

2018 Significant changes
(Recommended changes)

IBC

1. 311.1.1: Storage spaces are recognized as the occupancy to which they are accessory. **N**
2. 407.5.4: Smoke compartments require an exit or access to **two** adjacent compartments. **I**
3. 422.6: Emergency power required for ambulatory care facilities as for Health Care facilities. **I**
4. 503.1.4: Clarifies limits for rooftop-occupancies. Does not add a “story” by definition. **N**
 - a. Describes allowable rooftop occupancies as per top floor
 - i. Except when building has a sprinkler system
 - ii. And emergency occupant notification must be provided on the roof
 - b. Allows assembly occupancies above open parking garages.
5. 704.2 and 704.4.1: Eliminates individual column protection when located within a rated wall. **D**
6. 705.2: Decreased protection requirements for projections next to property lines. **D**
7. 706.1.1: Allows a party wall to be other than a “fire wall” if **D**
 - a. The entire structure complies with area and height
 - b. Agreements, easements and contracts must be approved by the City
8. 716.2.6.5: Self closing doors allowed incorporating a delayed-closing. **N**
9. 903.2.3: Adds fire sprinkler requirements for E occupancies (was 12,000 sq. ft.) **I**
 - a. E occupancies above or below the level of exit discharge.
 - b. Fire areas with occupant loads exceeding 300.
10. 1004.5 and 1004.8: Occupant load computation changes:
 - a. Business occupant load factor lowered to 1/150 sq. ft. **D**
 - b. Added “Concentrated business use” for call centers allowed to 1/50 sq. ft max density. **I**
11. 1103.2.14: Accessibility no longer required for walk in coolers that are employee work areas. **D**
12. 1705.5.2: Special inspection of **temporary and permanent bracing** required for trusses taller than 60” or longer than 60’. To be completed by the engineer. May also be completed by the inspector if sealed engineer plans are supplied. (commercial buildings only) **I**
13. 2211: Recognition of a new cold form steel structural standard AISI S202. **N**
14. 2304.10.5: Limits staples in preservative and fire treated lumber to be stainless steel. **I**
15. Table 2308.4.1.1 (1): Modified to the reduced span allowances for #2 Southern Pine lumber. An approximate decrease of 10% in allowable spans. **I**
16. Appendix N: Accepting replicable buildings with a streamlined review. Recommend adoption. **D**

IEBC

1. 502.8: Added storm shelter requirements for additions to education occupancies. **I**

IRC

1. 507.7: Adds decking material joist spacing table. **N**
2. 703.2: Recognizes other roof Water-Resistive-Barriers and their listings adds the requirement for detached buildings. **I**
3. 1005.8: Requires a shield for factory built chimneys which need clearance to insulation. **I**
4. M 1502.4.2 and IMC 504.8.2: Concealed dryer ducts cannot be deformed to fit in walls. **I**

I-Increase cost

D-Decrease cost

N-Neutral cost

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5. M 1503.6: Only requires kitchen make-up air for high velocity exhausts (>400cfm) when a gravity vented appliance is in the home. **D**
6. M1201.10: allows PEX tubing for heating systems to be tested with air. Previously just water was allowed for the test. **D**
7. G 2406.2 and IFGC 303.3: Allows a gas fired dryer in a bathroom or toilet room with a 100² inch opening. **N**
8. G 2420.6 and IFGC 409.7: Requires gas shut off valves to be stabilized in flexible pipe systems. **I**
9. G 2447.2: Allows commercial kitchen equipment in residential setting with engineering. **N**
10. P 2713.1: Allows bathtubs to be installed without an overflow. **D**
11. P 3003.2 and IPC 705.16.4: Allows cement welding of PVC to ABS with green glue complying with ASTM D3138. **D**
12. P 3111: Allows food waste disposers on a combination waste and vent system up to 8' to match IPC. **D**
13. E 3703.5: Requires a separate branch circuit for the garage. **I**
14. E 3901.9: Requires a receptacle in front of each garage "vehicle bay". **I**

IPC

1. Table 403.1: Adds a gaming occupancy and new plumbing fixture minimum. **I**
2. 403.2: Allows max 25 people in business occupancy to have unisex restrooms. **D**
3. 403.3: Allows restrooms to be in an adjacent building within 500 feet. **D**
4. 504.6: Flexible pipes from P & T valves must be secured at their outlet and upsized if insert fittings are used. **I**
5. 701.2: Refers to the accepted "grey water" systems in chapters 13 & 14. **N** (Verify if water department approves of this type of installation) **N**
6. 702.3: Adds corrugated sewer pipe as an allowable building sewer. **D**
7. 716: Recognizes "pipe bursting" as an allowable building drain replacement up to 6". **D**
8. 1003.3.2. Removes food grinders from grease interceptors. **N** (J and J-is this a change?)

IMC

1. 403.3.2.4: Requires label on residential ventilation system. **N** (J and J-is this a change?)

IFGC

1. 503.4.1 and 503.4.2: Require plastic vent pipe to use primer at the connections as required by the acceptance standard UL 1738. **I**

NEC

1. 210.8(E) GFCI Protection: Accept; now required at crawl space lighting outlets **I**
2. 210.11(C)(4) Garage Branch Circuits: Accept; an exception was added to allow the circuit to supply readily accessible outdoor receptacle outlets. **D**

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3. 210.12(C) Arc-Fault Circuit-Interrupter Protection: accept; guest rooms and suites in hotels and motels now require AFCI **I**
4. 210.52(C)(3) Peninsula countertop spaces: Accept; a peninsula countertop shall be measured from the connected perpendicular wall. **N**
5. 210.52(G)(1) Garage receptacles: Accept; receptacles shall be installed at each vehicle bay and not more than 5-1/2' above the floor. **N**
6. 210.71 Meeting Rooms: Accept; requires receptacle outlets for meeting rooms in commercial occupancies. **I**
7. 406.12 Tamper-Resistant Receptacles: Accept; expanded protection for the following: **I**
 - a. Preschools and elementary education facilities.
 - b. Business offices, corridors, waiting rooms and the like in clinics, medical and dental offices and outpatient facilities.
 - c. Subset of assembly occupancies described in 518.2 to include places of waiting transportation, gymnasiums, skating rinks, and auditoriums.
 - d. Dormitories.
8. 422.16(B)(2) Flexible cords for appliances: Accept; requires the dishwasher receptacle to be located in an adjacent space next to the occupied space of the dishwasher. **N**

IFC: See Fire Department review

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D-Decrease cost

N-Neutral cost

2018 Significant changes
(Recommended changes)

Hiawatha adoption change proposals

Chapter 155 Building Code and Residential Code

1. 155.06: Delete: Replace with IRC and IBC language allowing for permit expiration based on inspection times. This allows us to administratively terminate permits or extend without fees if needed. **D**
2. 155.10: Delete: Accept the language in the IRC 110 and IBC 111 for Certificate of Occupancy. **N**
3. 155.11: Delete: Accept definition of “habitable attic” IRC 201 to allow an attic without counting as a floor above grade. **N**
4. 155.12: Correct the design parameters in IRC table R301.2 to match the code. **N**
5. 155.13: Delete: Accept the 2018 IRC corrected footnotes to table 302.1 (1&2) the ambiguous. **D**
6. 155.18: Modify this amendment to IRC 313.
 - a. Town homes: Add a condition limiting the entire structure to 10,000 ft² inclusive of all habitable and non habitable spaces regardless of fire separations.
 - b. One and two family dwellings:
 - i. Add a condition limiting the entire structure to 10,000 ft² inclusive of all habitable and non habitable spaces regardless of fire separations.
 - ii. Eliminate the “Alternate method” R313.3. This will cap the unsprinklered habitable space of a dwelling at 4,000 ft² /floor and 8,000 ft² total. (Includes the garage unless separated by 1 hour construction and a labeled fire door.) **I**
7. 155.19: Delete: Accept IRC 314 requirements for smoke detector location restrictions at bathrooms and commercial stoves in accordance with detector listings. **N**
8. 155.20: Correct to adopt the 2018 International Pool and Spa Code instead of the 2015. **N**
9. 155.21: Delete: Accept ISPSC 305 power safety covers in place of required barriers. **D**
10. 155.23: Delete: Accept locking exceptions in IBC 1010 to allow “...Shall Remain unlocked” signage on exit doors with double cylinders. (question consistency with other jurisdictions)**D**
11. 155.29: Modify: Foundation drainage is located in city code section 907.2. **N**

Chapter 156 Plumbing Code

1. 156.04: Delete to accept the Fuel Gas Code as noted in P101.2 **N**
2. 156.05: Modify by changing to “2018” and eliminating the requirement of an engineer. **N**
3. 156.08: Modify by moving to P108.4 with no change in language. **N**
4. 156.12: Add P603.2.2: No joints allowed in service lines under buildings as per water rules and require an RPZ on all commercial service lines. **I**
5. 156.13: Delete; Marty accepts IPC water service materials. **N**
6. 156.15: Modify: change the code section reference to 714.1 **N**
7. 156.17: Modify: limit the requirement to: “ where floor drains are provided” **D**

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Chapter 157 NEC

1. 157.06 NONMETALLIC-SHEATHED CABLE. Delete; allow this wiring method more types of construction. **D**
2. 157.07 SMOKE DETECTORS AND CO ALARMS: Modify to match State Statute and detector listings: **N**
3. 157.08 CLEAR SPACE. Delete: The clearance requirements in the NEC are now acceptable. **N**
4. 157.10 COUNTER TOPS: Delete; may add a required receptacle. **I**
5. 157.11 Mast requirements: Delete; these requirements are in the NEC. **N**
6. 157.12 USES PERMITTED: Delete; use NEC for wiring method allowable locations. **D**
7. 157.13 USES NOT PERMITTED: Delete; use NEC for wiring methods in allowable locations. **D**

Chapter 158 Mechanical Code and Fuel Gas Code

1. 158.01: Change the year of the model code.
2. 158.04: Delete since the fuel gas code is included in the IMC 101.2 scope. **N**
3. 158.07 Modify by moving to IMC 108.4 and no change of language. **N**

Chapter 159 Appeals Board:

1. 159.02: Allow for more than 7 members.
2. 159.06: Reference the "fee Schedule" instead of a flat amount.
3. 159.07 (4) and (4) A.: clarify the vote majority is a majority of the "full Board"
4. 159.09: Clarify recommendation authority is for rental licensure and not Pipe layers.
5. 159.12: Delete testing since we are no longer giving tests.

