

ORDINANCE NO. 14,797

AN ORDINANCE amending Ordinance No. 14,777 passed June 16, 2008, to extend the temporary waiver of permit and application fees for the repair, renovation or replacement of structures damaged by flooding within the City of Des Moines.

WHEREAS, the flooding that occurred within the City of Des Moines in June of 2008 severally damaged or destroyed a number of dwellings, places of business and other structures and improvements in the City creating an emergency situation; and,

WHEREAS, it is in the public interest to assist in the efforts of the affected property owners and tenants to repair, renovate, relocate, demolish or replace the flood damaged structures and improvements; and,

WHEREAS, the imposition and collection of permit fees on such activities would add a further impediment to recovery by the affected property owners and tenants; and,

WHEREAS, for the public safety and welfare all repairs, renovation, relocation, demolition and construction work should be performed by qualified persons with appropriate permits and inspections; NOW THEREFORE,

BE IT ORDAINED, by the City Council of the City of Des Moines, Iowa, that sections 1, 2 and 3 of Ordinance No. 14,777 passed June 17, 2008, are hereby amended to read as follows:

Section 1. Fees Waived.

A. The following fees imposed by the Municipal Code of the City of Des Moines for licenses and permits are hereby waived and shall not be collected for activities undertaken to repair, renovate, relocate, demolish or replace structures and improvements damaged by flooding or the surcharge of the sanitary and storm sewer systems:

Section 26-138 building, demolition, obstruction, sign, electrical, mechanical and plumbing permit fees. However, reinspection fees are not hereby waived.

Section 42-89 grading permit fees

Sections 82-3 and 134-153 certificate of occupancy and compliance fees

Section 82-207 site plan application and amendment fees

B. The rental inspection fees imposed by Section 60-54 of the Municipal Code of the City of Des Moines are hereby waived for inspections prompted by flooding or the surcharge of the sanitary and storm sewer systems.

C. The Board of Adjustment application fees imposed by Section 82-2 of the Municipal Code of the City of Des Moines are hereby waived for any relief necessary to repair a structure

or improvement damaged by flooding or the surcharge of the sanitary and storm sewer systems, or to replace such a structure at the same location.

D. The waiver of fees provided for by this ordinance shall apply only to activities undertaken to repair, renovate, relocate, demolish or replace structures and improvements damaged by flooding or the surcharge of the sanitary or storm sewer systems that has occurred in the month of June, 2008. The Community Development Director may require the party requesting the waiver of fees pursuant to this ordinance, provide such information as may be necessary to verify that the activities being undertaken by the party qualify for the waiver of fees.

Sec. 2. DURATION OF WAIVER.

This waiver of fees shall permit applications and inspections applied for and requested between June 10, 2008 and December 15, 2008, both dates inclusive.

Sec. 3. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage and publication as required by law. This ordinance and any waiver of fees allowed pursuant to this ordinance shall lapse and be of no further force and effect from and after December 16, 2008.

FORM APPROVED:

Roger K. Brown

T.M. Franklin Cownie, 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. 08-1601), passed by the City Council of said City at a meeting held September 8, 2008 signed by the Mayor on September 8, 2008 and published as provided by law in the Business Record on September 22, 2008. Authorized by Publication Order No.6355.

Diane Rauh, City Clerk