrical equipment for the installation of which a permit is required unless such connection has been authorized by the Electrical Inspector. It is unlawful to make connections to equipment that has been disconnected or ordered to be disconnected by the Electrical Inspector.

SECTION XIX. VIOLATION – PENALTY

Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

SECTION XX. REPEALER

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed specifically Ordinance No. 2086.

SECTION XXI. EFFECTIVE DATE

This Ordinance shall be in full force and effect following its passage and publication as provided by law.

SECTION XXII. SEVERABILITY CLAUSE

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.

PASSED AND APPROVED this _____ day of _____, 2014.

AYES: _____

NAYS: _____

OTHER: _____

CITY OF FORT DODGE, IOWA

By: _____
Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

Published in the Fort Dodge messenger this ____ day of _____, 2014.

CITY OF FORT DODGE
ORDINANCE NO. _____

AN ORDINANCE TO ADOPT A COMPLETE FIRE PREVENTION CODE; TO PRESCRIBE REGULATIONS CONSISTENT WITH NATIONALLY-RECOGNIZED GOOD PRACTICE FOR THE SAFEGUARDING TO A REASONABLE DEGREE OF LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES AND CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE USE OR OCCUPANCE OF BUILDINGS OR PREMISES; REPEALING ORDINANCES IN CONFLICT THEREWITH AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. SHORT TITLE

This ordinance shall be known as the Fort Dodge, Iowa, Fire Prevention Code, and may be so cited.

SECTION II. PURPOSE AND SCOPE

It is the purpose of this ordinance to prescribe regulations consistent with nationally-recognized good practice for the safeguarding to a reasonable degree of life and property from hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the use or occupancy of buildings or premises; to repeal ordinances in conflict herewith and to prescribe penalties for the violation hereof.

SECTION III. ADOPTION OF FIRE PREVENTION CODE

The International Fire Code, 2012 Edition as published by the International Code Council, is hereby adopted by reference in full except for such portions as hereinafter may be deleted, modified or amended. From the effective date of this ordinance, all storage, handling and use of hazardous substances, material and devices and the use or occupancy of buildings or premises shall be subject to the provisions of this ordinance. An official copy of the 2012 International Fire Code as adopted and a certified copy of this ordinance are on file in the office of the City Clerk for public inspection, and may be purchased there for the actual cost thereof.

SECTION IV. ADMINISTRATION AND ENFORCEMENT

It shall be the duty of the fire chief to administer and enforce the provisions of this ordinance and to make any required inspections or tests thereunder.

SECTION V. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE AND ABOVEGROUND AND BULK STORAGE OF LIQUID PETROLEUM GASSES, CNG, EXPLOSIVES, CRYOGENICS, AND HAZARDOUS MATERIALS IS TO BE RESTRICTED

The 2012 International Fire Code is amended by adding thereto the following: Certain limits are set out for the construction of tanks in which the storage of flammable liquids is permitted under the International Fire Code. These are outside aboveground tanks and their construction is hereby limited as stated herein. The storage of liquid petroleum gasses, CNG, explosives, cryogenics, and hazardous materials is also restricted as hereinafter stated rather than according to the terms of the International Fire Code:

- a. The downtown commercial district between 2nd Avenue North and 2nd Avenue South from 1st to 15th Street.
- b. Such other districts as may be established by the fire chief of the City of Fort Dodge acting under the authority delegated to him by the terms of this chapter. The fire chief shall cause to be prepared a map

which will be on file in the office of the City Clerk indicating in which areas tanks may be established or constructed under the terms of this chapter by department regulation subject to Council approval.

SECTION VI. MODIFICATIONS

The chief of the fire department shall have power to modify any of the provisions of the International Fire Code upon application in writing by the owner of lease or his duly-authorized agent. When there are particular difficulties in the way of carrying out the strict letter of the Code, provided the spirit of the Code shall be observed, public safety secured and substantial justice done, the particulars of such modification may be granted or allowed and the decision of the chief of the fire department thereon shall be entered on the records of the department. One signed copy of the decision of the fire chief shall be furnished the applicant and one signed copy be filed in the office of the City Clerk.

