

ORDINANCE NO. 15,861

An Ordinance entitled, " 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 amending Sections 26-136, 26-138, 26-142, 26-150, and by repealing and replacing Article III. Building Code of Chapter 26, Buildings and Building Regulations, relating to adopting the 2018 editions of the International Building Code; International Residential Code and International Existing Building Code",

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, as heretofore amended, is hereby amended by amending Sections 26-136, 26-138, 26-142, 26-150, and by repealing and replacing Article III. Building Code of Chapter 26, Buildings and Building Regulations, relating to adopting the 2018 editions of the International Building Code; International Residential Code and International Existing Building Code, as follows:

Sec. 26-136. Issuance of permits.

- (a) The building official shall issue electrical, mechanical and plumbing permits in the name of the contractor and the contractor's business, if any. If a contractor becomes associated with a new firm or corporation, immediate notice must be given by filing the name of such firm or corporation with the office of the building official.
- (b) In cases in which an owner-occupant of a single-family dwelling desires to conduct work on electrical, mechanical, or plumbing systems in the owner-occupant's single-family dwelling, the building official may require the owner-occupant to demonstrate that he or she is competent to do the specific work before issuing the permit. For purposes of this section a single family dwelling unit shall mean a detached residence designed for or occupied by one family only which is the primary residence of the owner-occupant with record of homestead and qualifies for the homestead tax exemption. No refrigeration work requiring the recovery or charging of such systems shall be conducted by those individuals not having the required certification in accordance with CFC federal regulations.
- (c) A person seeking a permit to construct a swimming pool, spa, or water recreational facility, or any addition, remodeling or other alteration thereto shall make application to the office of the building official for such permit. The plans and specifications and plot plan, as well as other pertinent explanatory data, shall be submitted with each application.

- (d) A person seeking to erect, alter, relocate or maintain any sign or sign structure, as defined in section 26-800, shall make application to the zoning enforcement officer for a permit to conduct such work.
- (e) No permit shall be issued to any person who has fees outstanding as required by this article or any other laws or city ordinances.

Sec. 26-138. Permit fees.

- (a) There shall be paid to the community development department for the issuance of each permit, fees in the amounts set in the schedule of fees adopted by the city council by resolution. Permit fees shall include but not be limited to fees for plumbing permits, mechanical permits, electrical permits, building permits, certificates of occupancy, building plan reviews, engineering reviews, planning reviews, zoning reviews, demolition permits, energy reviews, handicap reviews, reinspections, signs and billboards, erosion control inspections, and fees for failure to obtain permits before starting work.
- (b) The determination of value or valuation under any of the provisions of the building codes shall be made by the building official. The valuation to be used in computing the permit and plan-check fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent work or permanent equipment.
- (c) If a permit is issued for a specific amount of work and, upon inspection, it is determined that more work was performed than was authorized by the permit, the permittee shall amend the permit or obtain another permit to include all additional work and shall pay any fees pursuant to paragraph (a) for the new or amended permit.
- (d) If an inspection is requested and performed and the building official determines that the work was not ready, or the inspection fails two or more times, a re-inspection fee may be charged at the discretion of the building official in the amounts set in the schedule of fees adopted by the city council by resolution.
- (e) Inspections may be conducted outside of regular business hours for projects that pay an overtime inspection fee in the amount set in the schedule of fees adopted by the city council by resolution.
- (f) In addition to other fees required in this section, a fee shall be paid to the building official for the review of plans and inspection of construction for compliance with the energy code. The amount of such fee is set in the Schedule of Fees adopted by the city council by resolution.
- (g) In addition to other fees required in this section, a fee shall be paid to the building official for review of documents (plans, specifications and related documentation) for compliance with the accessibility provisions of Chapter 11 of the IBC for the City of Des Moines. The amount of such fee is set in the Schedule of Fees adopted by the city council by resolution.
- (h) *Plan-checking fees.* Plan-checking fees shall be as follows:
 - (1) When a plan is required to be submitted a plan-checking fee in the amount set in the Schedule of Fees adopted by the City Council by resolution shall be paid to the building official at the time of submitting plans and specifications for checking. Exception: The plan-check fee for buildings of one and two family dwelling occupancies and accessory structures for compliance with the International

Residential Code may be waived by the building official when the plans do not involve unusual or complex engineering design features.

- (2) Where plans are incomplete or changed so as to require additional plan checking, an additional plan-check fee shall be charged at the rate set in the Schedule of Fees adopted by the city council by resolution.
 - (3) Additional plan checking time may be dedicated to projects that pay an overtime plan checking fee in the amount set in the Schedule of Fees adopted by the City Council by resolution.
 - (4) Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans submitted for checking may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan-check fee.
- (i) No permit shall be issued to any person or firm that owes the city any outstanding fees or fines.

Sec. 26-142. Revocation, expiration and extension of permit.

- (a) Any permit required by this chapter may be revoked by the building official upon the violation of any section of this article. In addition to the revocation of a permit a person shall be guilty of a misdemeanor punishable by fine as provided by section 1-15 of this Code, or shall be guilty of a municipal infraction punishable by a civil penalty as provided by section 1-15 of this Code.
- (b) A willfully false statement in an application for a permit shall be sufficient cause for revocation.
- (c) Building, electrical, mechanical and plumbing permits issued by the building official shall expire under any one of the following conditions:
 - (1) Failure to begin work authorized within 180 days after issuance of the permit.
 - (2) Suspension or abandonment of work for 180 days after commencement of the work. Time of occurrence of suspension or abandonment of work shall be computed from the date of the most recent inspection since which no progress has been made.
 - (3) Failure to complete work on a structure designed for residential uses or a townhouse structure that is part of a townhouse development of eight (8) or fewer units within one year after issuance of a permit.
 - (4) Failure to complete work on a structure designed for commercial uses, industrial uses, or a townhouse structure that is part of a townhouse development of more than eight (8) units within two years after issuance of a permit.
- (d) The building official is authorized to grant one 180-day extension of time for permits set to expire in one year and up to three 180-day extensions of time for permits set to expire in more than one year.
- (e) Extensions in subsection (d) of this section may be further extended by action of the city council. An expired permit may not be reissued without a permit fee except by resolution of the city council.

Sec. 26-150. Inspections.

- (a) The person doing any work for which a permit is required shall notify the building official that the work is ready for inspection. The building official shall perform the required inspection and issue verification noting the date and results of the inspection.
- (b) When a permit applicant is notified that inspections need to be scheduled, the applicant shall schedule such inspections within ten (10) days of notification. If not so made, the building official may refuse to issue any other permits to the applicant or for the property until inspections are scheduled and approved.
- (c) All construction trades inspectors shall have the right to enter upon any property during reasonable hours in the discharge of their official duties. They are authorized and directed to inspect any and all building and environmental support system installations within the city and order the removal, reconfiguration or other modification, for the protection of the public health, safety and welfare, of any system or component that is not in compliance with the provisions of municipal ordinances and construction codes. Such order may mandate the isolation of affected systems or disconnection of utilities.
- (d) Inspections may be conducted outside of regular business hours pending staff availability. After hours inspections will be charged an overtime inspection fee in the amount set in the Schedule of Fees adopted by the City Council by resolution.

ARTICLE III. BUILDING CODE

Division 1. Generally

Sec. 26-300. Adoption of International Codes.

- (a) The provisions of the International Building Code, 2018 edition, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, D.C., 20001 are hereby adopted by reference and subject to the additions, deletions and modifications hereinafter stated as the general requirements for commercial building construction in the City of Des Moines.
- (b) The provisions of the International Residential Code, 2018 edition published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, D.C., 20001, except for Part VI –Fuel Gas, Part VII – Plumbing and Part VIII – Electrical; and with the adoption of appendices G, H, J, K, and M, are hereby adopted by reference and subject to the additions, deletions and modifications hereinafter stated as the general requirements for construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures in the City of Des Moines.
- (c) The provisions of the International Existing Building Code, 2018 edition, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, D.C. 20001 are hereby adopted by reference and subject to the additions, deletions, and

modifications hereinafter regulating the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the City of Des Moines.

- (d) This article and all provisions incorporated in this article, by reference or otherwise, shall be known as the building code. References to section numbers not preceded by "26-" will be to sections in the International Building Code (IBC), the International Existing Building Code (IEBC) or the International Residential Code (IRC).
- (e) All references to the International Plumbing Code found within the IRC, IBC, and IEBC shall be interpreted to refer to the corresponding provision in the State Plumbing Code.
- (f) The following climatic and geographic design criteria shall be applied in the application of the International Residential Code to structures in the City of Des Moines.

