

Title 14 BUILDINGS AND CONSTRUCTION

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Chapter 14.04 BUILDING CODE ^[1]

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14.04.010 Short title.

This chapter shall be known as the "City of Fort Dodge, Building Ordinance," and may be so cited.

(Ord. No. 2205, § I, 5-27-14)

14.04.020 Purpose and scope.

It is the purpose of this chapter to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Fort Dodge, and certain equipment specifically regulated herein; to provide for the issuance of permits, inspection of buildings, the registration of building contractors, the collection of fees, the repeal of ordinances in conflict herewith and penalties for the violation of this chapter.

(Ord. No. 2205, § II, 5-27-14)

14.04.030 Adoption of building code.

The International Building Code, 2012 Edition, as published by the International Code Council (IBC), and the International Residential Code 2012 Edition, as published by the International Code Council (IRC), Chapters 1—24, with appendices B, C, D, G, H, and J are hereby adopted by reference.

(Ord. No. 2205, § III, 5-27-14)

14.04.040 Amendments, modifications, additions, and deletions.

IBC:

- (1) Section 101.1 insert "City of Fort Dodge" as name of jurisdiction.
- (2) Section 101.4.1 - Delete and insert in lieu thereof "all electrical installations shall comply with the electrical code adopted by the City of Fort Dodge".
- (3) Section 101.4.3 - Delete and insert in lieu thereof "all plumbing installations shall complete with the plumbing code adopted by the City of Fort Dodge".
- (4) Delete Section 105.1.1 and 105.1.2.
- (5) Section 105.2 - Building 7 delete "cabinets, countertops".

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- (6) Historic buildings may be allowed to use the provisions of the International Existing Building Code, 2012 Edition, published by the International Code Council, when allowed to do so by a variance granted by the Building and Construction Appeals Board.
- (7) New Section 108.2.1 - Fees will be as established by resolution of the City Council.
 - a. Removal of Underground Storage Tanks — \$20.00 per tank.
- (8) New section 109.4.1 - The fee required by Section 109.4 shall be an amount equal to the building permit fee.
- (9) Section 1612.3 shall refer to the FIRM for Fort Dodge, Iowa, dated December 4, 2012.
- (10) Add Section 1301.1.2 buildings designed and constructed in conformance with Iowa Administrative Code 661 - Chapter 303 shall be considered an acceptable alternative to section 1301.1.1.
- (11) Section 3202.3.1 - Delete last sentence and insert in lieu thereof "awnings, canopies, marquees, and signs shall be supported entirely by the building".

IRC:

- (1) Section 101.1 insert "City of Fort Dodge" in name of jurisdiction.
 - (2) Section R105.2 - Building 6, delete "Cabinets, Countertops".
 - (3) Delete Section R112.
 - (4) Table R301.2(1) shall be completed as follows:
 - a. Ground snow load: 30 PSF
 - b. Wind Speed: 90 MPH
 - c. Seismic design category: A
 - d. Subject to damage from:
 - a. Weathering - Severe
 - b. Frost line depth: 42"
 - c. Termite - Slight to Moderate
 - e. Winter Design Temperature: -8°F
 - f. Ice shield underlayment: Yes
 - g. Flood hazards: HUD Community No. 195181A
 - h. Air freezing index: 2132
 - i. Mean annual temperature: 46.4°F
 - (5) Delete Section R313.
 - (6) R403.1.4.1 - Exception 1, change "600 square feet (56m2)" to "720 square feet (66.9m2)".
 - (7) Delete Section 907.3 condition 2 and replace with "where the existing roof covering is asphalt shingles, wood shake, slate, clay, cement or asbestos - cement tile."
 - (8) Add Section 1100 "Compliance with the technical standards of Iowa Administration Code 661 - Chapter 303 will be considered an acceptable alternative to the technical standards of Chapter R11."
 - (9) Section G2445 - Delete.
- (Ord. No. 2205, § IV, 5-27-14)

14.04.050 Permit—To whom issued.

A permit required by Section 105 of the IBC or R105 of the IRC shall be issued only to a registered building contractor, however, any permit required by this chapter may be issued to the owner of a building to do any work regulated by this chapter in that building, including the usual accessory buildings; provided, that the owner shall personally purchase all material and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this chapter and shall be inspected.

(Ord. No. 2205, § V, 5-27-14)

14.04.060 Application for permit.

Application for permit shall be made to the building inspector pursuant to rules provided therefore and on forms provided by the inspection department. The application shall be accompanied by fees in accordance with the schedule of fees set out in Section 14.04.060 remitted to the city treasurer's office.

(Ord. No. 2205, § VI, 5-27-14)

14.04.070 Plans and specifications.

Plans and specifications showing the proposed work in the necessary detail shall be submitted when requested by the building inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications, and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original application for a permit, shall be issued to cover the change.

(Ord. No. 2205, § VII, 5-27-14)

14.04.080 Administration and enforcement.

It shall be the duty of the building inspector to administer and enforce the provisions of this chapter and to make any required inspections or tests; and to establish departmental rules subject to council approval for the effective and efficient administration and enforcement hereof.

(Ord. No. 2205, § VIII, 5-27-14)

14.04.090 Annual permits.

In lieu of individual permits provided for in Section 14.04.050 an annual permit shall be issued after application to any registered building contractor or building owner entitled to secure permits for the repair, maintenance or remodeling in or on a building or premises for any repair, maintenance or remodeling of a value less than five hundred dollars. An application for a permit shall be in writing and shall contain a description of the premises on which the work is to be done. The annual permit fee in the sum of one hundred dollars shall accompany the application therefore. The permit holder shall keep a record of all work done under the permit. This record shall be accessible to the building inspector at all reasonable times and shall be delivered to the building inspector's office monthly by the registered building contractor. All work done under such permits shall be performed in conformance with the provision of this chapter and be subject to inspection.

(Ord. No. 2205, § IX, 5-27-14)

14.04.100 Registration of building contractor.

- (a) Building Contractor. Any person, firm, corporation or other association doing any building work for hire for which a permit is required pursuant to Section 105 of the IBC or R105 of the IRC other than a building owner performing his/her own work.
- (b) All building contractors shall be registered with the city treasurer's office of the City of Fort Dodge.
- (c) Any person desiring to be registered as a building contractor shall register with the city treasurer's office on forms provided therefore and pay an annual registration fee of fifty dollars therefore. Annual registrations provided hereunder shall expire the last day of September of each year, but may be renewed prior to the expiration date. Building contractors with expired registrations may not secure building permits.

(Ord. No. 2205, § X, 5-27-14)

14.04.110 Conditions of registration.

Any person who has been registered as a building contractor shall execute and deposit with the city treasurer's office a bond in the sum of five thousand dollars with sureties approved by the city treasurer and mayor. This bond is to be held as surety that the registered contractor will fulfill these conditions.

- (1) All building work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Building Ordinance.
- (2) They will pay all fines and penalties properly imposed upon them for violation of the building ordinance.
- (3) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.
- (4) They shall indemnify the city for any work done by the city to correct any condition during excavation or backfilling, including safety measures required therefore.
- (5) The registrant shall supply the contractor registration number required by Iowa Code, Chapter 91C.

(Ord. No. 2205, § XI, 5-27-14)

14.04.120 Revocation of registration.

The building inspector may revoke any registration if it is obtained through willful nondisclosure, misstatement or misrepresentation of a material fact, or if a material provision of the building ordinance has been violated. Before a registration may be revoked, the registrant shall be given notice in writing, either personally or as required by the applicable Iowa Rules of Civil Procedure, enumerating the charges against him/her. He/she shall be entitled to a fair hearing before the building inspector neither sooner than five days nor later than thirty days after receipt of the notice. The decision of the building inspector may be appealed to the city council at its next regular meeting. The council may affirm, amend, remand or reverse the inspector's decision. A person whose registration has been revoked shall not be permitted to apply for another registration within one year from the date of revocation.

(Ord. No. 2205, § XII, 5-27-14)

14.04.130 Use of registrant's name by another.

No registrant shall allow his/her name to be used by another person either for the purpose of doing business or work under the registration. Every registrant shall notify the inspector of the address of his/her place of business, if any, and the name under which such business is carried on and shall give

immediate notice to the inspector of any change in either. No registration issued under this chapter shall be transferable.

(Ord. No. 2205, § XIII, 5-27-14)

14.04.140 Right of entry.

The building inspector and his/her authorized representative may enter any premises on proof of authority for the purpose of inspecting any building work, at such times as may be reasonably necessary to protect the public health, safety and welfare.

(Ord. No. 2205, § XIV, 5-27-14)

14.04.150 Board of appeals.

Any person aggrieved by a decision of the building inspector pursuant to this chapter, except the registration provisions thereof may appeal to the board of appeals, pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

(Ord. No. 2205, § XV, 5-27-14)

14.04.160 Violation—Penalty.

Anyone violating any of the provisions of this chapter shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

(Ord. No. 2205, § XVI, 5-27-14)

FOOTNOTE(S):

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Editor's note— Ord. No. 2205, §§ I—XVII, adopted May 27, 2014, amended Chapter 14.04, §§ 14.04.010—14.04.160, in effect repealing and reenacting said chapter as set out herein. Former Chapter 14.04 pertained to similar subject matter and derived from Ord. 2083, §§ 1—16, adopted in 2008 and Ord. 1997 § 1, adopted in 2003. ([Back](#))

Chapter 14.08 RENTAL HOUSING CODE ¹²

[14.08.010 Preamble.](#)

[14.08.020 Purpose.](#)

[14.08.030 Definitions.](#)

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[14.08.050 Complaint inspections.](#)

[14.08.060 Certificate of rental housing compliance.](#)

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[14.08.090 Violations.](#)

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14.08.010 Preamble.

Whereas, Section 364.17 (2) of the Code of Iowa imposes upon the city an obligation to adopt a city housing code; and

Whereas, the city has previously adopted the International Property Maintenance Code; and

Whereas, Section 364.17 (3) requires the city to adopt enforcement procedures which shall include a program for regular rental inspections, rental inspections upon receipt of complaints and certification of inspected rental housing and further authorizes the adoption of penalties, compliance orders, citation enforcement, assessment of repairs made by the city, injunctive relief; and,

Whereas, Section 364.17 (4) authorizes a city to provide for variances; and

Whereas, Section 364.17 (5) provides that a city may establish fees for inspection and enforcement.

(Ord. No. 2204, § I, 5-27-14)

14.08.020 Purpose.

The purpose of this chapter is to provide for enforcement procedures, for regular rental inspections, rental inspections upon receipt of complaint, certification of inspected rental housing, a schedule of fines for violation, procedures for the ordering of correction of violations, the use of citations for the enforcement thereof, for injunctive relief, variances, fees for inspection and enforcement and supplement to the International Property Maintenance Code as currently adopted by the City of Fort Dodge, Iowa.

(Ord. No. 2204, § II, 5-27-14)

14.08.030 Definitions.

1. "Housing inspector." The term "housing inspector" shall be inclusive of the terms "building official, code official, building administrator and health officer".
2. "International Property Maintenance Code." All references to the International Property Maintenance Code shall be to the appropriate corresponding section of the International Property Maintenance Code of the International Code Council, Inc. as currently adopted by the City of Fort Dodge, Iowa.
3. "Rental unit." The term "rental unit" shall be any dwelling unit not occupied by a record titleholder.

(Ord. No. 2204, § III, 5-27-14)

14.08.040 Registrations, inspections and certifications.

The owner of any rental unit shall register that unit with the city inspection department prior to leasing said unit.

Each rental dwelling unit located within the city shall be inspected once every three years. There shall be an inspection fee as set out by council resolution. If it is determined at the initial inspection that the rental unit is not in compliance with the property maintenance code, then the owner shall be given a reasonable amount of time to remedy the non-compliance and re-inspection shall occur. In the event that

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a second re-inspection is necessary an additional appointment fee shall be assessed as set out by council resolution.

If the owner fails to show and be present for a scheduled inspection or re-inspection two times, upon the second no show, the owner shall be assessed a missed appointment fee as set out by council resolution.

(Ord. No. 2204, § IV, 5-27-14)

14.08.050 Complaint inspections.

The housing inspector shall inspect any rental unit upon receipt of a written complaint upon forms provided therefore by the inspection department by a current tenant thereof alleging a violation of this chapter or the International Property Maintenance Code. The fee therefore, as above established, shall be levied against the owner thereof if the owner is cited for the violation complained of. If the violation complained exists but no citation therefore is filed, no inspection fee shall be levied. If the violation complained of does not exist, the inspection fee therefore shall be levied against the complainant.

(Ord. No. 2204, § V, 5-27-14)

14.08.060 Certificate of rental housing compliance.

1. A certificate of rental housing compliance shall be a document indicating compliance with the International Property Maintenance Code following inspection at the time of issuance and shall be valid for a period running simultaneous with the inspection schedule therefore subject to suspension and/or revocation as provided for in the International Property Maintenance Code. The document shall be transferable from owner or operator to another at any time prior to its expiration, termination or revocation. The owner or operator shall notify the housing inspector of any change of interest or ownership in the property within thirty days of any conveyance or transfer of interest affecting the property and provide the name and address of all persons who have acquired an interest therein. In the event that the housing inspector has not been notified of such conveyance or transfer within the designated period of time, the certificate shall be transferred from one owner or operator to another only upon payment of a twenty dollar fee, which shall be assessed to the new owner or operator. The certificate of rental housing compliance shall state the date of issuance, the address of the structure to which it is applicable, the name of the owner or operator to which it is applicable and its expiration date. All dwelling units being let for rent and occupancy without a valid certificate of rental housing compliance or application for same on file with the city and fees paid may be ordered vacated and the owner or operator thereof cited for violation hereof and of the International Property Maintenance Code.
2. Application for Certificate. The owner or operator of a rental dwelling unit shall file an application for certificate of rental housing compliance with the housing inspector on application forms provided by the city inspection department. Within ninety days of the effective date of the ordinance from which this chapter derives or no later than fifteen days prior to the initial letting of said unit or units.
3. Issuance of Certificate. When the regular inspection as above provided has been completed and all provisions of the International Property Maintenance Code have been complied with and the inspection fee as heretofore provided has been paid to the city, the inspector shall cause a certificate of rental housing compliance to be issued to the applicant therefore.
4. Extension of Certificate. A certificate of rental housing compliance shall be valid through the expiration date contained thereon; however, extensions may be granted to cover any time period between the stated expiration date and the period of time permitted by the inspector to remedy any violation cited subsequent to a housing inspection.
5. Revocation of Certificate. The certificate of rental housing compliance may be revoked when there has been fraud, collusion or illegality in the application for or issuance of the certificate of when there exists a material of substantial noncompliance with the International Property Maintenance Code

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which directly affects the health and/or safety of the occupants therein. The housing inspector who has probable cause to believe that there exists grounds for revocation may petition the buildings and construction appeals board to revoke the certificate of rental housing compliance. The burden of proof shall be upon the party seeking the revocation. The owner or operator of the affected property shall be properly notified of the petition for revocation and shall be notified of the date, place and time of the buildings and construction appeals board hearing on consideration of the petition and may appear and defend. Upon final determination by the buildings and construction appeals board, the certificate of rental housing compliance may be modified to reflect the compliance of each dwelling unit with the International Property Maintenance Code or may be revoked in whole or in part.

6. **Suspension of Certificate.** The certificate of rental housing compliance may be suspended by the city manager or his designee when the owner or operator of the rental dwelling unit fails to cooperate with the inspections procedures as outlined in this chapter. The certificate may also be suspended for failure to remedy deficiencies noted in the inspection after notice is given to the owner or operator of the dwelling unit and adequate time has been given to remedy the deficiency. The suspended certificate may be reinstated by the city manager or his designee upon his or her determination that the owner and/or operator has complied with the terms of this chapter. A reinstatement fee of two hundred fifty dollars shall be charged for the reinstatement of a suspended certificate.
7. **Appeal.** Any owner or operator who has been denied a certificate of rental housing compliance may request and shall be granted a hearing on the matter before the buildings and construction appeals board. The application for the appeal hearing must be made within ten days of receipt of the written notice of denial.

(Ord. No. 2204, § VI, 5-27-14)

14.08.070 Injunctive procedures.

The city manager or his designee is hereby authorized to seek injunctive relief from the Iowa District Court to prohibit the renting of any dwelling unit for which no application for certificate of rental housing compliance has been made or requested or for which the certificate of housing compliance has been denied, suspended or revoked. The city manager or his designee further is authorized to seek sequestration of rent pursuant to Iowa Code Section 364.17(3)(e)(g)(h) for any unit for which the certificate of rental housing compliance has been suspended under the provisions of this chapter.