- (1) Section 105.1.1 Add "Fees will be as established by resolution of the City Council."
- (2) Add 507.3.1 Appendix B may be considered an approved method for determining a fire flow method.
- (3) Add 507.5.1.2 Appendix C will be adopted as an approved method for hydrant location and distribution.
- (4) Appendix D may be considered.

SECTION VII. BOARD OF APPEALS

Any person aggrieved by a decision of the fire chief pursuant to this ordinance may appeal to the Board of Appeals pursuant to and in the manner provided for in Ordinance No. 1621.

SECTION VIII. PENALTY

Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

SECTION IX. REPEALER

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, in particular Ordinance No. 2085.

SECTION X. SEVERABILITY CLAUSE

If any section, provision or part of this ordinance shall be adjudged to be 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 XI. EFFECTIVE DATE

This ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2014.

AYES: _____

NAYS: _____

OTHER: _____

CITY OF FORT DODGE, IOWA

By: _____

Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

Published in the Fort Dodge Messenger this _____ day of _____, 2014.

CITY OF FORT DODGE
ORDINANCE No. _____

AN ORDINANCE TO ADOPT A COMPLETE MECHANICAL CODE REGULATING THE PRACTICE, MATERIALS, EQUIPMENT AND APPLIANCES USED IN THE DESIGN, CONSTRUCTION, INSTALLATION, QUALITY OF MATERIALS, LOCATION, OPERATION AND MAINTENANCE OR USE OF HEATING, VENTILATING, COOLING, HYDRONICS, AND REFRIGERATION SYSTEMS, INCINERATORS AND OTHER MISCELLANEOUS HEAT – PRODUCING APPLIANCES REQUIRING A PERMIT HEREUNDER; TO PROVIDE FOR THE ISSUANCE OF PERMITS FOR AN INSPECTION OF MECHANICAL SYSTEMS; AND THE COLLECTION OF FEES THEREFORE AND TO PROVIDE PENALTIES FOR THE VIOLATIONS THEREOF.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. SHORT TITLE

This ordinance shall be known as the “Fort Dodge, Iowa, Mechanical Ordinance and Fuel Gas Ordinance.

SECTION II: PURPOSE AND SCOPE

The purpose of this ordinance is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliance requiring a permit hereunder and to provide for the issuance of permits for such systems and the inspection thereof, collection of fees therefore and to provide penalties of for the violation of this ordinance.

It is the purpose of this ordinance to adopt a complete Mechanical Code, including provisions for inspecting and regulating Mechanical installation, issuing permits and collecting fees, and providing penalties for violations of this ordinance.

SECTION III. ADOPTING OF MECHANICAL CODE AND FUEL GAS CODE

The International Mechanical Code 2012 Edition and the International Fuel Gas Code 2012 Edition is adopted by reference in full, including the appendices except for such portions as hereinafter may be deleted, modified or amended. From the effective date of this ordinance all installations, repairs, and alterations of Mechanical Systems shall be performed in accordance with its provisions.

- (a) All references to the International Plumbing Code found within the International Mechanical Code shall be replaced with the appropriate reference to the Plumbing Code as adopted by the City of Fort Dodge.
- (b) All references to the International Energy Conservation Code found within the IMC and IFGC shall be interpreted to refer to the 2012 Edition of International Energy Conservation Code as adopted by the State of Iowa.
- (c) One and two family dwellings and town homes shall be governed by Chapters 12 – 24 of the 2012 International Residential Code.

SECTION IV. AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETION

The following amendments, modifications, additions, and deletions to the 2012 International Mechanical Code are made:

- (1) Section 101.1. Insert: “Fort Dodge”.
- (2) Section 106.2. “Permits not required” is deleted.
- (3) Section 106.5.2. Delete Sections 106.5.2 and insert in lieu thereof the following:
106.5.2 Permit Fees. The fee for each permit shall be as set forth in the mechanical permit fee schedule as established by resolution of the City Council.
- (4) Delete Section 108.4
- (5) Section 106.5.3. Insert 80% to subparagraphs 2 and 4.
- (6) Section 108.5. Delete last sentence and replace with “Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.
- (7) Section 109. “Means of Appeal” is deleted.

