

ORDINANCE NO. 14,206

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 subsection 4 of Section 26-242, subsections (b) and (c) of Section 26-513, subsection (a) of Section 26-759, Section 26-1308 and Section 26-1309 thereof, and enacting a new subsection 4 of Section 26-242, subsections (b) and (c) of Section 26-513, subsection (a) of Section 26-759, Section 26-1308 and Section 26-1309, to place all fees under Chapter 26 - Buildings and Building Regulations 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. 14,146 passed October 7, 2002, and as amended by Ordinance No. 14,162 passed November 4, 2002, be and is hereby amended by repealing subsection 4 of Section 26-242, subsections (b) and (c) of Section 26-513, subsection (a) of Section 26-759, Section 26-1308 and Section 26-1309 thereof, and enacting a new subsection 4 of Section 26-242, subsections (b) and (c) of Section 26-513, subsection (a) of Section 26-759, Section 26-1308 and Section 26-1309, to place all fees under Chapter 26 - Buildings and Building Regulations into a Schedule of Fees to be adopted by the City Council by resolution, as follows:

Sec. 26-242. Procedures; Fee.

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4. Within seven (7) days following execution of the contract, the contract seller shall file with the Neighborhood Inspection Division of the city copies of instruments transferring the real estate along with a filing fee in the amount set in the Schedule of Fees adopted by the city council by resolution.

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Sec. 26-513. Appeals filed.

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(b) An appeal consisting of an application for a variance shall be accompanied by a receipt from the city treasurer showing payment of a nonrefundable filing fee in the amount set in the Schedule of Fees adopted by the city council by resolution.

(c) An appeal consisting of contesting the validity or correctness of certain citations on the inspection notice shall be accompanied by a receipt from the city treasurer showing payment of a refundable

filing fee in the amount set in the Schedule of Fees adopted by the city council by resolution. The application shall state explicitly the item on the inspection notice that is being contested. The amount of the fee to be refunded shall be determined by the board and shall be in direct proportion to the success of the appellant's appeal.

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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 a fee in the amount set in the Schedule of Fees adopted by the city council by resolution:

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Sec. 26-1308. Examination fee.

An examination fee in the amount set in the Schedule of Fees adopted by the city council by resolution shall accompany each application for a license required by this article and shall be a condition precedent to taking an examination.

Sec. 26-1309. License fees.

An annual license fee for the license required by this article shall be paid to the city in the amount set in the Schedule of Fees adopted by the city council by resolution.

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

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Diane Rauh, 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. 03-318), passed by the City Council of said City at a meeting held February 10, 2003 signed by the Mayor on February 10, 2003 and published as provided by law in the Business Record on February 24, 2003. Authorized by Publication Order No. 3559.

Diane Rauh, City Clerk