(Ord. No. 2204, § VII, 5-27-14)

14.08.080 Issuance of citations.

The housing inspector may issue citations pursuant to Sections 805.1 to 805.5 of the Code of Iowa, in lieu of information and arrest warrants for any violation hereof.

(Ord. No. 2204, § VIII, 5-27-14)

14.08.090 Violations.

It shall be a violation of this chapter and the International Property Maintenance Code, for any person, firm, corporation or business association to let any other person, firm, corporation or business association rent any building or portion thereof for human occupancy unless:

1. The owner or his agent holds a valid certificate of rental housing compliance issued by the City of Fort Dodge Housing Inspector or his agent therefore; or,
2. The owner or his agent who has applied in writing as required to the housing inspector on forms supplied by the inspector for certificate of rental housing compliance and said certificate has not been denied, suspended or revoked.

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(Ord. No. 2204, § IX, 5-27-14)

14.08.100 Penalty.

Any person, firm, corporation or business association violating any of the provisions of this chapter or the International Property Maintenance Code, shall upon conviction within twelve calendar months, be subject to the following penalties as authorized in Section 1.20.020(2) of the Fort Dodge Municipal Code:

- | | | |
|----------------------------|---------|---------------|
| 1. First
minimum fine; | Offense |\$250.00 |
| 2. Second
minimum fine; | Offense |\$500.00 |
| 3. Third
minimum fine. | Offense |\$750.00 |

(Ord. No. 2204, § X, 5-27-14)

FOOTNOTE(S):

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Editor's note— Ord. No. 2204, §§ I—XI, adopted May 27, 2014, amended Chapter 14.08, §§ 14.08.010—14.08.100, in effect repealing and reenacting said chapter as set out herein. Former Chapter 14.08 pertained to similar subject matter and derived from Ord. No. 2079, § I—X, adopted Aug. 13, 2007 and Ord. No. 2102, § I, adopted Sept. 8, 2008. ([Back](#))

Chapter 14.12 FIRE PREVENTION CODE ³¹

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[14.12.020 Purpose and scope.](#)

[14.12.030 Adoption of fire prevention code.](#)

[14.12.040 Administration and enforcement.](#)

[14.12.050 Establishment of limits of districts in which the storage of flammable liquids in outside and aboveground and bulk storage of liquid petroleum gasses, CNG, explosives, cryogenics, and hazardous materials is to be restricted.](#)

[14.12.060 Modifications.](#)

[14.12.070 Board of appeals.](#)

[14.12.080 Penalty.](#)

14.12.010 Short title.

This chapter shall be known as the Fort Dodge, Iowa, Fire Prevention Code, and may be so cited.

(Ord. No. 2207, § I, 5-27-14)

14.12.020 Purpose and scope.

It is the purpose of this chapter to prescribe regulations consistent with nationally-recognized good practice for the safeguarding to a reasonable degree of life and property from hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the use or occupancy of buildings or premises; to repeal ordinances in conflict herewith and to prescribe penalties for the violation hereof.

(Ord. No. 2207, § II, 5-27-14)

14.12.030 Adoption of fire prevention code.

The International Fire Code, 2012 Edition as published by the International Code Council, is hereby adopted by reference in full except for such portions as hereinafter may be deleted, modified or amended. From the effective date of the ordinance from which this chapter derives, all storage, handling and use of hazardous substances, material and devices and the use or occupancy of buildings or premises shall be subject to the provisions of this chapter. An official copy of the 2012 International Fire Code as adopted and a certified copy of the ordinance from which this chapter derives are on file in the office of the city clerk for public inspection, and may be purchased there for the actual cost thereof.

(Ord. No. 2207, § III, 5-27-14)

14.12.040 Administration and enforcement.

It shall be the duty of the fire chief to administer and enforce the provisions of this chapter and to make any required inspections or tests thereunder.

(Ord. No. 2207, § IV, 5-27-14)

14.12.050 Establishment of limits of districts in which the storage of flammable liquids in outside and aboveground and bulk storage of liquid petroleum gasses, CNG, explosives, cryogenics, and hazardous materials is to be restricted.

The 2012 International Fire Code is amended by adding thereto the following: certain limits are set out for the construction of tanks in which the storage of flammable liquids is permitted under the International Fire Code. These are outside aboveground tanks and their construction is hereby limited as stated herein. The storage of liquid petroleum gasses, CNG, explosives, cryogenics, and hazardous materials is also restricted as hereinafter stated rather than according to the terms of the International Fire Code:

- a. The downtown commercial district between 2nd Avenue North and 2nd Avenue South from 1st to 15th Street.
- b. Such other districts as may be established by the fire chief of the City of Fort Dodge acting under the authority delegated to him by the terms of this chapter. The fire chief shall cause to be prepared a map which will be on file in the office of the city clerk indicating in which areas tanks may be established or constructed under the terms of this chapter by department regulation subject to council approval.

(Ord. No. 2207, § V, 5-27-14)

14.12.060 Modifications.

The chief of the fire department shall have power to modify any of the provisions of the International Fire Code upon application in writing by the owner of lease or his duly-authorized agent. When there are particular difficulties in the way of carrying out the strict letter of the code, provided the spirit of the code shall be observed, public safety secured and substantial justice done, the particulars of such modification may be granted or allowed and the decision of the chief of the fire department thereon shall be entered on the records of the department. One signed copy of the decision of the fire chief shall be furnished the applicant and one signed copy be filed in the office of the city clerk.

- (1) Section 105.1.1 Add "Fees will be as established by resolution of the City Council."
- (2) Add 507.3.1 Appendix B may be considered an approved method for determining a fire flow method.
- (3) Add 507.5.1.2 Appendix C will be adopted as an approved method for hydrant location and distribution.
- (4) Appendix D may be considered.

(Ord. No. 2207, § VI, 5-27-14)

14.12.070 Board of appeals.

Any person aggrieved by a decision of the fire chief pursuant to this chapter may appeal to the board of appeals pursuant to and in the manner provided for in Ordinance No. 1621 [Chapter 14.56] .

(Ord. No. 2207, § VII, 5-27-14)

14.12.080 Penalty.

Anyone violating any of the provisions of this chapter shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

(Ord. No. 2207, § VIII, 5-27-14)

FOOTNOTE(S):

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Editor's note— Ord. No. 2207, §§ I—IX, adopted May 27, 2014, amended Chapter 14.12, §§ 14.12.010—14.12.080, in effect repealing and reenacting said chapter as set out herein. Former Chapter 14.12 pertained to similar subject matter and derived from Ord. 2085, §§ 1—8, adopted in 2008. ([Back](#))

Chapter 14.24 ELECTRICAL CODE ^[4]

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[14.24.180 Electrical power supply.](#)

[14.24.190 Violation—Penalty.](#)

14.24.010 Short title.

This chapter shall be known as the "Fort Dodge, Iowa, Electrical Ordinance" and may be so cited.

(Ord. No. 2206, § I, 5-27-14)

14.24.020 Purpose and scope.

- (a) It is the purpose of this chapter to adopt a complete electrical code, including provisions for the inspection and regulation of electrical installations, issuance of permits and collection of fees and to provide penalties for violations of this chapter in order to protect the public safety, health and welfare.
- (b) The provisions of this chapter shall apply to and govern the supply of electricity and all sales, rentals, leases, uses, installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment. For the purposes of this chapter, the term "electrical equipment" means all materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.
- (c) The following activities are exempt from the provisions of this chapter:
 - (1) The installation, alteration or repair of electrical generation, transmission or distribution equipment, but no utilization equipment, owned and operated by an electrical public utility company or the city;
 - (2) The installation, alteration or repair of electrical signal or communication equipment owned or operated by a public utility company or the city;
 - (3) Any work on or in boats, railway cars, trackless trolleys, buses, aircraft and motor vehicles;
 - (4) Any work in connection with electrical equipment used for radio and television transmission, but not including supply wire to such equipment;

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- (5) Any work involved in the manufacturing or testing of electrical equipment or apparatus, but not including any permanent wiring or equipment;
- (6) Any work associated with:
 - (A) The repair of plug-connected electrical appliances or devices,
 - (B) Permanently connected electrical appliances or devices that have been electrically and mechanically disconnected and separated from all sources of electrical supply. The opening of switches or the blowing or removal of fuses shall not be considered an electrical or mechanical disconnection or separation;
- (7) The installation or replacement of approved fuses;
- (8) The installation or replacement of pin-type lamps, screw base lamps or plug-connected portable appliances.

(Ord. No. 2206, § II, 5-27-14)

14.24.030 Adoption of electrical code.

The National Electrical Code of 2014 (NFPA no. 70-2014) as recommended by the National Fire Protection Association, is adopted in full except for the portions that are deleted, modified or amended by this chapter. From the effective date of the ordinance from which this chapter derives, all electrical work as defined in Section 14.24.020 shall be performed in accordance with the provisions of the Fort Dodge Municipal Code as modified by this chapter. A copy of the National Electrical Code as adopted and a certified copy of the ordinance from which this chapter derives shall be on file in the office of the city clerk for public inspection.

(Ord. No. 2206, § III, 5-27-14)

14.24.040 Amendments, modification, additions, and deletions.

The following amendments, modifications, additions and deletions to the National Electrical Code are made:

- (1) Wiring Classification. The following modifications and additions are made, any provision of the National Electrical Code adopted in this chapter notwithstanding.
 - (a) All business buildings, public buildings, schools, motels, churches, oil stations, warehouses, bulk oil plants and institutional buildings shall be wired throughout in a raceway system, M.I., A.C., or MC cable. Cable shall contain an insulated grounding conductor sized in accordance with Table 250.122 and terminated in accordance with Article 250. Any cable or flexible raceway run exposed on a wall shall be considered subject to physical abuse and protected in accordance with Section 334.15.
 - (b) All signboards or posters shall be wired in rigid conduit or electrical metallic tubing.
 - (c) Rigid conduit or electrical metallic tubing shall protect all wiring run on the exposed sidewalls of basements.
- (2) Services.
 - (a) In all installations where there is more than one meter grouped, each meter shall be permanently identified.
 - (b) All new services shall be a minimum of one hundred amperes, one hundred twenty to two hundred forty volts, unless approved by the enforcing authority before installation is made. Exceptions may be made for such services as, but not limited to, outdoor lighting, fixed loads and security systems. For multiple dwellings, the above-established minimum shall be applied per dwelling unit.

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- (c) All entrances shall be of rigid conduit, intermediate metallic tubing, electrical metallic tubing, or approved duct.
 - (d) All new and replacement services on buildings shall have an intersystem bonding termination as described in NEC Section 250.94 located on the exterior of the structure on or in the immediate vicinity of the metering equipment enclosure.
- (3) Except as otherwise provided in this chapter, all electrical equipment installed, used or made available to the public shall be in conformity with the provisions of this chapter, and with approved electrical standards for safety to persons and property. Unless by this chapter a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriter's Laboratories, Inc., or other nationally-recognized testing laboratory as approved by the American Standards Association is required. The electrical provisions of other standards approved by the American Standards Association shall be prima facie evidence of conformity with approved standards for safety to persons and property provided, however, that the provisions of this section shall not apply to equipment owned or used by an electric supply or communications agency in the generation, transmission or distribution of electricity or for the operation of signals for the transmission of intelligence.
- (4) All references in the aforesaid 2014 National Electric Code shall be deemed a reference to the building code currently adopted by the City of Fort Dodge.

(Ord. No. 2206, § IV, 5-27-14)

14.24.050 Administration and enforcement.

It shall be the duty of the electrical inspector to administer and enforce the provisions of this chapter. He shall keep records of all permits issued, inspections and reinspections made and other official work performed in accordance with the provisions of this chapter pursuant to established city recordkeeping procedures.

(Ord. No. 2206, § V, 5-27-14)

14.24.060 Permit requirements.

- (a) No electrical work as defined in Sections 14.24.020 and 14.24.030 of this chapter shall be done unless the electrical inspector has issued a permit authorizing the work. A permit shall be issued if the electrical work, as proposed in the application for a permit, meets all the requirements of this chapter. If the electrical inspector requests plans and specifications, they must meet the requirements of this chapter.
- (b) Permits shall be issued only to electrical contractors licensed by the City of Fort Dodge, Iowa, holders of a State of Iowa Class A Masters Electrician's license, and registered maintenance electricians. However, any permit required by this chapter may be issued to the owner of a single-family dwelling (or mobile home) used exclusively for living purposes, to do any work regulated by this chapter in that dwelling, including the usual accessory buildings and quarters; provided, that the dwelling will be occupied by the owner, and that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this chapter and shall be inspected like other work.

(Ord. No. 2206, § VI, 5-27-14)

14.24.070 Registration.

Every person holding a valid State of Iowa Electrical Contractor's License/Class A Master Electrician's License shall register with city treasurer of the City of Fort Dodge prior to performing any electrical work within the corporate limits of the City of Fort Dodge. Each registrant shall:

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- (1) Place on file a copy of his/her State of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code 91C.
- (3) Supply other information as may be required by the city treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a fifty dollar per year registration fee to the city treasurer.
- (5) Any person who has been registered as an electrical contractor shall execute and deposit with the city treasurer a bond in the sum of five thousand dollars with sureties approved by the city treasurer and mayor. This bond is to be held as surety that the registered contractor will fulfill these conditions:
 - (A) All electrical work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Electrical Ordinance.
 - (B) They will pay all fines and penalties properly imposed upon them for violation of the electrical ordinance.
 - (C) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

State of Iowa Class B Master's Licenses will be honored as a Class B Journeyman's License.

(Ord. No. 2206, § VII, 5-27-14)

14.24.080 Application for permit.

Applicants for permits shall be made to the electrical inspector, on forms provided by the city treasurer's office, prior to beginning the particular work, except for emergency work. The applicant shall include the name and business address of the person, firm, corporation or other association that is to do the work, a description of the property where the work is to be done, the name of the owner of the property, the name of the occupant and a general description of the materials to be used, and shall specify the particular part or parts of the work that must be inspected as required by this chapter. The application shall be accompanied by fees in accordance with the schedule of fees set out in Section 14.24.120. Every permit issued by the electrical inspector or under the provisions of this chapter shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety days from the date of such permit or, if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of ninety days. Before such work can be recommenced, a new permit shall be first obtained therefore. A permittee may apply for an extension of time within which to commence or complete such work for good and satisfactory reason.

- (1) Work Without a Permit.
 - (A) Whenever any work for which a permit is required by this chapter has been commenced without first obtaining a said permit, a special investigation shall be made before a permit may be issued for such work.
 - (B) Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the minimum fee set forth in this chapter. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter nor from any penalty prescribed by law.

(Ord. No. 2206, § VIII, 5-27-14)

14.24.090 Plans and specifications.

Plans and specifications showing the proposed work in the necessary detail shall be submitted if requested by the electrical inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If, in the course of the work, it is found necessary to make any substantial change from the plans and specifications on which a permit was issued, amended plans and specifications shall be submitted. Fees in the amount of half the fees originally required shall be paid. A supplementary permit, subject to the same conditions applicable to the original permit, shall be issued to cover the change.

(Ord. No. 2206, § IX, 5-27-14)

14.24.100 Annual permits.

In lieu of individual permits, an annual permit shall be issued after application to any industrial or institutional maintenance electrician for the repair and maintenance of electrical equipment in or on buildings or premises owned or occupied by the employer or electrical contractor for maintenance, remodeling and repair jobs of less than six openings. An application for an annual permit shall be in writing and shall contain a description of the premises on which the work is to be done. The permit fee required in Section 14.24.120 must accompany each application for a permit or renewal. The permit holder shall keep a record of all electrical repairs and maintenance work done under the permit. This record shall be accessible to the electrical inspector at all reasonable times and delivered monthly to the electrical inspector by the electrical contractors. All work done under such permits shall be maintained in conformance with the provisions of this chapter and be subject to the inspection.

(Ord. No. 2206, § X, 5-27-14)

14.24.110 Emergency work.

In emergency situations, work can be initiated and completed by licensed electricians without first obtaining a permit. However, a permit must be obtained within a reasonable time after the passage of the critical period. With this exception, all emergency work must be done in conformity with the provisions of this chapter and shall be inspected by the electrical inspector for full compliance.

(Ord. No. 2206, § XI, 5-27-14)

14.24.120 Schedule of fees.

Fees will be as established by resolution of the city council.