SECTION V. PERMIT – TO WHOM ISSUED

A permit required by Section 106 of the 2012 International Mechanical Code and Section 106 of the 2012 International Fuel Gas Code shall be issued only to the HVAC, Hydronic, Refrigeration Contractors meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Chapter 105; however, any permit required by this ordinance may be issued to the owner of a single-family dwelling used exclusively for living purposes to do any work regulated by this ordinance in that dwelling including the usual accessory buildings and quarters; provided, that the dwelling is occupied by the owner and also that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this ordinance and shall be inspected.

SECTION VI. LICENSE REQUIRED

Mechanical Work performed under the Provisions of this Code must be done by a Contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in Accordance with Iowa Code Chapter 105.

SECTION VII. APPLICATION FOR PERMIT

Application for permit shall be made to the mechanical Inspector pursuant to rules provided therefore and on forms provided by the Inspection Department. The application shall be accompanied by fees in accordance with the schedule of fees.

SECTION VIII. REGISTRATION

Every person holding a valid state of Iowa Mechanical Contractor License/State Master Mechanical License shall register with City Treasurer of the City of Fort Dodge prior to performing any mechanical work within the corporate limits of the City of Fort Dodge. Each registrant shall:

- (1) Place on file a copy of his/her state of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code 91C.
- (3) Supply other information as may be required by the City Treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a \$50.00 per year registration fee to the City Treasurer.
- (5) Any person who has been registered as a Mechanical Contractor shall execute and deposit with the City Treasurer a bond in the sum of five thousand dollars with sureties approved by the City Treasurer and Mayor. This bond is to be held as surety that the Registered Mechanical Contractor will fulfill these conditions:
 - (a) All mechanical work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Mechanical Ordinance.
 - (b) They will pay all fines and penalties properly imposed upon them for violation of the Mechanical Ordinance.
 - (c) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

SECTION IX. PLANS AND SPECIFICATIONS

Plans and specifications showing the proposed work in the necessary detail shall be submitted when requested by the Mechanical Inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of additional fee. If, in the course of work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original applicant for a permit, shall be issued to cover the change.

SECTION X. ADMINISTRATION and ENFORCEMENT

It shall be the duty of the Mechanical Inspector to administer and enforce the provisions of this ordinance and to make any required inspections or tests thereunder.

SECTION XI. RIGHT OF ENTRY

The mechanical Inspector and his authorized representatives may enter any premises on proof of authority for the purpose of inspecting any mechanical systems; at such times as may be reasonable necessary to protect the public health, safety and welfare.

SECTION XII. BOARD OF APPEALS

Any person aggrieved by a decision of the Mechanical Inspector pursuant to this ordinance may appeal to the Board of Appeals pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

SECTION XIII. VIOLATION – PENALTY

Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

SECTION XIV. REPEALER

All Ordinances and parts of ordinances in conflict with this ordinance are hereby repealed specifically Ordinance No. 2084.

SECTION XV. EFFECTIVE DATE

This Ordinance shall be in full force and effect following its passage and publication as provided by law.

SECTION XVI. SEVERABILITY CLAUSE

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.

PASSED AND APPROVED this _____ day of _____, 2014.

AYES: _____

NAYS: _____

OTHER: _____

CITY OF FORT DODGE, IOWA

By: _____

Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

Published in the Fort Dodge Messenger this _____ day of _____, 2014.

CITY OF FORT DODGE, IOWA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FORT DODGE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF FORT DODGE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

THE CITY COUNCIL OF THE CITY OF FORT DODGE DOES ORDAIN AS FOLLOWS:

Section I. PURPOSE AND ADOPTING OF PROPERTY MAINTENANCE CODE

That a certain document, one copy of which is on file in the office of the City Clerk of the City of Fort Dodge, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Fort Dodge, in the State of Iowa for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Fort Dodge are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section II of this ordinance.

Section II. AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS

The following sections are hereby revised:

Section 101.1. Insert: The City of Fort Dodge

Section 101.2. Insert: "Exception: The interior requirements of Chapters 3, 4, 5, and 6 shall not apply to Single family owner occupied dwellings."

