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Date November 22, 2010

**RESOLUTION CLOSING PUBLIC HEARING ON PROPOSED REPEAL AND
REPLACEMENT OF CHAPTER 26, BUILDING AND BUILDING REGULATIONS
AND APPROVING SAME**

WHEREAS, the Building and Fire Code Board of Appeals has recommended that the City repeal Chapter 26 of the Des Moines Municipal Code and adopt a new Chapter 26 establishing the Building and Fire Code Board of Appeals and the Board of Power Engineers; establishing the Permit and Development Division within the Community Development Department; adopting the 2009 editions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Mechanical Code, International Fuel Gas Code, and Parts I, II, III, V, VI and appendix chapters H & J of the International Residential Code; adopting the 2008 edition of the National Electrical Code; adopting the 2009 edition of the Uniform Plumbing Code; licensing contractors, masters, journeymen, apprentices and other individuals and businesses engaged in construction and construction activities; licensing persons engaged in the operation or control of steam or power operating equipment; and providing for the administration and enforcement of such codes; and,

WHEREAS, a copy of the ordinance to implement the recommendation of the Building and Fire Code Board of Appeals is on file and available for public inspection in the office of the City Clerk; and,

WHEREAS, on November 8, 2010, by Roll Call No. 10- 1837, it was duly resolved by the City Council that the proposed ordinance to repeal and replace Chapter 26 of the Des Moines Municipal Code as described above, be set down for hearing on November 22, 2010, at 5:00 p.m., in the Council Chambers; and

WHEREAS, due notice of the public hearing to consider the proposed ordinance as described above was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with said notice, those interested in said proposed ordinance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed ordinance as described above are hereby overruled and the hearing is closed.

(continued)

★ **Roll Call Number**

Agenda Item Number

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Date November 22, 2010

2. The proposal to repeal and replace Chapter 26 of the Des Moines Municipal Code as described above is hereby approved, subject to final passage of the implementing ordinance.

(Council Communication No. 10- **704**)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

MOTION CARRIED

APPROVED

Mayor

City Clerk