(Ord. No. 2206, § XII, 5-27-14)

14.24.130 Inspections.

Upon the completion of the electrical work, and at such other times as specified by the electrical inspector, that has been done under a permit other than an annual permit, the person, firm, corporation or other association doing the work shall notify the electrical inspector. The electrical inspector shall inspect the work within twenty-four hours, exclusive of Saturdays, Sundays and holidays, after receipt of notice, or as soon thereafter as practicable pursuant to rules and regulations subject to council approval.

(Ord. No. 2206, § XIII, 5-27-14)

14.24.140 Right of entry.

- (a) The electrical inspector shall have the right, during reasonable hours and upon consent of the occupant, to enter any building or premises in the discharge of his official duties to make any inspection, reinspection or test of electrical equipment that is reasonably necessary to protect the public health, safety and welfare.
- (b) Where the building or premises is unoccupied, the consent of the owner shall be obtained. If the electrical inspector has reasonable cause to believe that electrical installations or equipment within the building or premises constitute an extreme hazard to persons or property, he shall have the right to immediately enter and inspect such installations or equipment, and may use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained.

(Ord. No. 2206, § XIV, 5-27-14)

14.24.150 Shutting off supply.

If the electrical inspector finds that any electrical equipment or installation is defective or that it has been installed in conflict with the provisions of this chapter, he shall notify the person, firm, corporation or other association responsible for the electrical equipment or installation by certified mail of his findings and orders. If the necessary changes or repairs are not completed within fifteen days (or longer period as specified in the notice), the electrical inspector shall have the authority to disconnect or order the discontinuance of electrical service to the equipment or installation in question. No disconnection shall be made during the dependence of appeal to the electrical appeal board. In cases where maintenance of electrical service to electrical equipment or installation constitutes an extreme hazard to persons or property, the electrical inspector shall have authority to cause immediate discontinuance of such service. If fires have damaged the wiring of any building or structure, reconnection to electrical supply shall not be made until authorized in writing by the electrical inspector.

(Ord. No. 2206, § XV, 5-27-14)

14.24.160 Approval of materials.

The electrical inspector may approve in advance electrical materials inspected and approved by the Underwriter's Laboratories, Inc., and other materials of equal or higher quality.

(Ord. No. 2206, § XVI, 5-27-14)

14.24.170 Board of appeals.

Any person aggrieved by a decision of the electrical inspector pursuant to this chapter may appeal to the board of appeals pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

(Ord. No. 2206, § XVII, 5-27-14)

14.24.180 Electrical power supply.

Except where work is done under an annual permit, it shall be unlawful for any person, firm, corporation or other association to make connection from a supply of electricity or to supply electricity to any electrical equipment for the installation of which a permit is required unless such connection has been authorized by the electrical inspector. It is unlawful to make connections to equipment that has been disconnected or ordered to be disconnected by the electrical inspector.

(Ord. No. 2206, § XVIII, 5-27-14)

14.24.190 Violation—Penalty.

Anyone violating any of the provisions of this chapter shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

(Ord. No. 2206, § XIX, 5-27-14)

FOOTNOTE(S):

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Editor's note— Ord. No. 2206, §§ I—XX, adopted May 27, 2014, amended Chapter 14.24, §§ 14.24.010—14.24.190, in effect repealing and reenacting said chapter as set out herein. Former Chapter 14.24 pertained to similar subject matter and derived from Ord. 2086, §§ 1—19, adopted in 2008. ([Back](#))

Chapter 14.26 ELECTRICAL EXAMINING BOARD

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14.26.010 Title of provisions.

The ordinance codified in this chapter shall be known as the "Fort Dodge, Iowa, Electrician's Licensing Ordinance," and may be so cited.

(Ord. 1614 § 1, 1983).

14.26.020 Purpose—Scope.

- (a) The purpose of this chapter is to provide for the examination and licensing of electrical contractors, journeyman electricians and registration of maintenance electricians in order to protect the public safety, health and welfare.
- (b) The provisions of this chapter shall not apply to any of the following: regular employees of a public utility who do electrical work of a telephone or telegraph company, nor the persons, firms or corporations performing electrical work for such a company, where such electrical work is an integral part of the plant used by such telephone or telegraph company in rendering its duly authorized service to the public; and regular employees of any railroad who do electrical work only as a part of that employment.

(Ord. 1614 § 2, 1983).

14.26.030 Definitions.

For use in this chapter, the following terms are defined: (1) "Electrical contracting" means undertaking, or offering to undertake, the planning or supervision of electrical work.

- (2) "Electrical contractor" means any person, partnership, firm, corporation or association who has the necessary qualifications, training, experience and technical knowledge to plan or supervise and/or do electrical work.
- (3) "Journeyman electrician" means a person who has the necessary qualifications, training, experience and technical knowledge to do electrical work in accordance with the standard rules and regulations governing such work.
- (4) "Maintenance electrician" means:
 - (A) Commercial Residential. Any person who is a regular employee of a rental-housing owner engaged in any electrical work and registered as such with the city department of inspection;
 - (B) Commercial. Any person who is a regular employee of a nonresidential commercial building or facility owner engaged in electrical work and registered as such with the city inspection department;
 - (C) Industrial or Institutional. Any person who is a regular employee of an industrial or institutional facility or building owner who is engaged in electrical work and is registered as such with the city inspection department;
 - (D) Regular Employee. Any person who is an employee for state or federal income tax or FICA purposes.

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- (5) "Electrical work" means all installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment.
 - (6) "Electrical equipment" means all electrical materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.
 - (7) "Licensed" means licensed under this chapter unless otherwise specified.
 - (8) "Shall" means that the act to be performed is mandatory.
 - (9) The term "direct supervision" shall be interpreted to require that a licensed electrician shall be present at the jobsite when a helper is performing "electrical work."
 - (10) The term "supervision" shall be interpreted to require that a licensed electrician shall be present at the jobsite at least once every four hours when the apprentice is performing "electrical work."
- (Ord. 1791 § 2(1), 1991; Ord. 1614 § 3, 1983).

14.26.040 Electrical contractor's license—Generally.

No person, firm, corporation or other association shall engage in electrical contracting within the city unless such person, firm, corporation or other association shall have obtained from the city an electrical contractor's license. In the case of a partnership, corporation or any other association organized to engage in electrical contracting, every partner, associate, officer, director or manager who is actually engaged as an electrical contractor as defined in Section 14.26.030(2) shall obtain an electrical contractor's license, but in no event less than one such licensee.

(Ord. 1614 § 4, 1983).

14.26.050 License—Required.

No person shall engage in doing electrical work unless licensed as an electrical contractor or journeyman electrician, except as provided in Sections 14.26.060 through 14.26.080.

(Ord. 1614 § 5, 1983).

14.26.060 Maintenance electricians.

- (a) A commercial residential maintenance electrician may perform any electrical work for which no permit is required and secure a permit for the repair or replacement of any existing residential electrical devices for which a permit may be required, and may do such electrical work only upon the premises of his employer.
- (b) A commercial maintenance electrician may perform any electrical work for which no permit is required and secure permits for the repair or replacement of existing electrical devices and electrical utilization equipment for which a permit may be required, but may do such electrical work only upon the premises of his employer.
- (c) An institutional and industrial maintenance electrician may perform any electrical work for which no permit is required, secure permits for the replacement or repair of existing electrical devices, electrical utilization equipment and may repair, replace or extend all electrical systems within the existing facilities, but only upon the premises of their employer.

(Ord. 1614 § 6, 1983).

14.26.070 Apprentices and helpers.

Apprentices and helpers employed to assist a licensed electrician need not be licensed, however, helpers must perform their electrical work under the direct supervision of a licensed electrician and must be registered as such; an apprentice must perform their electrical work under the supervision of a licensed electrician and must be registered as such; the maximum length of time an apprentice may work before they are required to take an examination for journeyman electrician is no more than four years. Upon failure of the examination, an apprentice shall be allowed to take the examination two more times, sixty days apart. If the apprentice fails to pass the examination as above provided, thereafter their registration as an apprentice shall be void.

(Ord. 1791 § 2(2), 1991: Ord. 1614 § 7, 1983).

14.26.080 Homeowners.

The owner or owners of a single-family dwelling (or mobile home), including the usual accessory buildings and quarters used exclusively for living purposes, may do electrical work without a license; provided, that the dwelling (or mobile home) will be occupied by the owner or owners and that a permit is issued as provided in Chapter 14.24 and shall be inspected.

(Ord. 1614 § 8, 1983).

14.26.090 Electricians' examining board—Membership.

- (a) The mayor shall appoint, subject to council approval, a board of electrical examiners. The board shall consist of five members. Appointed members of the examining board shall be residents of the city. The electrical inspector shall be a member; one member shall be a representative of the public; one member shall be a licensed journeyman electrician; one member shall be a licensed electrical contractor; and one member shall be a practicing professional electrical engineer. The mayor shall appoint, subject to council approval, these latter four members. The electrical inspector shall serve as secretary to the board and keep minutes and records of all proceedings and shall record the names and addresses of all persons examined by the board, the result of the examination, and the kind of license issued to each, if any, and the date thereof. The members of the board shall serve two year terms without pay.
- (b) The council shall provide suitable space in which the examining board may hold its meetings and all necessary equipment and facilities for holding examinations. The council shall pay the expense of these examinations.
- (c) Three members of the examining board shall constitute a quorum for the transaction of business, but final action of the board shall require a majority vote of all of its members.
- (d) The board of examiners shall elect annually one of its members as chairman. He shall preside at all meetings of the board.
- (e) The board shall make such rules for the conduct of its business and the exercise of their responsibilities hereunder as they from time to time deem necessary. The rules shall not be in conflict with this chapter and be subject to council approval.

(Ord. 1614 § 9, 1983).

14.26.100 Examination—Applications.

Any person who desires to be licensed as an electrical contractor or a journeyman electrician shall make application to the electrical inspector for an examination. The electrical inspector shall provide application forms for this purpose. The completed forms shall include the name of the applicant, his home address, his business addresses, and a brief resume of his training and his experience.

(Ord. 1614 § 10, 1983).

14.26.110 Examination—Fee.

Every person who takes an examination or reexamination for an electrical contractor's license first shall pay a fee of ten dollars. Every person who takes an examination or reexamination for an electrical journeyman's license shall pay a fee of ten dollars. Examination fees shall be paid to the city clerk, and a receipt therefor shall be attached to each application for a license. Examination fees shall not be refunded.

(Ord. 1614 § 11, 1983).

14.26.120 Examination—How conducted.

The examining board shall meet at least twice a year or as often as necessary to conduct examinations of applicants for licenses. The examination shall be practical, written or oral, or a combination thereof, and shall be of such a nature as to test uniformly the capabilities of all applicants for each specific type of license. The applicant shall clearly demonstrate to the examining board his qualifications for the particular license as set out in Section 14.26.030, and show satisfactory knowledge of the methods and standards for doing electrical work under Chapter 14.24.

(Ord. 1614 § 12, 1983).

14.26.130 Reexaminations—Waiting period.

If an applicant fails to pass an examination, he may reapply for reexamination after the expiration of thirty days and upon payment of another examination fee.

(Ord. 1614 § 13, 1983).

14.26.140 License—Fees—Renewal.

- (a) Before any license is issued, the applicant shall pay a license fee. All licenses shall expire on or before April 30th and shall be renewed annually upon application of the licensee and payment of the license fee to the city clerk. Any license not renewed prior to April 30th of each year may be renewed upon payment of the license fee and a five dollar late renewal fee on or before May 30th immediately thereafter. Any license not renewed as set out in this section, may not be renewed without examination.
- (b) License fees shall be charged according to the following schedule:
 - Electrical contractor, annual fee\$ 100.00
 - Journeyman electrician, annual fee25.00
- (c) Registration fees shall be charged according to the following schedule:
 - Apprentice electrician, annual fee\$ 5.00
 - Maintenance electrician, annual5.00

(Ord. 1791 § 2(3), 1991; Ord. 1614 § 14, 1983).

14.26.150 License fees—Payment.

Examination, license and registration fees shall be paid to the city clerk.

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(Ord. 1614 § 15, 1983).

14.26.160 Examination—Waiver.

Any electrical contractor or journeyman electrician who holds a certificate of competency or license from another city that has similar licensing standards and who produces credentials showing property accreditation as an electrical contractor or journeyman electrician shall be excused from the examination required under this chapter, if the examining board approves his credentials.

(Ord. 1614 § 16, 1983).

14.26.170 Electrician's bond.

Any person who has been issued a license as an electrical contractor shall execute and deposit with the city clerk a bond in the sum of five thousand dollars, with sureties approved by the clerk and mayor. This bond is to be held as surety that the licensee will fulfill these conditions:

- (1) That all electrical work performed by the licensee or under his supervision shall be performed in accordance with the provisions of Chapter 14.24
- (2) That he will pay all fines and penalties properly imposed upon him for violation of this chapter and Chapter 14.24
- (3) That the city shall be held free from any liability sustained by reason of the negligence or incompetence of such electrical contractor or other person working under his supervision.

(Ord. 1614 § 17, 1983).

14.26.180 License—Revocation and suspension.

In addition to penalties otherwise provided, the examining board may order, in accordance with the provisions of Section 14.26.180 or 14.26.190, revocation or suspension of any license or registration.

(Ord. 1614 § 18, 1983).

14.26.190 Revocation and suspension—Procedures.

No order of license revocation or suspension, except as provided in this section, shall be lawful unless the following requirements have been satisfied:

- (1) The licensee shall be served with written notice containing assertions of fact or conduct which warrant the intended action, reference to ordinance provisions allegedly violated, and specification of the time, place and nature of the hearing.
- (2) The examining board shall conduct a public hearing for the purpose of resolving those issues of law and fact arising out of the individual case. Should the licensee or his authorized representative fail to appear without good cause, the board may proceed, in his absence, to a determination of the issues.
- (3) The licensee shall have the right to be represented by counsel, to testify and present witnesses in his own behalf, and to cross-examine adverse witnesses.
- (4) The examining board shall make and record findings of fact and conclusions of law and shall issue an order of suspension or revocation only when, upon review of the entire record, it finds clear and convincing evidence of a substantial violation of this chapter or Chapter 14.24

(Ord. 1614 § 19, 1983).

14.26.200 Summary suspension—When.

If the examining board finds that the public health or safety requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending Section 14.26.190 suspension or revocation proceedings. Immediately, upon issuance of an order of summary suspension, the examining board shall institute proceedings pursuant to the requirements of Section 14.26.190.

(Ord. 1614 § 20, 1983).

14.26.210 Appeal—Determination.

In the event any person feels aggrieved by any action of the examining board, he may appeal from such action to the city council by filing written notice of his appeal within ten days from the date of action. The council shall give the appealing party and the examining board five days' written notice by certified mail of the date, time and place of hearing. All interested persons shall be given opportunity to be heard at such hearing and the city council may affirm, modify or overrule the action of the examining board. Action taken by the examining board shall be affirmed by the council if such action is supported by substantial evidence upon the whole record.

(Ord. 1614 § 21, 1983).

14.26.220 License—Transferability.

It is unlawful for any license holder to transfer his license or to allow it to be used, directly or indirectly by any other person.

(Ord 1614 § 22 1983).

14.26.230 Violation—Penalty.

Anyone violating any of the provisions of this chapter shall, upon conviction, be subject to imprisonment not exceeding thirty days or a fine not exceeding one hundred dollars.

(Ord. 1614 § 23, 1983).

Chapter 14.28 SIGN CODE ^[5]

Sections:

[14.28.020 Authority and right of entry.](#)

[14.28.030 License to contractors.](#)

[14.28.050 Permits and fees.](#)

[14.28.060 Standards for installation of signs and bulletin boards.](#)

14.28.020 Authority and right of entry.

(a) The Building Official is hereby authorized and directed to enforce all the provisions of this code.

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- (b) Upon presentation of proper credentials the Building Official or his duly authorized representative may enter at reasonable times any building, structure or premises in the city to perform any duty imposed on him by this code.

(Ord. 1269 § 2).

14.28.030 License to contractors.

- (a) No person, firm or corporation shall erect, affix, rebuild, alter, enlarge, extend or relocate any sign, bulletin board or advertising display of any kind within the city of Fort Dodge, Iowa, without having first obtained a city license therefor and having posted a bond to said city as hereinafter provided.
- (b) Any person, firm or corporation desiring to engage in the business of erecting, rebuilding, altering, enlarging, extending or relocating any sign, bulletin board or advertising display shall make application in writing to the city council for a license. Such application shall give the name of the person, firm or corporation and the appropriate address, and file with the application a bond to the city of Fort Dodge, Iowa, in the penal sum of five thousand dollars, to be approved by the city council and conditioned that such applicant will in all respects comply with the provisions of this chapter, the building code and zoning ordinance of said city, and indemnify and hold harmless the city of Fort Dodge, Iowa, against any and all damages, claims therefor; cost and expenses which said city may suffer by reason of the erection, construction and/or maintenance, repair, remodeling, enlarging, extending or relocation of such signs, bulletin boards or advertising displays.
- (c) The city council shall thereupon consider such application, and may issue such license upon payment by applicant to said city a fee of twenty-five dollars per year and further, said city council may reject such application, in which event the surety bond filed by applicant, shall be returned.