Section 102.3. Delete and replace: "Repairs, additions or alterations to a structure, or changes in occupancy, shall be done in accordance with the procedures and provisions of the City of Fort Dodge Building Code, Electrical Code, Plumbing Code, Mechanical Code, and Fire Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Zoning Ordinance of the City of Fort Dodge."

Section 102.7. Delete: First sentence and replace with "The Codes and standards referenced in this Code shall be the codes and standards adopted by the City of Fort Dodge and as regulated in Section 102.7.1 and 102.7.2."

Section 103.1. Delete and replace: "The enforcement of this ordinance shall be under the City of Fort Dodge Code Enforcement Department."

Section 103.5. Add: "Schedule to be adopted by the City Council by resolution."

Section 105.1. Change: “Code Official” to “Buildings and Construction Appeals Board”.

Section 106.3. Delete and replace: “Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality pursuant to F.D.M.C. 1.20.”

Section 107.2. Number 6 delete and insert: “Include a statement of the right to file a lien.”

Section 108.1. Change: “Code Official” to “Board of Health of the City of Fort Dodge.”

Section 108.2. Change: First sentence to read “If the structure is vacant and/or unfit for human habitation and occupancy.....”

Section 109.3. Delete and insert: “When necessary for public safety, the code official shall temporarily close structures and recommend to the authority having jurisdiction to close sidewalks, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being utilized.”

Section 110.1. Delete and insert: “The code official shall order the owner of any premises upon which is located any structure, which in the code official judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary pursuant to F.D.M.C. 14.48.”

Section 111.2. through 111.8. Delete and insert: “111.2 Appeals board. Appeals shall be to the Buildings and Construction Appeals Board as created by F.D.M.C. Sec. 14.56.”

Section 112.4. Delete and insert: “Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a penalty as regulated pursuant to F.D.M.C 1.20.”

Section 202. Add: Definitions

“Historic Building. A building declared to be of historic significance by a competent government authority.”

“Abandoned buildings or structures. A building or structure that has been vacant for 12 consecutive months or is vacant and has been vacant for 12 of the past 18 months and is in violation of the City building, maintenance, or housing codes or is a nuisance as defined by Section 9.32.010D F.D.M.C.”

“Household Appliances. Any mechanism, device, apparatus, or equipment, designed primarily for indoor household use, including, but not limited to: stoves, refrigerators, ovens, microwave ovens, washing machines, clothes dryers, sewing machines, televisions, and/or similar items.”

“Household Furniture. Any items of household furniture designed primarily for indoor use, including, but not limited to: sofas, couches, divans, reclining chairs, ottomans, beds, mattresses, box springs, desks, tables, and similar items, but excluding those items of furniture designed primarily for outdoor use.”

“Porch. A platform completely covered by a roof located at and attached to or abutting against the entrance to a building.”

“Screens. Framed wire mesh or framed plastic mesh used to keep out insects and permit airflow.”

Section 302.4. Insert: 10"

Following Subsection 302.9, Insert Subsection: "**302.10 Exterior Display or Storage of Certain Materials.** It shall be a violation of this section for any landowner or person leasing, occupying or having control of any real property used for residential purposes, to display, keep, store, maintain, deposit or perform or permit on such property the outdoor use, outdoor storage or outdoor placement of household appliances, household furniture, or household furnishings for any period of time in excess of forty-eight hours, unless such items are designed for outdoor use and are used on the premises for purposes of the household. The term "outdoor" includes a porch. However, the use, storage or placement of household appliances, household furniture or household furnishings on a porch is not prohibited if the porch is completely enclosed by fully intact glass or fully intact screens."

Section 304.13.1. Add: "Glazing, as regulated by Chapter 24 of the International Building Code, shall not be covered up with, closed by, or replaced by wood, plywood, OSB, or any other non-glazing material. Other means of closure may be allowed by Variance issued by the Appeals Board. The requirement is not intended to prevent the partial or complete in-fill of any opening by a properly constructed wall covered by an exterior finish material that is architecturally compatible with the remainder of the building."

Section 304.14. Delete.

Section 602.3. Insert: September 15 to May 15

Section 602.4. Insert: October 1 to May 1

Section III. REPEALER

That all other ordinances or parts of ordinances in conflict herewith are hereby repealed, specifically Ordinance No. 2071.

