

**ORDINANCE NO. 147**

AN ORDINANCE PROVIDING FOR THE ADOPTION OF BUILDING, RESIDENTIAL, PLUMBING, MECHANICAL, FUEL GAS, AND ELECTRICAL CODES OF THE CITY OF UNIVERSITY HEIGHTS, IOWA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, JOHNSON COUNTY IOWA:

Section 1. Building Code. The International Building Code, 2003 Addition, all as prepared, edited and published by the International Code Council, Inc., is hereby adopted as the Building Code of the City of University Heights, Iowa, subject to the following:

- a. International Building Code is amended as follows:
  - i. Section 101.4 through 101.7 - Delete; and
  - ii. Section 105.2(2) - Delete; and
  - iii. Section 112 - Delete; and
  - iv. Section 109.3.7 - Delete; and
  - v. Chapter 13 - Delete in its entirety.
- b. Sump Pumps and Footing Drains. All industrial, commercial and residential buildings having a floor level which, at all points, is below ground level shall be serviced by a sump pump and footing drains and those buildings having a floor level which at any point is below ground level shall be serviced by footing drains which shall, in either or both instances, discharge to a part of the storm water drainage course. Direct discharge onto the City's sidewalk, street or street right-of-way is prohibited.
- c. Building Appeal Board. The University Heights City Council, in regular or special session, shall sit as a building appeal board and, on appeals under this Ordinance, may seek and retain additional professional counsel schooled in matters contained in this Ordinance. The Council may by motion appoint a committee of not less than three (3) members of the Council to act as the building appeal board, and a majority of either the committee, if so appointed, or the Council shall be deemed sufficient to decide matters brought before the board.
- d. Meeting of the Appeal Board. The Council, or committee if so appointed, sitting as an appeal board, shall hold meetings from time to time and conduct hearings on

appeals. There shall be a meeting not more than thirty (30) days after the filing of an appeal, and if such meeting does not occur within thirty (30) days after filing an appeal, the appeal shall be deemed granted in favor of the appellant.

- e. Appeal. Any person aggrieved by any ruling, decision, interpretation or order of the Building Inspector shall have the right to appeal to the building appeal board by filing a written notice of such appeal with the Clerk within ten (10) days from the date of the Building Inspector's ruling. If such a notice is filed, the appeal board shall set a time and place for hearing and so notify the party that has filed the appeal. The hearing shall be open to the public. The building appeal board by majority vote shall affirm, modify or reverse an appealed ruling, decision, interpretation or order of the Building Inspector. The building appeal board may permit such variance that can be made without increasing the hazards to the health or safety of persons or property, and when the granting thereof will not violate the intent and purpose of this Ordinance. Mere inconvenience to the appellant is not grounds for granting of such variance.
- f. Building Permit Fee Schedule. The Building Permit Fee Schedule shall be adopted and amended by resolution of the Council.

Section 2. Residential Code. The International Residential Code, 2003 Addition, all as prepared, edited and published by the International Code Council, Inc., is hereby adopted as the Residential Code of the City of University Heights, Iowa, subject to the following:

- a. Application. The International Residential Code shall apply to the construction, movement, enlargement, replacement, repair, alteration, equipment, use and occupancy, location, removal and demolition of detached one and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.
- b. Amendment. The International Residential Code is amended as follows:
  - 1. Section R112 - Delete.
  - 2. Appendix F, entitled Radon Control Methods, is specifically adopted and incorporated into this Code.

Section 3. Plumbing Code. The International Plumbing Code, 2003 Addition, all as prepared, edited and published by the International Code Council, Inc., is hereby adopted as the Plumbing Code of the City of University Heights, Iowa, subject to the following:

- a. Amendment. In the event that a provision of this Plumbing Code as adopted or amended is in conflict with any provision of the Plumbing Code adopted by the State of Iowa, the more restrictive provision shall be enforced by the Building Official.
- b. Administration and Enforcement. The City Council shall appoint the Plumbing Inspector. It is the duty of the Plumbing Inspector to administer and enforce the provisions of this Ordinance. The Plumbing Inspector shall keep complete records of all inspections, reinspections made and other official work performed in accordance with the provisions of this Ordinance. The Plumbing Inspector may approve in advance plumbing materials inspected and approved by the Underwriters Laboratories, Inc., and other materials of equal or higher quality. The Plumbing Inspector shall keep a list of such approved materials on file.
- c. Plans and Specifications. Plans and specifications showing proposed work in the necessary detail shall be submitted before any work is commenced, unless waived by the Plumbing Inspector. If such plans and specifications are refused after submittal, the plumber may submit revised plans and specifications without penalty for a second attempt for approval, and if in the course of the work, after approval, it is found necessary to make any change from the plans and specifications, amended plans and specifications shall be submitted, unless waived by the Plumbing Inspector.
- d. Emergency Work. In emergency situations, work may be initiated and completed without first obtaining approval; however, approval of the plans and specifications or of the work completed must be obtained within forty-eight (48) hours after the passage of the critical period. With this one exception, all emergency work shall be done in conformity with the provisions of this Ordinance, and shall be inspected by the Plumbing Inspector for full compliance.
- e. Inspections. Upon the completion of plumbing work, the Plumbing Inspector shall be so notified by oral or written notice, and shall inspect the work within forth-eight (48)

hours, exclusive of Saturdays, Sundays and holidays, after receipt of notice of or as soon thereafter as practicable.

- f. Concealed Work. If any plumbing equipment is to be hidden from view by the permanent placement of parts of a building, structure or grounds, the plumber installing the equipment shall so notify the Plumbing Inspector by oral or written notice, and such equipment shall not be concealed until it has been inspected and approved by the Plumbing Inspector. On installations where the concealment of equipment proceeds continuously, the plumber shall give the Plumbing Inspector due notice orally or in writing so that periodic inspections may be made during the progress of the work.
- g. Temporary Installations. Approval may be issued authorizing the connection and use of a temporary installation. Such approval may be issued to expire at a stated time and may be revoked by the Plumbing Inspector for cause or for any violation of this Ordinance.
- h. Right of Entry. The Plumbing Inspector has the right, during reasonable hours and after showing proper identification, to enter any building or premises that is reasonably necessary to protect the public health, safety and welfare.
- i. Plumbing Appeal Board. The Council, in regular or special session, shall sit as a plumbing appeal board and, on appeals under this Ordinance, may seek and retain additional professional counsel schooled in matters contained in this Ordinance. The Council may by motion appoint a committee of not less than three (3) members of the Council to act as a plumbing appeal board, and a majority of either the committee, if so appointed, or the Council shall be deemed sufficient to decide matters brought before the board.
- j. Meeting of the Appeal Board. The Council, or committee if so appointed, sitting as an appeal board, shall hold meetings from time to time and conduct hearings on appeals. There shall be a meeting not more than thirty (30) days after the filing of an appeal, and if such meeting does not occur within thirty (30) days after filing an appeal, the appeal shall be deemed granted in favor of the appellant.
- k. Appeal. Any person aggrieved by any ruling, decision, interpretation or order of the Plumbing Inspector shall have the right to appeal to the plumbing appeal board by

filing a written notice of such with the Clerk within ten (10) days from the date of the Plumbing Inspector's ruling. If such a notice is filed, the hearing shall be open to the public. The plumbing appeal board by majority vote shall affirm, modify or reverse any appealed ruling, decision, interpretation or order of the Plumbing Inspector. The plumbing appeal board may permit variance from the strict terms and provisions of this Ordinance, if such variance can be made without increasing the hazards to the health or safety of persons or property, and when the granting thereof will not violate the intent and purpose of this Ordinance. Mere inconvenience to the appellant is not grounds for the granting of such variance.

Section 4. Mechanical Code. The International Mechanical Code, 2003 Addition, all as prepared, edited and published by the International Code Council, Inc., is hereby adopted as the Mechanical Code of the City of University Heights, Iowa, and shall apply to all mechanical work and installation of fuel-gas piping, fuel-gas utilization equipment and related accessories.

Section 5. Fuel Gas Code. The International Fuel Gas Code, 2003 Addition, all as prepared, edited and published by the International Code Council, Inc., is hereby adopted as the Fuel Gas Code of the City of University Heights, Iowa.

Section 6. Electrical Code. The National Electrical Code, 2002 Addition, published by the National Fire Protection Association is hereby adopted as the Electrical Code of the City of University Heights, Iowa, subject to the following:

- a. Application. The provisions of this Ordinance apply to and govern the supply of electricity and all installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment. For the purposes of this Ordinance, the term "electrical equipment" means all materials, wiring, conductors, fittings, devices, appliances, fixtures, signs, apparatus, electric heat or parts thereof.
- b. Exemptions. The following activities are exempt from the provisions of this Ordinance:
  1. The installation, alteration or repair of electrical generation, transmission or distribution equipment,

but not utilization equipment, owned and operated by any electrical public utility or by any unit of government.