(Ord. 1741 § 2(3), 1988: Ord. 1269 § 3).

14.28.050 Permits and fees.

- (a) No sign, bulletin board or advertising display shall be erected, affixed, rebuilt, altered, enlarged, extended or relocated on any building, structure or premises without first securing a permit therefor from the city building inspector except that no permit will be required to do minor repair work as deemed necessary to assure safety to persons and property to existing signs, bulletin boards and advertising displays.
- (b) Permits for the erection, rebuilding, altering, enlarging, extending or relocation of any sign, bulletin board or advertising display shall be granted only to licensed and bonded sign contractors with the city of Fort Dodge.
- (c) Before a permit is granted, the contractor shall submit a sign application stating compliance with the provisions of this chapter.
- (d) A permit fee for each sign, bulletin board or advertising display shall be established by resolution through the city council with all fees herein required being paid to the city building inspector.

(Ord. 1741 § 2(4), 1988: Ord. 1269 § 5).

14.28.060 Standards for installation of signs and bulletin boards.

- (a) Except as otherwise provided within this chapter or the city's zoning ordinance, all installations of signs, advertising displays and bulletin boards shall be in conformity with approved standards for safety to persons and property. Where no specific standards exist, the Uniform Sign Code as recommended by the International Conference of Building Officials, being particularly the 1988 Edition thereof, shall be adopted by reference. When a conflict exists between the interpretation of the Uniform Sign Code and an ordinance of the city of Fort Dodge, the ordinance of the city of Fort Dodge shall have precedence.

(Ord. 1741 § 2(5), 1988; Ord. 1269 § 6).

FOOTNOTE(S):

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For the statutory provisions regarding the power to regulate and license the construction, location and maintenance of billboards, see ICA 368.6(3). ([Back](#))

Chapter 14.32 PLUMBING CODE ⁶¹

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14.32.010 Short title.

This chapter shall be known as the "Fort Dodge, Iowa, Plumbing code, (FDPC)." And may be cited.

(Ord. No. 2210, § I, 5-27-14)

14.32.020 Purpose and scope.

It is the purpose of this chapter to adopt a complete plumbing code, including provisions for inspecting and regulating plumbing installation, issuing permits and collecting fees, and providing penalties for violations of this chapter.

(Ord. No. 2210, § II, 5-27-14)

14.32.030 Adoption of plumbing code.

The Uniform Plumbing Code, 2012 Edition, International Association of Plumbing and Mechanical Officials, is adopted by reference in full including the appendices, tables and standards. From the effective date of the ordinance from which this chapter derives all installations, repairs and alterations of plumbing shall be performed in accordance with its provisions. An official copy of the 2012 Uniform Plumbing Code as adopted and a certified copy of the ordinance from which this chapter derives are on file in the office of the city clerk for public inspection, and may be purchased therefrom the actual cost thereof.

(Ord. No. 2210, § III, 5-27-14)

14.32.040 Amendments, modifications, additions and deletion.

The following amendments, modifications, additions, and deletions to the 2012 Uniform Plumbing Code are made:

1. 103.2 Permit Acquisition: Add Section 103.2.4 Qualifications of Permittee.
 - (a) Permits are not transferable. Plumbing work performed under the provisions of this chapter must be done by a contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105. A plumber licensed by the State of Iowa Plumbing and Mechanical Systems Board as a "Master" may sign and obtain a permit for the contractor for which they are employed only when said "Master" has provided proof of employment by said licensed contractor. Must be registered and bonded through the City Treasurer's Office. Any permit required by the provisions of this code may be revoked by the Code Official upon the violation of any provision of this code.
 - (b) A State of Iowa licensed Plumbing contractor shall be allowed only to secure permits for himself or herself, or a single firm or corporation. When a State of Iowa licensed Plumbing contractor has secured such a permit, only the employees of such contractor when meeting the provisions of Iowa Code Chapter 105 shall perform the work for which the permit was obtained.
 - (c) For purposes of this section, an "employee" shall be one employed by the contractor, firm or corporation for a wage or salary. A contractor may be required by the Code Official to show positive evidence as to the employee status of workers on the job. Such evidence shall be in the form of payroll and time records; canceled checks, or other such documents.
 - (d) The contractor may also be required to show the agreement or contract pertaining to the work being questioned as evidence that said contractor is, in fact, the actual contractor for such work. Failure or refusal by the contractor to make available such employee or contractual records within 24 hours from demand therefore shall be grounds for immediate revocation of any permit for the work in question.
 - (e) A permit may be issued to the owner of an existing owner-occupied single family dwelling, pursuant to a valid certificate of occupancy and used exclusively for residential purposes, to do any work regulated by this Article in connection with said dwelling and accessory buildings. Said owner may appear before the plumbing/mechanical inspector and, upon establishing that said person is competent to do the specific work for which the permit is desired and upon paying the permit fees as hereinafter set forth, the plumbing/mechanical inspector shall issue a permit to such applicant.
2. Delete Sections 103.4.1 and 103.4.2 and add Section 103.4 as follows: 103.4 Fees: All applicants shall pay the proper permit and inspection fees as established by resolution of the City Council.

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3. Add Section 411.2.6: Floor drains required. Unless otherwise approved by the Plumbing Inspector, at least one floor drain shall be provided in each room where an automatic water heater is/ or will be installed and in each mechanical room.
4. Required plumbing fixture calculations.

Section 422 and Table 422.1 of the UPC regarding the minimum number of fixtures are hereby amended by deleting said section and table and inserting in lieu thereof the following:

Plumbing fixtures shall be provided in accordance with Chapter 29 of the International Building Code (IBC) adopted in Fort Dodge Building Code, Section III, Ordinance No. 2083, with the following amendments and additions:

- (1) All references in Chapter 29 of the IBC to provisions in the International Plumbing Code shall instead be interpreted to refer to the corresponding provisions in the Iowa State Plumbing Code at Iowa Administrative Code chapter 641-25, which are repeated below for ease of reference.
 - (a) IPC 410.1 - Drinking fountains. Section 410.1. Approval - Drinking Fountains shall conform to ASME A112.19.1, ASME A112.19.2M, or ASME A112.19.9M and water coolers shall conform to NSF 61, Section 9. Where water is served in restaurants, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains.
 - (b) IPC 411 - Emergency showers and eye wash stations.

Section 411.1. Approval - Emergency showers and eyewash stations shall conform to ISEA Z358.1.

Section 411.2. Waste connections shall not be required for emergency showers and eyewash stations.

- (2) The following provisions in the Iowa State Plumbing Code at Iowa Administrative Code chapter 641-25 are hereby incorporated into the plumbing code: IPC 419.2 Substitution for water closets. In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals shall not be substituted for more than 50 percent of the required water closets in all other occupancies.
- (3) Accessible plumbing facilities and fixtures shall be provided as required by chapter 11 of the IBC.
 5. Delete Section 604.2 in its entirety and insert in lieu thereof the following: Copper tube for water piping shall have a weight of not less than Type M copper tubing. Exception: Copper tube for underground water piping shall have a weight of not less than Type K copper tubing.
 6. Delete Section 605.2 in its entirety and insert in lieu thereof the following: 605.2: Independent fullway valves shall be installed on the supply and discharge sides of each water meter. Water piping supplying more than one building on any one premises shall be supplied with separate fullway valves to each building. Such shutoff valves shall be accessible at all times. A fullway valve shall be installed on the discharge piping from water supply tanks at or near the tank. A fullway valve shall be installed on the cold water supply pipe to each water heater at or near the water heater.
 7. Delete Section 703.1 in its entirety and insert in lieu thereof the following: 703.1: The minimum sizes of vertical and/or horizontal drainage piping shall be determined from the total of all fixture units connected thereto, and additionally, in the case of vertical drainage pipes, in accordance with their length. There shall be at least four-inch drain pipe from the sewer to the main drainage stack and no underground drainage piping shall be less than two inches in diameter.

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8. Section 710.1 Add the following: When backwater valves are required by Section 710.1, they shall consist of manually operated valves. In addition, approved valves, which are automatic in operation, may also be used but are not required.
9. Table 10-1 Change tabulation to read as follows:

Trap Arm	Distance Trap to Vent
1 ¼	5'0"
1 ½	6'0"
2	8'0"
3	12'0"
4 and larger	12'0"

10. Section 717.0 Delete entire section and insert in place thereof: Section 717.0 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 Table 7-8, except that the minimum diameter for any building sewer regardless of the number of fixtures shall be four inches.
11. Delete Section 905.1 in its entirety and insert in lieu thereof the following 905.1 Grade. Vent and branch vent pipe shall be graded, connected and supported to allow moisture and condensate to drain back to the soil or waste pipe by gravity.

SECTION 1205.0 FUEL GAS PIPING

Delete Section 1205.3 in its entirety and insert in lieu thereof the following: 1205.3: it shall be unlawful for any servicing gas supplier, or person furnishing gas, to turn on, or install any fuel gas or any gas meter or meters unless the valve is turned off and securely locked, until inspected and released by the administrative authority.

(Ord. No. 2210, § IV, 5-27-14)

14.32.050 Permit—To whom issued.

A permit required by Chapter 1 of the Fort Dodge Plumbing Code shall be issued only to licensed plumbing contractors, licensed master plumbers, registered water conditioning and treatment contractors, registered lawn sprinkler contractors for work covered by such license or registration, however, any permit required by this chapter may be issued to the owner of a single family dwelling used exclusively for living purposes to do any work regulated by this chapter in that dwelling; including the usual accessory buildings and quarters, provided that the dwelling is occupied by the owner and also that the owner shall purchase all material to perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this chapter and shall be inspected.

(Ord. No. 2210, § V, 5-27-14)

14.32.060 License required.

Plumbing work performed under the provisions of this code must be done by a plumbing contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105.

(Ord. No. 2210, § VI, 5-27-14)

14.32.070 Registration.

Every person holding a valid State of Iowa Plumbing Contractor License/Master Plumbing License shall register with city treasurer of the City of Fort Dodge prior to performing any plumbing work within the corporate limits of the City of Fort Dodge. Each registrant shall:

- (1) Place on file a copy of his/her State of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code 91C.
- (3) Supply other information as may be required by the city treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a fifty dollar per year registration fee to the city treasurer.
- (5) Any person who has been registered as a plumbing contractor shall execute and deposit with the city treasurer a bond in the sum of five thousand dollars with sureties approved by the city treasurer and mayor. This bond is to be held as surety that the plumbing contractor will fulfill these conditions:
 - (a) All plumbing work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Plumbing Ordinance.
 - (b) They will pay all fines and penalties properly imposed upon them for violation of the plumbing ordinance.
 - (c) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

(Ord. No. 2210, § VII, 5-27-14)

14.32.080 Plans and specifications.

Plans and specifications showing the proposed work in the necessary detail shall be submitted when required by the plumbing inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of any additional fee. If in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications, and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original application for a permit, shall be issued to cover the change.

(Ord. No. 2210, § VIII, 5-27-14)

14.32.090 Protection of water-supply systems.

The plumbing inspector shall make and enforce such regulations, subject to council approval, as he believes are necessary to protect the water-supply system of the city from anything which might endanger the public health, safety or welfare. These regulations are to be implemented consistent with the purposes of this chapter and Ordinance No. 2077 [Chapter 13.36] and must not be inconsistent with this chapter, or with state laws or regulations.

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(Ord. No. 2210, § IX, 5-27-14)

14.32.100 Administration and enforcement.

It shall be the duty of the plumbing inspector to administer and enforce the provisions of this chapter and to make any required inspections or tests.

(Ord. No. 2210, § X, 5-27-14)

14.32.110 Right of entry.

The plumbing inspector and his authorized representatives may enter any premises on proof of authority for the purpose of inspecting any plumbing system, at such times as may be reasonably necessary to protect the public health, safety and welfare.

(Ord. No. 2210, § XI, 5-27-14)

14.32.120 Board of appeals.

Any person aggrieved by a decision of the plumbing inspector pursuant to this chapter may appeal to the board of appeals pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

(Ord. No. 2210, § XII, 5-27-14)

14.32.130 Violation—Penalty.

Anyone violating any of the provisions of this chapter shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

(Ord. No. 2210, § XIII, 5-27-14)

FOOTNOTE(S):

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Editor's note— Ord. No. 2210, §§ I—XIV, adopted May 27, 2014, amended Chapter 14.32, §§ 14.32.010—14.32.110, in effect repealing and reenacting said chapter as set out herein. Former Chapter 14.32 pertained to similar subject matter and derived from Ord. 2082, §§ 1—11, adopted in 2008; Ord. 2055, §§ 1—11, adopted in 2006; and Ord. No. 2014, § II, adopted Dec. 8, 2008. ([Back](#))

Chapter 14.34 PLUMBER'S EXAMINING BOARD

Sections:

[14.34.010 Short title.](#)

[14.34.020 Purpose.](#)

[14.34.030 Definitions.](#)

[14.34.040 License required.](#)

[14.34.050 Apprentices, helpers and maintenance plumbers.](#)

[14.34.060 Examining board.](#)

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[14.34.130 Bond.](#)

[14.34.140 Revocation of license.](#)

[14.34.150 Use of licensee's name by another.](#)

[14.34.160 Inspections and investigations.](#)

[14.34.170 Violation—Penalty.](#)

14.34.010 Short title.

This chapter shall be known as the "Fort Dodge, Iowa, plumber's and water condition and treatment contractor's licensing and registration ordinance" and may be so cited.

(Ord. 1737 § 1, 1988).

14.34.020 Purpose.

The purpose of this chapter is to provide for the examination and licensing of plumbers and water conditioning and treatment contractors and registration of maintenance plumbers in order to protect public safety, health and welfare.

(Ord. 1737 § 2, 1988).

14.34.030 Definitions.

For use in this chapter, the following terms are defined:

- (1) "Apprentice" means any person who, while learning the trade of plumbing, is assisting in the installation, alteration or repair of plumbing and is actually with and in the presence of a licensed journeyman plumber.
- (2) "Journeyman plumber" means any person who installs, alters or repairs plumbing and who has a valid license as a journeyman plumber.
- (3) "Maintenance plumber" means:
 - (A) Commercial Residential. Any person who is a regular employee of a rental housing owner engaged in any plumbing work for which no permit is required or the replacing or repairing of any nonheat-producing parts of existing plumbing fixtures or installing nonheat-producing water using appliances to existing water valves and registered as such with the city of Fort Dodge, department of inspection.

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- (B) Commercial. Any person who is a regular employee of a nonresidential commercial building or facility owner engaged in plumbing work for which no permit is required and replacing or repairing nonheat-producing parts of existing plumbing fixtures and installing nonheat-producing water using appliances, the valves therefor, one twenty-one-foot length of pipe in conjunction therewith and connection to existing drain pipe facilities for which a permit is required and is registered with the city of Fort Dodge inspection department as such.
 - (C) Industrial and Institutional. Any person who is a regular employee of an industrial or institutional facility or building owner who is engaged in plumbing work for which no permit is required and the repair, replacement or extension of all plumbing within the owner's existing facility for which a permit may be required and is registered as such with the city of Fort Dodge inspection department.
 - (D) Regular Employee. Any person who is an employee for state or federal income tax or FICA purposes.
 - (4) Maintenance Plumber's Permits. Any person registered as a maintenance plumber pursuant to Section 14.34.080 may be issued plumbing permits pursuant to Section 5 of Ordinance No. 1735 for the plumbing work provided for in Section 14.34.080
 - (5) "Master plumber" means any person, firm or corporation engaged in planning, supervising and/or contracting for the installation of plumbing and who is licensed as a master plumber.
 - (6) "Plumbing" means as defined in the Fort Dodge, Iowa, plumbing ordinance and shall be construed to be inclusive of the terms "water conditioning and treatment"; and "hydronics," Chapters 21 and 23 Uniform Mechanical Code, Chapter 14.44
 - (7) "Water conditioning and treatment contractor" means any person, firm or corporation engaged in planning, supervising, installing, repairing or altering water conditioning or treating devices, and the water piping directly associated therewith, and who has a valid license as a water conditioning and treatment contractor.
 - (8) "Water conditioning and treatment technician" means any person who installs, alters or repairs water conditioning and treating devices and water piping directly associated therewith, and who has a valid license as a water conditioning and treatment technician.
 - (9) The term "lawn sprinkler contractor" means a person, firm, or corporation engaging in the planning, supervising, installation, repairing or altering of lawn sprinkler systems starting at the vacuum breaker fitting (which must be installed by the appropriate license holder) throughout the yard and who is registered with the city of Fort Dodge as a lawn sprinkler contractor.
- (Ord. 1793 § 2(1), 1991; Ord. 1737 § 3, 1988).