Section IV. SEVERABILITY CLAUSE

That if any section, subsection, sentence, clause or phrase of this ordinance 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 Fort Dodge hereby declares that it would have passed this ordinance, 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.

Section V. RIGHTS AND LIABILITY CLAUSE

That nothing in this ordinance or in the Property Maintenance 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 III of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section VI. EFFECTIVE DATE

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and publication as provided by law.

The above Ordinance passed and adopted by the City Council of the City of Fort Dodge, Iowa this _____ day of _____, 2014.

Passed on first consideration this _____ day of _____, 2014.

Ayes: _____

Nays: _____

Other: _____

Passed on second consideration this _____ day of _____, 2014.

Ayes: _____

Nays: _____

Other: _____

Passed on third consideration this _____ day of _____, 2014.

Ayes: _____

Nays: _____

Other: _____

City of Fort Dodge, Iowa

Matt Bemrich, Mayor

Attest:

Jeff Nemmers, City Clerk

Published in the Messenger this _____ day of _____, 2014.

CITY OF FORT DODGE
ORDINANCE No. _____

AN ORDINANCE TO ADOPT A COMPLETE PLUMBING CODE REGULATING THE PRACTICE, MATERIALS, AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION AND ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES AND APPURTENANCES IN CONNECTION WITH VARIOUS PLUMBING SYSTEMS; TO PROVIDE FOR THE ISSUANCE OF PERMITS FOR AN INSPECTION OF PLUMBING INSTALLATIONS AND THE COLLECTION OF FEES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. SHORT TITLE

This ordinance shall be known as the "Fort Dodge, Iowa, Plumbing code, (FDPC)." And may be cited.

SECTION II: PURPOSE AND SCOPE

It is the purpose of this ordinance to adopt a complete Plumbing Code, including provisions for inspecting and regulating plumbing installation, issuing permits and collecting fees, and providing penalties for violations of this ordinance.

SECTION III. ADOPTING OF PLUMBING CODE

The Uniform Plumbing Code, 2012 Edition, International Association of Plumbing and Mechanical Officials, is adopted by reference in full including the appendices, tables and standards. From the effective date of this ordinance all installations, repairs and alterations of plumbing shall be performed in accordance with its provisions. An official copy of the 2012 Uniform Plumbing Code as adopted and a certified copy of this ordinance are on file in the office of the City Clerk for public inspection, and may be purchased therefrom the actual cost thereof.

SECTION IV. AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETION

The following amendments, modifications, additions, and deletions to the 2012 Uniform Plumbing Code are made:

1. 103.2 Permit Acquisition: Add Section 103.2.4 Qualifications of Permittee
 - (a) Permits are not transferable. Plumbing work performed under the provisions of this chapter must be done by a contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105. A plumber licensed by the State of Iowa Plumbing and Mechanical Systems Board as a "Master" may sign and obtain a permit for the contractor for which they are employed only when said "Master" has provided proof of employment by said licensed contractor. Must be registered and bonded through the City Treasurer's Office. Any permit required by the provisions of this code may be revoked by the Code Official upon the violation of any provision of this code.
 - (b) A State of Iowa licensed Plumbing contractor shall be allowed only to secure permits for himself or herself, or a single firm or corporation. When a State of Iowa licensed Plumbing contractor has secured such a permit, only the employees of such contractor when meeting the provisions of Iowa Code Chapter 105 shall perform the work for which the permit was obtained.
 - (c) For purposes of this section, an "employee" shall be one employed by the contractor, firm or corporation for a wage or salary. A contractor may be required by the Code Official to show positive evidence as to the employee status of workers on the job. Such evidence shall be in the form of payroll and time records; canceled checks, or other such documents.
 - (d) The contractor may also be required to show the agreement or contract pertaining to the work being questioned as evidence that said contractor is, in fact, the actual contractor for such work. Failure or refusal by the contractor to make available such employee or contractual records within 24 hours from demand therefore shall be grounds for immediate revocation of any permit for the work in question.
 - (e) A permit may be issued to the owner of an existing owner-occupied single family dwelling, pursuant to a valid certificate of occupancy and used exclusively for residential purposes, to do any work regulated by this Article in connection with said dwelling and accessory buildings. Said owner may appear before the plumbing/mechanical inspector and, upon establishing that said person is competent to do the specific work for which the permit is desired and upon paying the permit fees as hereinafter set forth, the plumbing/mechanical inspector shall issue a permit to such applicant.