Chapter 160 Fire Code

See Fire Department recommendations.

Chapter 163 Housing Code

1. 163.03 Modify: add reference City amendments to IPMC in Chapter 164 **N**
2. 163.08: Delete-located in chapter 164
3. 163.11: Delete items (3) "occupant load" and (4) "Family" relocate items (1) and (2) in 164

Chapter 164 Property Maintenance Code

1. 164.07: Moved to a new section
2. 164.10: Delete smoke detector location amendment. **I**
3. 164.11: Add reference to Chapter 50 Nuisances.
4. 164.12: Delete-located in Chapter 50
5. 164.13: Delete-located in Chapter 50

I-Increase cost

D-Decrease cost

N-Neutral cost

CHAPTER 155

BUILDING CODE

155.01 International Building Code Adopted	155.17 Repeal of Section (Window Sills)
155.02 Amendments to the Building Code	155.18 Automatic Fire Sprinkler Systems
155.03 Scope and Administration Work Exempt from Permit	155.19 Slab on Grade Foundations Smoke Alarms
155.04 Work Exempt from Permit	155.20 Swimming Pools and Spas
155.05 Repealed Board of Appeals	155.21 Repealed Swimming Pools Barrier
155.06 Repealed Expiration	155.22 Swimming Pool Drainage Systems
155.07 Schedule of Permit Fees	155.23 Repealed Repeal of Exception "This Door To Remain Unlocked."
155.08 Valuation	155.24 Sewer Depth
155.09 Reinspection Fees	155.25 Exception (Backwater Valve)
155.10 Board of Appeals Repeal Section – Certificate	155.26 Subsurface Landscape Irrigation Systems
155.11 Repealed Attic, Habitable	155.27 Frost Closure
155.12 Design Criteria	155.28 Repealed Slab On Grade Foundations
155.13 Repealed Exterior Wall Projections	155.29 Foundation Drainage Systems
155.14 Opening Protection	155.30 Code On File
155.15 Fire Protection of Floors	155.31 Condominium Conversions
155.16 Glazing Adjacent to Doors	155.32 Exterior Storage Containers Prohibited

155.01 INTERNATIONAL BUILDING CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Building Code of the City that certain Building Code known as the *International Building Code, 2018/2015 Edition, including appendix N: Replicable Buildings*, and *International Residential Code, 2018/2015 Edition*, including *International Residential Code, Appendix F: Passive Radon Gas Controls Methods*. This Chapter shall also adopt referenced 2018 Codes listed in Sections 101.4.1 through 101.4.7 as prepared and edited by the International Code Council, Inc., and the provisions of said Building Code shall be controlling in the construction of buildings and other structures and in all matters covered by said Building Code within the corporate limits of the City and shall be known as the Hiawatha Building Code.

155.02 AMENDMENTS TO THE BUILDING CODE. Certain sections and portions of sections of the *International Building Code and International Residential Code* are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this Chapter.

155.03 Scope and Administration: ~~The International Residential Code is hereby amended by Deleting Chapter one and replacing it as follows:~~

~~101 The scope, application and administration of the International Residential code shall be in accordance with Chapter one of the International Building Code as adopted and amended herein **WORK EXEMPT FROM PERMIT.** The Hiawatha Building Code is hereby amended by repealing Section R105.2 Building- Exception #1 and #2 of the *International Residential Code* and by replacing said Exceptions with new Exceptions as follows:~~

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Building:

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- ~~1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.~~
- ~~2. The following repairs will be considered maintenance and will not require a building permit.
 - ~~a. The replacement of up to two (2) windows, and/or one (1) exterior door within a one year period when replaced with windows or doors of similar size, style and material, and no structural change is required for the framing of the rough opening for said windows or door.~~~~

155.04 WORK EXEMPT FROM PERMIT. The Hiawatha Building Code is hereby amended by replacing ~~deleting~~ Item 2 from Section 105.2 of the *International Building Code* as follows.

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2. The replacement of up to two (2) windows, and/or one (1) exterior door within a one-year period when replaced with windows or doors of similar size, style and material, and no structural change is required for the framing of the rough opening for said windows or door.

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155.05 Repealed BOARD OF APPEALS. ~~Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Building Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.~~

155.06 Repealed EXPIRATION. ~~The Hiawatha Building Code is hereby amended by adding a new Section 105.5 to the *International Building Code*, and *International Residential Code*, as follows:~~

~~105.5.1 EXPIRATION. Every building permit issued under the provisions of the Code shall expire twelve (12) months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his or her agent and by payment of the renewal fee as set forth in Table 1-A SCHEDULE OF FEES as adopted by resolution of the Hiawatha City Council, and provided no changes have been made in plans or location. No permit shall be renewed more than once.~~

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155.07 SCHEDULE OF PERMIT FEES. The Hiawatha Building Code is hereby amended by repealing Section 109.2 of the *International Building Code*, ~~and Section R108.2 of the *International Residential Code*~~, and by replacing said sections with a new section as follows:

109.2 SCHEDULE OF PERMIT FEES. On buildings, structures or alterations requiring a permit, a fee for each permit shall be paid as set forth in Table 1-A SCHEDULE OF FEES as adopted by resolution.

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155.08 VALUATION. The Hiawatha Building Code is hereby amended by adding a new Section 109.3.1 to the *International Building Code*, ~~and Section R108.3.1 to the *International Residential Code*~~, as follows:

109.3.1 VALUATION. Valuation for the purpose of establishing permit fees for new construction, additions or alterations to existing buildings shall be determined by the Building Official from the HIAWATHA VALUATION SHEET as adopted by resolution of the City of Hiawatha City Council.

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155.09 REINSPECTION FEES. The Hiawatha Building Code is hereby amended by adding a new Section 109.7 to the *International Building Code*, ~~and Section R108.7 to the *International Residential Code*~~, as follows:

109.7 REINSPECTIONS. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

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This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the property and building address are not properly posted, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

155.10 BOARD OF APPEALS. Section 113 of the International Building Code shall be replaced as follows:

113. Board of Appeals: Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Building Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

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~~**REPEAL SECTION – CERTIFICATE.** The Hiawatha Building Code is hereby amended by repealing Section 110.3 Number (3) of the International Residential Code, and 111.2 Number (3) of the International Building Code and leaving said section number (3) blank.~~

~~**155.11 Repealed ATTIC, HABITABLE.** The Hiawatha Building Code is hereby amended by repealing the definition of Attic, Habitable in Section 202 of the International Residential Code.~~

155.12 DESIGN CRITERIA. The Hiawatha Building Code is hereby amended by inserting climate and geographical design criteria into Table R301.2 (1) of the International Residential Code, as follows:

Ground Snow Load	Wind Speed MPH	Seismic Design Category	Subject to Damage From:				Winter Design Temp	Ice Shield Under Layment Required	Flood Hazards		Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite	Decay			NFIP Adoption	FIRM Maps		
30 PSF	115 99	A	Severe	42"	Moderate-Heavy	Slight-Moderate	-5 F	Yes	1982	4/5/10	1784	48.9

~~**155.13 Repealed EXTERIOR WALL PROJECTIONS.** The Hiawatha Building Code is hereby amended by deleting footnote b. of Table R302.1(1) and footnote c. of Table R302.1(2) of the International Residential Code, and leaving said footnotes blank.~~

155.14 OPENING PROTECTION. The Hiawatha Building Code is hereby amended by repealing Section R302.5.1 of the International Residential Code, and by replacing said section with a new Section R302.5.1 as follows:

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not

less than 1 3/8 inches in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches thick, or 20-minute fire-rated doors.

155.15 FIRE PROTECTION OF FLOORS. The Hiawatha Building Code is hereby amended by repealing Section R302.13 of the *International Residential Code* and leaving said section blank.

155.16 GLAZING ADJACENT TO DOORS. The Hiawatha Building Code is hereby amended by repealing Sections R308.4.2 of the *International Residential Code*, and by replacing said section with a new Section R308.4.2 as follows:

R308.4.2 Glazing adjacent to doors. Glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge of the glazing is within a 24 inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the floor or walking surface shall be considered to be a hazardous location.