14.34.040 License required.

No person shall engage in the practice of master or journeyman plumber, water conditioning and treatment contractor, water conditioning and treatment technician without the appropriate license therefor. In the case of a partnership, corporation or any other association organized to engage in the business of plumbing, water conditioning and treatment the issuance of a valid master's or contractor's license to one of the partners, associates, officers or managers shall be sufficient compliance with this section. This section shall not be construed to allow any person to engage in the business of plumbing, water conditioning and treatment, the issuance of a valid master's or contractor's license to one of the partners, associates, officers or managers shall be sufficient compliance with this section. This section shall not be construed to allow any person to engage in the practice of installing, repairing or altering plumbing, water conditioning and treating work unless that person is licensed in accordance with the provisions of this chapter.

(Ord. 1737 § 4, 1988).

14.34.050 Apprentices, helpers and maintenance plumbers.

Apprentices and helpers employed to assist a licensed plumber, water conditioning and treatment contractor or technician need not be licensed; provided, however, that such apprentices and helpers perform their work under the direct supervision of said licensee. Apprentices, helpers, maintenance plumbers and lawn sprinkler contractors as defined herein shall register prior to January 1st of each year with the office of the city clerk and pay a five dollar fee therefor.

(Ord. 1793 § 2(2), 1991; Ord. 1737 § 5, 1988).

14.34.060 Examining board.

- (a) The mayor shall appoint, subject to council approval, to serve at his pleasure, a plumber's examining board, a water conditioning and treatment contractor's examining board. Each board shall consist of five members, three of whom shall constitute a quorum for the transaction of business.
- (b) The plumber's examining board shall consist of one licensed master plumber, one licensed journeyman plumber, two members shall represent the public, and the inspector.
- (c) The water conditioning and treatment contractor's examining board shall consist of one water conditioning and treatment technician, one water conditioning and treatment contractor, two members shall represent the public, and the inspector.
- (d) The licensed master plumber, journeyman plumber, water conditioning and treatment contractor, water conditioning and treatment technician, shall each have at least five years' experience in their respective trades. The members of the boards shall serve two-year terms without pay.

(Ord. 1737 § 6, 1988).

14.34.070 Meeting of the board.

The board shall hold its first meeting not more than thirty days after the effective date of the ordinance codified in this chapter at a place designated by the mayor. Thereafter, the board shall meet at such intervals as may be necessary for the proper performance of its duties, but in any case not less than twice a year. The board shall elect a chairman and secretary annually.

(Ord. 1737 § 7, 1988).

14.34.080 Examination and certification.

The boards shall establish by regulation, subject to council approval, requirements and procedures for the qualification, examination and licensing of master plumbers, journeyman plumbers, water conditioning and treatment contractors, water conditioning and treatment technicians. The minimum requirements for a journeyman plumber shall include the ability to read mechanical drawings and do appropriate mathematical problems and at least four years of practical experience as an apprentice. The appropriate board shall issue a certificate of qualification without unnecessary delay to each person who meets the qualifications therefor and successfully passes the examination given by the board. Examinations and qualifications shall be founded on the requirements of the Fort Dodge, Iowa, plumbing ordinance so as to determine the ability of an applicant, when licensed, to plan and supervise or install, repair and alter plumbing, water conditioning or treatment devices and fuel gas piping safely and properly. The secretary of each board shall keep an official record of all its transactions.

(Ord. 1737 § 8, 1988).

14.34.090 Re-examination.

Any person who fails to pass an examination may apply for re-examination after thirty days and upon payment of the regular examination fee.

(Ord. 1737 § 9, 1988).

14.34.100 Temporary permit.

The board may issue a temporary certificate, provided the applicant holds a similar license from an equivalent board. Such license shall not be valid for more than sixty days.

(Ord. 1737 § 10, 1988).

14.34.110 Examination and license fees.

Any person who desires to be licensed as a master plumber, journeyman plumber, water conditioning or treatment contractor shall make a written, signed application to the city clerk on forms provided by the secretary of the board. An examination fee for a master plumber, journeyman plumber, water conditioning contractor and treatment technician fee of thirty dollars must accompany the application. Examination fees are not returnable. The annual license fee shall be paid to the city clerk in the amount of one hundred dollars for a master plumber, twenty-five dollars for a journeyman plumber, fifty dollars for a water conditioning and treatment contractor and twenty-five dollars for water conditioning and treatment technician. Both examination and license fees shall be used for the payment of the costs of issuing such licenses and the enforcement of this chapter.

(Ord. 1737 § 11, 1988).

14.34.120 Expiration of license.

All licenses issued by the board shall expire the last day of the calendar year but may be renewed upon payment to the city clerk of the annual fees in the amount provided in Section 14.34.110. All licenses must be renewed prior to the expiration date; provided, however, that expired licenses may be renewed without examination within thirty days of expiration upon payment of the penalty of five dollars.

(Ord. 1737 § 12, 1988).

14.34.130 Bond.

Any person who has been issued a master plumber's license, water conditioning and treatment contractor's license or lawn sprinkler registration shall execute and deposit with the city clerk a bond in the sum of five thousand dollars, with sureties approved by the clerk and mayor. This bond is to be held as surety that the licensee will fulfill these conditions:

- (1) All plumbing, water conditioning and treatment and lawn sprinkler installation work performed by the licensee or registrant or under his supervision shall be performed in accordance with the provisions of the Fort Dodge, Iowa, plumbing ordinance.
- (2) He will pay all fines and penalties properly imposed upon him for violation of this chapter and the Fort Dodge, Iowa, plumbing ordinance.
- (3) The city shall be held free from any liability sustained by reason of the negligence or incompetence of such licensee or other person working under his supervision.
- (4) To indemnify the city for any work done by the city to correct any condition during excavation or backfilling, including safety measures required therefor.

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(Ord. 1793 § 2(3), 1991; Ord. 1737 § 13, 1988).

14.34.140 Revocation of license.

The board may revoke any license or registration if it was obtained through wilful nondisclosure, misstatement or misrepresentation of a material fact, or if a material provision of this ordinance or the Fort Dodge, Iowa, plumbing ordinance has been violated. Before a license or registration may be revoked, the holder shall be given notice in writing, either personally, or as required by the applicable Iowa Rules of Civil Procedure, enumerating the charges against him. He shall be entitled to a fair hearing by the board not sooner than five days, nor later than thirty days from receipt of the notice. A majority vote of all the members appointed to the board shall be necessary to revoke any license or registration. The decision of the board may be appealed to the city council at its next regular meeting; the council may affirm, amend, remand or reverse the board's decision. A person whose license or registration has been revoked shall not be permitted to apply for another within one year from the date of revocation.

(Ord. 1737 § 14, 1988).

14.34.150 Use of licensee's name by another.

No licensee shall allow his name to be used by another person, either for the purpose of obtaining permits, or for the purpose of doing business or work under the license except as provided in Section 14.34.040. Every licensee shall notify the board of the address of his place of business, if any, and the name under which such business is carried on, and shall give immediate notice to the board of any change in either. No license issued under this chapter shall be transferable.

(Ord. 1737 § 15, 1988).

14.34.160 Inspections and investigations.

It shall be the duty of the plumbing inspector to make any investigations or inspections which he believes necessary, or any investigations or inspections required or requested by the board, to carry out the purposes of this chapter.

(Ord. 1737 § 16, 1988).

14.34.170 Violation—Penalty.

Anyone violating any of the provisions of this chapter:

- (a) Shall, upon conviction, be subject to imprisonment not exceeding thirty days, or a fine not exceeding one hundred dollars; or
- (b) In the alternative may be charged with a municipal infraction and upon conviction be subject to the civil penalty and/or relief authorized by Section 364.22, Code of Iowa.

(Ord. 1737 § 17, 1988).

Chapter 14.36 TELEVISION TOWER AND AERIAL CONSTRUCTION

Sections:

[14.36.010 Construction of television towers and aerials.](#)

[14.36.020 Grounding.](#)

[14.36.030 Antenna lead in.](#)

[14.36.040 Mounting.](#)

[14.36.050 Guying.](#)

[14.36.060 Existing towers.](#)

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14.36.010 Construction of television towers and aerials.

All television towers and aerials constructed within the City Limits of Fort Dodge, Iowa, must be (a) constructed of such substantial material and in such manner as to withstand winds of hurricane force, (b) mounted as near as possible to location that in the event of the collapse of the tower it will not fall on a public thoroughfare or on the property of another and (c) mounted and guyed on one's own property except with the consent of adjoining landowner.

(Ord. 1020 § 1).

14.36.020 Grounding.

All television towers must (a) be grounded and (b) the grounding conductor shall not be grounded smaller than #8 wire A. W. G. and may be uninsulated. It shall be run in straight lines and may be directly attached to the surface wired over. The grounding conductor shall be securely fastened and provided with adequate protection where there is danger of mechanical injury. The grounding electrode shall be either a driven ground rod one-half inch in diameter and eight feet in length, using approved ground clamp, or an underground water piping system.

(Ord. 1020 § 2).

14.36.030 Antenna lead in.

Antenna lead in conductors shall be of high strength corrosive resistant material. Outdoor antenna lead in conductors shall be securely supported. They shall not be attached to poles or similar structure carrying electric light or power or placed where they shall fall across or swing in contact with any electric lines. Insulation for supporting the lead in shall have sufficient mechanical strength to safely support the conductors.

(Ord. 1020 § 3).

14.36.040 Mounting.

Television towers shall (a) be mounted on a flat base sufficient to support their weight and (b) the base shall be secured by lags or bolts of sufficient size to penetrate through the roof of the building and into the ceiling rafters to a depth of one inch (or the equivalent in strength).

(Ord. 1020 § 4).

14.36.050 Guying.

(a) Every ten feet of tower must be guyed three ways and (b) guy wire shall not be less than one-eighth inch cable of the type wire which will not rust, and (c) each guy wire shall be attached to one-fourth

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eye lag which must be attached to the roof of the building into ceiling joists to a depth of one inch (or the equivalent in strength).

(Ord. 1020 § 5).

14.36.060 Existing towers.

All existing towers and aerials shall be altered if necessary to conform to the aforementioned requirements.

(Ord. 1020 § 6).

14.36.070 Permit.

Before erecting a tower and aerial a permit must be obtained from the City Electrical Inspector. On completion of the tower and aerial, in accordance with these requirements, the Electrical Inspector will give the applicant a certificate of approval.

(Ord. 1020 § 7).

14.36.080 Fees.

The fee for a permit shall be \$2.00. All moneys thus received shall be paid to the City Clerk for the general fund.

(Ord. 1020 § 8).

Chapter 14.40 PROPERTY MAINTENANCE CODE [71](#)

Sections:

[14.40.010 Preamble.](#)

[14.40.020 Amendments, modifications, additions and deletions.](#)

14.40.010 Preamble.

That a certain document, one copy of which is on file in the office of the City Clerk of the City of Fort Dodge, being marked and designated as the International Property Maintenance Code, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Fort Dodge, in the State of Iowa for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Fort Dodge are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in section 14.40.020 of this chapter.

(Ord. No. 2071, § 1, 1-22-2007)

14.40.020 Amendments, modifications, additions and deletions.

The following sections are hereby revised:

Section 101.1. Insert: The City of Fort Dodge.

Section 102.1. Insert: "exception: the interior requirements of Chapters 3, 4, 5, and 6 shall not apply to Single family owner occupied dwellings, and the external requirements of Chapter 3 shall apply to Single family owner occupied dwellings to the extent that they create a Sec. 9.32.010(d)(4) Fort Dodge Municipal Code violation."

Section 102.3. Delete and replace: "Repairs, additions or alterations to a structure, or changes in occupancy, shall be done in accordance with the procedures and provisions of the City of Fort Dodge Building Code, Electrical Code, Plumbing Code, Mechanical Code, and Fire Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Zoning Ordinance of the City of Fort Dodge.

Section 102.7. Delete: First sentence and replace with "The Codes and standards referenced in the Code shall be the codes and standards adopted by the City of Fort Dodge."

Section 103.1. Delete and replace: "The enforcement of this ordinance shall be under the City of Fort Dodge Code Enforcement Department."

Section 103.2. Delete: The portion of the sentence after ";".

Section 103.5. Add: Schedule to be adopted by the City Council by resolution.

Section 104.2. Delete: "and promulgate rules and".

Section 105.1. Change: "Code Official" to "Appeals Board".

Section 106.3. Delete and replace: "Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality pursuant to F.D.M.C. 1.20."

Section 107.2. Number 6 delete and insert: "include a statement of the right to file a lien."

Section 108.1. Change: "Code Official" to "Board of Health of the City of Fort Dodge."

Section 108.2. Change: First sentence to read "If the structure is vacant and/or unfit for human habitation and occupancy....."

Section 109.3. Delete and insert: "When necessary for public safety, the code official shall temporarily close structures and recommend to the authority having jurisdiction to close sidewalks, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being utilized."

Section 111.2 through 111.8. Delete and insert: 111.2 Appeals board. Appeals shall be to the Appeals Board created by F.D.M.C. Sec. 14.56.

Section 202. Add: Definitions:

"Historic building. A building declared to be of historic significance by a competent government authority."

"Abandoned buildings or structures. A building or structure that has been vacant for 12 consecutive months or is vacant and has been vacant for 12 of the past 18 months and is in violation of the city building, maintenance, or housing codes or is a nuisance as defined by Section 9.32.010D F.D.M.C."

Section 302.4. Insert: "10".

Section 302.9. Delete.

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Section 304.13.1. Add: "Glazing, as regulated by Chapter 24 of the International Building Code, shall not be covered up with, closed by, or replaced by wood, plywood, OSB, or any other non-glazing material. Other means of closure may be allowed by Variance issued by the Appeals Board. This requirement is not intended to prevent the partial or complete in-fill of any opening by a properly constructed wall covered by an exterior finish material that is architecturally compatible with the remainder of the building."

Section 304.14. Delete.

Section 602.3. Insert: September 15 to May 15.

Section 602.4. Insert: October 1 to May 1.

(Ord. No. 2071, § 2, 1-22-07)

FOOTNOTE(S):

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Editor's note— Ord. No. 2071, §§ 1, 2, adopted Jan. 30, 2007, amended Ch. 14.40 in its entirety to read as herein set out. Former Ch. 14.40, §§ 14.40.010—14.40.100, pertained to similar subject matter. ([Back](#))

Chapter 14.44 MECHANICAL CODE [\[8\]](#)

Sections:

[14.44.010 Short title.](#)

[14.44.020 Purpose and scope.](#)

[14.44.030 Adoption of mechanical code.](#)

[14.44.040 Amendments, modifications, additions, and deletions.](#)

[14.44.050 Permit—To whom issued.](#)

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[14.44.080 Administration and enforcement.](#)

[14.44.090 Right of entry.](#)

[14.44.100 Board of appeals.](#)

[14.44.110 Violation—Penalty.](#)

14.44.010 Short title.

This chapter shall be known as the "Fort Dodge, Iowa, Mechanical Ordinance and Fuel Gas Ordinance."

(Ord. No. 2208, 5-27-14)

14.44.020 Purpose and scope.

The purpose of this chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliance requiring a permit hereunder and to provide for the issuance of permits for such systems and the inspection thereof, collection of fees therefore and to provide penalties for the violation of this chapter.

It is the purpose of this chapter to adopt a complete mechanical code, including provisions for inspecting and regulating mechanical installation, issuing permits and collecting fees, and providing penalties for violations of this chapter.

(Ord. No. 2208, 5-27-14)

14.44.030 Adoption of mechanical code.

The International Mechanical Code 2012 Edition and the International Fuel Gas Code 2012 Edition is adopted by reference in full, including the appendices except for such portions as hereinafter may be deleted, modified or amended. From the effective date of the ordinance from which this chapter derives all installations, repairs, and alterations of mechanical systems shall be performed in accordance with its provisions.

