

ORDINANCE NO. 14,167

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 repealing Section 26-941, and subsections (a), (b), (d) and (f) of Section 26-949 thereof, and enacting a new Section 26-941, and subsections (a), (b), (d) and (f) of Section 26-949, to place all fees under the Mechanical Code in Article V of Chapter 26 into a Schedule of Fees to be adopted by the City Council by resolution.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa, as follows:

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 amended by Ordinance No. 13,817 passed May 1, 2000, Ordinance No. 13,911 passed January 22, 2001, Ordinance No. 14,074 passed April 22, 2002, and Ordinance No. 14,076 passed April 22, 2002, be and is hereby amended by repealing Section 26-941, and subsections (a), (b), (d) and (f) of Section 26-949 thereof, and enacting a new Section 26-941, and subsections (a), (b), (d) and (f) of Section 26-949, to place all fees under the Mechanical Code in Article V of Chapter 26 into a Schedule of Fees to be adopted by the City Council by resolution, as follows:

Sec. 26-941. License applications, fees and renewal.

(a) Any person desiring to take any examination for the licenses required by the mechanical code shall make application to the building official on forms furnished by the building official, and each application shall be accompanied by a receipt from the city treasurer for the examination fee, as set out in this section, which fee shall be paid for each examination or reexamination. All applications shall be made and the application fee shall be paid at least 20 calendar days prior to the date of the examination.

(b) The fees for the examinations and licenses required by this article shall be in the amounts set in the Schedule of Fees adopted by the city council by resolution, except that any licensee who is subject to the restrictions of subsection 26-906(b) of this article may be issued an inactive license without a fee.

(c) All licenses shall expire on January 31 of each odd-numbered year. The fee for renewal of an unexpired license or certificate shall be as specified in subsection (b) of this section. Any license that has so expired may be renewed within 90 days after the expiration date upon payment of the biennial license fee plus the late renewal fee set in the Schedule of Fees. Upon the expiration of the 90-day period, no license shall be renewed without

reexamination by the licensing and appeals board and payment of the biennial license fee plus the late renewal fee.

Sec. 26-949. Permit fees.

(a) **Schedule.** There shall be paid to the office of the building official for the issuance of each mechanical permit the base fee and unit fees in the amounts set in the Schedule of Fees adopted by the city council by resolution.

a. **Double fee.** Except in emergency situations, as determined by the senior mechanical inspector, where work for which a mechanical permit is required by this code is started or proceeded with by any person prior to obtaining a required permit, the regular fees as specified in this code for such work shall be doubled. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein and, no additional permits shall be issued to any person who owes the city the double fee described in this section. However, no double fee shall be imposed upon any person who starts work without a permit if:

- 1. The work is started on a Saturday, Sunday, or holiday, or during any other day when the department of building is not normally open for business; and
- 2. The person secures the proper permit on the next working day of the office of the building official.

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(d) **Additional payment.** In the event that a mechanical permit is issued for a specific amount of work and upon inspection, it is determined that more work was performed than was authorized on such permit, the permittee shall obtain another permit to include all such additional work and shall pay a new base fee pursuant to paragraph (a).

(f) **Refunds.** If, within 60 days of the date of issuance, the holder of a mechanical permit decides not to commence the work described in said permit, he or she may, upon application to the building official, be refunded that portion of the permit fee which is in excess of the base fee pursuant to paragraph (a).

Sec. 2. This ordinance shall be in full force and effect from and after the later of January 1, 2003, or its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna V. Boetel-Baker, 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. 02-2922), passed by the City Council of said City at a meeting held December 16, 2002 signed by the Mayor on December 16, 2002 and published as provided by law in the Polk County Press Citizen on December 27, 2002 Authorized by Publication Order No. 3493.

Donna V. Boetel-Baker, City Clerk