

ORDINANCE NO. 14,685

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.

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, and amended by Ordinance No. 14,447 passed May 23, 2005 and Ordinance No. 14,490 passed September 26, 2005 is hereby amended 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, as follows:

## **ARTICLE I. IN GENERAL**

### **26-2. Purpose.**

The purpose of this chapter is to provide for the protection of the public health and safety by: creation of a permit and development division and a board of appeals; adoption of building codes; enforcement of penalties for the violation of the building codes; and repealing conflicting ordinances.

#### DIVISION 1. PERMIT AND DEVELOPMENT DIVISION

### **Sec. 26-100. Permit and development division established; officials appointed.**

There is established in the city within the community development department the permit and development division which shall be under the direction and supervision of the permit and development administrator. The permit and development administrator and the building official shall be appointed by and be responsible to the director of the community development department. In the event the permit and development administrator does not also serve as the building official, the building official shall be responsible to the permit and development administrator.

### **Sec. 26-101. Powers and duties of building official.**

- (a) *Generally.* Any reference in this article to the building official shall include the building official's designee. General powers and duties of the building official shall be as follows:
- (1) Enforce all the provisions of this Chapter.
  - (2) Be accountable for the issuance of permits and

inspections of work.

(3) Serve as city staff and advisor to the building and fire code board of appeals.

(4) Render interpretations of the building codes and adopt and enforce rules and regulations supplemental to such codes as the building official may deem necessary in order to clarify the application of the provisions of such codes. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of the applicable code.

(5) Determine value or valuation under any of the provisions of the building codes.

(6) Appoint staff members and delegate duties to those staff members.

(b) *Reports and records.* The building official shall

(1) Provide the director of community development and the city manager, not less than once per year a summary of his or her recommendations as to desirable amendments to the building codes.

(2) Keep a permanent, accurate account of all fees and other monies collected and received under the codes assigned to the building official for enforcement, the names of the persons upon whose account the fees were paid, the date and amount thereof, together with the location of the building or premises to which they relate;

(3) Keep a record of the issuance of permits, inspections made, and other official work performed in accordance with this chapter;

(4) Keep records of building and fire code board of appeals meetings, hearings, rulings, and other matters performed in accordance with this chapter;

(c) *Specific powers*

(1) Whenever any condition exists that is in violation of the codes or creates a danger to health and safety, the building official may until further notice:

a. Order any work stopped;

b. Order changes to any work to correct an unsafe or illegal condition;

c. Order discontinuation of any utilities supplying the premises;

d. Order vacation of any premises.

The building official shall give notice of such action to individuals in control of the premises, and may prescribe a period of time to comply with such notice based on the urgency of the situation.

(2) Whenever necessary to make an inspection to enforce any

of the provisions of the building codes or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the building official may enter such building or premises at all reasonable times to inspect the building or premises or to perform any duty imposed upon the building official by the building code. However, if such building or premises is occupied, the building official shall first present proper credentials and request entry. If such entry is refused, the building official shall have recourse to every remedy provided by law to secure entry. When the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as provided in this subsection, to promptly permit entry therein by the building official or the for the purpose of inspection and examination pursuant to the such codes.

(3) The building official shall have the authority to remove or cause the removal of covering, finishes, or other obstruction which may prevent the proper inspection of work or equipment.

(d) *Emergencies and public nuisances.*

(1) Whenever the building official finds a public nuisance exists which requires immediate action to protect the public health and safety, such official may issue an order reciting its existence and requiring that action be taken as such official deems necessary. The action required by such official shall depend upon the nature of the nuisance, the danger to the public that the nuisance presents, the condition and deterioration of the premises, the potential for rehabilitation of structure involved and the time reasonably necessary to take the required action. If the owner does not comply with the order within the time specified in such order, such official may authorize the taking of the action specified in the order. Any costs incurred may be assessed against the property.

(2) Notice of the order shall be given to all owners, tenants, and other persons holding a property interest in the premises who are reasonably known to such official. Notice shall be given by that method which

is reasonably calculated to inform each recipient within the shortest practicable period of time, considering the nature of the emergency and any difficulties in notifying the owners. If an owner or other person holding a property interest in the premises cannot be found, an affidavit shall be completed by the person attempting to locate such person, describing the efforts made, and held on file.

- (e) *Cooperation of other officials and officers.* The building official may request and shall receive so far as is required, in the discharge of his or her duties, the assistance and cooperation of other officials of this jurisdiction.
- (f) *Conflict of Interest.* Neither the building official nor any of the inspectors shall engage in any work for hire regulated by that individual, either directly or indirectly, nor shall the official or any of the inspectors have any financial interest in any firm engaged in such trade or business in the city at any time while employed by the city.
- (g) *Liability.*
  - (1) Neither the city nor any employee is liable for damages to a person or property as a result of any act or failure to act in the enforcement of the building codes, unless the act of enforcement constitutes false arrest.
  - (2) The building codes shall not be construed to relieve from or lessen the responsibility for damage to the person or of any person owning, operating or controlling any equipment or structure regulated by such codes caused by defective work nor shall the city or any city employee be liable because of the inspections authorized by such codes or any approvals issued under such codes.

DIVISION 2. BUILDING AND FIRE CODE BOARD OF APPEALS

**Sec. 26-120. Building and fire code board of appeals created; authority.**

There is created a building and fire code board of appeals with authority to:

- (1) Review the building, electrical, mechanical, plumbing and fire codes periodically and make recommendations thereto to the city council.
- (2) Act as a board of appeals to hear grievances arising

from a decision of the building official or fire chief and to provide for reasonable interpretations consistent with the provisions of the building, electrical, mechanical, plumbing and fire codes. Any person may upon written request appeal a previous decision of the building official or fire chief to the board for consideration.

- (3) Determine the suitability of alternate materials and types of construction to those otherwise allowed by the building codes and to provide reasonable interpretations of the provisions of such article.
- (4) Waive building code requirements that, in the opinion of the Board, do not render the building or structure more hazardous, based on life safety, fire safety and sanitation, than the code requires.
- (5) The board shall not have authority over administrative matters or matters covered by the board of power engineer examiners.

**Sec. 26-121. Terms; composition.**

- (a) The building and fire code board of appeals shall consist of 17 members. Fifteen of the members shall be appointed for terms of three years, provided however that the terms of five of the initial appointed members shall be for one year, and the terms of five of the initial appointed members shall be for two years. All appointed terms shall expire on the April 1st.
- (b) The appointed members of the building and fire code board of appeals shall consist of the following persons having a minimum of five years of experience in the required field:
  - (1) One Iowa registered architect.
  - (2) One Iowa registered professional engineer (structural or construction).
  - (3) One Iowa registered professional engineer (mechanical).
  - (4) One Iowa registered professional engineer (electrical).
  - (5) One general contractor experienced in residential construction.
  - (6) One general contractor experienced in commercial construction.
  - (7) Two electricians who hold an active master electrician certificate of competency or license issued by the city or by the state of Iowa and are in responsible charge of the electrical installation operation of a licensed electrical contracting firm.

- (8) One plumber who holds an active master plumber certificate of competency or license issued by the city or by the state of Iowa and is in responsible charge of the plumbing installation operation of a licensed plumbing contracting firm.
- (9) One plumber who holds an active journeyman plumber certificate of competency or license issued by the city or by the state of Iowa.
- (10) Two mechanical contractors who hold an active class A, B, C or D mechanical contractor license issued by the city or who hold a master's mechanical license issued by the state of Iowa.
- (11) One licensed attorney.
- (12) One person shall be a qualified engineer, architect, technologist, technician or safety professional trained in fire protection engineering, fire science or fire technology, including but not limited to fire protection contractors and certified technicians engaged in fire protection system design.
- (13) One person with experience in historic preservation.
- (c) The building official and fire marshal shall serve as ex officio members of the board.
- (d) Any member of the board may be removed by the city council for malfeasance in office, incapacity, or neglect of duty.

**Sec. 26-122. Hearings.**

- (a) Any person affected by a decision of the building official or fire chief may request and shall be granted a hearing on the decision, provided that the person shall file in the permit and development center a written petition requesting a hearing and setting forth a brief statement of the grounds within 15 days after receiving notice of the decision. Upon receipt of the petition, the permit and development center shall set a time and place for the hearing and shall give the petitioner written notice thereof at least three days before the hearing, unless such notice requirement is waived in writing by the petitioner. The hearing shall be commenced not later than thirty days after the day on which the petition was filed, unless for good cause shown the building official grants a postponement in writing.
- (b) At the hearing the petitioner shall be given an opportunity to be heard to show why the decision of the building official or fire chief should be modified or withdrawn. The building official or fire chief shall have the opportunity to be heard to show why their decision should be affirmed.

**Sec. 26-123. Decisions.**

- (a) After the hearing as provided in section 26-122, the building and fire code board of appeals shall affirm, modify or withdraw the decision of the building official or fire chief.
- (b) The proceedings at any hearing before the board, including the findings and decision of the building official or fire chief, if applicable, shall be summarized, reduced to writing, and entered as a matter of public record in the permit and development center. This record shall include a copy of every notice or order issued in connection with the matter.

**Sec. 26-124. Meetings; rules of procedure.**

- (a) The building and fire code board of appeals shall hold regular meetings as necessary to hear appeals or conduct other business. Special meetings may be called at any time by the chair of the board or the building official or fire chief or upon the written request of two members of the board to the chair and the building official or fire chief.
- (b) The building and fire code board of appeals shall adopt reasonable rules and regulations for conducting its meetings.
- (c) The city council shall provide suitable rooms in which the board shall hold its meetings and shall provide for the necessary expenses incurred by the board.

**Sec. 26-125. Legal counsel.**

The building and fire code board of appeals shall have the right to request legal counsel from the city attorney when counsel is desired.

DIVISION 3. PERMITS AND FEES

**Sec. 26-141. Repealed by Ord. No. 14,---**

DIVISION 4. LICENSES AND CERTIFICATES

**Sec. 26-160. Electrical, Plumbing and Mechanical Contractor's license.**

Except as otherwise provided in this chapter, no person, firm or business shall engage in, or hold itself out as engaging in any activity or business within the city regulated by this chapter without first having obtained a contractor's license from the city or the contractor employs a master licensed as such by the state of Iowa.

**Sec. 26-161. Application.**

- (a) Any person desiring to take any examination for the licenses required by this article shall make application on forms furnished by the building official. Each application shall be accompanied by a receipt from the city treasurer for the examination fee, which 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) Any person desiring a license required by this article shall make application on forms furnished by the building official. Each application shall include evidence of passing the required examination with a score of 75 percent or greater. Supplementary information related to experience, bonds, insurance, and fees shall be supplied at the time of application, if required for the license or certification sought.
- (c) The fees for the examinations, licenses, and sponsorship required by this article shall be in the amounts set in the Schedule of Fees adopted by the city council by resolution.

This section is repealed and will be of no further force and effect as of the following dates or events, whichever occurs first:

1. For those contractors or persons regulated by the state of Iowa electrical examining board established pursuant to chapter 103 of the Iowa code, as amended July 1, 2008 or the date upon which the electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by chapter 103;

2. For those contractors or persons regulated by the plumbing and mechanical system licensing board established pursuant to 104C of the Iowa code, as amended July 1, 2008.

**Sec. 26-162. License fees.**

The fees for examinations, licenses, certificates, and unexpired license renewals shall be as set in the Schedule of Fees adopted by the city council by resolution, except that any certificate holder who is designated by the building official to

perform duties for the city may be issued a renewal of such certificate without a fee. A sponsorship fee must be paid for city sponsorship of an applicant to an exam.