Ground Snow Load	Wind Design				Seismic Design Category	Subject To Damage From:				Winter Design Temp	Ice Shield Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temperature
	Wind Speed	Topographic effects	Special wind region	Wind-borne debris zone		Weathering	Frost Line Depth	Termite	Decay					
30 psf	115 mph	None	No	No	A	Severe	42"	Moderate to Heavy	Slight to Moderate	0°F	Yes	Mar-1984	1833	48.6°F

Manual J Design Criteria							
Elevation	Latitude	Winter Heating	Summer Cooling	Altitude correction factor	Indoor Design Temperature	Design Temperature Cooling	Heating temperature difference
965'	42°	-2°	90°	1.0	70°	75°	-
Cooling Temperature Difference	Wind Velocity Heating	Wind Velocity cooling	Coincident wet bulb	Daily Range	Winter humidity	Summer humidity	
-	-	-	75°	M	-	-	

Sec. 26-301. Building permit required.

- (a) Building permits are required as identified in IBC chapter 1, part 2; IRC chapter 1, part 2; and IEBC Chapter 1, part 2.
- (b) A fee for each building permit shall be paid to the building official in the amount set in the Schedule of Fees adopted by the city council by resolution. The fee for a permit to construct only a foundation for a future building shall be 150 percent of the fee specified in the Schedule of Fees, with the value of the foundation for such purpose being ten percent of the total valuation of the future building and foundation.

Sec. 26-302. Building permit exemptions.

- (a) A building permit shall not be required for the following:
 - (1) One-story detached accessory buildings used as tool or storage sheds, playhouses, pet shelters, and similar uses constructed in accordance with the International Residential Code, provided the floor area does not exceed 120 square feet in area and complies with all applicable zoning requirements. Such building must be located at least two feet from any property line and three feet from any dwelling.
 - (2) Chain link or wire fences four feet or less in height and all other fences three feet or less in height.
 - (3) Movable cases, counters, and partitions not over five feet nine inches in height.
 - (4) Playground equipment.
 - (5) Retaining walls, which are not over four feet in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
 - (6) Retaining walls which are part of a public improvement project regulated by the City Engineer.
 - (7) Tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.
 - (8) Platforms, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
 - (9) Painting, papering, and similar finish work.
 - (10) Temporary motion picture, television and theater stage sets and scenery.
 - (11) Window awnings supported by an exterior wall of one and two family dwellings and accessory structures to one and two family dwellings when projecting not more than 54 inches.
 - (12) Minor maintenance and repair work that is deemed by the building official not to affect structural strength, safety, fire resistance, or sanitation, provided that no such work shall be performed in a manner contrary to any provisions of the building code or any other laws.
 - (13) Installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.
- (b) Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required when appropriate for the exempted items in subsection (a) of this section.
- (c) Exemption from the permit requirements of this section shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the building code or any other laws or ordinances of this jurisdiction.

Sec. 26-303. Demolition of buildings and structures.

- (a) Permit required; expiration. A permit shall be required for demolition of buildings and structures in accordance with the following:
 - (1) No person shall commence the work of demolishing any building or structure until a permit authorizing such work has been obtained from the building official. Every demolition permit issued under the provisions of this section shall expire by

limitation and become null and void if the work authorized by such permit is not commenced within thirty (30) calendar days from the date of issuance, or if the work authorized by such permit is not completed within ninety (90) calendar days of the date of issuance, unless, because of the extensiveness of the project, the building official deems at the time of issuance a longer period for either commencement or completion should be granted.

- (2) Any permittee may request in writing an extension of time within which the demolition work may be commenced or completed. If such request contains good and satisfactory reasons showing that circumstances beyond the control of the permittee have prevented timely commencement or completion of the work, the building official may extend the applicable expiration date.
- (b) *Application for permit.* Application for a permit to demolish a building or structure shall be made to the building official. The applicant shall provide the following information:
- (1) The name and address of the person in responsible charge of the work.
 - (2) The street address and legal description of the property on which the building or structure is located.
 - (3) The name and address of the owner and, when appropriate, his or her legal agent in responsible charge of the property.
 - (4) Overall dimensions, number of stories and materials of construction of the building or structure to be demolished.
 - (5) A plan showing areas to be protected by fences, barricades, covered walkways, or other protective devices, and details of construction for such devices.
 - (6) Location of the site where the demolition debris is to be discarded.
 - (7) Approval from other affected city departments or governmental agencies when deemed necessary by the building official and any special conditions or restrictions relating thereto.
 - (8) For demolition by explosives, the applicant shall furnish the information required in this subsection and shall furnish information regarding the person who will be conducting the demolition by explosives and shall furnish plans showing how the building or structure will be prepared for demolition, the type and amount of explosives to be used, and a detailed plan showing what safety precautions will be taken to protect persons and property.
 - (9) A permit for the demolition of a building or structure by the use of explosives may be issued by the city council subject to the following conditions:
 - a. The applicant for a permit must demonstrate to the city council the need for demolition by explosives rather than demolition by conventional means and must demonstrate that demolition by explosives can be safely conducted at the specific location requested.
 - b. The building official, fire chief and police chief shall review the application and submit their opinions to the city council concerning whether or not the demolition can be safely conducted, together with any recommendations they may have.
 - c. The applicant shall provide a certificate of liability insurance for personal injuries, death and for property damage in an amount not less than \$1,000,000.00 naming the city as an additional named insured party. The certificate shall provide that the coverage shall not be cancelled or changed

without ten days' prior written notice to the city. The city council may require additional insurance coverage when the hazard appears greater than normally expected and may also in such instance require the posting of a bond acceptable to the city in an amount commensurate with the severity of the hazard. The bond shall provide that the applicant shall well and satisfactorily perform the demolition. The bond shall be for the benefit of the city and any person who is injured or damaged by the failure of the applicant to satisfactorily perform the demolition.

- d. The applicant shall agree to indemnify and hold harmless the city from all losses resulting from damages or injuries caused by the applicant or the applicant's employees, servants or agents arising out of the use of explosives in demolition.
 - e. The applicant shall pay the city in advance for reasonable expenses that will be incurred by the city in furnishing necessary security and police protection in the vicinity of the demolition site.
 - f. The applicant shall observe all applicable federal, state and local laws in the course of the demolition, including but not limited to the following:
 - 1. The applicable provisions of the city fire prevention code relating to the storage, transportation and use of explosives.
 - 2. The rules and regulations of the United States Environmental Protection Agency relating to the demolition of buildings or structures containing asbestos materials or other hazardous air pollutants.
 - g. The applicant shall meet all other requirements of this article relating to the demolition of structures or buildings; provided, however, that if a conflict exists between the provisions of this subsection and other sections of the city Code, the provisions of this subsection shall be deemed to be controlling.
 - h. The applicant need not obtain an obstruction permit as provided in section 26-304 of this article to block off portions of public property within an appropriate distance of the demolition site, provided that the obstruction is for less than a 24-hour period and provided that the obstruction is for security purposes in connection with the use of explosives. However, the applicant shall be required to obtain an obstruction permit to use public property in the cleanup operations following the detonation of explosives.
 - i. The city council shall at any time have the authority to impose additional requirements and safety precautions in the interest of the public health, safety and welfare.
- (10) Such other information as shall be reasonably required by the building official or community development director, including all information necessary to conduct historic review pursuant to chapter 58, article IV.
- (c) *Disconnection of sewer and water.* No permit to demolish shall be issued until it has been established that existing sewer and/or water services have been properly disconnected and approved.
 - (d) *Bond required.*

- (1) Before a permit is issued to remove a building which has been ordered removed as a public nuisance and which period of time granted by the city or by the courts for removal or other remedial action by the applicant or other party of interest has expired, the applicant may be required to post a cash bond equal to the estimated costs of the removal of the building and the disconnection of the existing utility services. If the applicant does not remove the building at the time the permit expires at a time specified by the building official, such bond shall be forfeited and used toward the costs of the city to remove it.
 - (2) If the building is removed by the applicant prior to the time the permit expires, such bond shall be returned to the applicant. A return of the bond does not exempt the applicant from further assessments to the real estate for costs that have occurred prior to the issuance of the permit.
- (e) *General requirements.*
- (1) The building official shall have the authority to impose at any time reasonable requirements and safety precautions in the interest of public health, safety, and welfare which, in his or her opinion, are commensurate with the severity of hazard, either demonstrated or anticipated, provided that such requirements may be appealed to and reviewed by the board of appeals at the request of the affected party.
 - (2) In addition, the following shall be met:
 - a. The discharging, loading, or dumping of building materials from any building shall be accomplished in such manner as to minimize the creation of dust and scattering of debris. Materials shall not be dropped by gravity to any point lying outside the building walls except through an enclosed chute, unless such materials are dust free and the height of drop is at least equal to the horizontal distance to the nearest property or barricade line. Where such horizontal distance is not available and practical necessity dictates the dropping of relatively large masses of materials, the building official may approve appropriate protective measures designed to provide protection from danger equivalent to that afforded by the otherwise required horizontal setback; provided, however, that in all cases such materials shall be handled in a manner approved by the air pollution control division of the county health department.
 - b. When necessary to protect the public health, safety, or welfare, every demolition project shall be barricaded, fenced, lighted, and signed with warning and/or directional signs in a manner approved by the building official. The building official may also require the presence of approved security guards or flag persons. Such barricades, fences, lights, and signs as may be deemed necessary by the building official for protection of the public shall be maintained after completion of the demolition work until such time as the site is cleaned of all debris and all excavations, basements, and depressions in the ground are restored to grade and rendered harmless.
 - c. Adequate precautions shall be taken to ensure that procedures or conditions relating to the demolition work do not constitute a fire hazard. If, in the opinion of the fire chief, a fire hazard exists or is likely to exist, he or she