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Exceptions:

1. Decorative glazing.
2. Where there is an intervening wall or other permanent barrier between the door and the glazing.
3. Where access through the door is to a closet or storage area 3 feet or less in depth. Glazing in this application shall comply with Section R308.4.3.
4. Glazing that is adjacent to the fixed panel of patio doors.

155.17 REPEAL OF SECTION (WINDOW SILLS). The Hiawatha Building Code is hereby amended by repealing Section 1015.8 of the *International Building Code*, and Section 312.2.1 of the *International Residential Code*, and leaving said section blank.

155.18 AUTOMATIC FIRE SPRINKLER SYSTEMS. The Hiawatha Building Code is hereby amended by repealing Section R313 of the *International Residential Code*, and by replacing said section with a new section as follows:

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

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R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed throughout all attached townhouse dwelling units when any of the following conditions exist:

1. The townhouses are constructed in a group of more than four attached units.
2. Any individual townhouse dwelling unit of a structure with four or fewer attached townhouses has a floor area greater than 4000 square feet on any one story or greater than 8000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

3. The floor area of the structure, excluding the basement, exceeds 10,000 square feet regardless of fire separations creating separate buildings, fire areas or occupancies.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D or Section P2904.

R313.2 One-and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one-and two-family dwellings when the following conditions exist:

1. The one-or two-family dwelling has a floor area greater than 4000 square feet on any one story or greater than 8000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and

containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

2. The floor area of the structure, excluding the basement, exceeds 10,000 square feet regardless of fire separations creating separate buildings, fire areas or occupancies.

Exception: Two family homes separated as required for a townhouse shall have automatic fire sprinkler requirements as for townhouses.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing one-and two-family dwellings that do not have an automatic residential fire sprinkler system installed.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems for one-and two-family dwellings shall be designed and installed in accordance with NFPA 13D or Section P2904.

~~**R313.3 Alternative Methods.** Maximum floor area square footages of Sections R-313.1 and R-313.2 may be increased by 25% for buildings or floors containing more than one egress door as specified in Section R311.2 or more than one vertical egress as specified in Section R311.4 or other approved alternate methods of building occupant egress enhancement.~~

155.19 SLAB ON GRADE FOUNDATIONS. The Hiawatha Building Code is hereby amended by deleting exceptions #1 and #2 in Section R403.1.4.1 of the *International Residential Code*, and replacing them with exception #1 as follows: Exception #3 to remain unchanged.

Exception:

1. Protection of freestanding accessory structures with an eave height of 10 feet or less shall not be required.

~~**SMOKE ALARMS.** The Hiawatha Building Code is hereby amended by repealing Section R314.3 number (4) and Section R314.3.1 of the *International Residential Code* and leaving said sections blank.~~

155.20 SWIMMING POOLS AND SPAS. The Hiawatha Building Code is hereby amended by repealing Section 3109 of the *International Building Code* and by replacing said section with a new Section 3109 as follows:

SECTION 3109

SWIMMING POOLS AND SPAS

3109.1 General. The design and construction of pools and spas shall comply with the *International Swimming Pool and Spa Code, 20182015 Edition.*

155.21 ~~Repealed~~ SWIMMING POOLS BARRIER. The Hiawatha Building Code is hereby amended by repealing Section 305.1 Exception 2 of the *International Swimming Pool and Spa Code* and leaving said exception blank.

155.22 SWIMMING POOL DRAINAGE SYSTEMS. Section 320.1 of the International Swimming Pool and Spa Code shall be amended as follows:

320.1 Backwash water and Draining water: Backwash water and draining water shall be discharged to the sanitary or storm sewer, or in an approved disposal system on the premise, or shall be disposed of by other means approved by the state or local authority. Direct connection shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap. Swimming pools shall be designed and constructed so as to provide for appropriate drainage of water resulting from overfilling, draining, and maintenance operations. The site plan for a proposed swimming pool shall indicate where pool drainage is to be directed in such a manner that:

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1. Swimming pool drainage water shall be directed away from any structure foundation.
2. Ponding of surface water shall be avoided.
3. Swimming pool drainage water shall be de-chlorinated before being directed to available drainage tile or storm sewer systems. If the swimming pool water is not de-chlorinated, it must be directed to the sanitary sewer at a controlled flow rate approved by the City. Please Note: Discharge of chlorinated water to the storm water system would be a violation of the EPA Storm Water Discharge Regulations and could result in a Municipal Infraction for an illicit discharge.
4. Surface water shall not be discharged to any adjacent private property except upon drainage easements or established waterways shall not be altered so that upstream water flow is adversely affected.
5. Water flow shall be controlled to avoid excessive volume or velocity which could cause soil erosion or create other possible hazards.
6. Final graded lots shall comply with the grading plan and any terms of the memorandum of agreement for the approved subdivision.

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155.23 ~~Repealed~~ REPEAL OF EXCEPTION "THIS DOOR TO REMAIN UNLOCKED." The Hiawatha Building Code is hereby amended by repealing Section 1010.1.9.3, Exception #2 of the *International Building Code*, and leaving this section blank.

155.24 SEWER DEPTH. The Hiawatha Building Code is hereby amended by repealing Section P2603.5.1 of the *International Residential Code* and leaving said section blank.

155.25 EXCEPTION (BACKWATER VALVE). The Hiawatha Building Code is hereby amended by adding a new exception to Section P3008.1 of the *International Residential Code* as follows:

EXCEPTION: The requirements of this Section shall apply only at locations determined necessary by the City Engineer based on local conditions.

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155.26 SUBSURFACE LANDSCAPE IRRIGATION SYSTEMS. The Hiawatha Building Code is hereby amended by deleting Section P3009.1 from the *International Residential Code* and inserting in lieu thereof the following:

P3009.1 Scope. The provisions of this Section shall be optional and for information only of the materials, design, construction and installation of subsurface landscape irrigation systems connected to nonpotable water from on-site water reuse systems.

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155.27 FROST CLOSURE. The Hiawatha Building Code is hereby amended by deleting Section P3103.2 from the *International Residential Code* and inserting in lieu thereof the following:

P3103.2 Frost Closure. Where the 97.5-percent value for outside design temperature is 0°F or less, every vent extension through a roof or wall shall be not less than 3 inches in diameter. Any increase in the size of the vent shall be made inside the structure at a point not less than 1 foot below the roof or inside the wall.

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155.28 ~~Repealed~~SLAB ON GRADE FOUNDATIONS. ~~The Hiawatha Building Code is hereby amended by deleting exceptions #1 and #2 in Section R403.1.4.1 of the *International Residential Code*, and replacing them with exception #1 as follows: Exception #3 to remain unchanged.~~

~~Exception:~~

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~~1. Protection of freestanding accessory structures with an eave height of 10 feet or less shall not be required.~~

155.29 FOUNDATION DRAINAGE SYSTEMS. The Hiawatha Building Code is hereby amended by ~~repealing~~ adding a new Section 1805.4.43 of the *International Building Code* and by ~~replacing said section with a new Section 1805.4.3 and~~ adding a new Sections R405.3 and P3302.2 ~~R401.3.1~~ to the *International Residential Code*, respectively, as follows:

1805.4.43/R405.3 & P3302.2~~R401.3.1~~ **DRAINAGE DISCHARGES.** Sub-soil foundation drains shall also discharge in accordance with Hiawatha Code Section 97.02 ~~The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the following:~~

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~~(A) Sump pit located inside building. Exception: Sump pit may be omitted if drainage tile can be designed with natural fall and drain on same property if approved by the Building Official.~~

~~(B) For each sump pit installed a pump discharge pipe shall be provided running continuous from a point directly outside the sump pit to the City storm sewer or other approved discharge location.~~

~~(C) Pump discharge pipe shall be installed as per the requirements of the City of Hiawatha Plumbing Code with connections to City storm sewer as per City of Hiawatha Engineering Specifications.~~

~~(D) Installation of sump pump is if one is found by the Building Official to be necessary. It shall be equipped to automatically provide for discharge of sump pit water outside the basement wall and above grade and/or approved by the City Engineer.~~

~~FPN: A sump pump will be considered to be necessary if water inside the sump pit will not recede to a level four inches or more below the lowest basement floor surface by gravity or absorption into the earth within a reasonable period of time.~~

~~(E) The outlet line from the sump pump shall discharge a minimum of two (2) feet from the outside foundation wall and/or be approved by City Engineer.~~

~~(F) Where ground water conditions warrant, the Building Official may require additional drain tile as he/she deems necessary.~~

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155.30 CODE ON FILE. An official copy of the Hiawatha Building Code hereby adopted, including a certificate by the Clerk as to its adoption and the effective date thereof, shall be on file in the Office of the Clerk in City Hall and shall be kept there on file, and copies shall be available for public inspection. Copies of this chapter shall be available in the Building Department Office. A copy of the Hiawatha Building Code hereby adopted shall also be placed in the collection of the Hiawatha Public Library for public reference.

155.31 CONDOMINIUM CONVERSIONS. For the purposes of condominium conversion, structures built prior to April 25, 2000 and thereafter converted to a horizontal property regime (condominium) are not required to be updated to comply with the building code in effect at the time of the conversion, except the following building code provisions shall be complied with:

- Fire Protection Systems
- Means of Egress
- Structural and Life-Safety concerns specifically noted

The Building Official may waive compliance with any or all of the above exceptions where he determines compliance to be unduly burdensome or not practical or reasonable given the nature of the structure.