- (1) All references to the International Plumbing Code found within the International Mechanical Code shall be replaced with the appropriate reference to the plumbing code as adopted by the City of Fort Dodge.
- (2) All references to the International Energy Conservation Code found within the IMC and IFGC shall be interpreted to refer to the 2012 Edition of International Energy Conservation Code as adopted by the State of Iowa.
- (3) One and two family dwellings and town homes shall be governed by Chapters 12—24 of the 2012 International Residential Code.

(Ord. No. 2208, 5-27-14)

14.44.040 Amendments, modifications, additions, and deletions.

The following amendments, modifications, additions, and deletions to the 2012 International Mechanical Code are made:

- (1) Section 101.1. Insert: "Fort Dodge".
- (2) Section 106.2. "Permits not required" is deleted.
- (3) Section 106.5.2. Delete Sections 106.5.2 and insert in lieu thereof the following:
106.5.2 Permit Fees. The fee for each permit shall be as set forth in the mechanical permit fee schedule as established by resolution of the City Council.
- (4) Delete Section 108.4.
- (5) Section 106.5.3. Insert 80% to subparagraphs 2 and 4.
- (6) Section 108.5. Delete last sentence and replace with "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.
- (7) Section 109. "Means of Appeal" is deleted.

(Ord. No. 2208, 5-27-14)

14.44.050 Permit—To whom issued.

A permit required by Section 106 of the 2012 International Mechanical Code and Section 106 of the 2012 International Fuel Gas Code shall be issued only to the HVAC, hydronic, refrigeration contractors meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Chapter 105; however, any permit required by this chapter may be issued to the owner of a single-family dwelling used exclusively for living purposes to do any work regulated by this chapter in that dwelling including the usual accessory buildings and quarters; provided, that the dwelling is occupied by the owner and also that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of this chapter and shall be inspected.

Mechanical work performed under the provisions of this code must be done by a contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105.

(Ord. No. 2208, 5-27-14)

14.44.060 Application for permit.

Application for permit shall be made to the mechanical inspector pursuant to rules provided therefore and on forms provided by the inspection department. The application shall be accompanied by fees in accordance with the schedule of fees.

Every person holding a valid State of Iowa Mechanical Contractor License/State Master Mechanical License shall register with city treasurer of the City of Fort Dodge prior to performing any mechanical work within the corporate limits of the City of Fort Dodge. Each registrant shall:

- (1) Place on file a copy of his/her State of Iowa license(s).
- (2) Supply verification of his/her contractor registration as required by Iowa Code § 91C.
- (3) Supply other information as may be required by the city treasurer such as but not limited to business name, business address, telephone contact number, etc.
- (4) Pay a fifty dollar per year registration fee to the city treasurer.
- (5) Any person who has been registered as a mechanical contractor shall execute and deposit with the city treasurer a bond in the sum of five thousand dollars with sureties approved by the city treasurer and mayor. This bond is to be held as surety that the registered mechanical contractor will fulfill these conditions:
 - (a) All mechanical work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Mechanical Ordinance.
 - (b) They will pay all fines and penalties properly imposed upon them for violation of the mechanical ordinance.
 - (c) They shall hold the City of Fort Dodge free from any liability sustained by reason of negligence or incompetence of any such registrant or other person working under his/her supervision.

(Ord. No. 2208, 5-27-14)

14.44.070 Plans and specifications.

Plans and specifications showing the proposed work in the necessary detail shall be submitted when requested by the mechanical inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of additional fee. If, in the course of work, it is found necessary to make any change from the plans and specifications on which a permit was issued, amended plans and specifications and fees in the amount of half the fees originally required shall be submitted. A supplementary permit, subject to the same conditions applicable to the original applicant for a permit, shall be issued to cover the change.

(Ord. No. 2208, 5-27-14)

14.44.080 Administration and enforcement.

It shall be the duty of the mechanical inspector to administer and enforce the provisions of this chapter and to make any required inspections or tests thereunder.

(Ord. No. 2208, 5-27-14)

14.44.090 Right of entry.

The mechanical inspector and his authorized representatives may enter any premises on proof of authority for the purpose of inspecting any mechanical systems; at such times as may be reasonably necessary to protect the public health, safety and welfare.

(Ord. No. 2208, 5-27-14)

14.44.100 Board of appeals.

Any person aggrieved by a decision of the mechanical inspector pursuant to this chapter may appeal to the board of appeals pursuant to and in the manner provided for in Chapter 14.56 of the Fort Dodge Municipal Code.

(Ord. No. 2208, 5-27-14)

14.44.110 Violation—Penalty.

Anyone violating any of the provisions of this chapter shall upon conviction, be subject to the penalties in accordance with Section 1.20.020 of the Fort Dodge Municipal Code.

(Ord. No. 2208, 5-27-14)

FOOTNOTE(S):

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Editor's note— Ord. No. 2208, adopted May 27, 2014, amended Chapter 14.44, §§ 14.44.010—14.44.110, in effect repealing and reenacting said chapter as set out herein. Former Chapter 14.44 pertained to similar subject matter and derived from Ord. 2084 §§ 1—11, adopted in 2008. ([Back](#))

Chapter 14.46 MECHANICAL EXAMINING BOARD

Sections:

[14.46.010 Short title.](#)

[14.46.020 Purpose.](#)

[14.46.030 Definitions.](#)

[14.46.040 License or registration required.](#)

[14.46.050 Examining board.](#)

[14.46.060 Meetings of the board.](#)

[14.46.070 Examination and certification.](#)

[14.46.080 Re-examination.](#)

[14.46.090 Temporary permit.](#)

[14.46.100 Examination, license and registration fees.](#)

[14.46.110 Expiration of licenses.](#)

[14.46.120 Mechanic's bond.](#)

[14.46.130 Revocation of licenses.](#)

[14.46.140 Use of licensee's name by another.](#)

[14.46.150 Inspections and investigations.](#)

[14.46.160 Violation—Penalty.](#)

14.46.010 Short title.

This chapter shall be known as the "Fort Dodge, Iowa, mechanical contractor's licensing ordinance," and may be so cited.

(Ord. 1740 § 1, 1988).

14.46.020 Purpose.

The purpose of this chapter is to provide for the examination, licensing and registration of heating contractors, ventilating and cooling contractors, refrigeration contractors, appliance dealers/installers and maintenance mechanics, and to provide for the collection of fees therefor and penalties for the violation of this chapter.

(Ord. 1740 § 2, 1988).

14.46.030 Definitions.

For use in this chapter the following terms are defined:

- (1) The term "appliance dealer/installer" shall mean any person, firm or corporation engaged in the supervising and/or contracting for the installation, repair or alteration of any appliance requiring a permit under the Fort Dodge mechanical code and who is licensed as an appliance dealer/installer.

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- (2) Contractor.
- (A) "Cooling contractor" means any person, firm or corporation engaged in the planning, supervising and/or contracting, installing, repairing or altering of any cooling system requiring a permit under the Fort Dodge mechanical code and who is licensed as a cooling contractor.
 - (B) "Heating contractor" means any person, firm or corporation engaged in the planning, supervising and/or contracting for the installation, alteration or repair of any heating system requiring a permit pursuant to the Fort Dodge mechanical ordinance, and who has a valid license as a heating contractor.
 - (C) "Refrigeration contractor" means any person, firm or corporation engaged in the planning, supervising and/or contracting for the installing, repairing or altering of any refrigeration system requiring a permit under the Fort Dodge mechanical code and who has a license as a refrigeration contractor.
 - (D) "Ventilating contractor" means any person, firm or corporation engaged in the planning, supervising and/or contracting, installing, repairing or altering any venting or ventilating system requiring a permit pursuant to the Fort Dodge mechanical code and who is licensed as a ventilating contractor.
- (3) "Maintenance mechanic" means:
- (A) Commercial. Any person who is a regular employee of a nonresidential commercial building or facility owner engaged in mechanical work for which no permit is required and the replacement or repair of components of mechanical fixtures, appliances and gas valves and registered as such with the city of Fort Dodge, department of inspection.
 - (B) Commercial Residential. Any person who is a regular employee of a rental housing owner engaged in any mechanical work for which no permit is required or the replacing or repairing of any heat-sensing devices and registered as such with the city of Fort Dodge, department of inspection.
 - (C) Industrial and Institutional. Any person who is a regular employee of an industrial or institutional facility or building owner who is engaged in mechanical work for which no permit is required, and the installation, repair, replacement or extension of all mechanical systems within the owner's existing facility for which a permit may be required and registered as such with the city of Fort Dodge inspection department.
 - (D) Regular Employee. Any person who is an employee for state or federal income tax or FICA purposes.
- (4) Maintenance Mechanic's Permits. Any person registered as a maintenance mechanic pursuant to Section 14.46.050, may be issued mechanical permits pursuant to Section 14.44.050 for the mechanical work provided for in Section 14.46.050

(Ord. 1740 § 3, 1988).

14.46.040 License or registration required.

No person shall engage in the practice of heating contractor, ventilating and cooling contractor, refrigeration contractor, appliance dealer/installer and registered maintenance mechanic without the appropriate registration or license therefor. In the case of a partnership, corporation or other association organized to engage in the business of mechanical systems, the issuance of a valid license to one of the partners, associates, officers or managers shall be sufficient compliance with this section: this section shall not be construed to allow any person to engage in the practice of any mechanical system for which they are not licensed or any work requiring a license pursuant to another ordinance, except appropriately licensed mechanical contractors may install fuel gas piping without further licensing.

(Ord. 1740 § 4, 1988).

14.46.050 Examining board.

The mayor shall appoint, subject to council approval to serve at his pleasure, a mechanical code examining board (hereinafter referred to as the board) to consist of seven members, five of whom shall constitute a quorum for the transaction of business. One member shall be a heating contractor, one member shall be a ventilating and cooling contractor, one member a refrigeration contractor, one member an appliance dealer/ installer, one member shall be a representative of the local gas utility and two members shall be representatives of the public. The members of the board shall serve two-year terms without pay.

(Ord. 1740 § 5, 1988).

14.46.060 Meetings of the board.

The board shall hold its first meeting not more than thirty days after the effective date of the ordinance codified in this chapter at a place designated by the mayor. Thereafter, the board shall meet at such intervals as may be necessary for the proper performance of its duties, but in any case not less than twice a year. The board shall elect a chairman and secretary annually.

(Ord. 1740 § 6, 1988).

14.46.070 Examination and certification.

The board shall establish by regulation, subject to council approval, requirements and procedures for the qualification, examination and licensing of heating contractors, ventilating and cooling contractors, refrigeration contractors and appliance dealers/installers and the registration of maintenance mechanics. It shall issue appropriate certificates of qualification without unnecessary delay to each person who meets the qualifications therefor and/or successfully passes the examination given by the board. Examinations and/or qualifications shall be founded on the requirements of the Fort Dodge, Iowa, mechanical code so as to determine the ability of the applicant, when licensed, to plan, supervise, install, repair and alter mechanical systems. The secretary of the board shall keep an official record of all of its transactions.

(Ord. 1740 § 7, 1988).

14.46.080 Re-examination.

Any person who fails to pass an examination may apply for re-examination after thirty days and upon the payment of a regular examination fee.

(Ord. 1740 § 8, 1988).

14.46.090 Temporary permit.

The board may issue a temporary certificate, provided the applicant holds a similar license from an equivalent board. Such license shall not be valid for more than sixty days.

(Ord. 1740 § 9, 1988).

14.46.100 Examination, license and registration fees.

Any person who desires to be licensed as a heating contractor, ventilating and cooling contractor, refrigeration contractor or appliance dealer/installer shall make a written, signed application to the city clerk on forms provided by the secretary of the board indicating the mechanical area in which they desire to be licensed. An examination fee for heating contractors, ventilating and cooling contractor, refrigeration contractor and appliance dealer/installer of thirty dollars must accompany the application. Examination

fees are not returnable. The annual license fee for said contractors shall be paid to the city clerk in the amount of one hundred dollars for heating contractors, ventilating and cooling contractors, refrigeration contractors; fifty dollars for appliance dealer/installers. A five-dollar annual registration fee must accompany the registration of all persons desiring to be registered maintenance mechanics. Examination, license and registration fees shall be used for the payment of costs of issuing such licenses and registrations and the enforcement of this chapter.

(Ord. 1796 § 2, 1991; Ord. 1740 § 10, 1988).

14.46.110 Expiration of licenses.

All licenses and registrations issued by the board shall expire the last day of June of each year, but may be renewed upon payment to the city clerk of the annual fee hereinabove provided for. All licenses and registrations must be renewed prior to the expiration date; provided, however, that expired licenses and registrations may be renewed without examination within thirty days of the expiration date upon payment of a penalty of five dollars.

(Ord. 1740 § 11, 1988).

14.46.120 Mechanic's bond.

Any person who has been issued a heating contractor, ventilating and cooling contractor, refrigeration contractor or appliance dealer/installer's license shall execute and deposit with the city clerk a bond in the sum of five thousand dollars, with sureties approved by the clerk and the mayor. This bond is to be held as surety that the licensee will fulfill these conditions:

- (1) All mechanical work performed by the licensee or under his supervision shall be performed in accordance with the provisions of the Fort Dodge, Iowa, mechanical ordinance.
- (2) He will pay all fines and penalties properly imposed upon him for violation of this chapter and the Fort Dodge, Iowa, mechanical ordinance.
- (3) The City shall be held free from any liability sustained by reason of the negligence or incompetence of such licensee or other person working under his supervision.
- (4) To indemnify the city for any work done by the city, to correct any condition during excavation or backfilling, including safety measures required therefor.

(Ord. 1740 § 12, 1988).

14.46.130 Revocation of licenses.

The board may revoke any license if it was obtained through wilful nondisclosure, misstatement or misrepresentation of a material fact, or if a material provision of this chapter or the Fort Dodge, Iowa, mechanical ordinance has been violated. Before a license may be revoked, the licensee shall be given notice in writing, either personally or as required by the applicable Iowa Rules of Civil Procedure, enumerating the charges against him. He shall be entitled to a fair hearing by the board no sooner than five days nor later than thirty days from the receipt of the notice. A majority vote of the members appointed to the board shall be necessary to revoke any license. The decision of the board may be appealed to the city council at its next regular meeting; the council may affirm, amend, remand or reverse the board's decision. A person whose license has been revoked shall not be permitted to apply for another license within one year from the date of revocation. Maintenance mechanics' registrations shall be subject to the same revocation provisions above set out.

(Ord. 1740 § 13, 1988).

14.46.140 Use of licensee's name by another.

No licensee shall allow his name to be used by another person either for the purpose of obtaining permits, or for the purpose of doing business or work under the license. Every licensee shall notify the board of the address of his place of business, if any, and the name under which such business is carried on and shall give immediate notice to the board of any change in either. No license issued under this chapter shall be transferable.

(Ord. 1740 § 14, 1988).

14.46.150 Inspections and investigations.

It shall be the duty of the mechanical inspector to make any investigations or inspections which he believes necessary, or any investigations or inspections required or requested by the board, to carry out the purposes of this chapter.

(Ord. 1740 § 15, 1988).

14.46.160 Violation—Penalty.

Anyone violating any of the provisions of this chapter:

- (a) Shall, upon conviction, be subject to imprisonment not exceeding thirty days, or a fine not exceeding one hundred dollars; or
- (b) In the alternative may be charged with a municipal infraction and upon conviction be subject to the civil penalty and/or relief authorized by Section 364.22, Code of Iowa.

(Ord. 1740 § 16, 1988).

Chapter 14.48 DANGEROUS BUILDINGS ⁹¹

Sections:

[14.48.010 Enforcement officer.](#)

[14.48.020 General definition of unsafe.](#)

[14.48.030 Unsafe building.](#)

[14.48.040 Notice to owner.](#)

[14.48.050 Conduct of hearing.](#)

[14.48.060 Posting of signs.](#)

[14.48.070 Right to demolish.](#)

[14.48.080 Costs.](#)

14.48.010 Enforcement officer.

The building official shall be responsible for the enforcement of this chapter.

(Ord. 1858 § 1, 1993).

14.48.020 General definition of unsafe.

All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, as specified in this chapter or any ordinance, are, for the purpose of this chapter, unsafe buildings. All such unsafe buildings are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this chapter.

(Ord. 1858 § 2, 1993).