- may order the cessation of work or require that appropriate protective measures approved by him or her be taken.
- d. All streets, alleys, and public ways adjacent to the demolition site shall be kept free and clear of any rubbish, refuse, and loose material resulting from the demolition work unless an obstruction permit for such space has been obtained.
 - e. Demolition of structures subject to public nuisance action shall include removal of all footing and foundation materials unless otherwise approved by the building official.
 - f. Upon completion of the demolition work, the site shall be left in a clean, smooth condition. Inorganic building rubble, sand, clean earth, or other approved fill material may be used to fill excavations, basements, and depressions, provided that the top 12 inches shall be clean earth or its equivalent in terms of surface smoothness, free from dust, and cleanliness. If the surface is to be used for the parking of vehicles, it shall be constructed as required in chapter 134 of the city Code pertaining to zoning.
- (3) No permit to demolish shall be issued until a grading permit, waiver of grading permit, or a solid waste disposal site license is obtained for any location within the city where the demolition debris is to be discarded.

Sec. 26-304. Obstruction permit, bond, and insurance.

- (a) No person shall use any portion of public property as described in Section 3308 of the International Building Code without first obtaining an obstruction permit which shall state the following:
 - (1) The name of the owner of the property abutting the public property to be used.
 - (2) The name of the person applying for the obstruction permit.
 - (3) An accurate description of the public property to be obstructed or occupied.
 - (4) The length of time such obstruction or occupancy shall exist.
 - (5) An agreement to comply in all respects with the provisions and requirements of the building code, this article and other city ordinances relating to the use of streets and alleys and to indemnify and save and keep harmless the city from any and all costs, expense or liability for damages or injuries to persons or property or liability of any kind whatsoever, arising from or growing out of the use and occupancy of such street or growing out of the deposit of such material or any failure to properly pile, deposit, guard, light or care for such.
 - (6) Such additional requirements as may be deemed necessary for the protection of the city and its inhabitants.
- (b) Before an obstruction permit shall be issued, there shall be placed on file in the office of the building official proof of liability insurance and, if required, a surety bond as follows:
 - (1) The amount and type of liability insurance required in each instance shall be determined by the city's finance director or the finance director's designee. The insurance requirements are hereby made a part of the permit application form. The insurance shall remain in full force and effect through the obstruction permit expiration date or such extended time as may be granted by the city.

- (2) If the city engineer or the city engineer's designee determines in their sole discretion that an obstruction permit applicant's proposed use of the right-of-way poses a risk of damage to the right-of-way, the city engineer or the city engineer's designee may require such applicant to post a surety bond before the obstruction permit is issued. Such bond, if required, shall be approved by the city engineer or the city engineer's designee; shall be in the minimum amount of \$5000.00 or such other amount determined by the city engineer or the city engineer's designee to be sufficient to cover the anticipated cost of damage to the right-of-way; and shall be conditioned to ensure removal of the obstruction and restoration of the right-of-way and all public improvements thereon by or before the expiration date of such obstruction permit or such extended time as may be granted by the building official.
- (c) No person shall, under any permit, occupy more area than is stated in the obstruction permit.
- (d) The fee for an obstruction permit shall be as set forth in the Schedule of Fees adopted by the city council by resolution.
- (e) This section shall not apply to street maintenance and actions by the city and its employees and contractors.

Sec. 26-305. Conversion to condominium or multiple housing cooperative.

- (a) The conversion of any residential building or portion thereof to a horizontal property regime or to a multiple housing cooperative shall be treated as a change of occupancy classification for the building, notwithstanding anything in the building codes to the contrary, and shall conform to the International Building Code.
- (b) No person shall file or record a declaration in the office of the county recorder to convert an existing structure located within the city to a horizontal property regime unless a certificate of occupancy for compliance with the current building codes has been issued by the building official
- (c) No person shall file or record an instrument in the office of the county recorder conveying an interest in real estate located in the city to a multiple housing cooperative unless a certificate of occupancy for compliance with the current building codes has been issued by the building official.
- (d) At least 60 days before being filed or recorded in the office of the county recorder, the applicant shall file a copy of such declaration or such instrument, together with the following documents with the permit and development administrator, and shall also pay a conversion fee in the amount set in the schedule of fees adopted by the city council by resolution:
 - (1) Two copies of an as-built plan for the entire structure.
 - (2) A building code analysis prepared by a licensed architect or professional engineer demonstrating that the structure conforms with the current building codes, or can be brought into conformance with the current building codes by planned improvements to be made to the structure.
 - (3) Two copies of construction plans for planned improvements to be made to the structure to bring the structure into conformance with the current building codes.
- (e) Upon receipt of the documents and the conversion fee as provided above, the permit and development administrator or the administrator's designee shall review the building code

analysis and conduct such inspections of the structure as may be deemed appropriate by the administrator to determine whether or not the structure conforms with the requirements of paragraph (a) above. If the permit and development center administrator or the administrator's designee determines that the structure has been shown to be in substantial compliance with the requirements of paragraph (a) above, the administrator shall cause a certificate of occupancy to be issued for the use of the structure as a horizontal property regime or a multiple housing cooperative. If the structure has not been shown to be in substantial compliance with the requirements of paragraph (a) above, the administrator shall give written notice to the applicant of any violations of the applicable code requirements discovered to exist in the building.

Sec. 26-306. Permanent occupancy of public property generally.

- (a) No part of any structure or any appendage thereto, except signs, shall project beyond the property line of the building site, except as specified in the building code; provided, however, that a structure or appendage thereto may project beyond the property line of the building site when the applicant holds a property interest, including but not limited to air rights, within the area of the projection sufficient to establish a legal right to build therein or thereon.
- (b) Structures or appendages regulated by this section shall be constructed of materials as specified in the building code.
- (c) The projection of any structure or appendage shall be the distance measured horizontally from the property line to the outermost point of the projection.
- (d) Nothing in the building code shall prohibit the construction and use of a structure between buildings and over or under a public way provided the structure complies with all requirements of the building code.
- (e) No subsection of this section and no provision of the Building Code shall be construed to permit the violation of other laws or ordinances regulating the use and occupancy of the public property.

Sec. 26-307. Shelter for the homeless.

- (a) As used in this section, the term "shelter for the homeless" means a building used to provide primarily short term lodging, or short term lodging and meals, and which may also provide other services, including counseling, with or without compensation, to transient individuals or to individuals who have no access to traditional or permanent housing. For purposes of this subsection, short term lodging shall include facilities offering lodging for 30 days or less.
- (b) No building or portion thereof that is to be used as a shelter for the homeless shall be occupied as such unless an inspection certificate for such use has been issued by the neighborhood inspection zoning administrator. Such certificate shall be valid for not more than one year from the date of issuance, and no new certificate shall be issued until the premises have been reinspected for compliance with applicable building code, zoning and fire safety requirements. No fee shall be charged for the annual inspection or certificate of compliance issued under this subsection; provided, however, that this fee exemption shall not apply to permit fees, when required.

- (c) Facilities which fall under federal, state or other local regulations which require annual inspections for building and health safety standards shall be exempted from this section.

Sec. 26-308. – Adjustment of lot lines for building and fire code purposes.

- (a) *Combination of adjoining lots.* Adjoining lots, regardless of whether they are under common ownership or control, may be treated as a single consolidated lot for the limited purposes of this chapter and Chapter 46 when a declaration of covenants in a form approved by the City legal department and signed by all owners of the included lots is recorded that binds each of the included lots to the following covenants:
 - (1) All existing and future buildings and structures located upon the included lots and any future alterations and additions thereto shall be considered part of a single consolidated lot under common ownership for purposes of applying this chapter and Chapter 46. Any construction, alteration, addition or demolition of a building on the included lots shall conform with the provisions of this chapter and Chapter 46 that are applicable to the included lots and each portion thereof, as a building located on a single consolidated lot under common ownership. No new building shall be constructed or placed on the included lots and no existing building on the included lots shall be demolished, altered or expanded in a manner which would cause another existing building on the included lots to come into violation of this chapter or Chapter 46 when applied to all buildings on the included lots that are considered as a single consolidated lot under common ownership. Each owner of any portion of the included lots shall maintain its portion of the included lots in good repair and in conformance with the applicable requirements of this chapter and Chapter 46.
 - (2) If any building on the included lots is affected by casualty loss, demolition, deterioration, neglect or any other event that causes the building official to determine that some portion or portions of the buildings then existing upon the included lots are unsafe to occupy, the building official, in the proper performance of the building official's duties may issue such orders as are reasonable and necessary in accordance with the provisions of this chapter, Chapter 46 and applicable law, treating all buildings on the included lots as located on a single consolidated lot under common ownership.
 - (3) All provisions of the declaration of covenants shall run with the land and shall be binding upon the owners, and the owners' successors and assigns, for the benefit of the City, the owners, and the owners' successors and assigns. Each owner of any portion of the included lots shall be given the benefit of the obligations under the declaration of covenants imposed upon the owners of all other portions of the included lots, and may enforce such obligations by an action for specific performance and/or damages.
 - (4) The declaration of covenants shall not be amended or terminated without the written approval of all owners of the included lots, and the prior written consent of the building official. The building official is authorized to consent to any such amendment or termination only if appropriate measures have been taken to the reasonable satisfaction of the building official to remedy any violations of this

chapter and Chapter 46 that would otherwise exist upon such amendment or termination.