This section is repealed and will be of no further force and effect as of the following dates or events, whichever occurs first: 1. For those contractors or persons regulated by the state of Iowa electrical examining board established pursuant to chapter 103 of the Iowa code, as amended July 1, 2008 or the date upon which the electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by chapter 103;

2. For those contractors or persons regulated by the plumbing and mechanical system licensing board established pursuant to 104C of the Iowa code, as amended July 1, 2008.

**Sec. 26-163. Expiration, renewal, inactive, revocation.**

- (a) All licenses and certificates required by the electrical and mechanical codes shall expire on January 31 in each odd-numbered year. All licenses and certificates required by the plumbing code shall expire on December 31 in each even-numbered year.
- (b) Any expired license or certificate may be renewed within 90 days after the expiration date. The biennial fee and the late renewal fee are set in the Schedule of Fees adopted by the city council by resolution. Once the 90-day grace period has elapsed the applicant may not be issued any further permits until the applicant appears before the licensing and appeals board for determination whether re-testing is required for reissuance of a license.
- (c) Any class of license held for at least a year and with no outstanding work may be converted to and maintained as an inactive license. Holders of inactive licenses shall not be issued permits.
- (d) All applicants seeking renewal of a license or maintenance of an inactive license are required to provide proof that the applicant attended at least eight hours of acceptable workshops or classes for the purpose of code update and review during the biennial period.
- (e) A willfully false statement in an application for a license shall be sufficient cause for revocation.

This section is repealed and will be of no further force and effect as of the following dates or events, whichever occurs first: 1. For those contractors or persons regulated by the state of Iowa electrical examining board established pursuant to chapter 103 of the Iowa code, as amended July 1, 2008 or the date upon which the electrical examining board assumes the

powers, duties and responsibilities regarding licensing mandated by chapter 103;

2. For those contractors or persons regulated by the plumbing and mechanical system licensing board established pursuant to 104C of the Iowa code, as amended July 1, 2008.

**Sec. 26-164. Contractor's bond.**

Prior to the issuance or renewal of any contractor's license issued by the city or by the state of Iowa, and unless otherwise indicated in this article, the contractor shall file with the office of the building official a surety bond running to the city in the sum of \$5,000.00 to be approved by the building official and by the city legal department, to save the city harmless on account of any and all failures on the part of such applicant to comply in all particulars with the provisions of the building codes and all other applicable laws and ordinances, rules and regulations relating to the work for which a permit has been issued and to ensure the rectification of defective work to the satisfaction of the building official.

This section is repealed and will be of no further force and effect as of the following dates or events, whichever occurs first:

1. For those contractors or persons regulated by the state of Iowa electrical examining board established pursuant to chapter 103 of the Iowa code, as amended July 1, 2008 or the date upon which the electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by chapter 103;

2. For those contractors or persons regulated by the plumbing and mechanical system licensing board established pursuant to 104C of the Iowa code, as amended July 1, 2008.

DIVISION 5. INSPECTIONS AND ENFORCEMENT

**Sec. 26-175. Inspections.**

- (a) The person doing any work for which a permit is required shall notify the building official that the work is ready for inspection. The building official shall perform the required inspection and, if the work complies with the provisions of the building codes, issue written verification noting the date and results of the inspection. If the work does not comply with the provisions of the building codes, the building official shall post a violation tag in a conspicuous place on or near the work. The violation tag shall contain the date and results of the inspection and, when requested, shall note specific

violations. Work that has no tag attached shall be considered unapproved. A tag shall not be removed by any person other than the building official.

- (b) When the work is completed, the person doing it shall notify the building official that the work is ready for final inspection.
- (c) All construction trades inspectors shall have the right to enter upon any property during reasonable hours in the discharge of their official duties. They are authorized, directed and empowered to inspect any and all building and environmental support systems installations within the city and to order removed or remodeled and put into proper and safe condition for the protection of the health, safety and welfare of any system or component that is not in compliance with the provisions of the municipal ordinances and construction codes adopted so that persons or property shall not be in danger there from.

**Sec. 26-176. Notice of and failure to remedy defects.**

Any work for which a permit is required shall be subject to inspection at any time. The building official may revoke a permit at any time when the work is not being done in accordance with the building codes, or any other applicable law, ordinance, rule or regulation. The building official may take any necessary action including but not limited to disconnecting utility service affecting the defective work. The utility service shall not again be turned on until all defects or improper conditions have been removed or repaired in conformance with the provisions of the building codes.

**Sec. 26-177. Correcting defective work.**

When a contractor is notified that defects exist in the work, the contractor shall make corrections within 30 days after notification. If not so made, the building official may withhold issuing any other permits to the contractor or for the property until defects are corrected and approval given by the building official.

**Sec. 26-179. Temporary work.**

Temporary work means work that is obviously installed for the convenience of a contractor or builder during construction. This work shall be the complete responsibility of the person or company that installs it and shall not require the building official's approval prior to being used, provided that the

building official may require corrections in the work to eliminate any hazardous or unsafe conditions. All such work shall be installed by a licensed contractor or his or her employee and shall be removed before final approval of permanent work. Temporary work shall not be permitted to remain in use in excess of six months except by written permission of the building official.

**Sec. 26-181. Civil violations and penalties.**

- (a) No person shall engage in or cause any activity to be done in violation of any provision of the building codes or state law regulating contractor licensing.
- (b) Persons who fail to perform an act required by the provisions of this chapter or who commit an act prohibited by the provisions of this article shall be guilty of a misdemeanor punishable by fine or imprisonment as provided by section 1-15 of the city Code, or shall be guilty of a municipal infraction punishable by a civil penalty as provided by section 1-15 of the city Code.
- (c) The city may obtain injunctive relief to enforce the provisions of this chapter.

**ARTICLE II. BUILDING CODE**

Division 1. Generally

**Sec. 26-205. Foundations for stud bearing walls**

Notwithstanding the provisions of the IRC Table 403.1 the minimum width for all footings shall be 16 inches.

**Sec. 26-206. Foundation retaining walls for One and Two family Dwelling occupancies.**

- (a) *Scope.* Notwithstanding other design requirements of Sections R404.1 - R404.1.5.1 of the International Residential code, foundation retaining walls for One and Two Family Dwelling occupancies of type V construction may be constructed in accordance with this section, provided that use or building site conditions affecting such walls are within the limitations specified in this section.
- (b) *Specifications.* General specifications for such foundation retaining walls shall be as follows:
  - (1) The maximum height of the foundation wall shall be seven feet eight inches measured between the foundation plate and a concrete floor slab having a

minimum thickness of 3 1/2 inches. If such floor slab is not provided, a specially designed means of providing lateral support at the bottom of the wall shall be required.

(2) The foundation plate shall be attached to the wall with one-half-inch steel bolts as prescribed in of the International Residential code.

(3) Material used for backfilling shall be carefully placed granular soil of average or high permeability and shall be drained with an approved drainage system. The height of finish grade requirements of Section R404.1.6 of the International Residential code shall be observed at all times.

(4) Where soils containing a high percentage of clay, fine silt or similar materials of low permeability or expansive soils are encountered or where backfill materials are not drained or an unusually high surcharge is to be placed adjacent to the wall, a specially designed wall shall be required.

(c) *Hollow concrete masonry foundation walls.* Specifications for hollow concrete masonry foundation walls shall be as follows:

(1) Hollow concrete masonry units shall be set in type M or type S mortar.

(2) All footings shall be of cast-in-place concrete having a minimum compressive strength of 3,000 pounds per square inch at 28 days, and shall be reinforced longitudinally with not less than No 4 steel rebar deformed ASTM A615 grade 40 for one-story construction, or two No 4 steel rebars deformed ASTM A615 grade 40 for two-story construction. Footing reinforcement shall be symmetrically placed and so located as to ensure no less than three inches of concrete cover on all sides.

(3) Foundation walls having a nominal thickness of not less than 12 inches may be unreinforced. Other foundation walls shall comply with the following requirements:

a. The nominal thickness of concrete masonry units shall not be less than eight inches.

b. When a foundation wall has a horizontal clear span of more than 12 feet between supporting cross walls or corners, fully grouted vertical reinforcing shall be provided in the center of such wall in the amount of 0.075 square inch of ASTM A615 grade 40 steel per lineal foot

of wall. All reinforcing steel shall be deformed bars spaced no more than eight feet zero inches on center. All grout shall comply with section R607 of the International Residential code.

- (d) *Cast-in-place plain concrete foundation walls.* Cast-in-place plain concrete foundation walls constructed under this subsection shall be of concrete having a minimum compressive strength in 28 days of not less than 3,000 pounds per square inch. All materials, proportioning, and placing shall conform to the requirements of chapter 4 of the International Residential Code. In addition:

(1) The minimum thickness of wall shall be 7 1/2 inches.

(2) Walls shall be reinforced with no less than three one-half-inch diameter deformed ASTM A615 grade 40 steel bars placed horizontally at the center of the wall, with one bar located near the top, one bar located near the bottom, and one bar located near midheight of the wall. Reinforcing bars and methods of placement shall be in accordance with chapter 26 of the building code.

**Sec. 26-211. Obstruction permit, bond, and insurance.**

- (a) No person shall use any portion of public property as described in Section 3308 of the International building code without first obtaining an obstruction permit which shall state the following:

(1) The name of the owner of the property abutting the public property to be used.

(2) The name of the person applying for the obstruction permit.

(3) An accurate description of the public property to be obstructed or occupied.

(4) The length of time such obstruction or occupancy shall exist.

(5) An agreement to comply in all respects with the provisions and requirements of the building code, this article and other city ordinances relating to the use of streets and alleys and to indemnify and save and keep harmless the city from any and all costs, expense or liability for damages or injuries to persons or property or liability of any kind whatsoever, arising from or growing out of the use and occupancy of such street or growing out of the deposit of such material or any failure to properly pile, deposit, guard, light or care for such.

- (6) Such additional requirements as may be deemed necessary for the protection of the city and its inhabitants.
- (b) Before an obstruction permit shall be issued, there shall be placed on file in the office of the building official a surety bond and liability insurance as follows:
- (1) A surety bond in the sum of \$5,000.00 conditioned to ensure removal of the obstruction by or before the expiration date of such obstruction permit or such extended time as may be granted by the city; and
  - (2) Liability insurance showing the city as named additional insured and providing a minimum limit of liability in the amount of \$500,000.00 each accident, for accidents caused by maintenance of such obstruction. The insurance policy shall contain a provision whereby such insurance may be cancelled or materially altered only after giving the city ten days' written notice of the change or cancellation.
- (c) Such surety bond and liability insurance shall be approved by the building official and the legal department and shall be conditioned to secure the performance of such agreement by the applicant.
- (d) No person shall, under any permit, occupy more area than is stated in the obstruction permit.
- (e) The fee for an obstruction permit shall be as set forth in the Schedule of Fees adopted by the city council by resolution.

Exception: To allow street maintenance and use of public way when maintenance is required.

#### **Sec. 26-215. Treads and risers for residential occupancies**

Notwithstanding the provisions of section R314.2 of the International Residential Code, the greatest riser height of any flight of stairs shall not exceed the smallest by more than 3/8 inches, except at the top and bottom riser of an interior stair where this dimension may deviate by 1 inch. In no case shall the risers exceed the maximum height of 7 3/4 inches. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch

#### **Sec. 26-216. Residential handrails.**

On handrails serving uses regulated by the International Residential Code or the International Building Code continuous handrails shall be permitted to be interrupted by newel posts at

turns, and at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues. Ends shall be returned to or shall terminate in newel posts or safety terminals.

**Section 26-216.05. Landings for basement egress windows.**

Notwithstanding section R310.1 of the International Residential Code (IRC) a landing may be constructed at the authority of the building official when egress windows are required from habitable spaces as outlined therein and the sill height of the window exceeds 44 inches in height from the interior finished floor. Where a landing is provided, that landing shall be a minimum width of 36 inches and a minimum depth of 24 inches, and a maximum height of 24 inches. This landing shall be permanently affixed.

