

## ORDINANCE NO. 04-O-2021-2022

AN ORDINANCE AMENDING TITLE 5, CHAPTER 3, SECTION 3; TITLE 5, CHAPTER 4, SECTIONS 3 AND 6; TITLE 5, CHAPTER 6, SECTION 2; TITLE 5, CHAPTER 9, SECTION 2; TITLE 7, CHAPTER 1, SECTIONS 1, 5, 6, AND; 7 AND TITLE 7; CHAPTER 2, SECTION 2 OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA BY UPDATING BUILDING CODE, PLUMBING CODE, ELECTRICAL CODE, MECHANICAL CODE, HOUSING CODE, RESIDENTIAL BUILDING CODE, AND FIRE CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA THAT THE FOLLOWING CODE SECTIONS ARE AMENDED BY THE DELETION OF LANGUAGE INDICATED BY STRIKEOUT (—) AND BY THE ADDITION OF LANGUAGE INDICATED BY HIGHLIGHT (■):

### Section 1. Section 5-2-2 is hereby amended to read as follows

#### **5-2-2 Adoption Of Building Code**

After published notice and public hearing as required by law, the International Building Code, 20152021 Edition, and all provisions of the International Building Code Referenced Standards, 20152021 Edition, referred to therein, published by the International Code Council, and commonly known as the International Building Code, are hereby adopted in full except for such portions as may hereafter be deleted, modified or amended.

An official copy of the International Building Code, 20152021 Edition, as adopted by the City of Storm Lake, Iowa, and a certified copy of this Ordinance are on file in the office of the Building Official.

(A) In accordance with the provisions of said International Building Code, 20152021 Edition, Section 109, Building Permit fees shall be based on the total estimated cost of construction, reconstruction or repair, specifically including the estimated cost for any mechanical improvements included, and excluding the estimated costs for any plumbing or electrical work involved. The fee shall be set by Council Resolution.

(B) Foundations: Notwithstanding the provisions of the International Building Code, 20152021 Edition, the following provisions shall apply:

1. No application for a building permit may be granted with regard to the construction of any building (except private garages, carports, sheds, ag buildings, storage buildings, or warehouses) wherein the plans and specifications do not provide for a concrete foundation at least forty-eight inches (48") below grade, four (4) #4 horizontal re-rods continuous perimeter of structure, eight inches (8") thick, with a minimum concrete strength of three thousand (3,000) psi. These minimum specifications shall apply in all instances except as provided in subsection (B)2 of this Section.

2. In lieu of the requirements set out in subsection (B)1 of this Section, the following alternatives may apply:

a. Any accessory building, as defined in the Storm Lake Municipal Zoning Ordinance, with a total floor area of ~~six hundred (600) five hundred seventy-six (576)~~ square feet or less, may provide for a foundation of a floating slab type, which foundation otherwise meets the support and strength requirements provided by the International Building Code.

(C) The provisions of Section 113.3 of the International Building Code are hereby amended by providing that elected officials of the City who are not full-time employees may serve on the Board of Appeals.

(D) Section 101.4.3 of the International Building Code shall be amended to state: "The Uniform Plumbing Code shall be the referenced Code used in conjunction with this code to the prescribed extent of each such reference."

(E) Delete Sections 101.4.1, 101.4.3, 101.4.4, and 101.4.6 of the International Building Code.

(F) Section 101.4.6 of the International Building Code shall be amended to state: "The provisions of the International Energy Conservation Code as currently adopted and amended by the Iowa State Building Code Bureau shall apply to all matters governing the design and construction of buildings for energy efficiency."