- (b) *Use of artificial lot lines.* The shared lot line between adjoining lots, regardless of whether the lots are under common ownership or control, may be relocated within the area of the combined lots, for the limited purposes of this chapter and Chapter 46 when an easement or declaration of covenants in a form approved by the City legal department and signed by all owners of the lots burdened by the artificial lot line is recorded that binds the owners of each of the burdened lots to the following covenants:
- (1) For the purposes of these covenants, the following terms shall be defined as follows:
 - a. A "burdened lot" is any lot which contains an artificial lot line which is established across the interior of the lot for the benefit of the owners of an adjoining lot.
 - b. A "benefitted lot" is any lot which is given the benefit of the use of an artificial lot line located on an adjoining burdened lot.
 - c. "Artificial lot line" is a line, the location of which is clearly identified, which is located within the boundary of a burdened lot for the benefit of an adjoining benefitted lot, and shall serve as the shared lot line between the burdened and benefitted lots for purposes of applying this chapter and Chapter 46 to both lots. The location of a proposed artificial lot line must not create a violation of this chapter or Chapter 46, if treated as the shared lot line between the burdened and benefitted lots.
 - (2) All owners of each burdened lot agree that for the limited purpose of applying this chapter and Chapter 46: i) the artificial lot line shall serve as the shared lot line between the burdened lot and the benefitted lot; ii) any construction, alteration, addition or demolition of a building on the burdened lot shall conform with the provisions of this chapter and Chapter 46 when using the artificial line as the shared lot line with the benefitted lot; and, any construction, alteration, addition or demolition of a building on the benefitted lot shall have the benefit of using the artificial lot line as the shared lot line with the burdened lot.
 - (3) All provisions of the easement or declaration of covenants shall run with the land and shall be binding upon the owners of the burdened lot, and such owners' successors and assigns, for the benefit of the City, the owners of the benefitted lot, and such owners' successors and assigns. Each owner of any portion of the benefitted lot shall be given the benefit of the obligations under the easement or declaration of covenants imposed upon the owners of the burdened lot, and may enforce such obligations by an action for specific performance.
 - (4) The easement or declaration of covenants shall not be amended or terminated without the written approval of all owners of the benefitted lot, and the prior written consent of the building official. The building official is authorized to consent to any such amendment or termination only if appropriate measures have been taken to the reasonable satisfaction of the building official to remedy any violations of this chapter and Chapter 46 that would otherwise exist upon such amendment or termination.

Sec. 26-310. General.

The provisions of International Residential Code (IRC), 2018 edition are hereby amended as follows:

- (a) Delete section R105.2
- (b) Delete section R105.5
- (c) Delete section R112

Sec. 26-310.1. Scope.

Delete section R101.2 and insert in lieu thereof the following new section:

R101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of the following:

1. Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.
2. Owner-occupied lodging houses with five or fewer guestrooms.
3. Detached one- and two-family dwellings and townhouses that contain offices of up to 20 percent of the dwelling unit area.
4. Live/work units within detached one- and two-family dwellings and townhouses that comply with the requirements of Section 419 of the International Building Code.
5. Care facilities within detached one- and two-family dwellings and townhouses with eight or fewer persons receiving care who have the ability to respond to emergency situations and evacuate.
6. In-home child care facilities within detached one- and two-family dwellings and townhouses where in-home child care is provided to no more than eight children, and of these eight children no more than six are five years old or younger, no more than four are twenty-four months old or younger, and no more than three are eighteen months old or younger.
7. In-home child care facilities that provide custodial care for 16 or fewer persons in detached one- and two-family dwellings and townhouses that were registered with the State of Iowa Department of Human Services as child development homes and have held such registration continuously in good standing since on or before January 1, 2017.
8. Care facilities within detached one- and two-family dwellings and townhouses that are provided with a residential fire sprinkler system complying with Section P2904

or NFPA 13D with eight or fewer persons receiving care who have impairments that prevent them from responding to emergency situations and evacuating.

Sec. 26-310.2. Exterior wall fire protection.

Delete Table 302.1(1) and insert in lieu thereof the following new table: Table 302.1 (1)

Table 302.1(1)	Exterior Walls		
Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	Fire-resistance rated	1 hour-tested in accordance with ASTM E119 or UL263 with exposure from both sides	< 5 feet
	Not-fire resistance rated	0 hours	≥ 5 feet
	Not allowed	N/A	< 2 feet
Projections	Fire-resistance rated	1 hour on the underside ^{a, b}	≥ 2 feet to < 4 feet
	Not-fire resistance rated	0 hours	≥ 4 feet
	Not allowed	N/A	< 3 feet
Openings in walls	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

- (a) Roof eave fire-resistance rating shall be reduced to 0 hours on the underside of the eave if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
- (b) Roof eave fire resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided that gable vent openings are not installed.

Sec. 26-310.3. Bathroom ventilation.

Delete section R303.3 and insert in lieu thereof the following new section:

R303.3 Bathrooms. Bathrooms, water closet compartments and similar rooms shall be provided with natural or artificial light and be provided with a mechanical ventilation system. The minimum ventilation rates shall be 50 cubic feet per minute (24 L/s) for intermittent ventilation or 20 cubic feet per minute (10L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside.

Sec. 26-310.4. Egress window sill height.

Section R310.2.2 is amended by adding the following exception.

Exception: A landing may be provided to meet the maximum sill height of forty-four (44) inches above the floor or landing provided. The landing shall be not less than thirty-six (36) inches wide, not less than twelve (12) inches out from the exterior wall, and not more than twenty-four (24) inches in height. The landing shall be permanently affixed to the floor below or the wall under the window it serves.

Sec. 26-310.5. Emergency escape windows under decks and porches.

Delete section R310.2.4 and insert in lieu thereof the following new section.

Section R310.2.4 Emergency escape windows under decks and porches. Emergency escape and rescue openings installed under decks and porches shall be fully openable and provide a path not less than 36 inches (914mm) in height to a yard or court. Cantilever areas of all construction elements shall be regulated in accordance with this section.

Sec. 26-310.6. Stair risers.

Section R311.7.5.1 is amended by adding the following exception.

Exception: 3. The dimension of the top and bottom riser may vary up to 1 inch (25.4 mm) from the stairway riser dimension. In no case shall the riser height exceed the maximum height of 7-3/4 inches.

Sec. 26-310.7. Floor elevations at other exterior doors

Delete the section R311.3.2 and insert in lieu thereof the following new section.

R311.3.2 Floor elevations at other exterior doors. Doors other than the required egress door shall be provided with landings or floors not more than 7-3/4 inches (196 mm) below the top of the threshold.

Exception: A top landing is not required where a stairway of not more than four risers is located on the exterior side of the door, provided that the door does not swing over the stairway.

Sec 26-310.8. Handrail continuity.

Section R311.7.8.2 is amended by adding the following exception:

3. Handrails shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

Sec. 26-310.9. Guards.

Delete section R312.1.1 and insert in lieu thereof the following new section.

R312.1.1 Where required. *Guards* shall be provided for those portions of open-sided walking surfaces, including stairs, ramps and landings, driveways, sidewalks, patios, and decks that are located more than 30 inches (762 mm) measured vertically to the floor or *grade* below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a *guard*.

Exception: Portions of retaining wall where the horizontal distance between the edge of the walking surface and the face of the wall is greater than 36-inches.

Sec. 26-310.10. Automatic fire sprinkler systems.

- (a) Delete section R313.1 and insert in lieu thereof the following new section: 313.1 Townhomes automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in *townhouses*.

Exceptions:

- (1) An automatic residential fire sprinkler system shall not be required where *additions* or *alterations* are made to existing *townhouses* that do not have an automatic residential fire sprinkler system installed.
 - (2) Townhouse structures that contain eight (8) or less dwelling units.
 - (3) Townhouse structures less than eighteen thousand (18,000) square feet floor space, exclusive of any garages.
- (b) Delete section R313.2 and insert in lieu thereof the following new section:

R313.2 One- and two-family dwelling automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one-and two-family dwellings that contain 8,000 square feet or more floor space, excluding attached garages and other unenclosed areas.