DIVISION 2. PERMITS AND INSPECTIONS

**Sec. 26-231. Permit exemptions.**

- (a) A building permit shall not be required for the following:
- (1) One-story detached accessory buildings used as tool or storage sheds, playhouses, pet shelters, and similar uses, provided the projected roof area does not exceed 120 square feet in area and complies with all applicable zoning requirements. Such building must be located at least three feet from any property line and six feet from any dwelling.
  - (2) Chain link or wire fences four feet or less in height and all other fences three feet or less in height.
  - (3) Movable cases, counters, and partitions not over five feet high.
  - (4) Playground equipment.
  - (5) Retaining walls, which are not over four feet in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
  - (6) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.
  - (7) Platforms, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
  - (8) Painting, papering, and similar finish work.

(9) Temporary motion picture, television and theater stage sets and scenery.

(10) Window awnings supported by an exterior wall of group One and Two family Dwellings and group U occupancies when projecting not more than 54 inches.

(11) Mobile or manufactured buildings which are:

a. Constructed in accordance with the provisions of the Iowa State Building Code and the Manufactured Home Construction and Safety Standards, Department of Housing and Urban Development;

b. Located in an authorized mobile home park or similar development; and

c. Installed in a manner complying with the Iowa State Building Code, such installation to be certified in the manner specified by the state building code commissioner.

(12) Minor maintenance and repair work that is deemed by the building official not to affect structural strength, safety, fire resistance, or sanitation, provided that no such work shall be performed in a manner contrary to any provisions of the building code or any other laws.

(13) Repair work performed on stairs in residential structures when such repairs are subject to inspection by, and approval of the Neighborhood Inspection Division under the auspices of article IV of this chapter. New or replacement stairs are not included in this exemption.

(b) Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required when appropriate for the exempted items in subsection (a) of this section.

(c) Exemption from the permit requirements of this section shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the building code or any other laws or ordinances of this jurisdiction.

#### **Sec. 26-233. Unsafe buildings.**

(a) All buildings or equipment which are considered unsafe and unfit for occupancy are ones which contain one or more of the following defects:

(1) structural instability, dilapidated, decayed, obsolete, dangerous, abandoned, not secured against entry;

- (2) unsanitary, contains filth and contamination, vermin infested;
  - (3) lack adequate egress, light, ventilation, maintenance, or minimum safeguards to protect or warn occupants in the event of fire;
  - (4) involve illegal or improper occupancy.
- (b) All unsafe buildings or equipment may be declared to be public nuisances by the building official and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in section 60-300 et seq. for residential structures.

### DIVISION 3. SIGNS AND BILLBOARDS

#### **Sec. 26-254. Design.**

- (a) *Generally.* General requirements for signs and sign structures shall be as follows:
- (1) Signs and sign structures shall be designed and constructed to resist wind and forces as specified in this section. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such manner as not to overstress any of the elements thereof.
  - (2) The overturning moment produced from lateral forces shall in no case exceed two-thirds of the dead load resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth superimposed over footings may be used in determining the dead load resisting moment. Such earth shall be carefully placed and thoroughly compacted.
- (b) *Wind loads.* Wind loads shall comply with the following:
- (1) Signs and sign structures shall be designed and constructed to resist wind forces as specified in the International Building Code.
  - (2) In the absence of plans certified by an engineer registered in this state, simple pole or ground sign supports shall provide a section-modulus at the point of maximum bending equal to or greater than that obtained from the following formula:

Where

S.M.	=	Section modulus
AS	=	Area of sign face (square feet)
PW	=	Pressure of wind (lbs. per sq. ft.) as determined from table 23-F of the building code
HC	=	Height of distance (feet) of centroid of sign area from point of maximum bending

- (c) *Combined loads.* Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind loads.
- (d) *Allowable stresses.* Allowable stresses shall be as follows:
- (1) The design of wood, concrete, steel or aluminum members shall conform to the requirements of the International building code. Loads, both vertical and horizontal, exerted on the soil, shall not produce stresses exceeding those specified in the building code.
  - (2) The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners.
  - (3) Working stresses for wind loads combined with dead loads may be increased as specified in the building code.

**Sec. 26-255. Construction.**

- (a) *Generally.* The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed, and erected in conformance with the requirements of the building code.
- (b) *Materials.* Materials of construction shall be as follows:

(1) Materials of construction for signs and sign structures shall be of the quality and grade as specified for buildings in the building code.

(2) In all signs and sign structures, the materials and details of construction shall, in the absence of specified requirements conform with the following:

a. Structural steel shall be of such quality as to conform with the International Building Code. Secondary members in contact with or directly supporting the display surface may be formed of light gauge steel, provided such members are designed in accordance with the specifications of the design of light gauge steel as specified in the International Building Code and, in addition, shall be galvanized. Secondary members, when formed integrally with the display surface shall be not less than no. 24 gauge in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be no. 12 gauge. The minimum thickness of hot-rolled steel members furnishing structural support for signs shall be one-fourth inch, except that if galvanized such members shall be not less than one-eighth inch thick. Steel pipes shall be of such quality as to conform with International Building Code. Steel members may be connected with one galvanized bolt provided the connection is adequate to transfer the stresses in the members.

b. Anchors and supports when made of wood and embedded in the soil or within six inches of the soil shall be of all heartwood of a durable species or shall be pressure treated with an approved preservative. Such members shall be marked or branded by an approved agency.

c. *Restriction on combustible materials.*

(1) All signs and structures erected in fire zone no. 1 shall have structural members of noncombustible materials. Ground signs may be constructed of any material meeting the requirements of the building code, except as provided in subsection (b) of this section.

(2) Roof signs, wall signs, projecting signs, and signs on marquees shall be constructed of noncombustible materials, except as provided in subsection

(d) of this section. No combustible materials other than approved plastics shall be used in the construction of electric signs.

(d) *Nonstructural trim.* Nonstructural trim and portable display surfaces may be of wood, metal, approved plastics, or any combination thereof.

(e) *Anchorage.*

(1) Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to overturning. Anchors and supports shall penetrate to a depth below ground greater than that of the frostline. Portable ground signs supported by frames or posts rigidly attached to the base shall be so proportioned that the weight and size of the base will be adequate to resist the wind pressure specified in the building code. Signs attached to masonry, concrete, or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied.

(2) No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage, except for signs attached to wood framing.

(3) No anchor or support of any sign shall be connected to or supported by an unbraced parapet wall, unless such wall is designed in accordance with the requirements for parapet walls specified in section 2312 of the building code.

(4) Adjustable turnbuckles shall be securely safetied to prevent movement.

(f) *Display surfaces.* Display surfaces in all types of signs may be made of metal, glass, or approved plastics, except that glass shall not be used in any pole or projecting signs. Glass thickness and area limitations shall be as set forth in table no. 4-A in this section. Sections of approved plastics on wall signs shall not exceed 150 square feet in area. Exceptions:

(1) In fire zone no. 3 the area may be increased by 50 percent.

(2) Sections of approved plastics on signs other than wall signs may be of unlimited area if approved by the building official.

TABLE NO. 4-A SIZE, THICKNESS AND TYPE OF GLASS PANELS IN SIGNS

Maximum Size of Exposed Glass Panel			
Any Dimension (in inches)	Area (in square inches)	Minimum Thickness of Glass (in inches)	Type of Glass
30	500	1/8	Plain, plate or wired
45	700	3/16	Plain, plate or wired
144	3,600	1/4	Plain, plate or wired
Over 144	Over 3,600	1/4	Wired glass

- (g) *Approved plastics.* The zoning enforcement officer shall require that sufficient technical data be submitted to substantiate the proposed use of any plastic material and, if it is determined that the evidence submitted is satisfactory for the use intended, he or she may approve its use.
- (h) *Concealment of structural framework.* No structural framework of any sign shall be covered or concealed.
- (i) *Electrical wiring.* All signs containing electrical wiring shall be subject to all provisions of the electrical code.
- (j) *Maintenance and repair.* All signs, together with all of their supports, braces, guys, and anchors, shall be kept in repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.
- (k) *Name of erector and date of erection.* Every off-premises sign, as defined in chapter 134 of the city Code, and every sign which projects over any public right-of-way erected after the effective date of the ordinance from which chapter 134 of the city Code derives shall have painted or

otherwise attached on the exterior of the sign the name of the sign erector and date of erection. Such name and date shall be of sufficient size and contrast to be easily read from a reasonable distance.

#### DIVISION 4. SKYWALK SYSTEM\*

##### **Sec. 26-275. Scope of division.**

Notwithstanding anything contained in this chapter and chapter 46 of the Municipal Code, the provisions of this division also shall be part of the building code and fire prevention code requirements for the skywalk system and shall take precedence over anything in conflict with this division.

##### **Sec. 26-277. Exit requirements from skywalk system.**

- (a) There must be two means of egress, as described in this section, from any point in the skywalk system during the hours that the portion of such skywalk system including such point is open in accordance with article IV of chapter 102 of the Municipal Code.
- (b) In addition to those exits defined in chapter 10 of the International Building Code, any fire door assemblies in a skywalk bridge may constitute an exit from the skywalk system within the meaning of such chapter 10, provided that there is a continuous and unobstructed means of egress from such fire doors assemblies in the direction of exit to a public way on the ground level and provided, further, that such means of egress may include passage through one or more skywalk bridges, one or more skywalk corridors, or portions of one or more buildings, and such skywalk bridges, skywalk corridors or portions of buildings need not satisfy the requirements for corridors or exit passageways contained in such chapter 10.
- (c) Doors or other barriers may be locked so as to block passage through a portion of the skywalk system during the hours such portion of the skywalk system is not required to be open in accordance with article IV chapter 102 of the Municipal Code. Any such door or other barrier equipped with a locking device shall have a readily visible, durable sign on or adjacent to the door or other barrier stating "this door to remain unlocked during skywalk system hours." The sign shall be in letters not less than one inch high on a contrasting background.
- (d) When a portion of the system is closed, the portion of the skywalk system that is open shall be so arranged that it is

possible to go in either direction from any point in the system to an exit, except for dead ends not exceeding 20 feet in length within a building, or 50 feet in length within a sprinklered building.

**Sec. 26-279. Protection of openings onto the skywalk system which are located within 25 feet of property line.**

Notwithstanding anything to the contrary contained in the International Building Code, openings onto the skywalk system which are located within 25 feet of the property line shall be protected as follows:

(1) If two buildings are joined by a skywalk corridor constructed between such buildings:

a. The centerline of the skywalk corridor easement shall be deemed the property line, and no opening shall be permitted in any wall of such skywalk corridor which is less than seven feet from the property line;

b. Such skywalk corridor shall be protected by an approved automatic sprinkler system;

c. Any wall of the skywalk corridor which is less than seven feet from the adjacent property line shall be of at least two-hour fire resistive construction; and

d. Any openings in the skywalk corridor walls shall be either:

1. Of approved opening protective set in metal frames in accordance with the International Building Code, provided a draft curtain of at least one-hour fire resistive construction and not less than 12 inches in height shall be provided to protect the skywalk corridor from the adjacent building area, which draft curtain shall be located above the glass and extend a minimum of 12 inches below the lowest finished ceiling of either such adjacent building area or the skywalk corridor, or, if the finished ceiling is not a fire-rated assembly, the draft curtain shall extend from the opening protective to a rated ceiling or floor assembly; or

2. Protected in the following manner:

i. The adjacent

building area onto which such opening occurs is protected by an approved automatic sprinkler system;

ii. A draft curtain of at least one-hour fire resistive construction and not less than 12 inches in height and including an approved water curtain of sprinkler heads six feet on center immediately adjacent to such draft curtain and above the opening within the building area shall be provided to protect the skywalk corridor from the adjacent building area, which draft curtain shall be located above the opening and shall extend a minimum of 12 inches below the lowest finished ceiling area of either such adjacent building area or the skywalk corridor or, if such finished ceiling is not a fire-rated assembly, the draft curtain shall extend from the opening to a rated ceiling or floor assembly; and

iii. Either (i) the ceiling, walls and floor of the adjacent building area onto which such opening occurs shall be separated from the rest of such building by at least two-hour fire resistive construction and all duct penetrations in such building area shall be protected with fire dampers in accordance the International Building Code, or (ii) the entire story is protected by an approved automatic sprinkler.

