

★ **Roll Call Number**

Agenda Item Number

43

Date February 28, 2011

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 46-1(c)(28), 46-63, and 46-316 and by adding and enacting new sections 46-318 and 46-319, relating to amendments and additions to the International Fire Code regarding tents",


presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

(Council Communication No. 11-110)

FORM APPROVED:

(First of three required readings)

  
 \_\_\_\_\_  
 Glenna K. Frank  
 Assistant City Attorney

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

MOTION CARRIED

APPROVED

\_\_\_\_\_  
 Mayor

**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

ORDINANCE NO. \_\_\_\_\_

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 46-1(c)(28), 46-63, and 46-316 and by adding and enacting new sections 46-318 and 46-319, relating to amendments and additions to the international fire code regarding tents.

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 46-1(c)(28), 46-63, and 46-316 and by adding and enacting new sections 46-318 and 46-319, relating to amendments and additions to the international fire code regarding tents, as follows:

**Sec. 46-1. Permits required.**

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- (c) Yearly operational permits shall be required for each of the following facilities or uses, and the fee for each such installation or use shall be the amount established in the schedule of fees adopted by the city council by resolution:
  - (28) Tents. To erect or maintain a tent or air-supported structure ~~in excess of 400 square feet~~ (see chapter 24 of the fire code and article X of this chapter).

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**Sec. 46-63. Amendments and additions.**

- (a) Article I of this chapter and the remaining sections in this chapter and in division 2 of article III of chapter 38 of the city code are and represent amendments and additions to the requirements contained in the international fire code. Where their requirements conflict with those of the international fire code, the requirements of sections 38-81 and 38-82 of the city Code and articles IV through X of this chapter shall prevail.
- (b) The deleted sections and the corresponding amendments and additions to those sections are as follows:
  - (1) Section 108 (see section 46-64 of this chapter).
  - (2) Section 105 (see section 46-1 of this chapter).
  - (3) Section 2601.2 (see section 46-121 of this chapter).
  - (4) Section 3308.2 (see article VII of this chapter).
  - (5) Section 3401.4 (see section 46-246 of this chapter).

- (6) Sections 2701.5, 2703.9.1, 2703.9.1.1, 2701.6.3, 2701.6, 2701.5.1 and 2701.5.2 (see article IV of this chapter).
  - (7) Section 3804 (see section 46-281 of this chapter).
  - (8) Section 308.1.4 (see section 46-66 and 46-67 of this chapter).
  - (9) Section 503.2.3 (see section 46-68 of this chapter).
  - (10) Section 506.1 (see section 46-69 of this chapter).
  - (11) Section 506.1.1 (see section 46-70 of this chapter).
  - (12) Section 907.2.10 and 4603.7 (see section 46-71 of this chapter).
  - (13) Section 912.3.1 (see section 46-72 of this chapter).
  - (14) Section 4601.4 (see section 46-73 of this chapter).
  - (15) Section 2403.2 (see section 46-318 of this chapter).
- (c) The addition of the following sections/appendices:
- (1) Appendix I.

**Sec. 46-316. Distance.**

The distance requirements in ~~section 2403.2~~ Chapter 24 of the International Fire Code may be lowered to ten feet for a tent up to ~~1,600 square feet~~, if approved in advance and in writing by the fire chief or designee.

**Sec. 46-318. Exception to Section 2403.2.**

Section 2403.2 of the International Fire Code shall be amended to include the following exception, with all other provisions of said Section remaining the same:

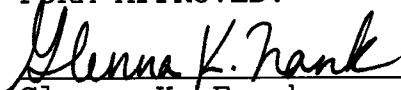
- (3) The aggregate area of 10-foot by 10-foot (10'x10') tents, with or without open sides, in any configuration, not to exceed 1000 square feet (93 m<sup>2</sup>) total.

**Sec. 46-319. Limitation on 10-foot by 10-foot tents.**

- (a) The aggregate area of 10-foot by 10-foot (10' x 10') tents, with or without sides, in any configuration, shall not exceed 1000 square feet (93 m<sup>2</sup>) total.
- (b) A minimum clearance of 12 feet (3658 mm) to all structures and other tents is required between each configuration of 10-foot by 10-foot (10' x 10') tents.

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

FORM APPROVED:

  
\_\_\_\_\_  
Glenna K. Frank  
Assistant City Attorney