2. The installation, alteration or repair of electrical signal or communication equipment owned or operated by any electrical public utility or by any unit of government.
  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.
  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 by a licensed electrician. 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.
- c. Administration and Enforcement. The City Council shall appoint the Electrical Inspector. It is the duty of the Electrical Inspector to administer and enforce the provisions of this Ordinance. The Electrical Inspector shall keep complete records of all inspections and reinspections made and other official work performed in accordance with the provisions of this Ordinance. The Electrical Inspector may approve in advance electrical materials inspected and approved by the Underwriters Laboratories, Inc.
- d. Plans and Specifications. Plans and specifications showing proposed work in the necessary detail shall be submitted before any work is commenced, unless waived by

the Electrical Inspector. If such plans and specifications are refused after submittal, the electrician may submit revised plans and specifications without penalty for a second attempt for approval, and if in the course of the work, after approval, it is found necessary to make any change from the plans and specifications, amended plans and specifications shall be submitted, unless waived by the Electrical Inspector.

- e. Emergency Work. In emergency situations, work may be initiated and completed without first obtaining approval; however, approval of the plans and specifications or of the work completed must be obtained within twenty-four (24) hours after the passage of the critical period. With this one exception, all emergency work shall be done in conformity with the provisions of this Ordinance, and shall be inspected by the Electrical Inspector for full compliance.
- f. Electrical Power Supply. It is unlawful for any person to make connection from a supply of electricity, or to a supply of electricity, to any electrical equipment or installation 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.
- g. Inspections. Upon the completion of electrical work, the Electrical Inspector shall be so notified by oral or written notice, and shall inspect the work within twenty-four (24) hours, exclusive of Saturdays, Sundays and holidays, after receipt of notice or as soon thereafter as practicable. At regular intervals, the Electrical Inspector may visit all premises where work is being done, may inspect all electrical work done and may issue approval of the work found to be in conformity with the provisions of this Ordinance.
- h. Concealed Work. If any electrical equipment is to be hidden from view by the permanent placement of parts of a building, structure or grounds, the electrician installing the equipment shall so notify the Electrical Inspector by oral or written notice, and such equipment shall not be concealed until it has been inspected and approved by the Electrical Inspector. On installations where the concealment of equipment proceeds continuously, the electrician shall give the Electrical Inspector due notice orally or in writing so that periodic inspections may be made during the progress of the work.
- i. Permanent Service Release. If the Electrical Inspector finds the work to be in conformity with the provisions of

this Ordinance, the Inspector shall give the electrician approval and notify the appropriate electrical utility of such approval.

- j. Temporary Service Release. Approval may be issued authorizing the connection and use of a temporary installation. The appropriate electrical utility shall be notified of such approval.
- k. Right of Entry. The Electrical Inspector has the right, during reasonable hours and after showing proper identification, to enter any building or premises in the discharge of official duties to make any inspection, reinspection or test of electrical equipment that is reasonably necessary to protect the public health, safety and welfare.
- l. 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 Ordinance, the Electrical Inspector shall so notify the electrician and shall, within a reasonable time thereafter, deliver by mail a written instrument setting out his or her findings and orders. If the necessary changes or repairs are not completed within fifteen (15) days (or a longer period as specified in the notice), the Electrical Inspector has the authority to disconnect or order the discontinuance of electrical service to the equipment or installation in question. In an emergency, if necessary for safety to persons or property or if electrical equipment may interfere with the work of the Fire Department, the Electrical Inspector has the authority to disconnect or cause the immediate disconnection of any such electrical equipment. If fire has damaged the wiring of any building or structure, reconnection to the electrical supply shall not be made until the Electrical Inspector has sent a written notice of such authorization to the electrical utility supplying the electricity. Such utility is prohibited from supplying or furnishing electricity until the receipt of such authorization.
- m. Underground Electrical Facilities. All electrical facilities provided as new installations to serve any new structure serving as a dwelling unit, commercial establishment or storage structure, or any combination thereof, in an existing platted area must be provided underground. However, the requirements of this section do not apply to electrical transmission circuits, main electrical distribution feeder circuits, above-ground service terminals and pad-mounted facilities normally used



as a part of underground distribution systems; nor do they apply when new subdivision lots abut an existing development with an existing overhead circuit so located that the abutting lots in the new development would normally be served from this existing line. In that case, the new structures on the abutting lots can be serviced from the overhead line, provided the services are installed underground. Street lights on decorative poles, stanchions or mountings are permissible; however, the service thereto must be underground. In any event, reliance upon any exceptions as set out in this section shall require prior approval of the Electrical Inspector and the City Council.