(2) If a skywalk corridor is constructed exterior to and attached to any one building, but is not between two or more buildings, and such skywalk corridor extends over the adjacent property line related to such building:

a. The centerline of the skywalk corridor easement shall be deemed the property line, and no opening shall be permitted in any wall of such skywalk corridor which is less than seven feet from the property line; and

b. 1. If the adjacent building is protected or is required to be protected by

an approved automatic sprinkler system, such skywalk corridor shall be protected by an approved automatic sprinkler system; or

2. If the adjacent building does not have and is not required to be protected by an approved automatic sprinkler system, such skywalk corridor need not be provided with an approved automatic sprinkler system at the time of construction, provided that the property owners and/or lessees who are responsible for such skywalk corridor under a skywalk agreement with the city shall also agree in such skywalk agreement to provide an approved automatic sprinkler system if a second building is constructed within ten feet of such skywalk corridor; and

c. Any wall of the skywalk corridor which is less than seven feet from the adjacent property line shall be of at least two-hour fire resistive construction;

d. Any openings from such skywalk corridor into the adjacent building shall be in accordance with subsection (1)d of this section; and

e. Any windows in the wall of such skywalk corridor opposite the building to which it is adjacent either:

1. Shall be of approved opening protective set in metal frames in accordance with section 4306 of the Uniform Building Code; or

2. May be of other glass, provided that the property owners and/or lessees who are responsible for such skywalk corridor under a skywalk agreement with the city shall also agree in such skywalk agreement to:

i. Replace such glass with approved opening protective set in metal frames in accordance with the International Building Code if any building subsequently is constructed which is within ten feet, but not attached to, such skywalk corridor wall; and

ii. Pay the equivalent of the cost of providing such approved opening protective towards the cost of

reconstructing all openings in such skywalk corridor wall in accordance with subsection (1)d of this section if any building subsequently is constructed which is attached to such skywalk corridor wall.

(3) Two buildings may be joined by a wall opening, provided:

a. The wall opening shall be protected by a fire assembly having at least a 1 1/2-hour fire protection rating; or

b. The wall opening may be unprotected if the entire building on both sides of wall opening are protected by an approved automatic sprinkler system; and

c. In either case, there is a draft curtain of at least two-hour fire resistive construction and not less than 12 inches in height, which draft curtain shall be located above the opening and shall extend a minimum of 12 inches below the lowest finished ceiling on either side of the wall opening, or, if the finished ceiling is not a fire-rated assembly on either side, the draft curtain shall extend from the opening to a rated ceiling or floor assembly on such side of the opening.

(4) If two buildings are connected by a skywalk bridge:

a. If such skywalk bridge is not connected to a skywalk corridor which is exterior to any building to which such skywalk bridge is connected, it shall be sufficient if the opening at one end of such skywalk bridge is protected by approved fire assemblies having at least a 1 1/2-hour fire protection rating with gasketed frames, and the remaining construction where such end of the skywalk bridge penetrates the adjacent building is of at least two-hour fire rating construction; or

b. If such skywalk bridge is connected to a skywalk corridor which is exterior to any building to which such skywalk bridge is connected, all openings from such skywalk bridge into the adjacent buildings shall conform to the requirements of subsection (1) of this section.

## ARTICLE III. ELECTRICAL CODE\*

### DIVISION 1. GENERALLY

#### Sec. 26-301. Amendments and additions.

- (a) The remaining sections in this article are and represent amendments and additions to the requirements contained in the National Electrical Code (NEC) and where their requirements conflict with those of the NEC the requirements of this article shall prevail.
- (b) The following sections of this article shall be construed in the context of the enumerated chapter of the NEC:
  - Section 26-302. Scope.
  - Section 26-303. Applicability to moved buildings.
  - Section 26-304. Separation of services and circuits from communications conductors.
  - Section 26-305. Commercial kitchen receptacles.
  - Section 26-306. Conformity with standards.

#### Sec. 26-302. Scope.

- (a) The provisions of this article shall apply to the following:
  - (1) The electrical conductors and equipment installed within or on public and private buildings and other premises.
  - (2) The conductors that connect the installations to a supply of electricity, and other outside conductors adjacent to the premises.
  - (3) Mobile homes.
- (b) Additions to, alterations of, and repairs to existing electrical equipment shall comply with the electrical code. Furthermore, existing electrical equipment that is temporarily exposed or made accessible because of any remodeling or repair of an existing structure, shall be made to comply with the electrical code. In any event, the building official may, when any additions, alterations, or repairs are made, order other reasonable additions or alterations in the electrical equipment of a structure or on any premises when a danger to life or property may result if such other additions or alterations were not made.
- (c) Installations which were in compliance with the electrical code in existence at the time such installations were made shall be presumed to be safe and proper, which presumption can be rebutted by evidence that the installation may be

- dangerous to life or property.
- (d) If the classification of a building has been changed due to a change in occupancy, the wiring in the entire building shall comply with all the electrical standards applicable to the new classification. If the occupancy of a building has been changed to a mixed occupancy, with the required fire separation between the mixed occupancy, each occupancy shall comply with its own particular classification and shall be wired in compliance with the electrical standards of its particular classification.
  - (e) No Permit or inspections are required for electrical wiring of 50 volts or less.
  - (f) The provisions of section 26-181, sections 26-175 through 26-179 and sections 26-161 through 26-142, inclusive, of this article shall not apply in any respect to persons who are licensed by law to engage in the business of supplying and distributing electricity or the transmission of communication, when the person is installing, operating or maintaining electrical equipment or doing electrical work as an integral part of such business.

## DIVISION 2 LICENSES, CERTIFICATES AND PERMITS

### **Sec. 26-320. Electrical contractor's license.**

- (a) Licensed electrical contractors shall comply with the following:
  - (1) The owner, if a sole proprietorship, or one active manager of electrical operations, if any other form of business organization, shall hold a master electrician's certificate of competency before such person may be granted an electrical contractor's license. The license issued shall recite the name of the person holding the master electrician's certificate of competency and the name of the firm or business.

The electrical contractor's license shall be automatically revoked if the person named therein ceases to hold a master electrician's certificate of competency or ceases to actively manage the electrical operations conducted under the electrical contractor's license. If a firm's or business's master electrician ceases to be the active manager of the electrical operations of the firm or business, such firm or business shall not be permitted to do any further electrical work, except that work authorized by previously issued permits may, at the discretion of

the building official, be continued and finished.

A master electrician who terminates his or her association with a business entity or who is terminated by the business entity shall notify the building official of such termination. No person holding a master electrician's certificate of competency may be named as the responsible master electrician for the licensing of more than one firm, or business or other such business entity.

(2) Prior to the issuance or renewal of any electrical contractor's license, approved bonds, required by section 26-174, must be on file in the office of the building official.

(3) A contractor shall provide evidence that he or she is registered as a contractor with the State Department of Labor.

(b) Nothing contained in this section shall be deemed to exclude the performance of maintenance work by electrical contractors.

(c) Exceptions. The provisions of this section shall not apply to the following:

(1) The electrical work of a public utility company, telephone, or telegraph company, nor the persons performing electrical work for such companies, if that electrical work is an integral part of the plant used by such public utility company or telephone or telegraph company in rendering its duly authorized service to the public.

(2) A regular employee of any railroad who does electrical work only as part of that employment.

(3) The service or maintenance of comfort heating equipment by any person who is licensed as a comfort heating contractor under the provisions of article V of this chapter of the city Code, provided that such service or maintenance shall include electrical work only on electrical equipment that is part of comfort heating equipment. This work shall include the connection of the comfort heating equipment to an existing individual branch circuit.

(4) The electrical work performed in or on city-owned buildings or equipment when such work is performed by regular city employees who are classified as electricians in the city's position classification plan.

(5) The work performed on traffic signals or streetlights by an employee of a contractor qualified according to the standard specifications of the state

department of transportation and acting pursuant to a contract of the city or the state that is included in a jointly approved project agreement.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-321. Master electrician's certificate of competency.**

(a) To obtain a master electrician's certificate of competency a person shall meet the following conditions:

(1) He or she shall successfully pass a master electrician's examination administered and/or approved by the licensing and appeals board.

(2) He or she must have been certified by the city, or any other approved jurisdiction, as a journeyman electrician for a period of two years and been actively engaged in the electrical trade during that period, unless exempt under subsection 26-322(a)(2).

(b) Exceptions. The requirements to obtain a master electrician's certificate of competency may be waived for individuals qualifying under the following exceptions:

(1) Holders of electrical contractor's licenses granted by the city prior to date of the ordinance from which this subsection derives shall be issued a master electrician's certificate of competency.

(2) A master electrician's certificate of competency may be issued without examination, as required by subsection (a)(1) of this section, for any person holding a similar certificate or license if so denoted from another municipal corporation in this state that is recognized by the licensing and appeals board as having similar certification standards.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-322. Journeyman electrician's certificate of competency.**

(a) No person, except apprentices, shall engage in the work or practice the trade of installing, altering, maintaining, or repairing any electrical equipment within the scope of the

electrical code without first obtaining a journeyman's certificate of competency through examination and meeting one or more of the following minimum requirements:

(1) Four years of working as an apprentice, as specified in section 26-323, under the direct supervision of an individual holding either a master or journeyman electrician's certificate of competency.

(2) Completion of a minimum of 60 credit hours of post secondary training in the electrical field, from an accredited educational institution or trade school and being employed full time for a period of two years with an electrical contractor, under a master or journeyman's direct supervision. The educational training may not occur simultaneously.

(b) Exceptions. All or part of the requirements, specified in subsection (a) of this section, may be waived for individuals qualifying under the following exceptions:

(1) Persons holding a master electrician's certificate of competency are not required to hold a journeyman electrician's certificate of competency.

(2) Persons who present evidence of having taken a journeyman level examination, and receiving a successful score, similar in content and difficulty to the examinations required under this code, may receive a journeyman electrician's certificate of competency without any further examination. This exception shall be reviewed and granted only by the licensing and appeals board.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-323. Apprentice electricians.**

(a) The term "apprentice" shall include any person who is involved or assisting in the installation of electrical systems or equipment, including individuals serving as trainees, helpers, or individuals that are participating in an established apprentice training program. Apprentice electricians shall work under the direct supervision and control of an individual holding a master or journeyman electrician's certificate of competency.

(b) No person shall engage in the work of an apprentice without first obtaining an apprentice license.

(c) No electrical contractor shall employ any apprentice, for

work with the city, who is not licensed as required by subsection (b) of this section, and no electrical contractor shall employ more than two apprentices for each individual, permanently employed by the contractor, as a journeyman or master electrician. This ratio shall apply to every permitted job with the city.

(d) An apprentice may not maintain an inactive license.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

#### **Sec. 26-324. Residential wireman**

(a) The term residential wireman shall include any person performing work on single or multi-family dwellings that do not exceed three stories in height above grade.

Residential wireman shall work under the direct supervision and control of an individual holding a master or journeyman electrician's certificate of competency.

(b) No person shall perform residential electrical work without first obtaining a residential wiremen's certificate of competency.