155.32 EXTERIOR STORAGE CONTAINERS PROHIBITED. (Repealed by Ordinance No. 856 – Jun. 16 Supp.)

(Ch. 155 - Ord. 825 – Apr. 15 Supp.)

CHAPTER 156

PLUMBING CODE

156.01 Plumbing Code Adopted	156.11 Drinking Fountain Substitution
156.02 Amendments to Plumbing Code	156.12 Size of Meter and Building Supply Pipe
156.03 Conflicts	156.13 Cross Connection Control Water Service Pipe
156.04 International Fuel Gas Code	156.14 Water Service Protection Cross-Connection Control
156.05 Uniform Plumbing Code	156.15 Exception (Backwater Valve)
156.06 Permit & Fees Required	156.16 Frost Closure
156.07 Fee Refunds	156.17 Sand Interceptor Requirements
156.08 Violation	156.18 Drainage Discharges Subsurface Landscape Irrigation Systems
156.09 Board of Appeals	156.19 Subsurface Landscape Irrigation Systems Code on File
156.10 Inspection and Testing of Backflow Prevention Assemblies	156.20 Code on File

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156.01 PLUMBING CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Plumbing Code of the City that certain Plumbing Code known as the *International Plumbing Code, 2018-2015 Edition*, as prepared and edited by the International Code Council, which code is hereby specifically incorporated by reference and shall be known as the Hiawatha Plumbing Code. The provisions of said Plumbing Code shall be controlling in the erection, installation, alterations, additions, repair, relocation, replacements, maintenance or use of any plumbing system within the corporate limits of the City.

156.02 AMENDMENTS TO THE PLUMBING CODE. Certain sections and portions of sections of the *International Plumbing Code*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

156.03 CONFLICTS. If conflicts arise in requirements with regards to specifications of materials or methods between portions of this code, between this code and other local codes or between this code and applicable State or Federal requirements, the more stringent shall apply.

156.04 INTERNATIONAL FUEL GAS CODE. The Hiawatha Plumbing Code is hereby amended by adding a new Section 101.2.2 to the *International Plumbing Code* as follows:

101.2.2 The *International Fuel Gas Code, 2018-2015 Edition*, as further amended is hereby adopted and shall be considered as part of this code.

156.05 UNIFORM PLUMBING CODE. The Hiawatha Plumbing Code is hereby amended by adding a new Section 105.2.2 to the *International Plumbing Code* as follows:

105.2.2 The *Uniform Plumbing Code, 2018-2015 Edition*, is hereby approved as an equivalent method for complete plumbing systems. ~~Use of the Uniform Plumbing Code is only for design professionals.~~

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Exception: 1. Administrative regulations shall be as provided in the *International Plumbing Code*, as amended in this Chapter.

156.06 PERMIT & FEES REQUIRED. The Hiawatha Plumbing Code is hereby amended by repealing Section 106.6.2 of the *International Plumbing Code*, and replacing said section with a new Section 106.6.2 as follows:

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106.6.2 The fees for all plumbing work shall be as set forth in Table 1-A as adopted by resolution of the Hiawatha City Council.

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156.07 FEE REFUNDS. The Hiawatha Plumbing Code is hereby amended by deleting the words "[SPECIFY PERCENTAGE]" from Section 106.6.3 (2.) and (3.) of the *International Plumbing Code*, and replacing said words with "80 percent".

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156.08 VIOLATION. The Hiawatha Plumbing Code is hereby amended by adding a new Section 108.1.1 to the *International Plumbing Code*, as follows:

108.1.1 Penalties. Specifics of information for Section 108, Violations, shall be as set forth in City of Hiawatha Code of Ordinances Chapter 4.

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156.09 BOARD OF APPEALS. Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Plumbing Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

156.10 INSPECTION AND TESTING OF BACKFLOW PREVENTION ASSEMBLIES. The Hiawatha Plumbing Code is hereby amended by repealing Section 312.10 of the *International Plumbing Code* and replacing said section with a new section 312.10, as follows:

312.10 Inspection and testing of backflow prevention assemblies. Registration, inspection and testing of backflow prevention assemblies shall be in accordance with the Hiawatha Water Board Rules and Regulations Section 11 b.

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156.11 DRINKING FOUNTAIN SUBSTITUTION. The Hiawatha Plumbing Code is hereby amended by repealing Section 410.4 of the *International Plumbing Code* and replacing said section with a new section 410.4, as follows:

410.4 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other occupancies where drinking fountains are required, water dispensers shall be permitted to be substituted for the required number of drinking fountains.

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156.12 SIZE OF METER AND BUILDING SUPPLY PIPE. The Hiawatha Plumbing Code is hereby amended by repealing Section 603.1 of the *International Plumbing Code*, and replacing said section with a new section 603.1, as follows:

603.1 Size of Meter and Building Pipe. No building supply pipe shall be less than one inch (25. mm) in diameter.

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603.1.1 Remote Reader Conduit. All buildings using City water shall have installed a hard metal conduit starting within 12 inches of the water meter inside location. The conduit shall not have 90 degree right angle fittings. All bends must be sweeping to let wire feed through easily. All commercial, industrial and apartments over dwelling units shall install 3/4-inch conduit. All residential buildings dwelling units and less including single family homes shall have 1/2-inch conduit installed. The conduit shall end in a location with the other utility metering devices and be flush with the outside of the building.

603.1.2 Meter Clearances. There shall be suitable place for the meter, so as to keep it dry and clean with ready access at all times, and with a minimum clear work space of 30 inches deep by six feet high. All valves and fittings necessary to provide connection to meter shall be provided by the owner.

603.1.3 Protection of Meters and Equipment. No one shall in any way interfere with the proper registration of a water meter, and no one except an authorized employee of the Water Department shall break the seal of a meter, except the Water Department may grant written permits to plumbers in case of emergency to break such seal for draining pipes or stopping water leaks.

603.1.4 All water meters must be installed prior to requesting final inspections.

603.1.5 All water service lines on commercial buildings shall be protected with a listed RPZ backflow preventer.

603.1.6 All water service lines shall be single piece and without joints where located under a building.

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~~156.13 WATER SERVICE PIPE.~~ The Hiawatha Plumbing Code is hereby amended by repealing Table 605.3 of the *International Plumbing Code* and replacing said table with a new table 605.3, as follows:

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TABLE 605.3

WATER SERVICE PIPE

MATERIAL	STANDARD
Brass Pipe	ASTM-B43
Copper or Copper alloy tubing (Type K, WK, L, WLM or WMM)	ASTM-B75, B88, B251 and B447
Cross-linked polyethylene (PEX) plastic pipe and tubing	ASTM-F876 and F877, AWWA-C904, CSA-B137.5
Cross-linked polyethylene/aluminum/cross-linked (PEX-AL-PEX)	ASTM-F1281 and F2262, CSA-B137.10
Cross-linked polyethylene/aluminum/high-density (PEX-AL-HDPE)	ASTM-F1986
Ductile iron water pipe	AWWA-C151/A21.51, AWWA-C115/A21.15, Class 52
Polyethylene (PE) plastic pipe	ASTM-D2239 and D3035, AWWA-C901, CSA-B137.11
Polyethylene (PE) plastic tubing	ASTM-D2737, AWWA-C901, CSA-B137.1
Polyvinyl chloride (PVC) plastic pipe	ASTM-D1785, D2241, D2672, CSA-B137.3, AWWA-C900 and C905
Stainless Steel pipe (Type 304/304L)	ASTM-A312, ASTM-A778
Stainless Steel pipe (Type 316/316L)	ASTM-A312, ASTM-A778

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156.134 CROSS CONNECTION CONTROL. The Hiawatha Plumbing Code is hereby amended by adding a new Section 608.1.1 to the *International Plumbing Code*, as follows:

608.1.1 All backflow prevention assemblies connected to the Hiawatha water system shall be registered, tested and inspected in accordance with the Hiawatha Water Department Rules and Regulations Section 11b, as authorized by Hiawatha City Council.

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156.14 Water Service Protection. The Hiawatha Plumbing Code is hereby amended by replacing Section 608.5 of the *International Plumbing Code* as follows:

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608.5 Water Service Protection: Water service piping shall be protected in accordance with Section 603 as adopted and amended herein.

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156.15 EXCEPTION (BACKWATER VALVE). The Hiawatha Plumbing Code is hereby amended by adding a new exception to Section 714.1715.1 of the *International Plumbing Code*, as follows:

EXCEPTION: The requirements of this Section shall apply only when it is determined necessary by the City Engineer based on local conditions.

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156.16 FROST CLOSURE. The Hiawatha Plumbing Code is hereby amended by deleting Section 903.2 from the *International Plumbing Code*, and inserting in lieu thereof the following:

903.2 Frost Closure. Where the 97.5-percent value for outside design temperature is 0°F or less, every vent extension through a roof or wall shall be not less than 3 inches in diameter. Any increase in the size of the vent shall be made inside the structure at a point not less than 1 foot below the roof or inside the wall.

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156.17 SAND INTERCEPTOR REQUIREMENTS. The Hiawatha Plumbing Code is hereby amended by adding the following new section 1003.5.1 to the International Plumbing Code as follows:

1003.5.1 A sand interceptor shall be required in all enclosed buildings which have doors which could allow driving, storing or loading a vehicle inside of a building and wherein a floor drain is provided.