Exception: An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing buildings that are not already provided with an automatic residential fire sprinkler system.

Sec. 26-310.11. Footing Size.

Delete section R403.1.1 and insert in lieu thereof the following new section:

R403.1.1 Minimum Footing Size. The minimum width for all footings shall be 16 inches. The footing width shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Footing projections, P, shall be not less than 2 inches (51 mm) and shall not exceed the thickness of the footing. Footing thickness and projection for fireplaces shall be in accordance with Section R1001.2. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3). Footings for precast foundations shall be in accordance with the details set forth in Section R403.4, Table R403.4, and Figures R403.4(1) and R403.4(2). Residential conventional footings are allowed in Table 403.5 based on the following dimensions and soil bearing pressure.

Exception: Detached accessory structures are not required to have minimum 16 inch wide footings.

Table 403.5 Residential Conventional Footing Dimensions

Soil Bearing Pressure (pounds per square foot)	Conventional Footing Dimension		Required Reinforcement ^{a, b} (All reinforcing bars shall
	Thickness (inches)	Width (inches)	
2,000 psf	8	16	2 - #4 bars
1,850 psf	9	20	2 - #4 bars
1,500 psf	10	20	2 - #5 bars
1,250 psf	11	28	3 - #5 bars
1,000 psf	12	32	3 - #5 bars

- a. The minimum yield strength of reinforcing steel shall be 40,000 psi.
- b. All reinforcement shall be installed in the middle third of the footing and in accordance with R4031.3.5.3.
- c. Residential conventional footings shown in Table 403.5 are only allowed for conventionally designed one or two-family dwelling structures not exceeding two stories in height, intended to be constructed on undisturbed, non-expansive soils. Townhouse structures are not allowed to utilize this table.

Sec. 26-310.12. Footings for accessory structures.

Amend section R403.1.4.1 by deleting exception #1 and inserting in lieu thereof the following

Exception:

1. Detached garages of light frame wood construction with an area of 1024 square feet or less may be provided with a floating slab; where all the following conditions are met:
 - 1.1 The bottom portion of the thickened slab area shall be twelve (12) by twelve (12) inches with one (1) number four (4) bar placed near the top and bottom of the edge.
 - 1.2 The slab floor shall be not less than four (4) inches thick with one (1) number four (4) bar placed every two (2) feet on center or in a 6 by 6 mesh.
 - 1.3 The slab pour shall be continuous.

Sec. 26-310.13. Alternate design for foundation walls.

R404.1.3.2.3 Foundation Walls for Conventional Light Frame Wood Construction. Concrete and masonry foundation walls shall be permitted to be designed in accordance with the following Table ‘Foundation Walls for Conventional Light Frame Construction’ may be used:

Table R404.1.3.2.3 - ‘Foundation Walls for Conventional Light Frame Construction

Height of Foundation Wall (Net measured from top of basement slab to top of foundation wall)*		Thickness of Foundation Walls		Reinforcement type and placement within Foundation Wall**	Reinforcement type and placement within Foundation Wall** (maximum 12' span between corners and supporting cross walls.)	Type of Mortar
		Concrete	Masonry			
Gross	Net	Concrete	Masonry	Concrete	Masonry	Masonry
8	7' 8"	7 1/2"	8"	1/2" horizontal bars, placement in the middle, and near the top & bottom - 1/2" bars @ 6' max. vertically	0.075 square inch bar 8' o.c. vertically in fully grouted cells. If block is 12" nominal thickness, may be unreinforced.	Type M or S. Grout & Mortar shall meet provisions of Chapter 21 IBC
9	8' 8"	8"	See Chapter 18 IBC	1/2" bars 2' o.c. horizontally & 20" vertically o.c.	See Chapter 18 IBC	Same as above
10	9' 8"	8"	See Chapter 18 IBC	(5/8" bars 2' o.c. horizontally & 30" vertically o.c.)	See Chapter 18 IBC	Same as above
*Concrete floor slab to be nominal 4". If such floor slab is not provided prior to backfill, provide 1) 36" vertical #4 rebar embedded in the footing @ maximum 7' O.C. spacing -and/or- 2) full depth nominal 2" depth x 4"width keyway in footing						
** All steel reinforcement bars shall meet ASTM A6175 grade 40 minimum and be deformed. Placement of bars shall be in center of wall and meet the provisions of chapters 18, 19, and 21 of the International Building Code.						
NOTE: Cast in place concrete shall have a compressive strength of 3,000 lbs @ 28 days. Footings shall contain continuous reinforcement of minimum 2 - 1/2" diameter rebar throughout. Placement of reinforcement and concrete shall meet the requirements of Chapter 19 of the International Building Code.						
NOTE: Material used for backfilling shall be carefully placed granular soil of average or high permeability and shall be drained with an approved drainage system as prescribed in Section 1805.4 of the International Building Code. Where soils containing a high percentage of clay, fine silt or similar materials of low permeability or expansive soils are encountered or where backfill materials are not drained or an unusually high surcharge is to be placed adjacent to the wall, a specially designed wall shall be required.						
Note: Foundation plate or sill anchorage shall be installed in accordance with the respective codes as applicable						

Sec. 26-310.14. Appliance clearances in rooms.

Delete section M1305.1.1 and insert in lieu thereof the following new section:

M1305.1.1 Appliances in rooms. *Appliances* installed in a *basement* or similar space shall be accessed by an opening or door and an unobstructed passageway measuring not less than 24 inches (610 mm) wide and large enough to allow removal of the largest *appliance* in the space, provided there is a level service space of not less than 30 inches (762 mm) deep and the height of the *appliance*, but not less than 30 inches (762 mm), at the front or service side of the *appliance* with the door open.

Sec. 26-310.15. Appliances in closets, alcoves, or similar spaces.

Delete section M1305.1.1.1 and insert in lieu thereof the following new section.

M1305.1.1.1 Appliances in Closets, Alcoves, or similar compartments.

Appliances installed within a closet, alcove or compartment, such space shall measure no less than 30 inches wide and the opening into such space shall also be no less than 30 inches wide.

Sec. 26-310.16. Duct installation.

Delete section M1502.4.2 and insert in lieu thereof the following new section.

M1502.4.2 Duct installation. Exhaust ducts shall be supported at intervals not to exceed 4 feet, (3658 mm) and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Section M1601.4.1 and shall be mechanically fastened. Ducts shall not be joined with screws or similar fasteners. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall be of sufficient size to allow the installation of the duct, without changing the configuration of the duct.

Exception: Dryer duct sections that are longer than 4 feet shall be supported minimally every 6 feet.

Sec.26-310.17 Whole House Mechanical Ventilation.

Delete section M1505.4.1 and insert in lieu thereof the following new section.

M1505.4.1 System Design. The whole-house ventilation system shall consist of one or more outside air supply and exhaust fans with the associated ducts and controls. Local exhaust and supply fans are permitted to serve as such a system. Outdoor air ducts connected to the return side of an air handler shall be considered as providing supply ventilation.

Sec. 26-310.18. Duct Insulation Materials.

Amend section M1601.3 by inserting the following:

5. The use of air-inflated/encapsulated duct wrap to achieve required R-values shall be prohibited.

Sec. 26-310.19 Return Air.

Amend section M1602.2 by inserting the following:

5. Return air openings shall be a located a minimum of four feet away from supply air openings.

Sec. 26-311. Definitions

Care facility. A building or structure where care is provided to persons who need some level of assistance or supervision.

In-home child care. A dwelling where care is provided to children by a person other than the child's parent, guardian, or custodian for periods of less than twenty-four hours per day per child on a regular basis.

Division 3. International Building Code

Sec. 26-325. General.

The provisions of the International Building Code (IBC), 2018 edition, are amended with the revision of the following text as stated:

- (1) Delete section 105.2.
- (2) Delete section 105.5.
- (3) Delete section 110.3.5.
- (4) Delete section 113.
- (5) Delete chapter 29.

Sec 26-325.1. Day care occupancies.

- (a) Delete section 308.5.4 and insert in lieu thereof the following new section.

308.5.4 Eight or fewer persons receiving care in a dwelling unit. Eight or fewer persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having eight or fewer persons receiving custodial care shall be classified as a group R-3 occupancy or shall comply with the International Residential Code.

Exception: Day care facilities that provide custodial care for 16 or fewer persons for less than 24-hours per day in a single-family dwelling, and where registered with the State of Iowa Department of Human Services as child development homes on or before January 1, 2017, are permitted to comply with the International Residential Code.”

- (b) Delete section 310.4.1. and insert in lieu thereof the following new section.

310.4.1 Care facilities within a dwelling. Care facilities within a dwelling refer to 308.5.4.

Sec. 26-325.2. High rise fire pump requirements.

Delete section 403.3.2 and insert in lieu thereof the following new section: 403.3.2 Water supply to required fire pumps.