2. Delete Sections 103.4.1 and 103.4.2 and add Section 103.4 as follows: 103.4 Fees: All applicants shall pay the proper permit and inspection fees as established by resolution of the City Council.
3. Add Section 411.2.6: Floor drains required. Unless otherwise approved by the Plumbing Inspector, at least one floor drain shall be provided in each room where an automatic water heater is/or will be installed and in each mechanical room.
4. Required plumbing fixture calculations.
Section 422 and Table 422.1 of the UPC regarding the minimum number of fixtures are hereby amended by deleting said section and table and inserting in lieu thereof the following:
Plumbing fixtures shall be provided in accordance with *Chapter 29* of the International Building Code (IBC) adopted in *Fort Dodge Building Code, Section III, Ordinance No. 2083*, with the following amendments and additions:
 - (1) All references in *Chapter 29* of the IBC to provisions in the International Plumbing Code shall instead be interpreted to refer to the corresponding provisions in the Iowa State Plumbing Code at Iowa Administrative Code chapter 641-25, which are repeated below for ease of reference.
 - (a) IPC 410.1 – *Drinking fountains*. Section 410.1. Approval – Drinking Fountains shall conform to ASME A112.19.1, ASME A112.19.2M, or ASME A112.19.9M and water coolers shall conform to NSF 61, Section 9. Where water is served in restaurants, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains.
 - (b) IPC 411 – Emergency showers and eye wash stations.
Section 411.1. Approval – Emergency showers and eyewash stations shall conform to ISEA Z358.1.
Section 411.2. Waste connections shall not be required for emergency showers and eyewash stations.
 - (2) The following provisions in the Iowa State Plumbing Code at Iowa Administrative Code chapter 641-25 are hereby incorporated into the plumbing code: IPC 419.2 Substitution for water closets. In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals shall not be substituted for more than 50 percent of the required water closets in all other occupancies.
 - (3) Accessible plumbing facilities and fixtures shall be provided as required by chapter 11 of the IBC.
5. Delete Section 604.2 in its entirety and insert in lieu thereof the following: Cooper tube for water piping shall have a weight of not less than Type M copper tubing. Exception: Copper tube for underground water piping shall have a weight of not less than Type K copper tubing.
6. Delete Section 605.2 in its entirety and insert in lieu thereof the following: 605.2: Independent fullway valves shall be installed on the supply and discharge sides of each water meter. Water piping supplying more than one building on any one premises shall be supplied with separate fullway valves to each building. Such shutoff valves shall be accessible at all times. A fullway valve shall be installed on the discharge piping from water supply tanks at or near the tank. A fullway valve shall be installed on the cold water supply pipe to each water heater at or near the water heater.
7. Delete Section 703.1 in its entirety and insert in lieu thereof the following: 703.1: The minimum sizes of vertical and/or horizontal drainage piping shall be determined from the total of all fixture units connected thereto, and additionally, in the case of vertical drainage pipes, in accordance with their length. There shall be at least four-inch drain pipe from the sewer to the main drainage stack and no underground drainage piping shall be less than two inches in diameter.
8. Section 710.1 Add the following: When backwater valves are required by Section 710.1, they shall consist of manually operated valves. In addition, approved valves, which are automatic in operation, may also be used but are not required.
9. Table 10-1 Change tabulation to read as follows:

Trap Arm	Distance Trap to Vent
1 ¼	5'0"
1 ½	6'0"
2	8'0"
3	12'0"
4 and larger	12'0"

10. Section 717.0 Delete entire section and insert in place thereof: Section 717.0 Size of building sewers. The size of any building sewer shall be determined on the basis of the total number of fixture units drained by

the sewer, in accordance with Table 7-8, except that the minimum diameter for any building sewer regardless of the number of fixtures shall be four inches.