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156.18 DRAINAGE DISCHARGES. The Hiawatha Plumbing Code is amended by adding Section 1113.2 to the *International Plumbing Code* as follows.

1113.2 Sub-soil foundation drains shall also discharge in accordance with Hiawatha Code Section 97.02

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156.198 SUBSURFACE LANDSCAPE IRRIGATION SYSTEMS. The Hiawatha Plumbing Code is hereby amended by deleting Section 1401.1 from the *International Plumbing Code*, and inserting in lieu thereof the following:

1401.1 Scope. The provisions of Chapter 14 shall be optional and for information only of the materials, design, construction and installation of subsurface landscape irrigations systems connected to nonpotable water from on-site water reuse systems.

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156.2019 CODE ON FILE. An official copy of the Hiawatha Plumbing Code hereby adopted, including a certificate by the Clerk as to its adoption and the effective date thereof, is on file in the office of the Clerk in City Hall and shall be kept there on file, and copies shall be available for public inspection. The Community Development Department shall furnish a copy of this Plumbing Code hereby adopted to the Hiawatha Public library.

(Chapter 156 - Ord. 826 – Apr. 15 Supp.)

CHAPTER 157

ELECTRICAL CODE

157.01 ICC Electrical Code & National Electrical Code Adopted	157.08 Repealed Clear Space
157.02 Amendments to the Electrical Code	157.09 Receptacles
157.03 Permits & Fees Required	157.10 Repealed Counter Tops
157.04 Penalties	157.11 44-Repealed Paragraphs Added to Article 230
157.05 Electrical Board of Appeals	157.12 Repealed Uses Permitted
157.06 Nonmetallic-Sheathed Cable	157.13 Repealed Uses Not Permitted
157.07 Smoke Detectors and Carbon Monoxide Detectors	157.14 Remote Water Meter Reader Conduit

157.01 ICC ELECTRICAL CODE & NATIONAL ELECTRICAL CODE ADOPTED. Except as hereinafter amended, there is hereby adopted as the Electrical Code of the City of Hiawatha that certain Electrical Code known as the [2015 2018 International Building Code](#) Appendix K, Administrative Provisions as promulgated by the International Code Council including the referenced *National Electrical Code, 2014 2017 Edition*, as prepared and edited by the National Fire Protection Association, which codes are hereby specifically incorporated by reference and shall be known as the Hiawatha Electrical Code. The provisions of said Electrical Code shall be controlling in the installation, alterations, repairs, removals, renewals, replacements, connection, disconnection and maintenance of all electrical equipment within the corporate limits of the City. For the purpose of this Chapter, the term “electrical equipment” means all materials, wiring, conductors, fittings, devices, appliances, luminaires, signs and apparatus or parts thereof comprising an electrical system within a structure or facility.

157.02 AMENDMENTS TO THE ELECTRICAL CODE. Certain sections and portions of sections of the *National Electrical Code*, and *International Building Code* Appendix K, Administrative Provisions are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this Chapter.

157.03 PERMITS & FEES REQUIRED. The Hiawatha Electrical Code is hereby amended by adding this sentence to Section K103.1 of the *International Building Code* Appendix K, Administrative Provisions.

Permit fees shall be as established in Table 1-A by resolution of the City Council.

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157.04 PENALTIES. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant to this code or violates any condition attached to a permit, approval or certificate shall be subject to enforcement and penalties as provided section 1.10 of the Code of Ordinances or may be cited as a municipal infraction under chapter 4 of the Code of Ordinances.

157.05 ELECTRICAL BOARD OF APPEALS. Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Electrical Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

157.06 NONMETALLIC-SHEATHED CABLE. The Hiawatha Electrical Code is hereby amended by deleting K111.4 of ~~2018~~2015 *International Building Code* Appendix K, Administrative Provisions.

157.07 SMOKE DETECTORS AND CARBON MONOXIDE ALARMS. The Hiawatha Electrical Code is hereby amended by adding a new Section K111.8 to the *International Building Code* Appendix K, Administrative Provisions, as follows:

Section K111.8. When an electrical service is installed or replaced in a dwelling or multiple dwelling unit building, smoke alarms and carbon monoxide alarms shall be of the type installed as required by Iowa Administrative Rule 661-210 and Chapter 1092 (S.F. 2219), the installation, interconnection, and power supply requirement shall be as set forth in the 2018 International Residential Code or the 2018 International Building Code which ever applies, for each dwelling unit receiving power from the electrical service.

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157.08 CLEAR SPACE. Repealed The Hiawatha Electrical Code is hereby amended by deleting Section 110.26 (B) to the National Electrical Code, in its entirety and adding the following:

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Section 110.26 (B). CLEAR SPACES. For electrical equipment located in rooms that contain storage areas, the required working clearances as prescribed in this Article shall be maintained by providing approved rigid barriers and labels.

Exception 1: Within individual residential dwelling units.

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Exception 2: Where barriers would obstruct exit pathways the authority having jurisdiction for enforcing this Code may grant an exception or approve an alternate method.

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FPN: Barriers shall be a minimum of 36 inches in height, the full width of the required working area and meet the load requirements as prescribed by the Building Code for guardrails.

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Comment [J1]: Similar language exist in the 2017 NEC and 2018IRC

157.09 RECEPTACLES. The Hiawatha Electrical Code is hereby amended by adding an additional exception to Section 210.8 (A)(5) of the *National Electrical Code*, which shall read as follows:

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Exception No. 2 to (5): The sump pump receptacle shall not be required to be GFCI protected. A single receptacle supplying a permanently installed sump pump, providing that the sump pump receptacle is permanently and clearly labeled "for sump pump use

only” and providing there is at least one GFI protected duplex receptacle available for use within the room or area in which the sump pump receptacle is located.

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157.10 COUNTER TOPS, Repealed. The Hiawatha Electrical Code is amended by deleting portions of Section 210.52(C) of the National Electrical Code.

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Delete Section 210.52 (C)(3) Peninsular Counter Spaces.

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157.11 Repealed

PARAGRAPHS ADDED TO ARTICLE 230.

Comment [J2]: 2017 NEC requires the mast to be properly supported or of adequate strength. NEC 230.28 (A)

1. The Hiawatha Electrical Code is hereby amended by adding a second paragraph to Section 230.26 of the National Electrical Code, as follows:

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The point of attachment of service entrance for all structures shall be located at a point approved by the utility serving the premises and complying with other provisions of this article.

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2. The Hiawatha Electrical Code is hereby amended by adding a second paragraph to Section 230.28 of the National Electrical Code, as follows:

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Where a service mast is used for the support of service drop conductors, the service raceway shall be a minimum of 2" rigid galvanized steel conduit.

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157.12 USES PERMITTED, Repealed

The Hiawatha Electrical Code is hereby amended by repealing Section 334.10 (1) thru (5) of the National Electrical Code, and replacing it with a new Section 334.10 as follows:

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Section 334.10. Uses Permitted. Type NM, Type NCM and Type NMS cables shall be permitted in the following:

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(1) One and two family dwellings.

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(2) Multi family dwelling structures containing not more than twelve (12) dwelling units, except as prohibited in Section 334.12. For the purpose of this section, multi family dwelling structures are buildings that contain only dwellings and no other uses.

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(3) Structures and uses, accessory to dwelling units of numbers (1) and (2) above.

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FPN: See Section 310.10 for temperature limitation of conductors.

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157.13 USES NOT PERMITTED, Repealed

The Hiawatha Electrical Code is hereby amended by adding an eleventh and twelfth condition to Section 334.12 (A) of the *National Electrical Code*, (~~Uses Not Permitted, Types NM, NMC and NMS cable~~) as follows:

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~~Section 334.12 (A),~~

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~~(11) — For commercial, educational, ceremonial or public uses,~~

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~~(12) — Uses not specified in 334.10,~~

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157.14 REMOTE WATER METER READER CONDUIT. The Hiawatha Electrical Code is hereby amended by adding a second paragraph to Article 725.8(b) of the *National Electrical Code*, as follows:

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~~Article 725.8(b) 2nd paragraph~~

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All buildings using City water shall have installed a metallic conduit starting within 12 inches of the water meter inside location. The conduit shall not have 90 degree right angle fittings. All bends shall be sweeping to let wire feed through easily. All commercial and industrial buildings and apartment buildings over 4-plex shall install ¾ inch conduit. All single family dwellings, duplexes, 3-plex and zero lot line dwellings shall have ½ inch conduit installed. The conduit shall end with the other utility metering device(s) on the outside of the building.

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(Chapter 157 - Ord. 827 – Apr. 15 Supp.)

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CHAPTER 158
MECHANICAL CODE

158.01 Mechanical Code Adopted	158.06 Fee Refunds
158.02 Amendments to the Mechanical Code	158.07 Violation
158.03 Conflicts	158.08 Board of Appeals
158.04 International Fuel Gas Code	158.09 Code on File
158.05 Permit & Fees Required	

158.01 MECHANICAL CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Mechanical Code of the City that certain Mechanical Code known as the *International Mechanical Code, ~~2018~~2015 Edition*, as prepared and published by the International Code Council, which code is hereby specifically incorporated by reference and shall be known as the Hiawatha Mechanical Code. The provisions of said Mechanical Code shall be controlling in the erection, installation, alteration, repair, relocation, replacement, addition to, use, maintenance or removal of heating, ventilation, cooling or refrigerating systems, incinerators or other miscellaneous heat-producing or refrigerating appliances and in all matters covered by said Mechanical Code within the corporate limits of the City.