## **Section 2. Section 5-3-3 is hereby amended to read as follows**

### **5-3-3 Plumbing Code Adopted**

After published notice and public hearing as required by law, the Uniform Plumbing Code, ~~2015 Edition~~2021 Edition, as published by the International Association of Plumbing and Mechanical Officials, but as adopted and amended from time to time by the ~~plumbing Plumbing and mechanical Mechanical~~ plumbing and mechanical systems board in the Iowa Department of Public Health pursuant to Iowa Code Section 105.4(1)(a) and administrative rules issued pursuant thereto, is hereby adopted in its entirety as the Plumbing Code for the City, except as provided below in this section 5-3-3, and it is hereby incorporated by reference. All installations, repairs and alterations of plumbing within the City shall be made in conformance with the City's Plumbing Code and no permit shall be issued by the Plumbing Inspector for such a project if the plans and specifications are not in conformance with that Plumbing Code.

A copy of the Uniform Plumbing Code, as adopted and amended by the ~~Iowa plumbing Plumbing and mechanical Mechanical~~ Iowa plumbing and mechanical systems board, shall be maintained in the office of the Building Official and shall be available for public inspection during all normal business hours.

Section 104.5 of the Uniform Plumbing Code relating to fees shall not apply in the City of Storm Lake, Iowa, including any schedules referred to by said Section. In lieu thereof, the applicant shall pay a fee as provided in Title 5, Chapter 3, Section 10.

**Section 3. Section 5-4-3 is hereby amended to read as follows**

**5-4-3 Electrical Code Adopted**

After published notice and public hearing as required by law, the National Electrical Code, 2014~~2020~~ Edition, as published and approved by the National Fire Protection Association but as adopted and amended from time to time by the electrical examining board within the division of state fire marshal of the Iowa Department of Public Safety pursuant to Iowa Code Section 103.6 and administrative rules pursuant thereto is hereby adopted as the Electrical Code for the City and it is hereby incorporated by reference. All installations, repair or replacement of electrical equipment within the City shall be made in conformance with the Electrical Code for the City and no permit shall be issued by the Electrical Inspector for such a project if the plans and specifications are not in conformance with that Code.

A copy of the National Electrical Code, 2014~~2020~~ Edition, as adopted and amended by the electrical examining board within the division of state fire marshal of the Iowa Department of Public Safety, shall be maintained in the office of the Building Official and shall be available for public inspection during all normal business hours.

Notwithstanding the provisions of the National Electrical Code, 2014~~2020~~ Edition, as adopted and amended by the electrical examining within the division of state fire marshal of the Iowa Department of Public Safety, the following provisions shall apply:

(A) All business buildings (either erected, altered or converted for such purpose), public buildings, schools, churches, oil stations, warehouses, bulk oil plants, institutional buildings, apartment houses and all buildings except dwelling houses of not more than two (2) families, shall be wired throughout with rigid conduit, armored cable, flexible steel conduit, metal raceway, electrical metallic tubing, or electrical non-metallic tubing in accordance with NEW requirements, provided, however, that armored cable or flexible steel conduit may be used only where it is impractical to use rigid conduit or electrical metallic tubing, and further provided that in remodeling work in the buildings above mentioned, metal surface raceway may be used in remodeling, where, in the opinion of the Electrical Inspector, it is impractical to install rigid conduit or electrical metallic tubing. However, in all structures having four (4) or more dwelling units, a feeder must be installed to each dwelling unit branch circuit panel and run in conduit or electric metallic tubing. Each individual dwelling unit may be wired in metallic armored cable (BX) or non-metallic sheath cable (Romex).

(B) Basements of all dwelling houses shall be wired in rigid conduit or electric metallic tubing with the same provision for the use of armored cable or flexible steel conduit as provided in the preceding paragraph, provided that where the entrance switch or panel is on a floor other than the basement, the conduit must be continuous from such switch or panel and connect to the basement conduit. The balance of buildings used as dwelling houses for not more than two (2) families and private garages may be wired with non-metallic sheathed cable.

(C) All sign boards or poster boards shall be wired in rigid conduit or electric metallic tubing.

