

ORDINANCE NO. 14,162

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by repealing Sections 26-758 and 26-759 thereof and enacting new Sections 26-758 and 26-759, relating to frequency of inspections and fees for inspections of rental dwellings.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by repealing Sections 26-758 and 26-759 thereof and enacting new Sections 26-758 and 26-759, relating to frequency of inspections and fees for inspections of rental dwellings, as follows:

**Sec. 26-758. Frequency of inspection.**

(a) The housing code enforcement division shall inspect every single-family rental dwelling structure including mobile homes and every duplex rental dwelling structure within the corporate limits no less frequently than once every 36 months.

(b) The housing code enforcement division shall inspect every other rental dwelling, dwelling unit, and rooming unit including condominiums within the corporate limits no less frequently than once every 24 months.

(c) Any unit in a condominium first used as a rental unit during

the time a housing certificate on such structure is current shall be inspected and if in compliance with the code shall be granted a housing certificate valid for the period coinciding with the date of expiration of the common certificate.

(d) Nothing in this section shall preclude the housing code enforcement division from inspecting a rental property more frequently than the inspection required by this section where violations of this article are found or believed to exist or as otherwise provided in this article.

(e) Neither the common areas nor the rental units in housing structures newly constructed shall be further inspected after the completion and issuance of a certificate of occupancy by the building safety division for a period of one year from the date of such certificate, unless complaint is made thereof. Thereafter, such areas and units shall be inspected in accordance with the requirements of this section.

**Sec. 26-759. Fees.**

(a) For each inspection, including any reinspections, by the housing code enforcement division required by section 26-758 or 26-831, there shall be paid to the city treasurer fees in the following amounts:

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(b) The units for which inspection fees shall be paid shall include those units used or occupied by the owner or the owner's representative. However, neither the federal government or any agency thereof nor the state or any political subdivision of the state or any agency thereof shall be required to pay the fees set by the city council for any inspection or certificate issued under this article if any dwelling, dwelling unit or rooming unit is leased by any such governmental entity from a person and is being held out by such governmental entity for rent, lease, or is otherwise being let for residential occupancy under a government project or program. The owner of any such property shall be responsible for all fees and inspections required by this article.

(c) Where a rental dwelling does not have a current certificate of inspection, for purposes

of calculating the fee  
therefor the first  
inspection of the  
structure by the housing  
code enforcement  
division shall be deemed  
the anniversary date for  
such required  
inspections.

Sec. 2. This ordinance shall be in full force and effect from  
and after its passage and publication as provided by law.

FORM APPROVED:

Michael F. Kelley, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna V. Boetel-Baker, City Clerk of the City of Des Moines,  
Iowa, hereby certify that the above and foregoing is a true copy  
of an ordinance (Roll Call No. 02- 2739), passed by the City  
Council of said City at a meeting held November 18, 2002 signed  
by the Mayor on November 18, 2002 and published as provided by  
law in the Business Record on December 2, 2002 Authorized by  
Publication Order No. 3474.

Donna V. Boetel-Baker, City Clerk