158.02 AMENDMENTS TO THE MECHANICAL CODE. Certain sections of the *International Mechanical Code*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

158.03 CONFLICTS. If conflicts arise in requirements with regards to specifications of materials or methods between portions of this code, between this code and other local codes or between this code and applicable State or Federal requirements, the more stringent shall apply.

158.04 INTERNATIONAL FUEL GAS CODE. The Hiawatha Mechanical Code is hereby amended by adding a new Section 101.2.2 to the *International Mechanical Code* as follows:

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101.2.2 The *International Fuel Gas Code, ~~2018~~2015 Edition*, as further amended is hereby adopted and shall be considered as part of this code.

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158.05 PERMIT & FEES REQUIRED. The Hiawatha Mechanical Code is hereby amended by deleting Section 106.5.2 from the *International Mechanical Code*, and inserting in lieu thereof the following:

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106.5.2 Fee Schedule. The fees for mechanical work shall be as set forth in Table 1-A, as adopted by resolution of the City of Hiawatha Council.

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158.06 FEE REFUNDS. The Hiawatha Mechanical Code is hereby amended by deleting the words “[SPECIFY PERCENTAGE]” from Section 106.5.3 (2.) and (3.) of the *International Mechanical Code*, and replacing said words with “80 percent”.

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158.07 VIOLATION. The Hiawatha Mechanical Code is hereby amended by adding a new Section 108.1.1 to the *International Mechanical Code*, as follows:

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108.1.1 Violations. Specifics of information for Section 108 Violations shall be as set forth in City of Hiawatha Code of Ordinances Chapter 4.

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158.08 BOARD OF APPEALS. Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Mechanical Code shall be heard by the Board of Appeals (hereinafter “Board”) as set forth in Chapter 159 of this Code of Ordinances.

158.09 CODE ON FILE. An official copy of the Hiawatha Mechanical Code hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the Clerk in City Hall and shall be kept on file; and copies shall be available in the Community Development Department for public inspection. The Community Development Department shall furnish a copy of the Mechanical Code hereby adopted to the Hiawatha Public Library.

(Chapter 158 - Ord. 828 – Apr. 15 Supp.)

CHAPTER 159

BOARD OF APPEALS

159.01 Established	159.09 Recommendations to Council
159.02 Membership	159.10 Vote
159.03 Ex-Officio Members	159.11 Chairperson
159.04 Appointment and Compensation	159.12 Tests
159.05 Quorum	159.13 Variances
159.06 Meetings	159.14 Failure to Act
159.07 Appeals Process	159.15 Finality of Decision and Necessary Vote
159.08 Licensure Suspension, Revocation & Renewal	

159.01 ESTABLISHED. There is hereby established a Board of Appeals, hereinafter called the Board, for the purpose of making a determination of any appeal arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and variances from the Building (Chapter 155), Electrical (Chapter 157), Fire (Chapter 160), Housing (Chapter 163), Mechanical (Chapter 158), or Plumbing (Chapter 156), or Property Maintenance (Chapter 164) Codes, provided that the granting of such variation would not increase the hazard to life or property. ~~The Board will also have authority to license pipe layers pursuant to Chapter 130 of this Code of Ordinances.~~

159.02 MEMBERSHIP. Said Board shall ~~initially~~ consist of at least seven (7) members. One member of the Board shall be a building contractor registered with the City Building Department; one shall be a licensed electrical contractor or a licensed electrician; one shall be a licensed mechanical contractor or licensed mechanical journeyman; one shall be a licensed master plumber or a licensed journeyman plumber; and three shall be private citizens. All of the Board members shall have a place of business or residence located in the City and be qualified by experience and training to pass upon matters pertaining to Building, Electrical, Fire, Mechanical and Plumbing construction, provided such qualified candidates are available.

159.03 EX-OFFICIO MEMBERS. The Building Official or authorized representative shall be an ex-officio member without a vote and shall act as a Secretary of the Board. A “Fire

Prevention Official,” as designated by the Fire Chief, shall be an ex-officio member without a vote and shall provide technical expertise and interpretation in fire related and/or life safety appeals brought before the Board.

159.04 APPOINTMENT AND COMPENSATION. The Board shall be appointed by the Mayor subject to approval of the Council. Appointment of members shall be for staggered terms of three (3) years, with the terms of not more than two (2) members to expire December 31 of any one year. All members shall serve without compensation.

159.05 QUORUM. A majority of the full membership of the Board shall constitute a quorum. Ex-officio members shall not be included in calculation of a quorum.

159.06 MEETINGS. The Board shall hold a regular meeting on the third Monday of each month unless there are no licensing, appeals or business on file for a hearing. All requests for hearings shall be submitted in writing to the Building Official by noon on the Monday preceding the regular meeting. A ~~nominal fee of fifty dollars (\$50.00)~~ shall be charged in appeals matters relating to Building, Electrical, Fire, Mechanical, Plumbing, or Property Maintenance Codes in accordance with the City Council fee schedule resolution. The Board shall adopt rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official for appropriate distribution and filing.

159.07 APPEALS PROCESS.

1. Any person aggrieved by a written notice of the City issued in connection with any alleged violation of the Building, Electrical, Fire, Mechanical, Plumbing, or Property Maintenance Codes, of any applicable rule or regulation issued pursuant to the aforementioned Codes, may apply in writing to the Board for a reconsideration of such notice or order provided that such application is made within thirty (30) calendar days after the date of postmark of notice or proof of service.
2. Upon receipt of any appeal filed pursuant to this section, the matter shall be presented at the next regular or special meeting of the Board.
3. As soon as practicable after receiving a written appeal, the Board shall hold a public meeting to consider the appeal. The applicant shall be advised in writing of the time and place of such meeting at least seven (7) days prior to the date of the meeting. At such meeting, the applicant shall be given an opportunity to be heard and to show cause why such notice or order should be modified, extended,

withdrawn or variance granted. The Board may, in its discretion, hold a public hearing on any matter brought before the Board.

4. The Board, by a majority vote of the full membership of the Board, may sustain, modify or withdraw the notice or order. In granting an extension or variance of any notice or order, the Board shall observe the following conditions:

A. The Board, by a majority vote of the full membership of the Board, may sustain, modify or withdraw the notice or order. In granting an extension or variance of any notice or order, the Board shall observe the following conditions:

(1) That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any notice or order.

(2) That such an extension is in harmony with the general purpose and intent of the applicable Code in securing the public health, safety and general welfare.

B. The Board may grant a variance in a specific case and from a specific provision of the applicable Code subject to appropriate conditions and provided the Board makes specific findings of fact based on evidence relating to the following:

(1) That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any notice or order.

(2) That the effect of the application of the provisions would be arbitrary in the specific case.

(3) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships in this arbitrary effect.

(4) That such a variance is in harmony with the general purpose and intent of the applicable Code in securing the public health, safety and general welfare.

5. Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or to any portion thereof.

6. Enforcement of any notice or order issued under this Code shall be stayed during the duration of an appeal of the order, which is properly and timely filed.

159.08 LICENSURE SUSPENSION, REVOCATION, AND RENEWAL.

1. Suspension or Revocation. Prior to suspension or revocation of a license, at least fifteen (15) days' notice shall be given to the holder whose license is in question by certified mail addressed to holder's last known mailing address as shown on license records in the City's Community Development Department. Failure to receive such notice shall not constitute a defense. Said notice shall indicate time and place of the hearing and the general grounds for the contemplated suspension or revocation. The notice shall also advise the holder of his or her rights to appear at said hearing in person, or by counsel, for the purpose of presenting his or her defense.

2. Renewal of Revoked License. A person whose license has been revoked shall not apply for a new license within six (6) months after the revocation of the aforesaid. Said application shall be accompanied by a fee in accordance with the City Council fee resolution. ~~of \$50.00.~~ The suspension or revocation of a license shall not entitle the holder to a refund of any part of the license for which he or she may have paid.

159.09 RECOMMENDATIONS TO THE COUNCIL. The Board shall make recommendations from time to time to the Council for appropriate legislation with respect to rental licensing ~~of Pipe Layer contractors~~, or with respect to the Building, Electrical, Fire, Mechanical, Plumbing, and Property Maintenance Codes.

159.10 VOTE. All decisions or recommendations of the Board shall require a majority vote of the full membership of the Board.

159.11 CHAIRPERSON. The Board shall elect annually one of its members as Chairperson. The Chairperson shall preside at all meetings of the Board or designate an acting Chairperson to preside in his or her place.

~~**159.12 TESTS.** All tests shall be given on times and dates to be determined by the Board.~~

159.123 VARIANCES. Alternative materials and methods and other variances from the Building, Electrical, Fire, Mechanical, Plumbing, and Property Maintenance Codes granted by

the Board shall be effective only for the specific case presented in appeal and only for one year following approval.

159.134 FAILURE TO ACT. In case an appellant or applicant does not exercise his or her rights, or fails to begin construction or operations or occupancy in accordance with any appeal, variance or permit granted by the Board within one year-, such variance or permit shall be null and void.