**Section 4. Section 5-4-6 is hereby amended to read as follows**

**5-4-6 Permits**

No electrical equipment shall be installed within or on any building, structure or premises, publicly or privately owned, nor any alterations or additions made in existing equipment, without first securing a permit therefore from the Electrical Inspector except that a permit shall not be required to construct, maintain or install any of the following classes of electrical work:

- (A) Minor work and repairs where cost of material shall not exceed one hundred dollars (\$100.00).
- (B) The installation, alteration or repair of electrical equipment installed by or for any electrical supply agency, for the use of such agency, in the generation, transmission, distribution or metering of electricity.
- (C) Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring.
- (D) Inspections and an electrical permit are not required if all of the following conditions apply:
  - 1. The installation is performed by a licensed Electrical Contractor, Residential Electrical Contractor or their employees.
  - 2. The installation does not in any way involve work within a new or existing switchboard or panelboard.
  - 3. The installation does not exceed 30 amps.
  - 4. The installation does not exceed 277 volts, single phase.

**Section 5. Section 5-6-2 is hereby amended to read as follows**

**5-6-2 Adoption Of Mechanical Code**

After published notice and public hearing as required by law, the International Mechanical Code, 20152021 Edition, as published by the International Code Council, Inc., but as adopted and amended from time to time by the plumbing and mechanical systems board in the Iowa Department of Public Health pursuant to Iowa Code Section 105.4(1)(a) and administrative rules issued pursuant thereto is hereby adopted in full except for such portions as may hereafter be deleted, modified or amended.

An official copy of the International Mechanical Code, 20152021 Edition, as adopted and amended from time to time by the plumbing and mechanical systems board in the Iowa Department of Public Health, and a certified copy of this Ordinance are on file in the office of the Building Official.

Notwithstanding the provisions of said International Mechanical Code, 20152021 Edition, as adopted and amended by the plumbing and mechanical systems board in the Iowa Department of Public Health, the provisions of Section 106.5 relating to fees shall not apply including any schedules referred to by said paragraphs. In lieu thereof, the cost of the mechanical improvements shall be included with the other costs of building improvements subject to the Building Permit Fee Schedule required by Title 5, Chapter 2, Section 2 and therefore collected as a part of the building permit fee.

The provisions of Section 109 of the International Mechanical Code are hereby amended by providing at elected officials of the City who are not full-time employees may serve on the Board of Appeals.

**Section 6. Section 5-8-8 is hereby amended to read as follows**

**5-8-8 CODE CITATIONS IN SUPPORT OF SUBSTANDARD BUILDING STANDARDS**

The following references to substandard building standards set forth in Chapter 10 of the Uniform Housing Code and set out in the left column below shall be held to mean a condition which does not meet the standards set forth in the code section or sections set forth opposite that standard:

**Substandard Building Standard Support Code Section**

1001.2(1)	UHC 505.1, UPC <del>401.2</del> 422.0
1001.2(3)	UHC 505.3, UPC 420.0
1001.2(5)	Definitions/Chapter 4, UHC
1001.2(6)	UHC 701.1, IBC 1204.1
1001.2(8) (Ventilation only)	UHC 504
1001.2(10)	UHC 504.4, UHC 701.2
1001.2(14)	UHC 1001.2, Section 3-2-2(d)Storm Lake City Code
1001.3(2)	UHC 1001.3, Tables 2308.4.2.1(1), 2308.4.2.1(2) IBC
1001.3(3)	UHC 1001.3, Tables 2308.4.2.1(1), 2308.4.2.1(2) IBC
1001.3(5)	Table 23805.1, <del>2308.4.1.1(1)</del> and 2308.4.1.1(2) IBC
1001.3(7)	Tables23807.1(1), 23807.1(2), and 2308.7.2(3) IBC
1001.3(8)	UHC 1001.3
1001.5	<u>Control Panel</u> Access <del>IFC 605.3</del> IFC 603.4 Labeled IFC <del>605.3.1</del> 603.4.1 Openings NEC 110.12(A) <u>Outlets</u> Covered NEC 406.6 Open Wires/Splices IFC <del>605.6</del> 603.2.2 Extension Cords IFC <del>605.5</del> 603.6 Proper Overcurrent Protection NEC 310.15 Electrical Service Sized To Loads Imposed NEC 230.23
1001.6	Plumbing Which Has Not Been Maintained In Good Condition UHC 1001.6 Plumbing Which Has Cross Connections Or Siphonage Between Fixtures UPC 602.0
1001.7	Water Heaters and Boilers Which Do not have the Pressure Relief Valve Piped To Within 6" To The Floor UPC 608.5 Fuel Fired Equipment Without A Shutoff Valve Installed in the Gas Piping Within 6' of the Appliance UPC <del>1212.6</del>
1001.9	Buildings Not Designed For Occupancy UHC 1001.14 Improper Number of Exits Provided For Occupancy Load IBC 1006 Improper Storage Class I and II NFPA 30, Chapter 9.3.6 and 9.3.7