- n. **Underground Telephone Service Required.** All new subdivisions are required to provide underground telephone service, including underground connections to each structure contained therein to be served by telephone.
- o. **Variations to Underground Requirements.** Any electric system or service which is considered by the electric utility company to be unfeasible for placing underground due to high voltage, topographic or soil conditions or high and unjustified cost, may be provided overhead, upon Council approval. When requesting a variation, the electric utility company shall make written application to the Council for the specific variation, stating the reasons therefore. Thereafter, the Clerk shall cause a single public notice to be published briefly stating the nature of the variance and the property involved, and setting a public hearing thereon at a Council meeting, such notice not to be published less than ten (10) days prior to the public hearing. The Council may approve or disapprove the requested variance at any time after the holding of the public hearing.
- p. **Electrical Appeal Board.** The Council, in regular or special session, shall sit as an electrical appeal board and, on appeals under this Ordinance, may seek and retain additional professional counsel schooled in matters contained in this Ordinance. The Council may by motion appoint a committee of not less than three (3) members of the Council to act as the electrical appeal board, and a majority of either the committee, if so appointed, or the Council shall be deemed sufficient to decide matters brought before the board.
- q. **Meeting of the Appeal Board.** The Council, or committee if so appointed, sitting as an appeal board, shall hold meetings from time to time and conduct hearings on appeals. There shall be a meeting not more than thirty

(30) days after the filing of an appeal, and if such meeting does not occur within thirty (30) days after filing an appeal, the appeal shall be deemed granted in favor of the appellant.

- r. Appeal. Any person aggrieved by any ruling, decision, interpretation or order of the Electrical Inspector shall have the right to appeal to the electrical appeal board by filing a written notice of such appeal with the Clerk within ten (10) days from the date of the Electrical Inspector's ruling. If such a notice is filed, the appeal board shall set a time and place for hearing and so notify the party that has filed the appeal. The hearing shall be open to the public. The electrical appeal board by majority vote shall affirm, modify or reverse any appealed ruling, decision, interpretation or order of the Electrical Inspector. The electrical appeal board may permit variance from the strict terms and provisions of this Ordinance, if such variance can be made without increasing the hazards to the health or safety of persons or property, and when the granting thereof will not violate the intent and purpose of this Ordinance. Mere inconvenience to the appellant is not grounds for the granting of such variance.

Section 7. Conflicts with Rental Housing Code. In the event of any conflicts between the codes adopted by this Ordinance No. 147 and the University Heights Rental Housing Code, Ordinance No. 110, as either now exists or is hereafter amended, such conflicts will be resolved by applying and enforcing the more stringent or more restrictive provision.

Section 8. Repealer. Ordinance No. 90 and Ordinance No. 99 are hereby repealed.

Section 9. Effective Date. This ordinance shall be in full force and effect upon its passage and publication as provided by law.

This ordinance shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council on this \_\_\_\_ day of \_\_\_\_\_, 2005, and approved this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Gloria N. Jacobson, Mayor

ATTEST:

(SEAL)

\_\_\_\_\_  
Jerry Musser, City Clerk

STATE OF IOWA            )  
                              )     SS:  
COUNTY OF JOHNSON    )

On the \_\_\_\_ day of \_\_\_\_\_, 2005, before me, a notary public in and for the state of Iowa, personally appeared Gloria N. Jacobson, Mayor, and Jerry Musser, Clerk of the city of University Heights, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the City; and that said instrument was acknowledged and sealed on behalf of the City, and that Gloria N. Jacobson and Jerry Musser acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the  
State of Iowa

STATE OF IOWA            )  
                              )     SS:  
COUNTY OF JOHNSON    )

I, Jerry Musser, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Jerry Musser

Signed and sworn to before me on the \_\_\_\_ day of \_\_\_\_\_, 2005, by Jerry Musser, Clerk of the City of University Heights.

\_\_\_\_\_  
Notary Public in and for the  
State of Iowa

SEB/UHeights/Ordinances/Ordinance 147 030805