Required fire pumps shall be supplied by connections to a minimum of two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: Two connections to the same main shall be permitted provided the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through at least one of the connections

Sec. 26-325.3. Live/ work units

- (a) Delete section 419.1 and insert in lieu thereof the following new section.

419.1 General. A *live/work unit* shall comply with Sections 419.1 through 419.9

Exceptions:

1. Dwelling or sleeping units that include an office that is less than 10 percent of the area of the *dwelling unit* are permitted to be classified as *dwelling units* with accessory occupancies in accordance with Section 508.2
2. Detached one- and two-family dwellings and townhouses that include an office that is less than 20 percent of the area of the dwelling unit and constructed in accordance with the International Residential Code are not required to comply with Sections 419.1 through 419.9.

- (b) Delete 419.1.1, item #3, and insert in lieu thereof the following new item #3.

3. The nonresidential area function shall be limited to floors of the *live/work unit* with exit at the 1st story or a basement walkout of the *live/work unit*.

- (c) Add the following exception to 419.2.

The nonresidential area function shall be limited to floors of the *live/work unit* with exit at the 1st story or a basement walkout of the *live/work unit*.

Sec. 26-325.4. Storm shelters for educational occupancies.

Delete section 423.4 including subsections 423.4.1 and 423.4.2 and insert in lieu thereof the following new section.

423.4 Group E occupancy. In areas where the shelter design wind speed for tornadoes in 250 mph in accordance with Figure 304.2 (1) of ICC 500, all Group E occupancies with a program occupant load of 50 or more shall have a storm shelter constructed in accordance with Chapters 1 through 5 & 8 of ICC 500.

The installation of portable buildings for utilization on the campus or site for educational purposes is considered new construction and classified as Group E occupancies.

Exceptions:

1. Group E day care facilities.
2. Group E occupancies accessory to place of religious worship.
3. Buildings meeting the requirements for shelter design in ICC 500.
4. Accessory structures to existing group E sites where the occupancy classification of said structures are classified as Groups A-5 and U

423.4.1 Required Occupant Capacity. The required occupant capacity of the storm shelter shall include all buildings classified as a Group E occupancy on the campus or site (whichever is larger) and shall be the greater of the following:

1. The total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.
2. The occupant load of any indoor assembly space that is associated with the Group E occupancy.

Exceptions:

1. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on-site, the storm shelter shall at a minimum accommodate the required capacity for the new building.
2. Where approved by the code official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the campus or site.

423.4.2 Location. Storm shelters shall be located within the buildings they serve, or shall be located where the maximum distance of travel from not fewer than one exterior door of each building to a door of the shelter serving that building does not exceed 1,000 feet.

Sec. 26-325.5 Address Identification

Delete section 502.1 and insert in lieu thereof the following new section: 502.1 Address identification.

New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall be black or

white and shall contrast with their background. Where required by the *fire code official*, address numbers shall be provided in greater dimension or additional *approved* locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers and letters shall be a minimum height and a minimum stroke width as dictated by Table 505.1. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

Table 502.1
Minimum Height and Stroke Width^{a b}

Distance from the centerline of the Public Way (ft)		Minimum Height (in)	Minimum Stroke Width (in)
Less than 100		4	1/2
100	199	6	3/4
200	299	8	1
For each additional 100		Increase 2	Increase 1/2

^a Exterior suite identification, minimum height shall be 4 inches and stroke width shall be 1/2 inch. ^b Interior suite identification, minimum height shall be 2 inches and stroke width shall be 1/4 inch.

Sec. 26-325.6. Shaft Enclosure Materials

Add the following new section 713.3.1

713.3.1 – 2-hour fire-rated shaft enclosure in Type III, IV and V construction. Shaft enclosures that are required to have a fire resistance rating of 2 hours or more serving interior exit stairs or interior exit ramps in buildings of type III, IV, and V construction type shall be constructed of concrete or masonry. All other shafts that are required to have a fire resistance rating of 2 hours or more shall be constructed of materials permitted by the building type of construction.

Sec. 26-325.7. Penetrations of fire rated walls with coiling overhead fire doors.

Add the following new section: 714.3.1.3. Penetrations for the operation of rolling fire doors. One open ended 1/2” electrical metallic tubing (EMT) conduit shall be allowed for each rolling overhead fire door to allow the installation of fusible link hardware. The conduit shall be fire stopped where penetrating the wall in accordance with section 714, but the ends shall remain open to allow proper function of the fusible link.

Sec. 26-325.8. Fire sprinkler riser room requirements.

Add the following new section: 901.9 Fire Sprinkler Riser Room. A fire sprinkler riser room shall be separated from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be accessed from the electrical room, but the electrical room may be accessed from the fire riser room.

Sec. 26-325.9. Automatic Sprinkler Systems

a) Insert the following new section:

903.1.2 Existing Buildings. For other than new construction or where current code contains retroactive provisions an automatic sprinkler system shall be provided pursuant to the provisions of the International Existing Building Code.

b) Delete section 903.2.1.1 and insert in lieu thereof the following new section: **903.2.1.1 Group A-1.** An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multiple-theater complex.

c) Delete section 903.2.1.2 and insert in lieu thereof the following new section: **903.2.1.2 Group A-2.** An automatic sprinkler system shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 1,500 square feet (1115 m²).
2. The fire area has an occupant load of 50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multiple-theater complex.

d) Delete section 903.2.1.3 and insert in lieu thereof the following new section: **903.2.1.3 Group A-3.** An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.

The fire area is located on a floor other than a level of exit discharge serving such occupancies

- e) Delete section 903.2.1.4 and insert in lieu thereof the following new section:
903.2.1.4 **Group A-4.** An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:
1. The fire area exceeds 6,000 square feet (1115 m²).
 2. The fire area has an occupant load of 300 or more.
 3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

- f) Delete section 903.2.2 and insert in lieu thereof the following new section:

903.2.2 Group B. An *automatic sprinkler system* shall be provided throughout buildings containing a Group B occupancy where one of the following conditions exists:

1. A Group B *fire area* exceeds 6,000 square feet (557.5 m²).
2. A Group B *fire area* is located more than three stories above grade plane.
3. The combined area of all Group B *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

- g) Insert the following new section 903.2.2.1
Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest *level of exit discharge*, the *level of exit discharge*, and all floors below the *level of exit discharge*.

Exception: Floors classified as an open parking garage are not required to be sprinklered.

- h) Delete section 903.2.3 and insert in lieu thereof the following new section:

903.2.3 **Group E.** An automatic sprinkler system shall be provided throughout stories containing Group E occupancies and throughout all stories from the Group E occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 1,500 square feet (1115 m²).
2. The fire area has an occupant load of 50 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
- i) Delete section 903.2.4 and insert in lieu thereof the following new section:
903.2.4 Group F-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:
1. A Group F-1 *fire area* exceeds 6,000 square feet (557.5 m²).
 2. A Group F-1 *fire area* is located more than three stories above grade plane.
 3. The combined area of all Group F-1 *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).
 4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).
- j) Delete section 903.2.7 and insert in lieu thereof the following new section:
903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:
1. A Group M *fire area* exceeds 6,000 square feet (557.5 m²).
 2. A Group M *fire area* is located more than three stories above grade plane.
 3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (2230 m²).
 4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).
- k) Delete section 903.2.9 and insert in lieu thereof the following new section:
903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:
1. A Group S-1 *fire area* exceeds 6,000 square feet (557.5 m²).
 2. A Group S-1 *fire area* is located more than three stories above grade plane.
 3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).
 4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).
 5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).
 6. A Group S-1 occupancy used for Self-Service Storage Facility (mini-storage) exceeds 6,000 square feet (557 m²).
- l) Delete section 903.2.9.1 and insert in lieu thereof the following new section:
903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, as shown:
1. Buildings having two or more stories above grade plane, including *basements*, with a *fire area* containing a repair garage exceeding 10,000 square feet (929 m²).

2. Buildings not more than one story above grade plane, with a *fire area* containing a repair garage exceeding 3,500 square feet (325 m²).
3. Buildings with repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 3,500 square feet (325 m²).

Sec 26-325.10. Basement sprinkler requirements.

Delete section 903.2.11.1.3 and insert in lieu thereof the following new section:

903.2.11.1.3 Basements. Where any portion of a *basement* is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.

Sec. 26-325.11. NFPA 13R Sprinkler Systems

Delete section 903.3.1.2 and insert in lieu thereof the following new section:

903.3.1.2 NFPA 13R sprinkler systems. *Automatic sprinkler systems* in Group R and I occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be installed throughout in accordance with NFPA 13, unless allowed to be sprinklered in accordance with NFPA 13D by the *International Building Code*. The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the *International Building Code* shall be measured from the horizontal assembly creating separate buildings.

Sec. 26-325.12. Fire sprinkler alarm exterior signals.