(c) To obtain a residential wiremen's certificate of competency a person shall meet the following conditions:

(1) Successfully pass a residential wireman's examination that has been approved by the Licensing and Appeals Board.

(2) He or she must have been actively engaged in the electrical trade under the direct supervision of a certified master or a certified journeyman electrician for a period of not less than (2) two years.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

#### **Sec. 26-325. Sign wireman's certificate required.**

Any person who is licensed as a sign erector under this chapter and who has satisfied the licensing and appeals board as to the person's qualifications with respect to the installation of electrical equipment in or upon signs shall be entitled to obtain a sign wireman's certificate. This certificate shall authorize the holder to obtain an electrical permit to install

on the exterior of any building or structure electrical sign equipment, provided that no more than ten feet of exterior circuitry shall be so installed by the holder. For purposes of this section, any person who holds an electrical contractor's license shall not be required to obtain a sign wireman's certificate.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-326. Inactive status of sign wireman's certificate.**

No inactive sign wireman's certificate shall be issued.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-327. Sign wireman's bond.**

To ensure the collection of inspection fees and the rectification of defective work, the holder of a sign wireman's certificate shall file with the city treasurer a cash bond in the sum of \$100.00 or a certificate of deposit in a like amount payable to the city by a bank doing business in the state. Such cash bond or certificate of deposit shall be deposited before the holder actively engages in the installation, repair, or replacement of electrical signs, and it shall remain on deposit for 90 days after the expiration or surrender of the license. Upon the death of the holder, the treasurer may, upon approval of the licensing and appeals board and the building official, release such bond or certificate of deposit before the expiration of 90 days. A letter of request must be submitted to the building official for release of the bond or certificate of deposit.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-328. Regulations governing sign wiremen.**

Except as specifically provided in this article, the

regulations governing sign wiremen shall be the same as described for electrical contractors.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-329. Maintenance electrician's certificate.**

- (a) A maintenance electrician's certificate shall be required of any regular employee of a manufacturing or industrial establishment who does electrical work for that establishment only, and who maintains and keeps in a state of repair the existing electrical equipment within a building or group of buildings. A maintenance electrician's certificate shall be issued to any person who shall satisfactorily pass the examination given by the licensing and appeals board. Any person holding a maintenance electrician's certificate issued by the city prior to passage of the ordinance from which this article derives shall be reissued renewals of his or her certificate without taking the examination provided for in this article.
- (b) The installation of any new or additional electrical equipment of any kind by the holder of a maintenance electrician's certificate is prohibited. This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

**Sec. 26-330. Certain engineers exempted from obtaining maintenance electrician's certificate.**

First and second class engineers, as provided for in article VII of this chapter of the city Code or revisions thereof, shall be permitted to do work under the provisions of section 26-329 of this division without the examination, license, and fee required by this article.

This section is repealed and will have no further force and effect on July 1, 2008 or the date upon which the state of Iowa electrical examining board assumes the powers, duties and responsibilities regarding licensing mandated by Iowa Code chapter 103, as amended.

## ARTICLE IV. MECHANICAL CODE

### Division 1. Generally

#### **Sec. 26-400. Adoption of International Mechanical Code and International Fuel Gas Code.**

- (a) This article shall consist of the International Mechanical Code ("IMC") and International Fuel Gas Code ("IFGC"), 2006 edition, published jointly by the International Code Council, which volumes are incorporated by this reference in their entirety, except as otherwise indicated in this article.
- (b) This article and all provisions incorporated in this article, by reference or otherwise, shall be known as the mechanical code. References to section numbers not preceded by "26-" will be to sections in the International Mechanical Code and International Fuel Gas Code.

#### **Sec. 26-402. Amendments and additions.**

- (a) The remaining sections in this article are and represent amendments and additions to the requirements contained in the International Mechanical Code (IMC) or the International Fire Gas Code (IFGC), and where their requirements conflict with these codes, the requirements of this article shall prevail.
- (b) The following sections of this article shall be construed in the context of the enumerated chapter of the IMC or IFGC:

Section 26-403. Inspection and testing procedure.

Section 26-404. Replacement or upgrade of existing equipment.

Section 26-432. Permit exemptions.

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Section 26-459. Classes of licenses.

Section 26-460. Work authorized by license.

Section 26-461. Limited or restricted licenses.  
Section 26-462. Experience of license applicant.  
Section 26-463. Examinations.  
Section 26-464. Display of license and certificate of boiler inspection.  
Section 26-465. License expiration and proration of fees.

**Sec. 26-403. Inspection and testing procedure.**

- (a) Notwithstanding the provisions of section 107, the building official may prescribe an equivalent testing and inspection procedure and approve any recognized alternate test that will ensure the detection of fuel gas leaks under pressure conditions specified by the building official.
- (b) Regardless of the procedure used, each pressure test shall be performed and certified to by one of the following persons:
  - (1) The person installing the system or portion thereof to be tested;
  - (2) A representative of the public utility or gas supply company providing gas service to the system to be tested; or
  - (3) Any other person approved by the building official.
- (c) The certification shall state the following:
  - (1) The date of the test;
  - (2) The name of the person performing the test;
  - (3) The name of the firm employing such person;
  - (4) A statement identifying the test procedure used; and
  - (5) A statement that the tested system successfully passed the test.
- (d) The certification shall be made on a tag supplied by the building official and shall be attached to the end of the piping which is nearest the gas meter location. Gas meters shall be installed in locations as approved by the gas utility consistent with applicable sections of the mechanical code, subject to approval by the building official.
- (e) Piping test pressures. Notwithstanding the provisions of section 406.4.1 of the IFGC the minimum test pressures for piping systems shall be 10 pounds gauge for threaded pipes and 60 pounds gauge for welded pipes.

**Sec. 26-430. Contractor's license classification, exceptions.**

(a) *Classification.* Contractors' licenses shall be classified in accordance with the type of equipment to be installed, altered, or repaired by the licensee. No license holder shall engage in work which is not included under the classification for which he or she holds a license. Classes of licenses and the corresponding scope of work authorized thereby shall be as follows:

(1) *Class A, mechanical contractor (unrestricted).* Holders of this license may obtain permits for any of the work or equipment regulated by the mechanical code and chapters 10-24 of the IRC. This license shall be available only to the following:

a. Any person who has qualified for a class B, class C, and class D license; or

b. Any firm or business in which the active managers wish to combine their respective class B, class C, and class D licenses for the purpose of obtaining a class A license for such firm or business, in which case each manager must maintain his or her respective individual license simultaneously with the firm's or business' class A license. The class A license shall be issued in the name of the firm or business and each of the holders of the class B, class C, and class D licenses. All permit applications shall be made by one of the managers so named.

(2) *Class B, comfort heating contractor.* Holders of this license may obtain permits for any of the work or equipment regulated under IMC chapters 4 through 9, 12-14 inclusive, and sections 1002.1-1002.3 , all in the and IRC chapters 10, 12-19 and 21-24. For purposes of this subsection, the term "comfort heating" shall be deemed to include "comfort cooling."

(3) *Class C, refrigeration contractor.* Holders of this license may obtain permits for any of the work or equipment regulated under IMC chapter 11 and IRC chapters 13, 17, and 24; and sections M1404, M1411 - M1413 and M2104.

(4) *Class D, boiler contractor.* Holders of this license may obtain permits for any of the work or equipment regulated under IMC chapters 7, 8, 10 and 12 and IRC chapters 13, 17, 18, 20, 21, 22, and 24.

(5) *Class E, special appliance contractor.* Holders of this license or a class A, B or D license may obtain permits for any work or equipment regulated under IMC

chapters 7, 8, and 9 and IRC chapters 10, 13, 17, and 18 for the installation of solid fuel burning appliances, such as manufactured stoves and fireplaces. All installations shall be in accordance with appliance listings, manufacturer's recommendations, and applicable requirements of the mechanical code. The homeowner's exemptions contained in section 26-141 of this division shall apply to this class of work.

(b) A contractor's license is not required for the following:

(1) Any public utility or gas supply company that is regularly engaged in the business of supplying gas service to the public shall be permitted to perform the following services without holding any of the licenses otherwise required in this article:

a. Make minor repairs to or adjustments on gas appliances or equipment.

b. Install gas piping and fittings incidental to the installation or relocation of gas meters and domestic gas appliances such as kitchen appliances, clothes dryers, and incinerators.

(2) Any person holding a current plumbing contractor's license may obtain permits for the installation or repair of gas piping, boilers, and water heaters without holding any of the licenses prescribed in this article.

(3) A mechanical contractor's license shall not be required for the repair and maintenance of HVAC facilities in city-owned buildings when the work is performed by a regular city employee who has qualified for the authorized class of contractor as specified in subsection (b) for the type of repair or maintenance activity intended. Any person working under the provisions of this subsection shall obtain the required mechanical permits and inspections.

(4) A mechanical contractor's license shall not be required for installing, altering, or relocating incinerators or cooling towers.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the state plumbing and mechanical systems licensing board.

**Sec. 26-431. Contractor's bond.**

- (a) Prior to the issuance or renewal of any mechanical contractor's license, the applicant shall file with the office of the building official a bond running to the city in the sum of \$10,000.00 for a class A mechanical contractor's license, and \$5,000.00 for each of the other classes of licenses, to be approved by the building official and by the city legal department, to save the city harmless on account of any and all failures on the part of such applicant to comply in all particulars with the provisions of the mechanical code and all other applicable laws and ordinances, rules and regulations relating to the work for which a permit has been issued and to ensure the rectification of defective work to the satisfaction of the senior mechanical inspector.
- (b) To ensure the collection of permit fees and the rectification of defective work, the applicant shall in addition to filing the bond required before the license is issued file with the treasurer for each license applied for a cash bond in the sum of \$100.00 or a certificate of deposit in a like amount made payable to the city by a bank doing business in the state. Such cash bond or certificate of deposit shall remain on deposit with the city for 90 days after the expiration or surrender of the license. Upon the death of the licensee, the treasurer may, upon approval of the building and fire code board of appeals and the building official, release the bond or certificate of deposit before the expiration of 90 days. A letter of request must be submitted to the building official for release of the bond or certificate of deposit.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the state plumbing and mechanical systems licensing board.

## **ARTICLE VI. PLUMBING CODE\***

### DIVISION 1. GENERALLY

#### **Sec. 26-500. Scope.**

- (a) The provisions of the plumbing code shall apply to all new construction, relocated buildings, and to any alterations, repairs or reconstruction, except as otherwise provided for in the plumbing code.
- (b) Additions to, identified faulty work, alterations of and repairs to any part of an existing plumbing or drainage system, if covered by the plumbing code, shall comply with

the provisions of the plumbing code. Further, the Building Official may, when such additions, alterations or repairs are made, order further reasonable additions or alterations in a building, structure, or premises when any work or installation regulated by the plumbing code is dangerous, unsafe, insanitary, constitutes a nuisance or is a menace to life, health or property, or is otherwise in violation of the plumbing code. The order shall be issued to the property owner or his or her authorized agent. Refusal, failure or neglect to comply with any lawful order of the Building Official shall constitute a violation of the plumbing code.

- (c) Installations which were in compliance with the city plumbing ordinances in existence at the time the installations were made shall be presumed to be safe and proper, which presumption can be rebutted by evidence that the installation is insanitary, dangerous, unsafe, constitutes a nuisance or is a menace to life, health or property, or is contrary to generally accepted standards of good practice.