159.145 FINALITY OF DECISION AND NECESSARY VOTE. All decisions and findings of the Board on any license or appeal for a variance, after a public hearing, shall in all instances be the final administrative decision and shall be subject to judicial review as provided by law. The concurring vote of the majority of the full membership of the Board shall be necessary to reverse an order, requirement, decision or determination of the Building Official, or decide in favor of the applicant on any matter upon which it is required to pass under this Code or to effect a variance in such Code.

(Chapter 159 - Ord. 766 – Mar. 14 Supp.)

CHAPTER 163
HOUSING CODE

163.01 Purpose	163.11 Repealed Definitions
163.02 International Property Maintenance Code Adopted	163.12 Weeds
163.03 Amendments to the Property Maintenance Code	163.13 Insect Screens
163.04 Authority for Enforcement	163.14 Single Occupant
163.05 Registration and Fees	163.15 Heat Supply and Occupiable Work Spaces
163.06 Plans of Inspection	163.16 Safety Controls Safety Controls
163.07 Interference with the Code Enforcement Officer	163.17 Receptacles
163.08 Unsafe Structures and Equipment	163.18 Repealed Smoke Alarms
163.09 Right to Appeal	163.19 Code on File
163.10 Failure to Comply	

163.01 PURPOSE. The purpose of this Chapter is to designate the responsibilities of persons for maintenance of structures, equipment and exterior property within the City, to define nuisances as a result of the failure to perform such maintenance and to provide for the abatement of such nuisances in order to provide for the safety and preserve the health and welfare of the citizens of the City.

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163.02 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Housing Code of the City of Hiawatha that certain Code known as the *International Property Maintenance Code, 2018-2015 Edition*, First Printing, as prepared and edited by the International Code Council, Inc., ~~as amended by Hiawatha Property Maintenance Code Chapter 164~~, and the provisions of said Property Maintenance Code shall be controlling in maintaining minimum requirements and standards of structures and properties within the corporate limits of the City and shall be known as the Hiawatha Housing Code.

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163.03 AMENDMENTS TO THE PROPERTY MAINTENANCE CODE. Certain sections and portions of sections of the *International Property Maintenance Code*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter. Sections Amended: The following sections are amended by the addition of the following information.

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163.04 AUTHORITY FOR ENFORCEMENT. The City Administrator shall be responsible for the enforcement of this chapter and shall have all the necessary authority to carry out such enforcement. Any person designated by the City Administrator to enforce this chapter shall be known as the Code Enforcement Officer.

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163.05 REGISTRATION AND FEES. The Hiawatha Housing Code is hereby amended by repealing Section 103.5 of the *International Property Maintenance Code*, and by replacing said section with a new section, as follows:

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Section 103.5 Registration and Fees

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1. **Registration Required.** No person shall operate a rental dwelling unit, rooming house, congregate housing or independent group residence unless the person has first registered such rental dwelling unit, rooming house, congregate housing or independent group residence with the City. There is a onetime registration fee for all rental properties; fee shall be established by resolution of the City Council. Failure to pay the registration fee within thirty (30) days following occupancy of the dwelling unit, rooming house, congregate housing or independent group residence may result in the registration fee being assessed as costs against the property for collection in the same manner as a property tax.

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2. **Duration of Registration.** Such registration shall remain in effect until there occurs a change in ownership or designation of agents of the rental dwelling unit, rooming house, congregate housing or independent group residence. In such event, the owner, operator or agent of such property shall register such property with the City within (60) days of such change in ownership. Failure to comply will result in a code violation with an investigation fee in addition to the registration fee; fee shall be established by resolution of the City Council.

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3. **Registration Form.** Registration shall not be in effect unless the owner, operator or agent has first made application on an application form provided by the City. At the time of registration, the owner, operator or agent shall designate an agent for the service of process who is a resident of the State of Iowa.

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4. **Inspection and Investigation Fees.** Inspection and investigation fees shall be established by resolution of the City Council. Failure to pay any inspection or investigation fee within thirty (30) days following the date of the inspection or investigation may result in the inspection or investigation fee being assessed as costs against the property for collection in the same manner as a property tax.

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163.06 PLANS OF INSPECTION. The Hiawatha Housing Code is hereby amended by repealing Section 104.2 of the *International Property Maintenance Code*, and by replacing said section with new section, as follows:

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Section 104.2 Plans of Inspection. ~~The enforcement of the Hiawatha Housing Code shall include:~~

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1. ~~A plan for the regular inspection of all rental units, rooming houses, congregate housing, and independent group residences and,~~

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2. ~~A plan for the~~The inspection of ~~all~~ residential dwellings contained within the City upon receipt of complaints.

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163.07 INTERFERENCE WITH THE CODE ENFORCEMENT OFFICER. No person shall interfere with the Code Enforcement Officer while engaged in the enforcement of this chapter.

163.08 UNSAFE STRUCTURES AND EQUIPMENT. The Hiawatha Housing Code is hereby amended by repealing Section 108.1 of the *International Property Maintenance Code*, and by replacing said section with new section, as follows:

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108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, the code official shall commence proceedings to cause the repair, vacation or demolition of the structure and the structure may be condemned pursuant to the provisions of this code.

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163.09 RIGHT TO APPEAL. The Hiawatha Housing Code is hereby amended by repealing Section 111 of the *International Property Maintenance Code*, and by replacing said section with new section, as follows:

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111 Means of Appeal. Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Housing Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

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163.10 FAILURE TO COMPLY. The Hiawatha Housing Code is hereby amended by repealing Section 112.4 of the *International Property Maintenance Code*, and by replacing said section with new section, as follows:

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Section 112.4 Failure to Comply,

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1. Any person who shall continue any work 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 be subject to a municipal infraction as specified by City Code.

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163.11 Repealed -DEFINITIONS. For the purpose of this chapter, the following terms are defined:

~~1. "Blighted area" is defined as set forth in Section 403.17 of the Code of Iowa.~~

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~~2. "Vermin" means any of various insects, bugs or small animals regarded as objectionable because they are destructive, disease carrying, etc.~~

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~~3. "Occupant load" is defined as 2 persons per bedroom.~~

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~~4. "Family" means one or more persons each related to the other by blood, marriage, adoption, legal guardianship or as foster parent children who live together in a single dwelling and maintaining a common household. No more than five persons not so related and living together on the premises, as a common household may constitute a "family".~~

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163.12 WEEDS. The Hiawatha Housing Code is hereby amended by repealing Section 302.4 of the *International Property Maintenance Code*, and by replacing said section with a new section as follows:

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302.4 WEEDS. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (8) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

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163.13 INSECT SCREENS. The Hiawatha Housing Code is hereby amended by repealing Section 304.14 of the *International Property Maintenance Code*, and by replacing said section with a new section as follows:

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304.14 INSECT SCREENS. During the period from January 1 to December 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have self-closing device in good working condition.

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163.14 SINGLE OCCUPANT. The Hiawatha Housing Code is hereby amended by repealing Section 309.3 of the *International Property Maintenance Code*.

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163.15 HEAT SUPPLY AND OCCUPIABLE WORK SPACES. The Hiawatha Housing Code is hereby amended by adding the dates of January 1 to December 31 to the respective sections of the *International Property Maintenance Code* in Sections 602.3 and 602.4.

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163.16 SAFETY CONTROLS. The Hiawatha Housing Code is hereby amended by repealing Section 603.4 of the *International Property Maintenance Code*, and by replacing said section with a new section, as follows:

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603.4 SAFETY CONTROLS. All safety controls for fuel burning equipment shall be maintained in effective operation. Any structures using fuel burning equipment shall protect the residents by complying with the requirements of the Hiawatha Building Code which requires carbon monoxide detectors.

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163.17 RECEPTACLES. The Hiawatha Housing Code is hereby amended by addition of a new Section 605.2.1 to the *International Property Maintenance Code*, reading as follows:

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605.2.1 GROUND FAULT CIRCUIT REQUIREMENTS. Receptacles which are within three feet of a source of water shall have ground fault circuit interrupter protection.

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163.18 ~~Repealed~~SMOKE ALARMS. ~~The Hiawatha Housing Code is hereby amended by repealing Section 704.2.1.3 and 704.2.1.4 of the *International Property Maintenance Code* and leaving said sections blank.~~

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163.19 CODE OF FILE. An official copy of the Hiawatha Housing Code hereby adopted, including a certificate by the Clerk as to its adoption and the effective date thereof, shall be on file in the office of the Clerk in City Hall and shall be kept there on file, and copies shall be available for public inspection. A copy of this chapter shall be available in the Community Development Department Office.

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(Ch. 163 – Ord. 830 – Apr. 15 Supp.)

CHAPTER 164
PROPERTY MAINTENANCE

164.01 Purpose	164.08 Right to Appeal
164.02 International Property Maintenance Code Adopted Definitions	164.09 Definitions Request for Hearing
164.03 Amendments to the Property Maintenance Code Authority for Enforcement	164.10 Smoke Alarms
164.04 Authority for Enforcement Interference with the Code Enforcement Officer	164.11 Nuisances
164.05 Interference with the Code Enforcement Officer International Property Maintenance Code Adopted	164.12 Notice to Abate
164.06 Repealed Amendments to the Property Maintenance Code	164.13 Emergency Abatement Measures
164.07 Unsafe Structures and Equipment	164.14 Code on File

164.01 PURPOSE. The purpose of this Chapter is to designate the responsibilities of persons for maintenance of structures, equipment and exterior property within the City, to define nuisances as a result of the failure to perform such maintenance and to provide for the abatement of such nuisances in order to provide for the safety and preserve the health and welfare of the citizens of the City.