Delete section 903.4.2 and insert in lieu thereof the following new section: 903.4.2 Alarms. *An approved weather proof audible device suitable for outdoor use with 110 candela visual signal* shall be connected to every *automatic sprinkler system*. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an *approved* location. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

Sec. 26-325.13. Standpipe requirements for large area buildings.

Insert the following new section: 905.3.9 Building Footprint and Access. Where the most remote portion of a floor or story is more than 400 feet from a hose connection or fire department access road the fire code official is authorized to require standpipes to be provided in *approved* locations. Class I manual standpipes shall be allowed.

Sec. 26-325.14. Fire alarm control panels.

Insert the following new section: 907.1.4 Fire Alarm Control Panels (FACP). Each building shall have no more than one Fire Alarm Control Panel. Installation of fire alarm control panel shall not exceed six feet in height measured from the floor to the top of the control panel.

Exception: Suppression system releasing panels are not required to meet the height requirement or the limitation in the number of panels.

Sec. 26-325.15 Fire alarm system monitoring.

Delete section 907.6.6 and insert in lieu thereof the following new section: 907.6.6 Monitoring. Fire alarm systems required by this chapter or by the International Fire Code shall be monitored by a central station approved and listed under UL 827 in accordance with NFPA 72.

Exception: Monitoring is not required for automatic sprinkler and fire alarm systems in one- and two-family dwellings.

Sec. 26-325.16. Smoke and heat vents.

Delete section 910.2.1 and insert in lieu thereof the following new section: 910.2.1 Group F-1 or S-1. Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system installed in accordance with Section 910.4 shall be installed in buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 30,000 square feet (2787 m²) of undivided area. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with 903.3.1.1, where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed. Exception: Group S-1 aircraft repair hangers.

Sec. 26-325.17. Fire Command Center.

Delete section 911.1 and insert in lieu thereof the following new section: 911.1 General Where required by other sections of this code, table 911.1 and in buildings classified as high-rise buildings by this code, a fire command center for fire department operations shall be provided and shall comply with Sections 911.1.1 through 911.1.6.

Insert new section Table 911.1 with the following language:

Table 911.1
Fire Command Center Thresholds

Occupancy Group	Threshold Requiring a Fire Command Center
A	1,000 occupants
E, H, I-2, I-3, M	100,000 square feet (gross)
F, S	200,000 square feet (gross)
R-1	Greater than 200 dwelling units or sleeping units

Sec. 26-325.18. Landing frost protection.

Insert the following new section: 1010.1.6.1 Landing Frost Protection. For landings required by Section 1010.1.5 to be at the same elevation on each side of the door, exterior landings at doors shall be provided with frost protection.

Exception: Group U structures or structures built without frost depth footings.

Sec. 26-325.19. Handrail Continuity

Insert New Section 1014.4 item #6 with the following language:

6. Handrails within a dwelling unit or serving an individual dwelling unit of groups R-2 and R-3 shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

Sec. 26-325.20. Walking surfaces.

Insert the following new section:

1015.9 Walking surfaces. A guard shall be provided along retaining walls where a finished walking surface such as sidewalks, patios, driveways, parking lots or similar is located on the top side of a retaining wall. The guard shall be installed along any portion of the wall measuring 30 inches or greater in height measured at any point within 36 inches horizontally to the edge of the open side. A guard shall not be required along portions of the retaining wall where the horizontal distance between the edge of the finished walking surface and the face of the wall is greater than 72 inches.

Sec. 26-325.21. Window well drainage.

Insert the following new section: 1030.5.3 Window well drainage. All window wells shall be provided with approved drainage.

Sec. 26-325.22. Ventilation.

Delete section 1203.1 and insert in lieu thereof the following new section: 1203.1 General. Buildings shall be provided with mechanical ventilation in accordance with the International Mechanical Code. Where the air infiltration rate in a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure 0.2 inch w.c. in accordance with Section R402.1.1.2 of the International Energy Conservation Code – Residential Provisions, the dwelling unit shall be ventilated by mechanical means in accordance with section 403 of the State Mechanical Code. Ambulatory care facilities and Group I-2 occupancies shall be ventilated by mechanical means in accordance with 407 of the State Mechanical Code.

Sec. 26-325.23. Ground Snow Load.

Delete subsection 1608.2 and insert in lieu thereof the following new section:

1608.2 Ground Snow Load. The ground snow load to be used in determining the design snow load for roofs is hereby established at 30 pounds per square foot. Subsequent increases or decreases shall be allowed as otherwise provided in the building code , except that the minimum allowable flat roof snow load may be reduced to not less than 80 percent of the ground snow load.

Division 4. International Existing Building Code

Sec.26-345. Generally.

The provisions of International Existing Building Code (IEBC), 2018 edition are hereby amended as follows:

- (1) Delete section 103.
- (2) Delete section 105.2.
- (3) Delete section 105.5.
- (4) Delete section 109.3.5.
- (5) Delete section 112.
- (6) Delete section 115.

Sec. 26-345.1 Fire Protection in Existing Buildings

Any references requiring automatic fire sprinkler systems to be provided per the International Building Code shall comply with the 2018 International Building Code published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, D.C., 20001. For the purposes of this code, no local amendments to the automatic sprinkler system thresholds in the 2018 International Building Code, other than the amendments to section 903.2.11.1.3, shall apply.

Sec. 26-345.2. Fire Protection for R-2 Occupancies

Insert the following new section.

Section 302.7 Fire Protection. Existing buildings containing R-2 occupancies shall be made to comply with the International Building Code section 903.2.8 within two (2) years of any of the following situations:

1. Fire damage to three or more dwelling units, not including smoke or water damage or other damage from fire-fighting operations.
2. Issuance of a building permit for a Level III alteration as identified in Chapter 6 of the International Existing Building Code.

Sec. 26-345.3. Storm Shelters Installed in Existing E Occupancies

Delete section 1106 including subsection 1106.1, 1106.1.1, and 1106.1.2 and insert in lieu thereof the following new section.

Section 1106 Storm Shelters

Section 1106.1 Addition to a Group E occupancy. Where an addition is added to an existing Group E occupancy located in an area where the shelter design wind speed for tornadoes is 250 mph in accordance with Figure 304.2 (1) of ICC 500 and the occupant load of the addition is 50 or more, the addition shall have a storm shelter constructed in accordance with Chapters 1 through 5 & 8 of ICC 500.

For the purposes of this section the installation of portable buildings for utilization on the campus or site for educational purposes shall be considered as an addition.

Exceptions:

1. Group E day care facilities.
2. Group E occupancies accessory to place of religious worship.
3. Additions meeting the requirements for shelter design in ICC 500.
4. Accessory structures and additions to existing group E sites where the occupancy classification of said structures are classified as Groups A-5 and U

The aggregate area of all additions within a 10 (ten) year period shall be factored when determining the requirements of this section.

1106.1.2 Required Occupant capacity. The required occupant capacity of the storm shelter shall include all buildings classified as a Group E occupancy on the campus or site, whichever is larger and shall be the greater of the following:

1. The total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.
2. The occupant load of any indoor assembly space that is associated with the Group E occupancy.

Exceptions:

1. Where an addition is being added on an existing Group E site, and where the addition is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on-site, the storm shelter shall at a minimum accommodate the required capacity for the addition.
2. Where approved by the code official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the campus or site.

1106.1.3 Location. Storm shelters shall be located within the buildings they serve or shall be located where the maximum distance of travel from not fewer than one exterior door of each building to a door of the shelter serving that building does not exceed 1,000 feet.

Division 5. Swimming Pools

Sec. 26-346. Adoption of Swimming pool code.

The provisions of the International Swimming Pool and Spa Code, 2018 edition, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, D.C. 20001 are hereby adopted by reference and subject to the additions, deletions, and modifications hereinafter regulating the design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment in the City of Des Moines.

Note: The Iowa Department of Public Health regulates swimming pools, spas, wading pools, water slides, wave pools, spray pads, and bathhouses connected to swimming pools owned or operated by local or state government, or commercial interests or private entities including, but not limited to, public or private school corporations, hotels, motels, camps, apartments, condominiums, health clubs, and country clubs. Please see <https://idph.iowa.gov/swimmingpoolsandspas> for further details.

Sec. 26-347. Deletions.

The following are deleted from the swimming pool code and are of no force or effect in this article:

- (1) Delete section 105.
- (2) Delete section 106.
- (3) Delete section 107.
- (4) Delete section 108.
- (5) Delete the last sentence in section 301.1.
- (6) Delete sections 302 through 304, 305.5, and 306 through 323.
- (7) Delete Chapter 4.
- (8) Delete Chapter 5.
- (9) Delete Chapter 6.
- (10) Delete Chapter 7.
- (11) Delete Chapter 8.
- (12) Delete Chapter 9.
- (13) Delete Chapter 10.

Sec 26-348. Amendments.

- (a) The remaining sections in this article are and represent amendments and additions to the requirements contained in the International Swimming Pool and Spa Code (ISPSC) and where their requirements conflict with those of the ISPSC the requirements of this article shall prevail.