**Sec. 26-501. Adoption of Uniform Plumbing Code.**

- (a) This article shall consist of the Uniform Plumbing Code ("UPC"), 2006 edition, published by the International Association of Plumbing and Mechanical Officials, which volume is incorporated by this reference in its entirety, except as otherwise indicated in this article.
- (b) This article and all provisions incorporated in this article, by reference or otherwise, shall be known as the plumbing code. References to section numbers not preceded by "26-" will be to sections in the Uniform Plumbing Code

**Sec. 26-502. Deletions.**

The following are deleted from the Uniform Plumbing Code, and are of no force or effect in this article:

- (1) Chapter 1 - Administration subsections: 102.2, 102.3, 103.1 - 103.4.5, Table 1-2
- (2) Chapter 11 - Storm Drainage - Division 2 Storm Drains (26-550)
- (3) Chapter 15 - Fire Stop Protection - All references to NFPA 5000 shall be replaced with 2003 International Building Code or the International Residential Code (IRC).
- (4) Chapter 16 - Gray Water Systems.

Sections:

- (1) Section 908.0 Wet Venting (26-530)
- (2) Section 604.0 Materials H2O Dist (26-533)
- (3) Section 717.0 Size of Building Sewers (26-536)

Subsections:

- Subsection 701.1 Drainage Systems (26-523)
- Subsection 701.1.1 Drainage Systems (26-523)
- Subsection 710.1 Backwater Valves (26-522)
- Subsection 903.2 Use of Copper Tubing (26-521)
- Subsection 718.1 Min. Grade of Horiz. Drng. (26-539)
- Subsection 903.1 Vents and Venting (26-525)
- Subsection 903.1.1. Vents and Venting (26-525)
- Subsection 1014 Grease Interceptors
- Subsection 1015 FOG
- Subsection 1214.3.2 Piping Test Pressures

Table 10.1 Horiz. Dist. Trap Arms (26-532)

**Sec. 26-503. Amendments and additions.**

- (a) The remaining sections in this article are and represent amendments and additions to the requirements contained in the Uniform Plumbing Code, and where their requirements conflict with those of the Uniform Plumbing Code, the requirements of this article shall prevail.
- (b) The following sections of this article shall be construed in the context of the enumerated chapter of the Uniform Plumbing Code:
  - (1) Section 26-509 - Use of Copper Tubing - chapter 3.
  - (2) Section 26-510 - Backwater Valves - chapter 3.
  - (3) Section 26-511 - Drainage Systems - chapter 7.
  - (4) Section 26-512 - Max FU's on 2in vent - chapter 9
  - (5) Section 26-513 - Vents and Venting - chapter 9.
  - (6) Section 26-514 - Vent Termination - chapter 9.
  - (7) Section 26-515 - Vent Stacks and Relief Vents - chapter 9
  - (8) Section 26-516 - Vent Exceptions - chapter 9
  - (9) Section 26-517 - Air Conditioning Waste - chapter 8
  - (10) Section 26-518 - Appliances - chapter 8.
  - (11) Section 26-519 - Wet Venting - chapter 8.
  - (12) Section 26-520 - Swimming Pools - chapter 8.
  - (13) Section 26-521 - Table of Horiz. Distance of Trap Arms - chapter 10.
  - (14) Section 26-522 - Matls. Used for H2O Dist. - chapter 6.

- (15) Section 26-523 - Cross Connection Control-containment - chapter 6
- (16) Section 26-524 - Depth of Water Service - chapter 6.
- (17) Section 26-525 - Size of Bldg Sewers - chapter 7.
- (18) Section 26-526 - Clean-outs - chapter 7.
- (19) Section 26-527 - Showers Sub-pans - chapter 4.
- (20) Section 26-528 - Min. Grade of Horiz. Drng Piping - chapter 7.
- (21) Section 26-529 - Floor Drains Required - chapter 4
- (22) Section 26-530 - Grease interceptors and FOG.
- (23) Section 26-531 - Piping Test Pressures
- (24) Chapter 15 - Firestop Protection - All references to NFPA 5000 shall be replaced with 2006 International Building Code

**Sec. 26-507. Authority of Building Official.**

The building official is responsible for the enforcement of the plumbing code and the rules and regulations of the local boards of health and state board of public health governing plumbing. When used in this subdivision, the term "administrative authority" shall mean the building official or his or her duly authorized representative.

When it is impossible or impractical to install plumbing in strict compliance with the provisions of the plumbing code or any other applicable law, ordinance, rule or regulation, the building official may, with the approval of the state department of public health, permit minor variations which are safe and reasonable.

**Sec. 26-510. Backwater valves.**

- (a) In areas of the city that have been determined to experience sanitary sewer backups by the city engineer, drainage piping serving fixtures which have flood level rims located below the elevation of the next upstream manhole cover of the public sewer serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through a required backwater valve.
- (b) Backwater valves required by this section shall either be manually operated or automatic in operation as described in section 25.4 (10) of the Iowa State Plumbing Code administrative rule 641 chapter 25 (135). Note: In existing structures where the installation of backwater valves are

desired but not required, this section shall not apply.

**Sec. 26-511. Drainage systems.**

- (a) Drainage pipe shall be cast iron, no-hub cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, ABS, PVC or other approved materials having a smooth and uniform bore. Exceptions shall be as follows:
  - (1) No galvanized wrought iron, galvanized steel, or DWV copper pipe shall be used underground, and it shall be kept at least six inches (152.4 mm) aboveground.
  - (2) ABS and PVC pipes and fittings shall be marked to show conformance with the standards in the plumbing code. ABS and PVC installations are limited to construction not exceeding the following conditions:
    - a) ABS, PVC and SDR 23.5 shall be installed with a minimum bedding of four inches below and up all sides with three-eighths-inch clean smooth gravel or a bedding product allowed by the Des Moines Metropolitan Design Standards, class I, 1 inch clean bedding.
    - b) All installations shall be made in accordance with the manufacturer's recommendations.
- (b) Drainage fittings shall be of cast iron, malleable iron, lead, brass, copper, ABS, PVC, no-hub fittings or other approved materials having a smooth interior waterway of the same diameter as the piping served, and all such fittings shall conform to the type of pipe used, as follows:
  - (1) Fittings on screwed pipe shall be of the recessed drainage type. Burred ends shall be reamed to the full bore of the pipe.
  - (2) The threads of drainage fittings shall be tapped so as to allow one-fourth inch per foot (20.9 mm/m) grade.

**Sec. 26-512. Repealed by Ord. No. 14,---**

**Sec. 26-514. Vent termination.**

- (a) Each plumbing vent extension through a roof shall be increased in size as follows:

Vent Diameter (inches)	Extension Diameter (inches)
Less than 3	3
3 to 4	4
Over 4	Same as vent

(b) The change in diameter shall be made at least one foot below the roof and shall extend to the point of vent termination, which shall be not less than ten inches above the roof or as required by the plumbing inspector. Increasers shall be no longer than thirty inches in length.

**Sec. 26-522. Materials used for water distribution.**

(a) Water pipe and fittings used for water distribution, except for underground applications, shall be of brass, copper, cast iron ductile, galvanized steel, PVC, CPVC, PEX, or other approved materials. Water piping and fittings used for exterior underground applications shall be of brass, copper, cast iron, ductile or other approved materials. Asbestos cement material shall not be used for water distribution piping or fittings. All piping and fittings shall comply with all the conditions and limitations of section 604 of the plumbing code. PVC piping of four inches or larger may be used for service lines provided that it conforms to AWWA standard C 900 DR 14 and the following:

(1) A no. 12 or larger type TW or THWN solid single strand copper tracer wire is installed throughout the length of the pipe. Wire connections shall be soldered and waterproofed. Connection points shall be in accordance with water works specifications.

(2) PVC shall not be used within five feet of a building.

When ductile iron pipe and cast iron fittings are used, they shall be encased in plastic at least eight mills thickness. Lead pipe, lead solders, and flux containing more than 0.2 percent lead shall not be used. All materials used in the water supply system, except valves and similar devices, shall be of a like material, except where otherwise approved by the building official. Galvanized pipe may only be used underground with

prior approval of the plumbing inspector.

- (b) Cast iron fittings up to and including two inches (50.8 mm) in size, when used in connection with potable water piping shall be galvanized.
- (c) All malleable iron water fittings shall be galvanized.
- (d) Piping and tubing which has previously been used for any purpose other than for potable water systems shall not be used.
- (e) Notwithstanding the provisions of section 608.5, relief valve drains located inside a building shall not be of CPVC or PB.

**Sec. 26-523. Cross connection control-containment.**

- (a) *Definitions.* For the purpose of this section, the following definitions supersede definitions given elsewhere in this article or in the plumbing code and shall apply only to this section:

*Administrative authority* means the city water works and building official.

*Approved backflow prevention assembly for containment* means a backflow prevention assembly which is listed by the University of Southern California-Foundation for Cross Connection Control and Hydraulic Research as having met the requirements of ANSI-AWWA standard C510-89, Double Check Valve Backflow-Prevention Assemblies, of ANSI-AWWA standard C511-89, Reduced-Pressure Principle Backflow-Prevention Assemblies for containment. The listing shall include the limitations of use based on the degree of hazard. The International Association of Plumbing and Mechanical Officials must also list the backflow prevention assembly.

*Approved backflow prevention assembly for containment in a fire protection system* means a backflow prevention assembly to be used in a fire protection system which meets the requirements of Factory Mutual Research Corporation (FM) and Underwriters' Laboratories, Inc. (UL), and the requirements of the city fire code and building code, in addition to the requirements of subsection (g)(1). Devices sized smaller than 2 1/2 inches, which have not been listed by Underwriters' Laboratories, Inc. (UL) and tested by Factory Mutual Research Corporation (FM), may be allowed if they meet the requirements of the city fire code and building code.

*Auxiliary water supply* means any water supply on or available to the premises other than the water purveyor's approved public water supply, such as but not limited to a private well, pond, or river.

*Containment* means a method of backflow prevention which

requires the installation of a backflow prevention assembly at the water service entrance.

*Cross connection* means any actual or potential connection or arrangement, physical or otherwise, between a potable water supply system and any plumbing fixture or tank, receptacle, equipment, or device, through which it may be possible for non-potable, used, unclean, polluted, and contaminated water or other substance to enter into any part of such potable water system under any condition.

*Customer* means the owner, operator, or occupant of a building or property which has a water service from a public water system, or the owner or operator of a private water system which has a water service from a public water system.

*Degree of hazard* means the rating of a cross connection or water service which indicates if it has the potential to cause contamination or pollution.

*Double check valve backflow prevention assembly* means a backflow prevention device consisting of two independently acting internally loaded check valves, four properly located test cocks, and two isolation valves.

*High hazard cross connection* means a cross connection which may cause an impairment of the quality of the potable water by creating an actual hazard to the public health, through poisoning or through the spread of disease by sewage, industrial fluids, or waste.

*Isolation* means a method of backflow prevention in which a backflow prevention assembly is located at the cross connection rather than at the water service entrance.

*Low hazard cross connection* means a cross connection which may cause an impairment of the quality of potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.

*Reduced pressure principle backflow prevention assembly* means a backflow prevention device consisting of two independently acting internally loaded check valves, a differential pressure relief valve, four properly located test cocks, and two isolation valves.

*Registered backflow prevention assembly technician* means a person who is registered by the state to test or repair backflow prevention assemblies and report on the condition of those assemblies.

*Thermal expansion* means volumetric increase of water due to heating resulting in increased pressure in a closed system.

*Water service*, depending on the context, means the physical connection between a public water system and a customer's building, property, or private water system, or the act of

providing potable water to a customer.

*Water works* means the city water works.

(b) *Administrative authority.*

(1) Water works or the building official shall have the right to enter, with the consent of the customer or upon the basis of a suitable warrant issued by a court of appropriate jurisdiction, any property to inspect for possible cross connections.

(2) Water works shall maintain records of cross connection hazard surveys and the installation, testing, and repair of all backflow prevention assemblies installed for containment purposes.

