

LEGAL PUBLICATION  
ORDINANCE NO. 2254

AN ORDINANCE TO ADOPT A COMPLETE BUILDING CODE; TO PROVIDE MINIMUM STANDARDS FOR THE SAFEGUARDING OF LIFE OR LIMB, HEALTH PROPERTY, AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIAL, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL BULDINGS AND STRUCTURES WITHIN THE CITY OF FORT DODGE, IOWA, AND CERTAIN EQUIPMENT SPECIFICALLY REGULATED THEREIN; TO PROVIDE FOR THE ISSUANCE OF PERMITS FOR THE INSPECTION OF BUILDINGS, THE REGISTRATION OF BUILDING CONTRACTORS, THE COLLECTION OF FEES; TO PROVIDE FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH AND TO PROVIDE FOR PENALTIES FOR THE VIOLATION HEREOF.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

**SECTION I. SHORT TITLE**

This ordinance shall be known as the “City of Fort Dodge, Building Ordinance,” and may be so cited.

**SECTION II. PURPOSE AND SCOPE**

It is the purpose of this ordinance 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 ordinance.

**SECTION III. ADOPTION OF BUILDING CODE**

The International Building Code, 2015 Edition, as published by the International Code Council (IBC), and the International Residential Code 2015 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 or the codes that are current with the state of Iowa with adopted amendments.

**SECTION IV. 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” and or current codes of the state of Iowa.
- (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” and or current codes of the state of Iowa.
- (4) Delete Section 105.1.1 and 105.1.2.
- (5) Section 105.2 – Building 7 delete “cabinets, countertops”.
- (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 109.2 Inspection Agencies to accept reports of from approved 3<sup>rd</sup> party inspection.
- (8) New Section 109.2.1 – Fees will be as established by resolution of the City Council.
  - a. Removal of Underground Storage Tanks - \$20.00 per tank.
- (9) New section 109.4.1 – The fee required by Section 109.4 shall be an amount equal to the building permit fee.
- (10) Section 1612.3 shall refer to the FIRM for Fort Dodge, Iowa, dated December 4, 2012.
- (11) Add Section 1301.1 buildings designed and constructed in conformance with Iowa Administrative Code 661 – Chapter 303 shall be considered an acceptable alternative to section 1301.1.1.
- (12) 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: 30PSF
  - 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 908.3.1.1 condition 3 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.

#### SECTION V. 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 ordinance may be issued to the owner of a building to do any work regulated by this ordinance 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 ordinance and shall be inspected.

#### SECTION VI. APPLICATION FOR PERMIT

Application for permit shall be made to the Building Official and/or a designee 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.

#### SECTION VII. PLANS AND SPECIFICATIONS

Plans and specifications showing the proposed work in the necessary detail shall be submitted when requested by the Building Official and/or a designee. 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.

#### SECTION VIII. ADMINISTRATION AND ENFORCEMENT

It shall be the duty of the Building Official and/or a designee to administer and enforce the provisions of this ordinance 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.

#### SECTION IX. REGISTRATION OF BUILDING CONTRACTOR

- (1) 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.
- (2) All building contractors shall be registered with the City Treasurer’s Office of the City of Fort Dodge.
- (3) 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 \$50.00 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.
- (4) All building contractors 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:
  - (a) All building work performed by them or under their supervision shall be performed in accordance with the provisions of the Fort Dodge Building Ordinance.
  - (b) They will pay all fines and penalties properly imposed upon them for violation of the Building 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.

- (d) 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.

#### SECTION X. REVOCAION OF REGISTRATION

The Building Official and/or a designee 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 Official and/or a designee neither sooner than five days nor later than thirty days after receipt of the notice. The decision of the Building Official and/or a designee 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.

#### SECTION XI. 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 ordinance shall be transferable.

#### SECTION XII. RIGHT OF ENTRY

The Building Official and/or a designee 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.

#### SECTION XIII. BOARD OF APPEALS

Any person aggrieved by a decision of the Building Official and/or a designee pursuant to this ordinance, 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.

#### SECTION XIV. VIOLATION – PENALTY

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

#### SECTION XV. REPEALER

All ordinance and parts of ordinances in conflict with this Ordinance are hereby repealed, specifically Ordinance No. 2205.

#### SECTION XVI. EFFECTIVE DATE

This ordinance shall be in full force and effect following its passage and publication as provided by law.

#### SECTION XVII. SEVERABILITY CLAUSE

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

This Ordinance shall be in effect after its final passage, approval, and publication, as by law provided. Passed and approved by the City Council of the City of Fort Dodge, Iowa, this 27th day of March, AD, 2017.

City of Fort Dodge, Iowa  
Jeff Nemmers, City Clerk