- (b) The following sections of this article shall be construed in the context of the enumerated chapter of the ISPSC.

Sec. 26-349. Definitions.

Insert a new definition in Chapter 2, "Swimming pool" is defined as any structure intended for swimming or recreational bathing capable of containing water more than 24 inches deep. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas.

Division 6. Skywalk System

Sec. 26-350. Scope of Division.

Notwithstanding anything contained in this chapter and chapter 46 of the Municipal Code, the provisions of this division also shall be part of the building code and fire prevention code requirements for the skywalk system and shall take precedence over anything in conflict with this division.

Sec. 26-351. Definitions.

The definitions for the terms "skywalk system," "skywalk corridor," and "skywalk bridge" as used in this division shall be the same as in article IV of chapter 102 of the city code.

Sec. 26-352. Skywalk system exceptions.

Skywalk system. Notwithstanding the provisions of Chapter 32 of the International Building Code, the structures of a duly authorized portion of the public skywalk system may project into an alley to the extent authorized by the city council pursuant to article IV of chapter 102 of the city code.

Sec. 26-353. Easement required for skywalk corridor prior to building permit issuance.

Where a skywalk corridor is shown on an approved site plan for a proposed development, no building permit shall be issued for that proposed development until the city council has accepted a right to an easement for such skywalk corridor.

Sec. 26-354. Exit requirements from skywalk system.

- (a) There must be two means of egress, as described in this section, from any point in the skywalk system during the hours that the portion of such skywalk system including such point is open in accordance with article IV of chapter 102 of the Municipal Code.
- (b) In addition to those exits defined in chapter 10 of the International Building Code, any fire door assemblies in a skywalk bridge may constitute an exit from the skywalk system within the meaning of such chapter 10, provided that there is a continuous and unobstructed means of egress from such fire doors assemblies in the direction of exit to a public way on the ground level and provided, further, that such means of egress may include passage through

one or more skywalk bridges, one or more skywalk corridors, or portions of one or more buildings, and such skywalk bridges, skywalk corridors or portions of buildings need not satisfy the requirements for corridors or exit passageways contained in such chapter 10.

- (c) Doors or other barriers may be locked so as to block passage through a portion of the skywalk system during the hours such portion of the skywalk system is not required to be open in accordance with article IV chapter 102 of the Municipal Code. Any such door or other barrier equipped with a locking device shall have a readily visible, durable sign on or adjacent to the door or other barrier stating "this door to remain unlocked during skywalk system hours." The sign shall be in letters not less than one inch high on a contrasting background.
- (d) When a portion of the system is closed, the portion of the skywalk system that is open shall be so arranged that it is possible to go in either direction from any point in the system to an exit, except for dead ends not exceeding 20 feet in length within a building, or 50 feet in length within a sprinklered building.

Sec. 26-355. Materials of construction for skywalk bridges and corridors.

- (a) The materials of construction for skywalk bridges and skywalk corridors between buildings shall be noncombustible.
- (b) The materials of construction for skywalk corridors exterior to and structurally supported by any building, as defined in subsections 26-356(1) and (2), shall be as required by the most restrictive type of construction for the building.

Sec. 26-356. Protection of openings onto the skywalk system which are located within 25 feet of property line.

Notwithstanding anything to the contrary contained in the International Building Code, openings onto the skywalk system which are located within 25 feet of the property line shall be protected as follows:

- (1) If two buildings are joined by a skywalk corridor constructed between such buildings:
 - a. The centerline of the skywalk corridor easement shall be deemed the property line, and no opening shall be permitted in any wall of such skywalk corridor which is less than seven feet from the property line;
 - b. Such skywalk corridor shall be protected by an approved automatic sprinkler system;
 - c. Any wall of the skywalk corridor which is less than seven feet from the adjacent property line shall be of at least two-hour fire resistive construction; and
 - d. Any openings in the skywalk corridor walls shall be either:
 - 1. Of approved opening protective set in metal frames in accordance with the International Building Code, provided a draft curtain of at least one-hour fire resistive construction and not less than 12 inches in height shall be provided to protect the skywalk corridor from the adjacent building area, which draft curtain shall be located above the glass and extend a minimum of 12 inches below the lowest finished

ceiling of either such adjacent building area or the skywalk corridor, or, if the finished ceiling is not a fire-rated assembly, the draft curtain shall extend from the opening protective to a rated ceiling or floor assembly; or

2. Protected in the following manner:
 - i. The adjacent building area onto which such opening occurs is protected by an approved automatic sprinkler system;
 - ii. A draft curtain of at least one-hour fire resistive construction and not less than 12 inches in height and including an approved water curtain of sprinkler heads six feet on center immediately adjacent to such draft curtain and above the opening within the building area shall be provided to protect the skywalk corridor from the adjacent building area, which draft curtain shall be located above the opening and shall extend a minimum of 12 inches below the lowest finished ceiling area of either such adjacent building area or the skywalk corridor or, if such finished ceiling is not a fire-rated assembly, the draft curtain shall extend from the opening to a rated ceiling or floor assembly; and
 - iii. Either (i) the ceiling, walls and floor of the adjacent building area onto which such opening occurs shall be separated from the rest of such building by at least two-hour fire resistive construction and all duct penetrations in such building area shall be protected with fire dampers in accordance the International Building Code, or (ii) the entire story is protected by an approved automatic sprinkler.

(2) If a skywalk corridor is constructed exterior to and attached to any one building, but is not between two or more buildings, and such skywalk corridor extends over the adjacent property line related to such building:

- a. The centerline of the skywalk corridor easement shall be deemed the property line, and no opening shall be permitted in any wall of such skywalk corridor which is less than seven feet from the property line; and
- b.
 1. If the adjacent building is protected or is required to be protected by an approved automatic sprinkler system, such skywalk corridor shall be protected by an approved automatic sprinkler system; or
 2. If the adjacent building does not have and is not required to be protected by an approved automatic sprinkler system, such skywalk corridor need not be provided with an approved automatic sprinkler system at the time of construction, provided that the property owners and/or lessees who are responsible for such skywalk corridor under a skywalk agreement with the city shall also agree in such skywalk agreement to provide an approved automatic sprinkler system if a second building is constructed within ten feet of such skywalk corridor; and

- c. Any wall of the skywalk corridor which is less than seven feet from the adjacent property line shall be of at least two-hour fire resistive construction;
 - d. Any openings from such skywalk corridor into the adjacent building shall be in accordance with subsection (1)d of this section; and
 - e. Any windows in the wall of such skywalk corridor opposite the building to which it is adjacent either:
 - 1. Shall be of approved opening protective set in metal frames in accordance with section 716 of the International Building Code; or
 - 2. May be of other glass, provided that the property owners and/or lessees who are responsible for such skywalk corridor under a skywalk agreement with the city shall also agree in such skywalk agreement to:
 - i. Replace such glass with approved opening protective set in metal frames in accordance with the International Building Code if any building subsequently is constructed which is within ten feet, but not attached to, such skywalk corridor wall; and
 - ii. Pay the equivalent of the cost of providing such approved opening protective towards the cost of reconstructing all openings in such skywalk corridor wall in accordance with subsection (1)d of this section if any building subsequently is constructed which is attached to such skywalk corridor wall.
- (3) Two buildings may be joined by a wall opening, provided:
- a. The wall opening shall be protected by a fire assembly having at least a 1 1/2-hour fire protection rating; or
 - b. The wall opening may be unprotected if the entire building on both sides of wall opening are protected by an approved automatic sprinkler system; and
 - c. In either case, there is a draft curtain of at least two-hour fire resistive construction and not less than 12 inches in height, which draft curtain shall be located above the opening and shall extend a minimum of 12 inches below the lowest finished ceiling on either side of the wall opening, or, if the finished ceiling is not a fire-rated assembly on either side, the draft curtain shall extend from the opening to a rated ceiling or floor assembly on such side of the opening.
- (4) If two buildings are connected by a skywalk bridge:
- a. If such skywalk bridge is not connected to a skywalk corridor which is exterior to any building to which such skywalk bridge is connected, it shall be sufficient if the opening at one end of such skywalk bridge is protected by approved fire assemblies having at least a 1 1/2-hour fire protection rating with gasketed frames, and the remaining construction where such end of the skywalk bridge penetrates the adjacent building is of at least two-hour fire rating construction; or
 - b. If such skywalk bridge is connected to a skywalk corridor which is exterior to any building to which such skywalk bridge is connected, all openings

from such skywalk bridge into the adjacent buildings shall conform to the requirements of subsection (1) of this section.

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

FORM APPROVED:

Judy K. Parks-Kruse, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, 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. 20-0266), passed by the City Council of said City at a meeting held February 10, 2020 signed by the Mayor on February 10, 2020 and published and provided by law in the Business Record on February 28, 2020. Authorized by Publication Order No. 11054.

P. Kay Cmelik, City Clerk