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~~PURPOSE. The purpose of this Chapter is to designate the responsibilities of persons for maintenance of structures, equipment and exterior property within the City, to define nuisances as a result of the failure to perform such maintenance and to provide for the abatement of such nuisances in order to provide for the safety and preserve the health and welfare of the citizens of the City.~~

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164.02 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Property Maintenance Code of the City of Hiawatha that certain Code known as the *International Property Maintenance Code, 2018 Edition, First Printing*, as prepared and edited by the International Code Council, Inc., and the provisions of said Property Maintenance Code shall be controlling in maintaining minimum requirements and standards of structures and properties within the corporate limits of the City and shall be known as the *Hiawatha Property Maintenance Code*. ~~DEFINITIONS. For the purpose of this chapter, the following terms are defined:~~

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~~1. "Blighted area" is defined as set forth in Section 403.17 of the Code of Iowa.~~

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~~2. "Vermin" means any of various insects, bugs or small animals regarded as objectionable because they are destructive, disease carrying, etc.~~

~~164.03 **AMENDMENTS TO THE PROPERTY MAINTENANCE CODE.** Certain sections and portions of sections of the *International Property Maintenance Code*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.**AUTHORITY FOR ENFORCEMENT.** The City Administrator shall be responsible for the enforcement of this chapter and shall have all the necessary authority to carry out such enforcement. Any person designated by the City Administrator to enforce this chapter shall be known as the Code Enforcement Officer.~~

~~164.04 **AUTHORITY FOR ENFORCEMENT.** The City Administrator shall be responsible for the enforcement of this chapter and shall have all the necessary authority to carry out such enforcement. Any person designated by the City Administrator to enforce this chapter shall be known as the Code Enforcement Officer.**INTERFERENCE WITH THE CODE ENFORCEMENT OFFICER.** No person shall interfere with the Code Enforcement Officer while engaged in the enforcement of this chapter.~~

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~~164.05 **INTERFERENCE WITH THE CODE ENFORCEMENT OFFICER.** No person shall interfere with the Code Enforcement Officer while engaged in the enforcement of this chapter.~~

~~**INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.** Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Property Maintenance Code of the City of Hiawatha that certain Code known as the *International Property Maintenance Code, 2015 Edition, First Printing*, as prepared and edited by the International Code Council, Inc., and the provisions of said Property Maintenance Code shall be controlling in maintaining minimum requirements and standards of structures and properties within the corporate limits of the City and shall be known as the Hiawatha Property Maintenance Code.~~

~~164.06 **Repealed AMENDMENTS TO THE PROPERTY MAINTENANCE CODE.** Certain sections and portions of sections of the *International Property Maintenance Code*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.~~

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~~164.07 **DEFINITIONS.** For the purpose of this chapter, the following terms are defined:~~

~~1. "Blighted area" is defined as set forth in Section 403.17 of the Code of Iowa.~~

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~~2. "Vermin" means any of various insects, bugs or small animals regarded as objectionable because they are destructive, disease carrying, etc.~~

UNSAFE STRUCTURES AND EQUIPMENT. The Hiawatha Property Maintenance Code is hereby amended by repealing Section 108.1 of the *International Property Maintenance Code*, and by replacing said section with new section, as follows:

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108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, the code official shall commence proceedings to cause the repair, vacation or demolition of the structure and the structure may be condemned pursuant to the provisions of this code.

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164.08 RIGHT TO APPEAL. The Hiawatha Property Maintenance Code is hereby amended by repealing Section 111 of the *International Property Maintenance Code*, and by replacing said section with new section, as follows:

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111 Means of Appeal. Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Property Maintenance Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

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164.09 ~~(Repealed by Ord. 776 – Mar. 14 Supp.)~~ **DEFINITIONS.** Section 202 is amended by adding the following definitions.

1. "Blighted area" is defined as set forth in Section 403.17 of the Code of Iowa.

2. "Vermin" means any of various insects, bugs or small animals regarded as objectionable because they are destructive, disease carrying, etc.

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164.10 SMOKE ALARMS AND CO ALARMS. The Hiawatha ~~Property Maintenance~~Housing Code is hereby amended by replacing Section 704.6 repealing Section 704.2.1.3 and 704.2.1.4 of the *International Property Maintenance Code* as follows, and leaving said sections blank.

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~~704.6 Single-and multiple-station smoke alarms and CO alarms. Single-and multiple-station smoke alarms and CO alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3, Section 705 and Iowa Code Chapter 100.18.~~

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164.11 NUISANCES. A failure to satisfy any of the provisions of the Hiawatha Property Maintenance Code shall constitute a nuisance.

164.12 NOTICE TO ABATE. Upon discovery of any violation of Section 164 the City shall within five (5) days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

164.13 EMERGENCY ABATEMENT MEASURES. Notwithstanding any other provisions of this chapter, whenever in the judgment of the Code Enforcement Officer any nuisance is an immediate and imminent threat to life and property, the Code Enforcement Officer may, with or without prior notice as required within, order the nuisance abated and costs assessed against the property for collection in the same

manner as a property tax. However, prior to such assessment, the City shall give the property owner notice as provided by the Code of Iowa and this Code of Ordinances.

164.14 CODE ON FILE. An official copy of the Hiawatha Property Maintenance Code hereby adopted, including a certificate by the Clerk as to its adoption and the effective date thereof, shall be on file in the office of the Clerk in City Hall and shall be kept there on file, and copies shall be available for public inspection. A copy of this chapter shall be available in the Community Development Department Office.

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(Ch. 164 – Ord. 831 – Apr. 15 Supp.)

CHAPTER 97

USE OF PUBLIC SEWERS

97.01 Storm Water

97.05 Restricted Discharges - Powers

97.02 Storm Sewer Connections

97.06 Special Facilities

97.03 Prohibited Discharges

97.07 Control Manholes

97.04 Restricted Discharges

97.08 Testing of Wastes

97.01 STORM WATER. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof run-off, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent, to a storm sewer or natural outlet.

97.02 STORM SEWER CONNECTIONS. Storm water, sub-soil drains, springs or surface water shall be drained into public storm sewers wherever storm sewers are provided in adjacent rights-of-way in accordance with the following:

1. The installation and connection of drains from buildings and private properties to a storm sewer shall conform to the applicable plumbing and excavation standards of the City.
2. Each sub-soil sump pump shall be fitted with an approved discharge pipe of a minimum diameter of 1½ inches, which shall discharge into the storm sewer or other location approved by the city engineer.
3. Where a public storm sewer is not available, the sub-soil drainage shall not discharge over a public sidewalk or onto a public street, nor shall it return to the building or cause a nuisance to adjacent property.

EXCEPTION: Roof drains for one and two family dwellings and their accessory structures shall not discharge directly into the city storm sewer system unless approved by the city engineer.

97.03 PROHIBITED DISCHARGES. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Flammable or Explosive Material. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

2. Toxic or Poisonous Materials. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any

sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.

3. Corrosive Wastes. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

4. Solid or Viscous Substances. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

5. Excessive B.O.D., Solids or Flow. Any waters or wastes having (a) a five (5) day biochemical oxygen demand greater than three hundred (300) parts per million by weight, or (b) containing more than three hundred fifty (350) parts per million by weight of suspended solids, or (c) having an average daily flow greater than two (2) percent of the average sewage flow of the City, shall be subject to the review of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to three hundred (300) parts per million by weight, or (b) reduce the suspended solids to three hundred fifty (350) parts per million by weight, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

97.04 RESTRICTED DISCHARGES. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming an opinion as to the

acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances restricted are:

1. High Temperature. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
2. Fat, Oil, Grease. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or six hundred (600) milligrams per liter of dispersed or other soluble matter.
3. Viscous Substances. Water or wastes containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).
4. Garbage. Any garbage that has not been properly shredded, that is, to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half ($\frac{1}{2}$) inch in any dimension.
5. Acids. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solution whether neutralized or not.
6. Toxic or Objectionable Wastes. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
7. Odor or Taste. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of state, federal, or other public agencies or jurisdiction for such discharge to the receiving waters.
8. Radioactive Wastes. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
9. Alkalinity. Any waters or wastes having a pH in excess of 9.5.
10. Unusual Wastes. Materials which exert or cause:

- A. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
- B. Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).
- C. Unusual B.O.D., chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- D. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

11. Noxious or Malodorous Gases. Any noxious or malodorous gas or other substance which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.

12. Damaging Substances. Any waters, wastes, materials or substances which react with water or wastes in the sewer system to release noxious gases, develop color of undesirable intensity, form suspended solids in objectionable concentration or create any other condition deleterious to structures and treatment processes.

13. Untreatable Wastes. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

97.05 RESTRICTED DISCHARGES - POWERS. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 97.04 and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- 1. Rejection. Reject the wastes by requiring disconnection from the public sewage system;

2. Pretreatment. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Controls Imposed. Require control over the quantities and rates of discharge; and/or
4. Special Charges. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Chapter 99.

97.06 SPECIAL FACILITIES. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

97.07 CONTROL MANHOLES. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

97.08 TESTING OF WASTES. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods of the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, B.O.D. and

suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples).