

ORDINANCE NO. 14,191

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 subsection (d) of Section 26-113, subsection (d) of Section 26-391, subsection (c) of Section 26-949, and subsection (b) of Section 26-1158 thereof, and enacting a new subsection (d) of Section 26-113, subsection (d) of Section 26-391, subsection (c) of Section 26-949, and subsection (b) of Section 26-1158, to limit the waiver of fees for construction permits under Chapter 26 to permits issued for work upon property owned by the federal government, the state or any county.

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. 14,074 passed April 22, 2002, and by Ordinance No. 14,076 passed April 22, 2002, be and is hereby amended by repealing subsection (d) of Section 26-113, subsection (d) of Section 26-391, subsection (c) of Section 26-949, and subsection (b) of Section 26-1158 thereof, and enacting a new subsection (d) of Section 26-113, subsection (d) of Section 26-391, subsection (c) of Section 26-949, and subsection (b) of Section 26-1158, to limit the waiver of fees for construction permits under Chapter 26 to permits issued for work upon property owned by the federal government, the state or any county, as follows:

Article II. Building Code.

Sec. 26-113. Permit fees.

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(d) *Exemption for certain classes of applicants.* Persons performing work for the federal government or the state or any county may obtain permits for such work without paying the permit fees as provided for in this section; provided, however, that nothing in this section shall be construed to exempt payment of permit fees by persons performing work under the direction of the city in connection with the abatement of any public nuisance on private property, pursuant to city ordinance or state law. This exemption shall not apply to plan-checking fees.

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Article III. Electrical Code

Sec. 26-391. Permit fees.

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(d) Persons performing electrical work for the federal government or the state or any county may obtain permits for that work without paying the permit fees described in this section, provided that nothing in this section shall be construed to exempt payment of permit fees by persons working under the direction of the city in connection with the abatement of any public nuisance on private property, pursuant to city ordinance or state law.

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Article V. Mechanical Code

Sec. 26-949. Permit fees.

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(c) **Fee exemption.** Persons performing mechanical work for the federal government or the state of Iowa or any county may obtain permits for such work without paying the permit fees described herein; provided that nothing in this section shall be construed to exempt payment of permit fees by persons who commence such mechanical work prior to having obtained a permit therefor or by persons performing work under the direction of the city of Des Moines in connection with the abatement of any public nuisance on private property, pursuant to city ordinance or state law.

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Article VI. Plumbing Code

Sec. 26-1158. Permit fees.

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(b) Persons performing plumbing work for the federal government or the state or any county may obtain permits for such work without paying the permit fees described in subsection (a) of this section; provided, however, that nothing in this subsection shall be construed to exempt payment of permit fees by persons performing work under the direction of the city in connection with the abatement of any public nuisance on private property, pursuant to city ordinance or state law.

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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. 02-2995), passed by the City Council of said City at a meeting held December 18, 2002 signed by the Mayor on December 18, 2002 and published as provided by law in the Business Record on December 30, 2002 Authorized by Publication Order No. 3516.

Donna V. Boetel-Baker, City Clerk