

## CHAPTER 154: BUILDING AND HOUSING CODES

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## Section

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## BUILDING CODE

### § 154.01 ADOPTION OF STATE BUILDING CODE.

(A) Pursuant to Iowa Code § 103A.12, the State Building Code, promulgated pursuant to Iowa Code Chapter 103A, is hereby adopted by reference and incorporated as if set out at length herein, save and except the portions as are hereinafter deleted, modified or amended. This chapter shall apply only to newly constructed buildings and structures as specified in I.A.C. § 491-5.4(18) for land-based gaming facilities and in Iowa Code § 103A.10A(3), which states in part newly constructed buildings and structures, the construction of which is paid for in whole or in part with monies appropriated by the state but not wholly owned by the state are subject to the plan review and construction requirements as provided for in this division.

(Ord. 2350, passed 7-24-2007)

### § 154.02 AMENDMENTS TO STATE BUILDING CODE.

(A) *Amendments, modifications, additions and deletions.* The following amendments, modifications, additions and deletions to the 2007 Iowa State Building Code are hereby made:

(1) The City of Clinton is inserted as the name of the municipality in those parts of the code where the insertions are necessary or appropriate.

(2) All references to the building line and zoning are void, and the subject matter of the zoning ordinance of the city shall be applicable.

(3) Delete all references to "Building Official" and replace all references with "Building and Neighborhood Services Director or his or her designee."

(4) Delete all references to the "Board of Appeal" and replace with "Clinton City Council."

(5) Delete from Section 112.3 of the International Building Code 2006, the following "The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction" and insert in lieu thereof the following "The City Council may seek input from persons qualified by experience and training to pass on matters pertaining to building construction."

(B) *Amendment to R112.3 of the International Residential Code 2006.*

*Qualifications.* The Board of Appeals shall consist of seven members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

(C) *Amendment to R112 of International Residential Code of 2006.*

*Duties.* The duties and powers of the Housing Board of Appeals shall also include the authority to consider and determine appeals filed pursuant to Chapter 90 of this code regarding request for hearing for nuisance abatement: Any member of the Board who is a landlord or lessor shall recuse themselves from the discussion or voting on any nuisance abatement appeal that involves a landlord/tenant situation.

(Ord. 2350, passed 7-24-2007; Ord. 2382, passed 7-8-2008; Ord. 2415, passed 7-13-2010)

### **§ 154.03 INSPECTIONS.**

All required inspections shall be performed by Community Development Department or by an individual or agency approved by the Building and Neighborhood Services Director or his or her designee. The Building and Neighborhood Services Director or his or her designee shall have the authority to accept and approve reports of inspection by approved agencies or individuals. Reports of inspections shall be in writing and be certified by the approved individual or the responsible officer of the approved agency. The owner of the building or structure being inspected shall bear all costs of the inspection.

(Ord. 2350, passed 7-24-2007) Penalty, see § 10.99

### **§ 154.04 FEES.**

For work requiring a building permit, the fees shall be adopted by resolution of the City Council.

(Ord. 2350, passed 7-24-2007)

### **§ 154.05 ADOPTION OF STANDARD CODES REFERENCES IN STATE BUILDING CODE.**

Pursuant to published notice and public hearing, the city hereby adopts the following standard codes by reference as the Clinton Building Code: International Building Code 2006 Edition (published by the International Code Council, Inc.), International Mechanical Code 2006 Edition (published by the International Code Council, Inc.), National Electrical Code 2005 Edition (published by National Fire Protection Agency), International Residential Code 2006 Edition (published by the International Code Council, Inc.), International Existing Building Code 2006 Edition (published by the International Code Council, Inc.), and International Energy Conservation Code 2006 Edition (published by the International Code Council, Inc.). The standard codes are hereby adopted in full except for the portions as may hereinafter be deleted, modified or amended. If any conflict exists between the adopted codes, the more restrictive code requirement applies. The provisions of the codes shall be controlling in the construction of buildings and other structures and in all matters covered by the code within the corporate limits of the city and shall be known as the "Clinton Building Code."

(Ord. 2351, passed 7-24-2007; Ord. 2356, passed 8-28-2007)

## **HOUSING CODE**

### **§ 154.20 ADOPTION.**

The Housing Quality Standards promulgated by the United States Department of Housing and Urban Development for use in assisted housing programs, a copy of which is on file in the office of the Clerk, are adopted as a Housing Code pursuant to the Iowa Code § 364.17. The Housing Code shall be used in conjunction with the minimum health and housing standards contained in Chapter 155 of this code of ordinances. In any case where a provision of the Housing Code conflicts with the minimum health and housing standards, the provision which establishes the higher standard shall prevail.

(1999 Code, § 155.01)

**§ 154.21 PROVISIONS FOR VARIANCES.**

Reasonable variances for existing structures which cannot practicably meet the standards of either the Housing Code or Chapter 155 but are not unsafe for habitation may be granted by the Housing Inspector or, upon appeal, by the Housing Board of Appeals.

(1999 Code, § 155.02)