14.48.030 Unsafe building.

"Unsafe building" means any structure or mobile home meeting any or all of the following criteria:

- (1) Collapse of Member. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- (2) Wind Resistance. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of twenty pounds per square foot.
- (3) Material Deterioration. Whenever any portion thereof has cracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- (4) Various Inadequacies. Whenever the building or structure, or any portion thereof, because of:
(a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause, is likely to partially or completely collapse.
- (5) Manifestly Unsafe. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- (6) Exterior Walls. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- (7) Deterioration. Whenever the building or structure, exclusive of the foundation, shows thirty-three (33) percent or more damage or deterioration of its supporting member or members, or fifty percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.
- (8) Damaged Structurally. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become
 - (a) an attractive nuisance to children;
 - (b) a harbor for vagrants, criminals or immoral persons; or as to (c) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- (9) Inadequate Maintenance. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by any health officer to be unsanitary, unfit for human habitation or in such condition that it is likely to cause sickness or disease.

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- (10) Fire Hazard. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal or fire chief to be a fire hazard.
- (11) Public Nuisance. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- (12) Abandoned. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

(Ord. 1858 § 3, 1993).

14.48.040 Notice to owner.

The enforcement officer shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this chapter, the enforcement officer shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building or premises, within forty-eight hours or such reasonable time as the circumstances require to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within ninety days from date of notice, unless otherwise stipulated by the enforcement officer. If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected and approved by the enforcement officer.

- (1) Notice Served. Such notice shall be served by sending by certified mail to owner of record, according to Section 364.12[3h] of the Code of Iowa, if the owner is found within the city limits. If the owner is not found within the city limits such service may be made upon the owner by registered mail or certified mail. The designated period within which said owner or person in charge is required to comply with the order of the enforcement officer shall begin as of the date the owner receives such notice.
- (2) Hearing. Such notice shall also advise the owner that he may request a hearing: (a) before the board of construction appeals to determine the structural soundness of their building, or (b) before the city council to determine their financial ability to repair or remove the structure, by filing a written request for hearing within the time provided in the notice.

(Ord. 1858 § 4, 1993).

14.48.050 Conduct of hearing.

If requested, the board or council shall conduct a hearing in accordance with the following:

- (1) Notice. The owner shall be served with written notice specifying the date, time and place of hearing.
- (2) Owner's Rights. At the hearing, the owner may appear and show cause why the alleged nuisance shall not be abated.
- (3) Determination. The board or council shall make and record findings of fact and may issue such order as it deems appropriate.

(Ord. 1858 § 5, 1993).

14.48.060 Posting of signs.

The enforcement officer shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY. CITY OF FORT DODGE, IOWA." Such notice shall remain posted until the required repairs, demolition, or removal are completed. Such notice shall not be removed without written permission of the enforcement officer and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

(Ord. 1858 § 6, 1993).

14.48.070 Right to demolish.

In case the owner fails, neglects or refuses to comply with the notice to repair, rehabilitate or to demolish and remove the building or structure or portion thereof, the council may order the owner of the building prosecuted as a violator of the provisions of this chapter or may order the enforcement officer to proceed with the work specified in such notice. A statement of the cost of such work ordered shall be transmitted to the council along with an affidavit verifying income of the owner, a physical condition statement of the property, and any recommendations regarding imminent threat to health and safety resulting from the structure.

(Ord. 1858 § 7, 1993).

14.48.080 Costs.

Costs incurred as ordered shall be paid out of the city treasury. Such costs shall be charged to the owner of the premises involved and levied as a special assessment against the land on which the building or structure is located, and shall be certified to the county treasurer for collection in the manner provided for other taxes.

(Ord. 1858 § 8, 1993).

FOOTNOTE(S):

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Prior ordinance history: 1385. ([Back](#))

Chapter 14.51 HOUSE MOVERS AND WRECKERS

Sections:

[14.51.010 License required—Permits.](#)

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[14.51.030 License—Revocation.](#)

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[14.51.050 Permit—Limitations on issuance.](#)

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[14.51.070 Moving-Route—Feasibility.](#)

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14.51.010 License required—Permits.

- (a) No person, firm or corporation shall carry on the business of house mover, or moving buildings within the city, or move any house or other buildings upon, across or over any street, avenue, highway or alley of the city without first obtaining a license therefor, as herein provided.
- (b) Permits for moving, wrecking or demolition of buildings or parts of buildings where any public street or portion thereof is used for the purpose of moving buildings, depositing, sorting, piling, or loading of wrecked materials thereupon, or along any public street or public alley shall be granted only to licensed and bonded house movers and wreckers.

(Ord. 1667 § 2 (part), 1984; Ord. 1265 § 1, 1967).

14.51.020 License—Combining—Fees—Bond.

A combined license for house movers and wreckers may be granted by the city council to qualified wrecking and moving contractors for which a fee of twenty-five dollars per year, payable in advance shall be required. A bond in the sum of five thousand dollars shall be posted by each person or firm licensed as house movers and wreckers to indemnify and hold harmless the municipality and guarantee the proper repair of streets, pavings or other property of the city that may be injured or damaged by such mover or wrecker.

(Ord. 1667 § 2 (part), 1984; Ord. 1265 § 2, 1967).

14.51.030 License—Revocation.

- (a) The city council may revoke and cancel any license or permit issued hereunder whenever in their opinion the holder thereof shall violate any of the provisions of the ordinances of the city or shall fail or refuse to conform with the conditions or requirements of any permit issued; and it shall be the duty of the city council to revoke and cancel the license of any person, firm or corporation convicted of a violation of this chapter.
- (b) Upon receipt of a complaint or Information alleging a violation prior to the revocation or cancellation of any license or permit, the city council shall set a hearing date on such revocation or cancelling and direct that the license or permit holder be given at least three days' notice of the hearing, at which time the licensee or permits may appear by himself or with counsel.

(Ord. 1667 §§ 2 (part), 3 (part), 1984).

14.51.040 Permit required—Issuance conditions.

No person, firm or corporation shall move any house or building upon, across or over any street, avenue, alley, sidewalk or public ground of the city, or raise, lower or move any house or building within twenty feet of any public sidewalk without first obtaining a permit therefor from the city council as herein provided. Before any permit shall be issued an application in writing shall be made to the city council stating the place, extent, and purpose of the proposed work and for whom to be done, a description of the house or building to be moved, the location from which and the location to which it is proposed to be

.moved and the particular route to be traveled, what electric wires, if any, will have to be cut or removed, and the location where such cutting or removal shall be necessary whether the street, railway track shall be crossed and the location where it will be crossed, whether any sidewalk, curbing, electric poles or shade trees shall be removed or cut or interfered with, and the name of the owner thereof. The application shall contain a stipulation that in the performance of the work all of the conditions and requirements of the ordinances of the city shall be complied with.

(Ord. 1667 § 2 (part), 1984).

14.51.050 Permit—Limitations on issuance.

- (a) No permit shall be issued for moving any house or other building over or across any bridge, or any building along or across the street railway track during the hours when the cars run, except upon the written consent of the company owning such tracks, which consent must be filed with the application, nor for the removal of any building upon or along any street, which shall be unsafe, or which will occasion permanent injury to the pavements, or electric poles or wires, or which will unreasonably obstruct any street or public way, or injure private property, nor shall any permit be issued except for work to be done by a person, firm or corporation duly licensed as in this chapter provided.
- (b) No building or structure shall be moved on any street within the corporate limits of the city that exceeds the following measurements:

Twenty-four feet in width, sixteen feet six inches high at the plate, twenty-two feet at the ridge, the ridge of which shall parallel the street with no dormer or eaves.

(Ord. 1667 § 2 (part), 1984; Ord. 1265 § 3, 1967).

14.51.060 Permit—Issuance—Fee.

When an application is made in accordance with this chapter and approved by the city council the city clerk shall issue to the applicant a permit for the particular work specified in the application and shall make a report of the issuing of the permit. Before issuing the permit the city clerk shall collect a fee as prescribed by the fee schedule provided in the Uniform Building Code, as adopted by Section 14.04.030 of the Fort Dodge Municipal Code, and the city clerk shall pay the amount of the fee so collected to the city treasurer, taking receipt therefor as provided by law.

(Ord 1667 §§ 2 (part), 3 (part), 1984).

14.51.070 Moving-Route—Feasibility.

Before a permit is issued the building inspector or his authorized assistant, after consulting the electric, telephone and telegraph utilities shall approve the route and feasibility of moving.

(Ord. 1667 § 2 (part), 1984; Ord. 1265 § 4, 1967).

14.51.080 Notice of cutting wires—Expense.

Whenever in moving any house or building, it is necessary to cut or remove any street railway, electric light, telephone, or telegraph or other electric wire, pole or fixture, the owner of such wire, pole or fixture shall have the right to cut or remove the same or superintend such cutting or removal and a written notice shall be given to such owner at least twelve hours before such cutting or removal is necessary, specifying the particular place, the person for whom, and the time when such cutting or removal will be required. The city council, in any case where in moving any house or buildings it will be necessary to cut or remove any electric wires, poles or fixtures, may before granting a permit, require at least twelve hours' notice, in writing, of the application for such permit to be given to the owner of such wires, poles or fixtures of the time when the application will be heard and considered, and the right of such owner at that

time to make objections in writing to the granting of such permit, and the council, after considering such application and the objection thereto, if any, may grant or refuse such permit, and if the permit is granted, shall prescribe therein such rules and regulations as may be necessary to protect the rights of both parties. A reasonable proportion of the expense of cutting or removing electric wires, poles or fixtures shall be paid by the house mover, and the balance by the owner of such wires, poles or fixtures. In case of disagreement respecting the amount to be paid by the house mover, the city council shall decide, and the amount of such expense to be paid by the house mover, shall be secured by the bond provided for by this chapter.

(Ord. 1667 § 2 (part), 1984).

14.51.090 Report to fire and police departments.

Every house mover or moving contractor shall report to the fire chief or his authorized assistants at fire headquarters and the Fort Dodge police department, the time he intended to start moving or wrecking a structure, the route he will use and the expected time enroute. He shall also report the exact location of the structure or wrecked material will stand on the public streets or public alleys overnight. He further shall provide adequate warning signals or flares so as to alert the public of the danger.

(Ord. 1667 § 2 (part), 1984; Ord. 1265 § 5, 1967).

14.51.100 Repairing injury to street and paying damages done.

An injury done to any street, avenue, highway, alley, public ground, sidewalk, curbing, crossing or pavement, shall be promptly repaired to the satisfaction of the city council and any injury or damage done to any person or any property, either public or private, shall be promptly settled and compensated for, and the bond provided for in this chapter, shall stand as security therefor.

(Ord. 1667 § 2 (part), 1984).

Chapter 14.52 FLOOD PLAIN ZONING REGULATION ^[10]

Sections:

[14.52.010 Statutory authority, findings of fact and purpose.](#)

[14.52.020 General provisions.](#)

[14.52.030 Establishment of zoning \(overlay\) district.](#)

[14.52.040 Standards for floodway fringe \(overlay\) district \(FF\).](#)

[14.52.050 Administration.](#)

[14.52.060 Nonconforming uses.](#)

[14.52.070 Penalties for violation.](#)

[14.52.080 Amendments.](#)

[14.52.090 Definitions.](#)

14.52.010 Statutory authority, findings of fact and purpose.

- (a) The Legislature of the State of Iowa has in Chapter 414, Code of Iowa, as amended, delegated the power to cities to enact zoning regulations to secure safety from flood and to promote health and the general welfare.

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- (b) Findings of Fact.
- (1) The flood hazard areas of the City of Fort Dodge are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
 - (2) These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the flood plain causing increases in flood heights and velocities.
- (c) Statement of Purpose. It is the purpose of this chapter to protect and preserve the rights, privileges and property of the City of Fort Dodge and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in Section 14.52.010(b)(1) of this chapter with provisions designed to:
- (1) Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
 - (2) Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
 - (3) Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
 - (4) Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

(Ord. No. 2169, § I, 11-5-12)

14.52.020 General provisions.

- (a) Lands to Which Ordinance Apply. The provisions of this chapter shall apply to all lands within the jurisdiction of the City of Fort Dodge shown on the official flood plain zoning map as being within the boundaries of the floodway fringe (overlay) district, as established in Section 14.52.030
- (b) Establishment of Official Flood Plain Zoning Map. The Flood Insurance Rate Map (FIRM) for Webster County and Incorporated Areas, City of Fort Dodge, Panels 19187C0190A, 0195A, 0225A, 0305A, 0310A, 0350A, dated December 4, 2012, which were prepared as part of the Webster County Flood Insurance Study, are hereby adopted by reference and declared to be the official flood plain zoning map. The flood profiles and all explanatory material contained with the flood insurance study are also declared to be a part of this chapter.
- (c) Rules for Interpretation of District Boundaries. The boundaries of the zoning district areas shall be determined by scaling distances on the official flood plain zoning map. When an interpretation is needed as to the exact location of a boundary, the zoning administrator shall make the necessary interpretation. The board of adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the zoning administrator in the enforcement or administration of this chapter.
- (d) Compliance. No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this chapter and other applicable regulations which apply to uses within the jurisdiction of this chapter.
- (e) Abrogation and Greater Restrictions. It is not intended by this chapter to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this chapter imposes greater restrictions, the provision of this chapter shall prevail. All other ordinances inconsistent with this chapter are hereby repealed to the extent of the inconsistency only.

- (f) Interpretation. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.
- (g) Warning and Disclaimer of Liability. The standards required by this chapter are considered reasonable for regulatory purposes. This chapter does not imply that areas outside the designated floodway fringe (overlay) district areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of Fort Dodge or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made there under.
- (h) Severability. If any section, clause, provision or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

(Ord. No. 2169, § II, 11-5-12)

14.52.030 Establishment of zoning (overlay) district.

The floodplain areas within the jurisdiction of this chapter are hereby identified as the floodway fringe (overlay) district (FF). The boundaries shall be as shown on the official flood plain zoning map.

(Ord. No. 2169, § III, 11-5-12)

14.52.040 Standards for floodway fringe (overlay) district (FF).

All uses must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Development which involves the placement of structures, factory built homes, fill or other obstructions, storage of materials or equipment, excavation or alteration of a watercourse shall be reviewed by the Iowa Department of Natural Resources to determine whether the land involved is either wholly or partly within the floodway or floodway fringe. Where one hundred-year flood elevations and floodway data have not been provided in the flood insurance study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

- (a) All development within the floodway fringe (overlay) district shall:
 - (1) Be consistent with the need to minimize flood damage.
 - (2) Use construction methods and practices that will minimize flood damage.
 - (3) Use construction materials and utility equipment that are resistant to flood damage.
 - (4) Obtain all other necessary permits from federal, state and local governmental agencies including approval when required from the Iowa Department of Natural Resources.
- (b) Residential Buildings. All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one foot above the one hundred-year flood level. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the one hundred-year flood level and extend at such elevation at least eighteen feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed subject to favorable consideration by the board of adjustment, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures shall be provided with a means of access which will be passable by wheeled vehicles during the one hundred-year flood.

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- (c) Non-residential Buildings. All new or substantially improved non-residential buildings shall have the lowest floor (including basement) elevated a minimum of one foot above the one hundred-year flood level, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one hundred-year flood; and that the structure, below the one hundred-year flood level is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the administrator.
- (d) All New and Substantially Improved Structures.
 - (1) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
 - (A) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (B) The bottom of all openings shall be no higher than one foot above grade.
 - (C) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage.

- (2) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (3) New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (e) Factory-Built Homes.
 - (1) All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one foot above the one hundred-year flood level.
 - (2) All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- (f) Utility and Sanitary Systems.
 - (1) On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
 - (2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one foot above the one hundred-year flood elevation.
 - (3) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-

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site systems) shall be provided with a level of protection equal to or greater than one foot above the one hundred-year flood elevation.