11. Delete Section 905.1 in its entirety and insert in lieu thereof the following 905.1 Grade. Vent and branch vent pipe shall be graded, connected and supported to allow moisture and condensate to drain back to the soil or waste pipe by gravity.

SECTION 1210.0 FUEL GAS PIPING

Delete Section 1205.3 in its entirety and insert in lieu thereof the following: 1205.3: it shall be unlawful for any servicing gas supplier, or person furnishing gas, to turn on, or install any fuel gas or any gas meter or meters unless the valve is turned off and securely locked, until inspected and released by the administrative authority.

SECTION V. PERMIT - TO WHOM ISSUED

A permit required by Chapter 1 of the Fort Dodge Plumbing Code shall be issued only to Licensed Plumbing Contractors, Licensed Master Plumbers, Registered Water Conditioning and Treatment Contractors, Registered Lawn Sprinkler Contractors for work covered by such License or Registration, however, any permit required by this ordinance may be issued to the owner of a single family dwelling used exclusively for living purposes to do any work regulated by this ordinance in that dwelling; including the usual accessory buildings and quarters, provided that the dwelling is occupied by the owner and also that the owner shall purchase all material to perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this ordinance and shall be inspected.

SECTION VI. LICENSE REQUIRED

Plumbing work performed under the provisions of this code must be done by a plumbing contractor meeting the licensing provisions as set forth by the state of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105.

SECTION VII. REGISTRATION

Every person holding a valid state of Iowa Plumbing Contractor License/ Master Plumbing License shall register with City Treasurer of the City of Fort Dodge prior to performing any plumbing work within the corporate limits of the City of Fort Dodge. Each registrant shall:

- (1) Place on file a copy of his/her state of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code 91C.
- (3) Supply other information as may be required by the City Treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a \$50.00 per year registration fee to the City Treasurer.
- (5) Any person who has been registered as a Plumbing Contractor shall execute and deposit with the City Treasurer a bond in the sum of five thousand dollars with sureties approved by the City Treasurer and Mayor. This bond is to be held as surety that the Plumbing Contractor will fulfill these conditions:
 - (a) All plumbing work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Plumbing Ordinance.
 - (b) They will pay all fines and penalties properly imposed upon them for violation of the Plumbing Ordinance.
 - (c) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

SECTION VIII. PLANS AND SPECIFICATIONS

Plans and specifications showing the proposed work in the necessary detail shall be submitted when required by the Plumbing Inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications, and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original application for a permit, shall be issued to cover the change.

SECTION IX. PROTECTION OF WATER-SUPPLY SYSTEMS

The Plumbing Inspector shall make and enforce such regulations, subject to Council approval, as he believes are necessary to protect the water-supply system of the City from anything which might endanger the public health, safety or welfare. These regulations are to be implemented consistent with the purposes of this ordinance and ordinance No. 2077 and must not be inconsistent with this ordinance, or with state laws or regulations.

SECTION X. ADMINISTRATION AND ENFORCEMENT

It shall be the duty of the Plumbing Inspector to administer and enforce the provisions of this ordinance and to make any required inspections or tests.

SECTION XI. RIGHT OF ENTRY

The Plumbing Inspector and his authorized representatives may enter any premises on proof of authority for the purpose of inspecting any plumbing system, at such times as may be reasonably necessary to protect the public health, safety and welfare.

SECTION XII. BOARD OF APPEALS

Any person aggrieved by a decision of the Plumbing Inspector pursuant to this ordinance may appeal to the Board of Appeals pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

SECTION XIII. VIOLATION – PENALTY

Anyone violating any of the provisions of this ordinance shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

SECTION XIV. REPEALER

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed, specifically Ordinance No. 2082.

SECTION XV. EFFECTIVE DATE

This Ordinance shall be in full force and effect following its passage and publication as provided by law.

SECTION XVI. SEVERABILITY CLAUSE

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.

PASSED AND APPROVED this _____ day of _____, 2014.

AYES: _____

NAYS: _____

OTHER: _____

CITY OF FORT DODGE, IOWA

By: _____

Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

Published in the Fort Dodge Messenger this _____ day of _____, 2014.