(c) *New water services.* New water services shall comply with the following:

(1) Plans shall be submitted to water works for review on all new water services in order to determine the degree of hazard.

(2) The water works shall, in consultation with the building official, determine the type of backflow prevention assembly required for containment based on the degree of hazard.

(3) The building official shall inspect the installation of the required backflow prevention assembly for containment before the initiation of water service.

(d) *Existing water services.* Existing water services shall comply with the following:

(1) Upgrades of existing water services shall be treated as new water services for the purpose of this section.

(2) The water works shall, on the basis of information received from customers or gathered through on-premises investigations or surveys, determine the type of backflow prevention assembly required for containment based on the degree of hazard.

(3) Within the timeframe specified in writing by water works, the customer shall install a backflow prevention assembly for containment required by water works.

(4) For existing water services, water works may inspect the premises to determine the degree of hazard. When high hazard cross connections are found, water works shall, at its sole discretion:

a. Develop a schedule of compliance which the customer shall follow; or

b. Terminate the water service until a

backflow prevention assembly for containment required by water works has been installed.

(5) Failure of water works to notify a customer that the customer is believed to have a high hazard cross connection and that the customer shall install backflow prevention assemblies for containment in no way relieves a customer of the responsibility to comply with all requirements of this section.

(e) *Customer.* Responsibilities of the customer shall be as follows:

(1) The customer shall be responsible for ensuring that no cross connections exist without approved backflow protection within his or her premises starting at the point of service from the public potable water system.

(2) The customer shall, at his or her own expense, cause installation, operation, testing and maintenance of backflow prevention assemblies.

(3) The customer shall ensure that copies of records of the installation and of all tests and repairs made to the backflow prevention assembly on the approved form within 15 days after testing and/or repairs are completed.

(4) If a backflow incident occurs, the customer shall immediately notify water works of the incident and take steps to confine the contamination or pollution.

(f) *Required backflow prevention assemblies for containment for water services.* Backflow prevention assemblies for containment for water services shall be required as follows:

(1) An air-gap or an approved reduced pressure principle backflow prevention assembly is required for water services having one or more cross connections which the administrative authority has classified as high hazard.

(2) An approved double check valve assembly is required for water services having no high hazard cross connections but having one or more cross connections which the water works has classified as low hazard.

(g) *Required backflow prevention assemblies for containment for fire protection systems.* Backflow prevention assemblies for containment for fire protection systems shall be required as follows:

(1) A reduced pressure principle backflow prevention assembly shall be installed on all new and existing fire protection systems which water works determines

to have any of the following:

a. Direct connections from public water mains with an auxiliary water supply on or available to the premises for pumper connection.

b. Interconnections with auxiliary supplies such as reservoirs, rivers, ponds, wells, mills, or other industrial water systems.

c. Use of antifreezes or other additives in the fire protection system.

d. Combined industrial and fire protection systems supplied from the public water mains only, with or without gravity storage or pump suction tanks.

e. Any other facility, connection, or condition which may cause contamination.

(2) A double check valve assembly will be required for all other fire protection systems. The double check valve assembly shall be required on all new systems at the time of installation and on existing systems at the time that they are upgraded.

(3) Submittal of proposed backflow prevention devices to water works does not relieve the designer or the sprinkler contractor of the responsibility of submitting plans, including backflow prevention devices to the fire marshal for approval.

(h) *Backflow prevention assembly technicians.* A backflow prevention assembly technician registered by the state shall include his or her registration number on all correspondence and forms required by or associated with this section.

(i) *Registered backflow prevention assembly technician noncompliance.* Noncompliance with any of the following by a registered technician shall be grounds for reporting such individual to the state department of public health:

(1) Improper testing or repair of backflow prevention assemblies.

(2) Improper reporting of the results of testing or of repairs made to backflow prevention assemblies.

(3) Failure to meet registration requirements.

(4) Related unethical practices.

(j) *Installation of backflow prevention assemblies.* Backflow prevention assemblies shall be installed in compliance with the following:

(1) The required backflow prevention assemblies for containment shall be installed in horizontal plumbing immediately following the meter or as close to that location as deemed practical by water works. In any

case, it shall be located upstream from any branch piping. Installation at this point does not eliminate the responsibility of the customer to protect the water supply system from contamination or pollution between the backflow prevention assembly and the water main.

(2) Reduced pressure principle backflow prevention assemblies shall be installed so as to be protected from flooding.

(3) Reduced pressure principle backflow prevention assemblies shall not be installed in underground vaults or pits.

(4) All backflow prevention assemblies shall be protected from freezing. Those devices used for seasonal water services may be removed in lieu of being protected from freezing; however, the devices must be reinstalled and tested by a registered backflow prevention technician prior to service being reactivated.

(5) If hot water is used within the water system, thermal expansion shall be provided for when installing a backflow prevention assembly for containment.

(6) Provisions shall be made to convey the discharge of water from reduced pressure principle backflow prevention assemblies to a suitable drain.

(7) No backflow prevention assemblies shall be installed in a place where it would create a safety hazard, such as but not limited to over an electrical panel or above ceiling level.

(8) If interruption of water service during testing and repair of backflow prevention assemblies for containment is unacceptable, another backflow prevention assembly, sized to handle the temporary water flow need during the time of test or repair, should be installed in parallel piping.

(9) All backflow prevention assemblies shall be installed so that they are accessible for testing as stated in section 603.3.4.

(10) All shutoff valves shall conform with the current edition of the Manual of Cross-Connection Control (University of Southern California) requirements for either ball or resilient seat gate valves at the time of installation. Ball valves shall be used on assemblies installed in piping two inches and smaller and resilient seat gate valves on assemblies installed in piping larger than two inches.

(11) Location and protection of the containment assembly shall be approved by water works prior to installation.

(k) *Testing of backflow prevention assemblies.* Backflow prevention assemblies shall be tested as follows:

(1) Testing of backflow prevention assemblies shall be performed by a registered backflow prevention assembly technician. The costs of tests required in the subsections (k)(2) through (5) of this section shall be borne by the customer.

(2) Backflow prevention assemblies shall be tested upon installation and tested and inspected at least annually.

(3) Backflow prevention assemblies which are in place, but have been out of operation for more than three months, shall be tested before being put back into operation. Backflow prevention assemblies used in seasonal applications shall be tested before being put into operation each season.

(4) Any backflow prevention assembly which fails a periodic test shall be repaired or replaced. When water service has been terminated for noncompliance, the backflow prevention assembly shall be repaired or replaced prior to the resumption of water service. A registered backflow prevention assembly technician shall retest Backflow prevention assemblies immediately after repair or replacement.

(5) Water works or the building official may require backflow prevention assemblies to be tested at any time in addition to the annual testing requirement.

(6) The registered backflow prevention assembly technician shall report the successful test of a backflow prevention assembly to the customer and to water works on the form provided by water works within 15 days of the test.

(7) Water works or the building official may require, at the owner's expense, additional tests of individual backflow prevention assemblies as it shall deem necessary to verify test procedures and results.

(l) *Repair of backflow prevention assemblies.* Backflow prevention assemblies shall be repaired in accordance with the following:

(1) All repairs to backflow prevention assemblies shall be performed by registered backflow prevention assembly technicians.

(2) The registered backflow prevention assembly technician shall not change the design, material, or

operational characteristics of a backflow prevention assembly during repair or maintenance, and shall use only original manufacturer replacement parts.

(3) The registered backflow prevention assembly technician shall report the repair of a backflow prevention assembly to the customer and to water works on the form provided by water works within 15 days of the repair. The report shall include the list of materials or replacement parts used.

(4) Any time fire services are discontinued for a period of time longer than necessary to test the device, the tester is required to notify the fire marshal's office that the fire services are shut off for repair.

(m) *Customer noncompliance.* The water service may be discontinued in the case of noncompliance with this section. Noncompliance includes but is not limited to the following:

(1) Refusal to allow water works and/or the plumbing inspection division personnel access to the property to inspect for cross connections.

(2) Removal of a backflow prevention assembly which has been required by water works.

(3) Bypassing of a backflow prevention assembly which has been required by water works.

(4) Providing inadequate backflow prevention when cross connections exist.

(5) Failure to install a backflow prevention assembly which has been required by water works.

(6) Failure to test and/or properly repair a backflow prevention assembly as required by water works.

(7) Failure to comply with the requirements of this section.

(n) *Replacements.* Replace listed RPZ with stainless steel dual check with an atmospheric opening complying with section 603.4.13 of the plumbing code.

#### **Sec. 26-525. Size of building sewers.**

The size of any building sewer shall be determined on the basis of the total number of fixture units drained by the sewer, in accordance with section 25.4(12) Iowa State Plumbing Code, except that the minimum diameter for any building sewer, regardless of the number of fixtures, shall be four inches.

#### **Sec. 26-527. Shower sub-pans or linings of asphalt impregnated roofing felt prohibited.**

Notwithstanding the provisions of section 412.8 , shower sub-pans or linings constructed of asphalt impregnated roofing felt shall not be permitted.

**Sec. 26-528. Minimum grade of horizontal drainage piping.**

Notwithstanding the provision of sections 708.0 and 718.0 which require administrative approval before horizontal drainage piping or a building sewer may be installed at a slope of less than one-quarter inch per foot, such piping or sewers may be installed at a slope of not less than one-eighth inch per foot without such prior administrative approval where it is impractical, due to the depth of the street sewer or to the structural features or to the arrangement of any building or structure, to obtain a slope of one-quarter inch per foot.

**Sec. 26-530. Grease interceptors and FOG.**

Where grease interceptors are required for the capture of FOG the 2003 Uniform Plumbing Code section 1014 applies. Calculations for sizing of interceptors shall be in accordance with those promulgated by the Water Reclamation Authority.

**Sec. 26-531. Piping test pressures.**

Notwithstanding the provisions of section 1214.3.2 of the UPC the minimum test pressures for piping systems shall be 10 pounds gauge for threaded pipes and 60 pounds gauge for welded pipes.

DIVISION 2. STORM DRAINAGE SYSTEMS

**Sec. 26-552. Traps.**

- (a) *Main trap.* Stormwater drains connected to a combined sewer system shall be trapped except where the roof or gutter opening is located in accord with the requirements for vent terminals, section 906.0. One trap may serve several conductors, but traps must be set below frost or inside the building.
- (b) *Material.* Stormwater traps, when required, shall be of cast iron or copper pipe or copper tube.
- (c) *Exception.* No traps shall be required for stormwater drains that are connected to a sewer carrying stormwater

exclusively.

- (d) *Size.* Traps for individual conductors shall be the same size as the horizontal branch to which they are connected.
- (e) *Location.* Conductor traps shall be so located that an accessible cleanout may be installed on the building side of the trap.

### DIVISION 3. LICENSES AND CERTIFICATES

#### **Sec. 26-575. Contractor's license.**

- (a) *Required.* Except as otherwise provided in this article, no person, firm or business shall engage in, or represent to the public as engaging in the activity or business of contracting, reconstructing, altering, or repairing any plumbing or building drainage system in or for any building within the city without first having obtained from the city a plumbing contractor's license. The owner, in the case of a sole proprietorship, or one active manager of plumbing operations, in the case of any other form of business organization, shall hold a master plumber's certificate of competency before such person, firm or business may be granted a plumbing contractor's license. The license issued shall recite the name of the person holding the master plumber's certificate of competency and the name of the firm or business. The plumbing contractor's license shall be automatically revoked in the event the person named thereon ceases to hold a master plumber's certificate of competency or ceases to actively manage plumbing operations conducted under the plumbing contractor's license.
- (b) *Exceptions.* Exceptions to license requirements of subsection (a) of this section shall be as follows:
  - (1) A plumbing contractor's license shall not be required in cases where a private sewer, other than a building or house sewer, is constructed under the jurisdiction, standard specifications, and inspection of the city engineer, or in cases where lateral sewer studs, extending from a public sewer to the property line, are constructed under the jurisdiction, standard specifications and inspection of the city engineer.
  - (2) The city waterworks shall not be required to hold a plumbing contractor's license in order to perform the following work:
    - a. Reconnection of an existing water service from an existing water main to a new water main, provided that the city waterworks obtained a plumbing permit for such work prior to

the commencement of the work and that such work is inspected and approved by the building official.

b. Minor adjustments to a stop box in order to terminate water service when such service must be terminated because of leaks in the service or delinquent payment of water bills, provided the affected property owner refuses to cause such minor adjustments to be made.

c. Minor temporary water service adjustments to control flows in emergency situations where damage is caused or a hazard is created. Upon termination of the service the city waterworks shall notify the owner that permanent repair work must be done.

d. All work done by the city waterworks shall be the responsibility of the city waterworks, and the city waterworks shall correct all damage caused to stop boxes by the city waterworks.

(3) Any person holding a Class A, B, or D mechanical contractor's license may install water heaters in accordance with the Uniform Plumbing Code, provided such person has first obtained a mechanical permit, and provided further, that no water heater installed under this exception shall exceed 65 gallons capacity or 50,000 Btu fuel input.

(4) A plumbing contractor's license shall not be required for the repair and maintenance of plumbing facilities in city-owned buildings when the work is performed by a regular city employee who holds a current journeyman plumber's certificate of competency. Any person working under the provisions of this subsection shall obtain plumbing permits and inspections as required by section 26-135 and 26-177, respectively.

(5) In cases which an owner-occupant of a single-family dwelling desires to perform any plumbing work within his or her single-family dwelling the owner may obtain a plumbing permit by paying the proper fee. For purposes of this section an owner-occupied single-family dwelling shall mean a detached residence designed for or occupied by one family only and occupied by the recorded owner of the property. This exception does not allow a homeowner to install or repair building sewers, private disposal systems, water services or required testable backflow devices.

In this case, the permittee is required to obtain all required inspections and the homeowner must be the individual doing the work. This individual must be knowledgeable of plumbing systems, applicable code provisions and capable of designing and laying out their work.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the State Plumbing and Mechanical System Licensing Board.

**Sec. 26-576. Contractor's bond.**

- (a) Prior to the issuance or renewal of any plumbing contractor's license, the applicant shall file with the building official a bond running to the city in the sum of \$5,000.00 to be approved by the building official and the city legal department, to save the city harmless on account of any and all failures on the part of such applicant to comply in all particulars with the provisions of the plumbing code and all other applicable laws, ordinances, rules and regulations, and to ensure the rectification of defective work for which a permit has been issued.
- (b) To ensure the collection of permit fees, the applicant shall, in addition to the bond required in subsection (a) of this section and before the license is issued, deposit with the city treasurer \$100.00 in cash or a certificate of deposit in a like amount made payable to the city by a bank doing business in the state. Such cash bond or certificate of deposit shall remain on deposit with the city for 90 days after the expiration or surrender of the license. Upon the death of the licensee, the treasurer may, upon the approval of the building and fire code board of appeals and the building official, release such bond or certificate of deposit before the expiration of 90 days. A letter of request must be submitted to the building official for release of the bond or certificate of deposit.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the State Plumbing and Mechanical System Licensing Board.

**Sec. 26-577. Master plumber's certificate of competency.**

- (a) To obtain a master plumbers certificate of competency a person shall meet the following conditions:
  - (1) They shall have successfully passed a master

plumber's examination administered and/or approved by the building and fire code board of appeals.

(2) They must have been certified by the city, or any other approved jurisdiction, as a journeyman plumber for a period of two years and been actively engaged in the plumbing trade during that period, unless exempt under subsection 26-578 (b) (4).

(b) **Exceptions:** The requirements to obtain a master plumber's certificate of competency may be waived for individuals qualifying under the following:

(1) Holders of plumbing contractor's licenses granted by the city prior to the date of the ordinance from which this subsection derives shall be issued a master plumbers certificate of competency.

(2) A master plumbers certificate of competency may be issued without examination, as required by subsection (a) (1) of this section, for any person holding a similar certificate or license if so denoted from another municipal corporation in this State that is recognized by the building and fire code board of appeals as having similar certification standards.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the State Plumbing and Mechanical System Licensing Board.

**Sec. 26-578. Journeyman plumber's certificate of competency.**

(a) *Required.* Except as otherwise provided in this article, no person shall engage in the work or practice the trade of installing, altering, maintaining or repairing any plumbing or building drainage system within the scope of the plumbing code unless such person has obtained a journeyman plumber's certificate of competency and is either the holder of a plumbing contractor's license or is performing such work while in the employ of another person holding a plumbing contractor's license.

(b) *Exceptions.* Exceptions to subsection (a) of this section shall be as follows:

(1) Employees of the city water works shall not be required to hold a journeyman plumber's certificate of competency when performing work for the city water works under the provisions of section 26-575 of this division.

(2) A journeyman plumber's certificate of competency shall not be required when a private sewer, other than a building or house sewer, is constructed under the

jurisdiction, standard specifications, and inspection of the city engineer.

- (3) A journeyman plumber's certificate of competency shall not be required for the installation of water heaters not exceeding 65 gallons capacity or 50,000 btuhr provided that a plumbing or a mechanical permit is obtained.
  - (4) Upon written request of the individual to the License and Appeals Board the board shall review for consideration any post secondary training in the plumbing field, from an accredited educational institution or trade school and being employed full time for a period of two years with a plumbing contractor, under a master or journeyman's direct supervision. The educational training may not occur simultaneously.
- (c) *Qualifications.* An applicant for a journeyman plumber's certificate of competency must be able to read mechanical drawings and do appropriate mathematical problems and must know the provisions of the plumbing code and all other applicable laws, ordinances, rules and regulations governing plumbing. The applicant shall have at least four years' practical experience as an apprentice assisting in the installation of plumbing work. The applicant shall furnish the board with bona fide affidavits as to the applicant's practical experience and satisfactorily pass an examination for a certificate of competency as a journeyman plumber.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the State Plumbing and Mechanical System Licensing Board.

**Sec. 26-579. Reissuance of current licenses and certificates of competency.**

Any person holding a current plumbing contractor's license, master plumber's certificate of competency, or a journeyman plumber's certificate of competency, on the effective date of the ordinance from which this section derives, shall be reissued the respective license or certificate without taking the examinations required in this article. In addition, such license or certificate may be issued without examination to any person holding a certificate from another governmental jurisdiction recognized by the building and fire code board of appeals as having licensing standards similar to those of the board.

This section is repealed and will have no further force and

effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the State Plumbing and Mechanical System Licensing Board.

**Sec. 26-580. Apprentice.**

- (a) The term "apprentice" shall include any person who, while learning the trade of plumbing under the direction and control of a certified journeyman plumber, is working in the installation, alteration or repair of plumbing equipment.
- (b) No person shall engage in the work of an apprentice without first obtaining an apprentice license.
- (c) No plumbing contractor shall hire or employ any apprentice who does not have a license, and no plumbing contractor shall hire or employ more than two apprentices for each certified journeyman plumber in his or her employ. The same ratio shall apply to every permittable job.

This section is repealed and will have no further force and effect as of July 1, 2008, the effective date of Iowa Code chapter 104C establishing the State Plumbing and Mechanical System Licensing Board.

DIVISION 4. PERMITS AND INSPECTIONS

**Sec. 26-590. Excavation permits.**

Excavation permits issued by the building official to open streets, parking or other public property for the purpose of installation or repair shall be issued only after plumbing permits for the work have been obtained in accordance with this division. Each excavation permit shall contain the plumbing permit number.

**Sec. 26-592. Permit issuance criteria; plans and specifications.**

- (a) *Issuance.* Plumbing permits shall be issued only in the name of the person holding a current plumbing contractor's license issued by the city or by the State of Iowa, a copy which shall be kept on file with the building official. The application for a plumbing permit shall recite the name of the person holding the plumbing contractor's license, the personal signature of the certified or licensed master plumber or his or her duly authorized agent, the street and building number of the proposed work, the owner's name and address, the occupancy or use of the premises, the specific

items of work to be performed, and such other pertinent information as may be required by the building official. No plumbing permit shall be issued to any person who has fees outstanding as required by this article or any other laws or city ordinances. The contractor and any master, journeyman or apprentice plumber shall keep a copy of their license readily accessible at the premises to which the permit applies.

(b) *Plans and specifications.* Plans and specifications shall be submitted as follows:

(1) When required by the building official for the enforcement of any provisions of the plumbing code, plans and specifications for the installation of any plumbing or plumbing system shall be filed with and approved by the department of building before the issuance of any permit.

(2) The building official may require such plans and specifications to be prepared and designed by an engineer licensed by the state to practice as such.

(3) One set of plans and specifications may be filed for checking, provided that not less than two sets of corrected plans and specifications are filed before the building official gives approval. After approval, one set of plans shall be retained by the building official and the other set shall be returned to the applicant, which set shall be kept on such building or work at all times during which the work authorized is in progress.

(4) When the plans and specifications do not comply with provisions of the plumbing code, the necessary changes or revisions shall be made thereto.

(5) Every plan shall be a print or other type of approved plan. The information contained on the plans shall be clearly legible and specifically indicated. Plans shall be drawn to an appropriate scale.

(6) Specifications, legibly and definitely stated, shall be included either on the plan or on separate sheets.

(7) The approval of any plans or specifications shall not be construed to sanction any violation of the plumbing code.

(8) No person shall deviate materially from any approved plans or specifications or fail, neglect, or refuse to comply therewith unless permission to do so has been obtained from the building official.

(9) The plans or specifications shall show the following data, along with such other information as

may be required by the building official:

a. Layout for each floor drawn to accurate scale or dimensions of all working spaces and a legend of all symbols used.

b. Locations, size, and material of all piping and fixtures.

c. The first sheet of each set of plans and specifications shall show the address of the proposed work and the name and address of the owner or lessee of the premises.

d. Plans and specifications shall be of sufficient clarity to show that the proposed installation will conform to the provisions of the plumbing code and all applicable laws, ordinances, rules, regulations and orders.

(c) *Validity.*

(1) The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for or an approval of any violation of any of the provisions of the plumbing code. No permit presuming to give authority to violate or cancel the provisions of the plumbing code shall be valid, except insofar as the work or use which it authorizes is lawful.

(2) The issuance of a permit based upon plans and specifications shall not prevent the building official from thereafter requiring the correction of errors in such plans and specifications or from preventing construction being carried on when in violation of the plumbing code or of any other ordinance.

**Sec. 26-593. Factory-built buildings.**

Sections 26-175, 26-176, 26-177 and 26-178 of this article requiring personal inspection by the plumbing inspector; sections 26-575, 26-577 and 26-578 of this article requiring a contractor's license and a master plumber's and a journeyman plumber's certificate of competency, respectively; and section 26-178 of this article prohibiting the concealment of plumbing work prior to inspection by the plumbing inspector shall not be applicable to factory-built buildings constructed and certified in accordance with the Iowa State Building Code. The correction of violations and all on-site plumbing work shall be subject to the provisions of sections 26-175, 26-575, 26-577, 26-578 and 26-177 of this article. The term "on-site plumbing work" shall include all plumbing work not certified by such certificate of inspection.

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

FORM APPROVED:

Michael F. Kelley, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 07-1629), passed by the City Council of said City at a meeting held August 20, 2007 signed by the Mayor on August 20, 2007 and published as provided by law in the Business Record on September 3, 2007, Authorized by Publication Order No. 5744.

Diane Rauh, City Clerk