

ORDINANCE NO. 14,168

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, as heretofore amended, by repealing Section 26-1116, Section 26-1118, Section 26-1119, Section 26-1125, Section 26-1156, subsections (a), (c) and (d) of Section 1158, and Section 26-1159 thereof, and enacting a new Section 26-1116, Section 26-1118, Section 26-1119, Section 26-1125, Section 26-1156, subsections (a), (c) and (d) of Section 1158, and Section 26-1159, to place all fees under the Plumbing Code in Article VI of Chapter 26 into a Schedule of Fees to be adopted by the City Council by resolution.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa, as follows:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as amended by Ordinance No. 13,911 passed January 22, 2001, be and is hereby amended by repealing Section 26-1116, Section 26-1118, Section 26-1119, Section 26-1125, Section 26-1156, subsections (a), (c) and (d) of Section 1158, and Section 26-1159 thereof, and enacting a new Section 26-1116, Section 26-1118, Section 26-1119, Section 26-1125, Section 26-1156, subsections (a), (c) and (d) of Section 1158, and Section 26-1159, to place all fees under the Plumbing Code in Article VI of Chapter 26 into a Schedule of Fees to be adopted by the City Council by resolution, as follows:

Sec. 26-1116. Application.

Any person desiring to take an examination for any of the licenses or certificates required by this division shall make application directly to the examination service approved by the licensing and appeals board, with sponsorship from an approved jurisdiction. Following passing an exam the applicant shall make application for a license to the permit and development center, along with evidence of passing the specific examination approved by the board, with a score of 75 percent or greater. Supplementary information related to experience, bonds, insurance, and fees shall be supplied at the time of application, if required for the license or certification applied for. If sponsorship is requested from the city, a sponsorship fee in the amount set in the Schedule of Fees adopted by the city council by resolution shall be paid for processing and recordkeeping.

Sec. 26-1118. License fees.

The fees for examinations, licenses, certificates, and renewals shall be as set in the Schedule of Fees adopted by the city council by resolution, except that any certificate holder who is subject to the restrictions of subsection 26-1087(d) of this article may be issued a renewal of such certificate without a fee. The sponsorship fee established in section 26-1116 must be paid for city sponsorship of an applicant to an exam.

Sec. 26-1119. Expiration and renewal.

All licenses and certificates required by this division shall expire on December 31 of each even-numbered year. The fee for renewal of an unexpired license or certificate shall be as specified in section 26-1118. Any expired license or certificate may be renewed without examination within 90 days after the expiration date upon payment of the biennial fee plus the late renewal fee set in the Schedule of Fees adopted by the city council by resolution. When more than 90 days have passed, no expired license or certificate shall be renewed without reexamination by the licensing and appeals board and payment of the biennial fee and late renewal fee.

Sec. 26-1125. Apprentice.

(a) The term "apprentice" shall include any person who, while learning the trade of plumbing under the direction and control of a certified journeyman plumber, is working in the installation, alteration or repair of plumbing equipment.

(b) No person shall engage in the work of an apprentice without first obtaining an apprentice license.

(c) No plumbing contractor shall hire or employ any apprentice who does not have a license, and no plumbing contractor shall hire or employ more than two apprentices for each certified journeyman plumber in his or her employ. The same ratio shall apply to every permissible job.

Sec. 26-1156. Double fee for failure to obtain permit before starting work.

(a) Except in emergency situations when work for which a plumbing permit is required by this article is commenced or continued by any person prior to obtaining the permit, the regular fees as specified in this division for such permit shall be doubled. The payment of such double fee shall not relieve any person from fully complying with the requirements of the plumbing code in the execution of the work nor from any other penalties prescribed in this article. However, no double fee shall be imposed upon any person who starts work without a permit if:

(1) The work is commenced on a Saturday, Sunday, or holiday; and

(2) The person secures the proper permit on the next working day of the office of the building official.

(b) No additional permits shall be issued to any person who owes the city the double fee described in this section.

Sec. 26-1158. Permit fees.

(a) There shall be paid to the office of the building official for the issuance of each plumbing permit the base fee and the unit fee set in the Schedule of Fees adopted by the City Council by resolution.

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(c) (not used)

(d) If a plumbing permit is issued for a specified amount of work and it is determined upon inspection that more work was performed than was authorized by such permit, the permittee shall obtain another permit as prescribed in subsection (a) of this section and shall pay a new base fee.

Sec. 26-1159. Collection of fees; refunds.

(a) All fees due the city for examinations, licenses, certificates and permits required pursuant to this article shall be collected by the office of the building official and paid thereafter to the city treasurer or may be collected directly by the city treasurer who shall issue a receipt or similar notification to the office of the building official.

(b) If, within 60 days of the date of issuance, the holder of a plumbing permit decides not to commence the work described in such permit, he or she may, upon application to the building official, be refunded that portion of the permit fee which is in excess of the base fee pursuant to Section 26-1158(a).

Sec. 2. This ordinance shall be in full force and effect from and after the later of January 1, 2003, or its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, 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. 02-2924), passed by the City Council of said City at a meeting held

December 16, 2002 signed by the Mayor on December 16, 2002 and published as provided by law in the Polk County Press Citizen on December 27, 2002 Authorized by Publication Order No. 3494.

Donna V. Boetel-Baker, City Clerk