

Date August 20, 2007

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, and amended by Ordinance No. 14,447 passed May 23, 2005 and Ordinance No. 14,490 passed September 26, 2005 by amending Sections 26-2, 26-100, 26-101, 26-120, 26-121, 26-122, 26-123, 26-124, 26-125, 26-160, 26-161, 26-162, 26-163, 26-164, 26-175, 26-176, 26-177, 26-179, 26-181, 26-205, 26-206, 26-211, 26-215, 26-216, 26-231, 26-233, 26-254, 26-255, 26-275, 26-277, 26-279, 26-301, 26-302, 26-320, 26-321, 26-322, 26-323, 26-324, 26-325, 26-326, 26-327, 26-328, 26-329, 26-330, 26-400, 26-402, 26-403, 26-430, 26-431, 26-500, 26-501, 26-502, 26-503, 26-507, 26-510, 26-511, 26-514, 26-522, 26-523, 26-525, 26-527, 26-528, 26-552, 26-575, 26-576, 26-577, 26-578, 26-579, 26-580, 26-590, 26-592 and 26-593, and repealing Sections 26-141 and 26-512 and adding and enacting new Sections 26-216.05, 26-530 and 26-531 thereof, relating to building and building regulations",

which was considered and voted upon for the first time under Roll Call No. 07- 1433 of July 23, 2007, and considered and voted upon for the second time under Roll Call No. 07- 1538 of August 6, 2007, again presented.

Moved by _____ that this ordinance do now pass.

ORDINANCE NO. _____

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

MOTION CARRIED

APPROVED

.....
Mayor



**Council
Communication**
Office of the City Manager

Date July 23, 2007

Agenda Item No. ~~48A&B~~ 47A
 Roll Call No. 07-1433
 Communication No. 07-461
 Submitted by: Larry Hulse, Community
 Development Director

50A

47A
07-1433

AGENDA HEADING:

Amending chapter 26 of the municipal code to update the Building Code, Existing Buildings Code, Mechanical Code, Fuel Gas Code and the Plumbing Code.

SYNOPSIS:

Recommend approval of an ordinance change to amend Chapter 26 of the municipal code and update the Building Code, Existing Buildings Code, Mechanical Code, Fuel Gas Code and the Plumbing Code to the most recent published editions of nationally developed model codes.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

This action will update and amend Chapter 26 of the Municipal Code and the referenced model codes contained therein to the most recent editions of these model codes. This action includes the 2006 International Building Code; the 2006 International Residential Code; the 2006 International Existing Buildings Code; the 2006 International Mechanical Code; the 2006 International Fuel Gas Code; and the 2006 Uniform Plumbing Code. These changes are aligned with the codes adopted by the metropolitan area communities wherever possible.

The Board of Licenses and Appeals have reviewed these changes with staff, conducted a public hearing, and have made and received suggestions concerning these revisions. Staff has attempted to incorporate these suggestions where possible.

A summary and outline of the changes to the ordinance follows:

Article I incorporates the general provisions common to each of the codes. The provisions establish and provide rules of conduct for the Permit and Development Center, the Board of Appeals, and the authority of the Building Official. These provisions remain substantially the same although organizational and editorial changes have been incorporated. With the advent of the trades licensing authority eventually transferring to the State, the name of the License and Appeals Board is being changed to the Building and Fire Code Board of Appeals. The Fire Department does not currently have a mechanism in place to hear appeals. By establishing a seat for a fire engineer in lieu of the real estate seat will address the issue. The License and Appeals board has unanimously approved this new structure and its future role in the City of Des Moines. Language relating to licensure of plumbers and electricians has been modified to include a sunset clause as the shift from municipal licensing to the State will occur during this code cycle.

Article II adopts by reference the 2006 International Building Code, the 2006 International Residential Code, and the International Existing Buildings Code. These documents are successor documents to those currently adopted. Amendments made unnecessary by changes to the new codes have been eliminated. Amendments that have been developed in coordination with our surrounding communities have been retained or added, such as those for standardized residential foundations, structural wind bracing, residential stair provisions accommodating floor finishes, handrail continuity, location on property, and residential ice protection at roofs. Applicability of the Existing Buildings Code includes expansion to encompass buildings 50 years or older. Demolition of buildings, obstruction permits, and administrative permitting provision remain unchanged.

Article III references the 2005 National Electric Code. This document remains in effect without modification. The 2008 National Electric Code had not yet been released in time for this update.

Article IV adopts by reference the 2006 International Mechanical Code and the 2006 International Fuel Gas Code. This amendment updates the mechanical and fuel gas codes to the most recent editions.

Article V adopts by reference the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO). This is a successor document to the code currently adopted. Provisions regarding unsafe installations, cross connections, copper systems, backwater valves and vents, storm drains, supply and water systems remain unchanged. Provisions regarding grease interceptors currently in the 2003 Uniform Plumbing Code remain in effect, and provisions of the 2006 Uniform Plumbing Code regarding grease interceptors and FOG have been omitted.

PREVIOUS COUNCIL ACTION(S):

Date: April 25, 2005

Roll Call Number: 05-1011

Action: Amending Chapter 26 of the Municipal Code to adopt 2003 International Building Code, 2003 International Existing Building Code, portions of the 2003 International Residential Code, 2003 International Mechanical Code, 2003 International Fuel Gas Code, 2005 National Electric Code, 2003 Uniform Plumbing Code, and miscellaneous amendments and reorganization. (Council Communication No. 05-219) Moved by Hensley that this ordinance be considered and given first vote for passage as amended; Article V – Plumbing Code, shall be removed and forwarded to City staff and the Licensing and Appeals Board for review and recommendation. Motion Carried 7-0.

Date: November 8, 2004

Roll Call Number: 04-2399

Action: Beginning the process to adopt the 2003 edition of the International Council Family of Construction Codes in conjunction and coordination with participating surrounding communities. Moved by Hensley to adopt. Motion Carried 7-0.

Date: November 22, 2004

Roll Call Number: 04-2536

Action: Receive and file communication from the Licensing and Appeals Board regarding a proposed change to the Plumbing Code. Moved by Vlassis to receive and file. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: July 12, 2007

Roll Call Number: License and Appeals

Action: Recommend approval of the proposed ordinance, motion carried 7-12. 5 absent.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE