

Date August 6, 2007

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, 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",

which was considered and voted upon under Roll Call No. 07-1433 of July 23, 2007; again presented.

Moved by _____ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



Council
Communication
 Office of the City Manager

Date	July 23, 2007
Agenda Item No.	40A&B 47A
Roll Call No.	07-1433
Communication No.	07-461
Submitted by:	Larry Hulse, Community Development Director

AGENDA HEADING:

Amending chapter 26 of the municipal code to update the Building Code, Existing Buildings Code, Mechanical Code, Fuel Gas Code and the Plumbing Code.

SYNOPSIS:

Recommend approval of an ordinance change to amend Chapter 26 of the municipal code and update the Building Code, Existing Buildings Code, Mechanical Code, Fuel Gas Code and the Plumbing Code to the most recent published editions of nationally developed model codes.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

This action will update and amend Chapter 26 of the Municipal Code and the referenced model codes contained therein to the most recent editions of these model codes. This action includes the 2006 International Building Code; the 2006 International Residential Code; the 2006 International Existing Buildings Code; the 2006 International Mechanical Code; the 2006 International Fuel Gas Code; and the 2006 Uniform Plumbing Code. These changes are aligned with the codes adopted by the metropolitan area communities wherever possible.

The Board of Licenses and Appeals have reviewed these changes with staff, conducted a public hearing, and have made and received suggestions concerning these revisions. Staff has attempted to incorporate these suggestions where possible.

A summary and outline of the changes to the ordinance follows:

Article I incorporates the general provisions common to each of the codes. The provisions establish and provide rules of conduct for the Permit and Development Center, the Board of Appeals, and the authority of the Building Official. These provisions remain substantially the same although organizational and editorial changes have been incorporated. With the advent of the trades licensing authority eventually transferring to the State, the name of the License and Appeals Board is being changed to the Building and Fire Code Board of Appeals. The Fire Department does not currently have a mechanism in place to hear appeals. By establishing a seat for a fire engineer in lieu of the real estate seat will address the issue. The License and Appeals board has unanimously approved this new structure and its future role in the City of Des Moines. Language relating to licensure of plumbers and electricians has been modified to include a sunset clause as the shift from municipal licensing to the State will occur during this code cycle.

Article II adopts by reference the 2006 International Building Code, the 2006 International Residential Code, and the International Existing Buildings Code. These documents are successor documents to those currently adopted. Amendments made unnecessary by changes to the new codes have been eliminated. Amendments that have been developed in coordination with our surrounding communities have been retained or added, such as those for standardized residential foundations, structural wind bracing, residential stair provisions accommodating floor finishes, handrail continuity, location on property, and residential ice protection at roofs. Applicability of the Existing Buildings Code includes expansion to encompass buildings 50 years or older. Demolition of buildings, obstruction permits, and administrative permitting provision remain unchanged.

Article III references the 2005 National Electric Code. This document remains in effect without modification. The 2008 National Electric Code had not yet been released in time for this update.

Article IV adopts by reference the 2006 International Mechanical Code and the 2006 International Fuel Gas Code. This amendment updates the mechanical and fuel gas codes to the most recent editions.

Article V adopts by reference the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO). This is a successor document to the code currently adopted. Provisions regarding unsafe installations, cross connections, copper systems, backwater valves and vents, storm drains, supply and water systems remain unchanged. Provisions regarding grease interceptors currently in the 2003 Uniform Plumbing Code remain in effect, and provisions of the 2006 Uniform Plumbing Code regarding grease interceptors and FOG have been omitted.

PREVIOUS COUNCIL ACTION(S):

Date: April 25, 2005

Roll Call Number: 05-1011

Action: Amending Chapter 26 of the Municipal Code to adopt 2003 International Building Code, 2003 International Existing Building Code, portions of the 2003 International Residential Code, 2003 International Mechanical Code, 2003 International Fuel Gas Code, 2005 National Electric Code, 2003 Uniform Plumbing Code, and miscellaneous amendments and reorganization. (Council Communication No. 05-219) Moved by Hensley that this ordinance be considered and given first vote for passage as amended; Article V – Plumbing Code, shall be removed and forwarded to City staff and the Licensing and Appeals Board for review and recommendation. Motion Carried 7-0.

Date: November 8, 2004

Roll Call Number: 04-2399

Action: Beginning the process to adopt the 2003 edition of the International Council Family of Construction Codes in conjunction and coordination with participating surrounding communities. Moved by Hensley to adopt. Motion Carried 7-0.

Date: November 22, 2004

Roll Call Number: 04-2536

Action: Receive and file communication from the Licensing and Appeals Board regarding a proposed change to the Plumbing Code. Moved by Vlassis to receive and file. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: July 12, 2007

Roll Call Number: License and Appeals

Action: Recommend approval of the proposed ordinance, motion carried 7-12. 5 absent.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

07-1433
40A
47A

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, 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; ~~requiring the qualification and registration of contractors;~~ 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, ~~and licensing and certification of contractors.~~
 - (3) Serve as city staff and advisor to the ~~licensing and appeals board~~ building and fire code board of appeals.
 - (4) Render interpretations of the building codes and ~~to 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.

~~be responsible for the following reports and records:~~

~~(1) Report to the director of the community development department and the city manager not less than once a year, covering the work during the preceding period. He or she shall incorporate in that report 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 licensing and appeals boards building and fire code board of appeals meetings, hearings, rulings, and other matters performed in accordance with this chapter, and shall notify in writing all persons involved.

(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 ~~of the 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~~The city or~~nor~~ any employee is ~~net~~-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 ~~for damages to a person or property caused by its defects~~ defective work nor shall the city or any city employee be ~~held as assuming any such liability~~ liable because of the inspections authorized by such codes or any approvals issued under such codes.

DIVISION 2. ~~LICENSING AND APPEALS BOARD~~BUILDING AND FIRE CODE
BOARD OF APPEALS

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

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

- (1) Review the building, electrical, mechanical, and plumbing and fire codes periodically and make recommendations thereto to the city council.
- (2) ~~Prescribe rules and regulations for the conduct of examinations of applicants for licenses and certificates and prepare and conduct written examinations for the licenses and certificates required by this chapter. For written examinations, the board may utilize the services of a professional testing agency in lieu of creating its own tests. The cost of professional testing agency fees shall not exceed the amount collected from the applicants taking the examination.~~
- (3) ~~Rule upon the qualifications of all applicants, including whether education and training requirements have been met. The board shall certify qualified applicants, together with their respective examination ratings, to the building official within 30 days after the date upon~~

~~which the examination is held. The building official shall then cause the certificate to be issued. No certificate shall be issued without written certification from the board.~~

- ~~(4) Suspend or revoke any of the licenses or certificates required by articles II, III, IV and V, for due cause and subject to the limitations in this article, but only after the person charged therewith has been given notice and an opportunity to be heard in their own defense.~~
- (52) 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, and 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.
- (63) 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.
- (74) 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.
- ~~(8) Adopt a responsible method whereby the building official is authorized to conduct qualifying examinations for homeowner's permits.~~
- (95) 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 licensing and appeals board~~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 licensing and appeals board~~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 with experience in real estate or real estate financing~~ 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 ~~date set for it~~ 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 ~~the building official's~~their decision should be affirmed.
- ~~(c) Any hearing concerning the suspension or revocation any license or certificate shall be held at the earliest convenience of all parties concerned, but in any case shall be within five days, excluding Saturdays, Sundays, and holidays, after written notice has been served on the person charged with the violation. The board shall hear all interested parties who have pertinent written or oral evidence or information to present for consideration.~~

Sec. 26-123. Decisions.

- (a) After the hearing as provided in section 26-122, the ~~licensing and appeals board~~building and fire code board of appeals shall affirm, modify or withdraw the decision of the building official or fire chief. ~~In proceedings relative to the suspension or revocation of licenses or certificates, at least two thirds of all appointed members serving on the board must concur in any suspension or revocation.~~
- ~~(b) Suspensions shall be for any period, up to six months. During the period of suspension, the license or certificate of the offender shall be void, and the offender shall not perform any work for which a license or certificate is required. After the termination of the period of suspension, the license or certificate shall be reactivated by the building official, provided that renewal fees which have become due thereon have been paid.~~
- ~~(e)~~ 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 ~~licensing and appeals board~~building and fire code board of appeals shall ~~schedule examinations at least semiannually, and shall hold additional~~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 ~~licensing and appeals board~~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. 26-124~~5~~. Legal counsel.

The ~~licensing and appeals board~~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. ~~Work by homeowner~~Repealed by Ord. No. 14,---

~~The building official may exempt homeowners from the requirement of having a contractor's license to do work on their primary residence after the homeowner demonstrates the competency, knowledge, skills, and abilities to safely perform the intended work. The homeowner must provide evidence to the building official that the work will be performed on homeowner's primary residence only. This section does not exempt the homeowner from the permit or fee requirements of this chapter.~~

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 represent to the public hold itself out as engaging in any activity or business of the work or activities within the city regulated by this chapter ~~for any building within the city~~ without first having obtained a contractor's license from the city ~~a contractor's license~~ 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 license bond.

- ~~(a) 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 applicant 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.~~
- ~~(b) To ensure the collection of permit fees and the rectification of defective work, and unless otherwise indicated in this article, 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 \$500.00~~