- (4) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.
- (g) Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one foot above the one hundred-year flood level. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.
- (h) Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from a one hundred-year flood with a minimum of three feet of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.
- (i) Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
- (j) Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this chapter. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the one hundred-year flood. Proposals for subdivisions greater than five acres or fifty lots (whichever is less) shall include one hundred-year flood elevation data for those areas located within the floodway fringe (overlay) district.
- (k) Accessory Structures.
 - (1) Detached garages, sheds, and similar structures accessory to a residential use are exempt from the one hundred-year flood elevation requirements where the following criteria are satisfied.
 - (A) The structure shall not be used for human habitation.
 - (B) The structure shall be designed to have low flood damage potential.
 - (C) The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 - (D) The structure shall be firmly anchored to prevent flotation which may result in damage to other structures.
 - (E) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the one hundred-year flood level.
 - (2) Exemption from the one hundred-year flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.
- (l) Recreational Vehicles.
 - (1) Recreational vehicles are exempt from the requirements of Section 14.52.040(e) of this chapter regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.
 - (A) The recreational vehicle shall be located on the site for less than one hundred eighty consecutive days, and,

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- (B) The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- (2) Recreational vehicles that are located on the site for more than one hundred eighty consecutive days or are not ready for highway use must satisfy requirements of Section 14.52.040(e) of this chapter regarding anchoring and elevation of factory-built homes.
- (m) Pipeline river and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.
- (n) Special Floodway Provisions. Uses determined to be within the floodway must meet the following applicable standards. The floodway is that portion of the flood plain which must be protected from developmental encroachment to allow the free flow of flood waters.
 - (1) No use shall be permitted in the floodway that would result in any increase in the one hundred-year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 - (2) All uses within the floodway shall:
 - (A) Be consistent with the need to minimize flood damage.
 - (B) Use construction methods and practices that will minimize flood damage.
 - (C) Use construction materials and utility equipment that are resistant to flood damage.
 - (3) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.
 - (4) Structures, buildings and sanitary and utility systems, if permitted, shall meet the applicable general flood plain standards and shall be constructed or aligned to present the minimum possible resistance to flood flows.
 - (5) Buildings, if permitted, shall have low flood damage potential and shall not be for human habitation.
 - (6) Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway within the time available after flood warning.
 - (7) Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
 - (8) Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
 - (9) Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

(Ord. No. 2169, § IV, 11-5-12)

14.52.050 Administration.

- (a) Appointment, Duties and Responsibilities of Zoning Administrator.
 - (1) The zoning administrator is hereby appointed to implement and administer the provisions of this chapter and will herein be referred to as the administrator.

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- (2) Duties of the administrator shall include, but not necessarily be limited to the following:
 - (A) Review all flood plain development permit applications to assure that the provisions of this chapter will be satisfied.
 - (B) Review flood plain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for flood plain construction.
 - (C) Record and maintain a record of the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures in the floodway fringe (overlay) district.
 - (D) Record and maintain a record of the elevation (in relation to North American Vertical Datum 1988) to which all new or substantially improved structures have been floodproofed.
 - (E) Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
 - (F) Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this chapter.
 - (G) Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
 - (H) Notify the Federal Insurance Administration of any annexations or modifications to the community's boundaries.
 - (I) Review subdivision proposals to insure such proposals are consistent with the purpose of this chapter and advise the city council of potential conflict.
- (b) Flood Plain Development Permit.
 - (1) Permit Required. A flood plain development permit issued by the administrator shall be secured prior to any flood plain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory-built homes.
 - (2) Application for Permit. Application shall be made on forms furnished by the administrator and shall include the following:
 - (A) Description of the work to be covered by the permit for which application is to be made.
 - (B) Description of the land on which the proposed work is to be done (i.e., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.
 - (C) Indication of the use or occupancy for which the proposed work is intended.
 - (D) Elevation of the one hundred-year flood.
 - (E) Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.
 - (F) For buildings being improved or rebuilt, the estimated cost of improvements and market value of the building prior to the improvements.
 - (G) Such other information as the administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this chapter.
 - (3) Action on Permit Application. The administrator shall, within a reasonable time, make a determination as to whether the proposed flood plain development meets the applicable standards of this chapter and shall approve or disapprove the application. For disapprovals, the

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applicant shall be informed, in writing, of the specific reasons therefore. The administrator shall not issue permits for variances except as directed by the board of adjustment.

- (4) Construction and Use to be as Provided in Application and Plans. Flood plain development permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this chapter. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this chapter, prior to the use or occupancy of any structure.
- (c) Variance.
- (1) The board of adjustment may authorize upon request in specific cases such variances from the terms of this chapter that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship. Variances granted must meet the following applicable standards.
 - (A) Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
 - (B) Variances shall not be issued within any designated floodway if any increase in flood levels during the one hundred-year flood would result. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 - (C) Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (D) In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this chapter, the applicant shall be notified in writing over the signature of the administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars for one hundred dollars of insurance coverage and (ii) such construction increases risks to life and property.
 - (E) All variances granted shall have the concurrence or approval of the Department of Natural Resources.
 - (2) Hearings and Decisions of the Board of Adjustment.
 - (A) Hearings. Upon the filing with the board of adjustment of an appeal, an application for a conditional use or a request for a variance, the board shall hold a public hearing. The board shall fix a reasonable time for the hearing and give public notice thereof, as well as due notice to parties in interest. At the hearing, any party may appear in person or by agent or attorney and present written or oral evidence. The board may require the appellant or applicant to provide such information as is reasonably deemed necessary and may request the technical assistance and/or evaluation of a professional engineer or other expert person or agency, including the Department of Natural Resources.
 - (B) Decisions. The board shall arrive at a decision on an appeal, conditional use or variance within a reasonable time. In passing upon an appeal, the board may, so long as such action is in conformity with the provisions of this chapter, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its

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decision. In granting a conditional use or variance, the board shall consider such factors as contained in this section and all other relevant sections of this chapter and may prescribe such conditions as contained in [subsection (c)(4)of this section].

- (3) Factors Upon Which the Decision of the Board of Adjustment Shall be Based. In passing upon applications for variances, the board shall consider all relevant factors specified in other sections of this chapter and:
- (A) The danger to life and property due to increased flood heights or velocities caused by encroachments.
 - (B) The danger that materials may be swept on to other land or downstream to the injury of others.
 - (C) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - (D) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (E) The importance of the services provided by the proposed facility to the City.
 - (F) The requirements of the facility for a flood plain location.
 - (G) The availability of alternative locations not subject to flooding for the proposed use.
 - (H) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - (I) The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.
 - (J) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (K) The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
 - (L) The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
 - (M) Such other factors which are relevant to the purpose of this chapter.
- (4) Conditions Attached to Variances. Upon consideration of the factors listed above, the board of adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose of this chapter. Such conditions may include, but not necessarily be limited to:
- (A) Modification of waste disposal and water supply facilities.
 - (B) Limitation of periods of use and operation.
 - (C) Imposition of operational controls, sureties, and deed restrictions.
 - (D) Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this chapter.
 - (E) Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The board of adjustment shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

(Ord. No. 2169, § V, 11-5-12)

14.52.060 Nonconforming uses.

- (a) A structure or the use of a structure or premises which was lawful before the passage or amendment of this chapter, but which is not in conformity with the provisions of this chapter, may be continued subject to the following conditions:
 - (1) If such use is discontinued for six consecutive months, any future use of the building premises shall conform to this chapter.
 - (2) Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
- (b) If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this chapter. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.

(Ord. No. 2169, § VI, 11-5-12)

14.52.070 Penalties for violation.

Violations of the provisions of this chapter or failure to comply with any of the requirements shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars or imprisoned for not more than thirty days. Nothing herein contained prevent the City of Fort Dodge from taking such other lawful action as is necessary to prevent or remedy violation.

(Ord. No. 2169, § VII, 11-5-12)

14.52.080 Amendments.

The regulations and standards set forth in this chapter may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

(Ord. No. 2169, § VIII, 11-5-12)

14.52.090 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

"Base flood." The flood having one percent chance of being equaled or exceeded in any given year. (See one hundred-year flood).

"Basement." Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see "Lowest floor."

"Development." Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling, grading.

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"Existing construction." Any structure for which the "start of construction" commenced before the effective date of the community's flood insurance rate map. May also be referred to as "existing structure".

"Existing factory-built home park or subdivision." A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the flood plain management regulations adopted by the community.

"Expansion of existing factory-built home park or subdivision." The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Factory-built home." Any structure, designed for residential use, which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this chapter factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than one hundred eighty consecutive days and not fully licensed for and ready for highway use.

"Factory-built home park." A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

"Flood." A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.

"Flood elevation." The elevation floodwaters would reach at a particular site during the occurrence of a specific flood. For instance, the one hundred-year flood elevation is the elevation of flood waters related to the occurrence of the one hundred-year flood.

"Flood insurance rate map (FIRM)." The official map prepared as part of (but published separately from) the flood insurance study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

"Flood plain." Any land area susceptible to being inundated by water as a result of a flood.

"Flood plain management." An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of flood plains, including but not limited to emergency preparedness plans, flood control works, floodproofing and flood plain management regulations.

"Floodproofing." Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

"Floodway." The channel of a river or stream and those portions of the flood plains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one foot.

"Floodway fringe." Those portions of the flood plain, other than the floodway, which can be filled, leveed, or otherwise obstructed without causing substantially higher flood levels or flow velocities.

"Historic structure." Any structure that is:

- (a) Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;

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- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either (i) an approved state program as determined by the Secretary of the Interior or (ii) directly by the Secretary of the Interior in states without approved programs.

"Lowest floor." The floor of the lowest enclosed area in a building including a basement except when all the following criteria are met:

- (a) The enclosed area is designed to flood to equalize hydrostatic pressure during floods with walls or openings that satisfy the provisions of Section 14.52.040(d)(1) of this chapter and
- (b) The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- (c) Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one foot above the one hundred-year flood level, and
- (d) The enclosed area is not a "basement" as defined in this section.

In cases where the lowest enclosed area satisfies criteria a, b, c, and d above, the lowest floor is the floor of the next highest enclosed area that does not satisfy the criteria above.

"Minor projects." Small development activities (except for filling, grading and excavating) valued at less than five hundred dollars.

"New construction (new buildings, factory-built home parks)." Those structures or development for which the start of construction commenced on or after the effective date of the flood insurance rate map.

"New factory-built home park or subdivision." A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of flood plain management regulations adopted by the community.

"One hundred-year flood." A flood, the magnitude of which has a one percent chance of being equaled or exceeded in any given year or which, on the average, will be equaled or exceeded a least once every one hundred years.

"Recreational vehicle." A vehicle which is:

- (a) Built on a single chassis;
- (b) Four hundred square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

"Routine maintenance of existing buildings and facilities." Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- (a) Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- (b) Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;

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- (c) Basement sealing;
- (d) Repairing or replacing damaged or broken window panes;
- (e) Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

"Special flood hazard area." The land within a community subject to the "one hundred-year flood". This land is identified as zone A on the community's flood insurance rate map.

"Start of construction." Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within one hundred eighty days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

"Structure." Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, and other similar uses.

"Substantial damage." Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty percent of the market value of the structure before the damage occurred.

"Substantial improvement." Any improvement to a structure which satisfies either of the following criteria:

- (1) Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged" and is being restored, before the damage occurred. The term does not, however, include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe conditions for the existing use. The term also does not include any alteration of an "historic structure", provided the alteration will not preclude the structure's designation as an "historic structure".
- (2) Any addition which increases the original floor area of a building by twenty-five percent or more. All additions constructed after the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed twenty-five percent.

"Variance." A grant of relief by a community from the terms of the flood plain management regulations.

"Violation." The failure of a structure or other development to be fully compliant with the community's flood plain management regulations.

(Ord. No. 2169, § IX, 11-5-12)

FOOTNOTE(S):

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Editor's note— Ord. No. 2169, §§ I—IX, adopted Nov. 5, 2012, repealed the former Ch. 14.52, §§ 14.52.010—14.52.170, and enacted a new Ch. 14.52 as set out herein. The former Ch. 14.52 pertained to flood protection and derived from Ord. 1746 §§ 1(A)—1(C), §§ 2(A)—2(F), §§ 3, 4, §§ 5(A)—5(C), §§ 6—8, adopted 1988. ([Back](#))

Chapter 14.56 BUILDINGS AND CONSTRUCTION APPEALS BOARD

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14.56.010 Title of provisions.

The ordinance codified in this chapter shall be known as the "city of Fort Dodge Buildings and Construction Appeal Board Ordinance," and may be so cited.

(Ord. 1621 § 1, 1983).

14.56.020 Purpose—Scope.

It is the purpose of this chapter to provide for a board of appeals from the decisions of the inspectors with regard to the suitability of alternate materials, methods of construction and reasonable interpretation of the Fort Dodge Plumbing Ordinance, Electrical Ordinance, Mechanical Ordinance, Building Ordinance, Property Maintenance Ordinance, Rental Housing Inspection Ordinance, Fire Prevention Ordinance, and Abatement of Dangerous Buildings Ordinance, to provide for the adoption of rules and regulations therefore and to repeal the ordinances in conflict herewith.

(Ord. 1621 § 2, 1983; Ord. No. 2203, § I, 5-27-14)

14.56.030 Creation—Membership.

There is hereby created a board of appeals consisting of five members each to be appointed by the mayor with the approval of the city council for a term of five years, excepting that when the board shall first be created one member shall be appointed for a term of five years, one member for a term of four years, one member for a term of three years, one member for a term of two years and one for a term of one year. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of the member whose term becomes vacant. Members shall serve without pay and may be reimbursed for actual and reasonable expenses.

(Ord. 1621 § 3, 1983).

14.56.040 Meetings—Recordkeeping.

The board of appeals shall adopt rules necessary to conduct its affairs in keeping with the provisions of this chapter and subject to council approval. Meetings shall be held at the call of the chair and at such other times as the board may determine. The board shall elect its own chair and the chair, or in his absence the acting chair, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The board through its secretary, to be appointed by the board, shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact. It shall keep records of its examinations and other official acts, all of which shall be immediately filed in the office of the board and shall be a public record.

(Ord. 1 621 § 4, 1983).

14.56.050 Jurisdiction.

The board of appeals shall have jurisdiction to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination involving alternate materials methods of construction or reasonable interpretation of the several ordinances cited in Section 14.56.020 by the inspector or the fire chief responsible for the enforcement thereof.

(Ord. 1621 § 5, 1983).

14.56.060 Hearings, appeals and notices.

Appeals to the board concerning interpretation of the several ordinances may be made by any person aggrieved or by any officer or bureau of the city affected by the decision of the inspector or fire chief by filing a notice of appeal specifying the grounds therefor. The inspector or fire chief, from whom the appeal is taken, shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken. The board shall fix a reasonable time for the hearing of the appeal and shall give not less than five days' public notice thereof by written notice to the appellant and the public through the press, and decide the appeal within thirty days thereof. At the hearing any party may appear in person by agent or by attorney. An appeal stays all proceedings in furtherance of the action appealed from unless the inspector or fire chief from whom the appeal is taken certifies to the board after the notice of appeal is filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property. In such case proceedings shall not be stayed other than by a restraining order which may be granted by the board or by a court of record on application on notice to the inspector or fire chief from whom the appeal is taken and on due cause shown.

(Ord. 1621 § 6, 1983).

14.56.070 Powers.

On appeal the board may reverse, affirm or modify the decision of the inspector or fire chief so long as such action is in conformity with the terms of this chapter. A concurring vote of three members of the board shall be necessary to reverse any order, requirement, decision or determination of the inspectors or fire chief.

(Ord. 1621 § 7, 1983).

14.56.080 Appeals from the board of appeals.

Any person or persons aggrieved by a decision of the board of appeals may seek review of that decision as by the laws of Iowa provided.

(Ord. 1621 § 8, 1983).

Chapter 14.60 HOUSE NUMBERS

Sections:

[14.60.010 Number required.](#)

[14.60.020 Numbering regulations.](#)

[14.60.030 Violations—Penalty.](#)

14.60.010 Number required.

The owners or lessees of all buildings within the limits of the city are required to number the same and place the number on such building in a conspicuous place next to the street, according to the provisions of this chapter, and in case of failure to comply with this requirement the city by its mayor and council shall cause the same to be done and assess the cost thereof against the property or premises numbered.

(Ord. 287 § 1, 1902).

14.60.020 Numbering regulations.

All houses fronting upon the public streets, avenues and highways in the city of Fort Dodge, shall be numbered in conformity with the following provisions:

- (1) Odd numbers shall be given to houses on the easterly and southerly sides of streets, avenues and highways and even numbers to those on the westerly and northerly sides of the same;
- (2) On all streets running in an easterly and westerly direction the numbering shall commence with one hundred at First Street, and shall increase going easterly and westerly at the rate of one hundred numbers per block, as near as the varying series of streets will admit of, thus: First Street shall commence at number one hundred; Second Street at number two hundred and Third Street at number three hundred.
- (3) On all streets running northwardly and southwardly in the city, numbering shall commence with number one, at Central Avenue and shall increase northwardly and southwardly from the Central Avenue at the rate of one hundred numbers for each block as near as the varying series of streets will admit of, thus: First Avenue shall commence at number one hundred; Second Avenue at number two hundred, and Third Avenue at number three hundred, allowing one number to about twenty feet of vacant ground.

(Ord. 287 § 2, 1902).

14.60.030 Violations—Penalty.

In case the owner or lessee, or occupant of any building refuses to allow the same to be properly numbered and the number placed thereon or shall interfere with the person or persons authorized by the

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city in placing such number upon the building, such owner, lessee or occupant shall be deemed guilty of a misdemeanor, and shall be fined therefor, not less than two dollars nor more than five dollars.

(Ord. 287 § 3, 1902).