Flammable Containers IFC 5704.3.3  
Smoke Detectors – IFC 907.2.11  
Fire Alarm Systems - IFC 907.2.8  
Fire Extinguishers - IFC 906

**Section 7. Section 5-9-2 is hereby amended to read as follows**

**5-9-2 Adoption of Residential Building Code**

Pursuant to published notice and public hearing as required by law, the International Residential Code, 20152021 Edition, published by the International Code Council, Inc. is hereby adopted in full except for such portions as may hereafter be deleted, modified or amended.

An official copy of the International Residential Code, 20152021 Edition, as adopted, and a certified copy of this Ordinance are on file in the office of the Building Official.

(A) In accordance with the provisions of said International Residential Code, 20152021 Edition, Section R108.2, building permit fees shall be based on the total estimated cost of construction reconstruction or repair, specifically including the estimated cost for any mechanical improvements included, and excluding the estimated costs for any plumbing or electrical work involved. The fee shall be set by Council Resolution.

(B) Foundations: Notwithstanding the provisions of the International Residential Code, 20152021 Edition, the following provisions shall apply:

1. No application for a building permit may be granted with regard to the construction of any building (except private garages, carports, sheds, ag buildings, storage buildings, or warehouses) wherein the plans and specifications do not provide for a concrete foundation at least forty-eight inches (48") below grade, four (4) #4 horizontal re-rods continuous perimeter of structure, eight inches (8") thick, with a minimum concrete strength of three thousand (3,000) psi. These minimum specifications shall apply in all instances except as provided in subsection (B)2 of this Section.
2. In lieu of the requirements set out in subsection (B)1 of this Section, the following alternatives may apply:
  - a. Any accessory building, as defined in the Storm Lake Municipal Zoning Ordinance, with a total floor area of ~~five hundred seventy six (576)~~ six hundred (600) square feet or less, may provide for a foundation of a floating slab type, which foundation otherwise meets the support and strength requirements provided by the International Residential Code, 20152021 Edition.
  - b. Buildings intended for residential use, as defined in the Storm Lake Zoning Ordinance, may provide for wooden foundations otherwise meeting the strength and support requirements established by the International Residential Code, 20092021 Edition.

(C) The provisions of Section R112.3 of the International Residential Code are hereby amended by providing that elected officials of the City who are not full-time employees may serve on the Board of Appeals.

(D) The following Chapters of the 20152021 International Residential Code are hereby deleted: Chapters 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, (except 2904) 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 43

(E) Section R504, of the 20152021 International Residential Code is hereby deleted.

(F) Amend Table R402.2: Insert 3,000, in place of 2,500, in the severe weathering potential column.

(G) Amend R102.4 to State: "The Codes and Standards referenced in this Code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Any reference made in regard to Plumbing, Mechanical, Electrical, or Fire Codes shall be in fact construed to mean the Uniform Plumbing, International Mechanical, and International Fire Codes, as well as the National Electrical Code. When differences occur between provisions of this Code, as adopted, and referenced codes and standards, the provisions of this Code shall apply.

(H) Subsections R313.1 and R313.2 of the 20152021 International Residential Code are hereby amended by deleting said sections and inserting in lieu thereof the following:

The following structures shall be provided with automatic fire sprinkler systems installed in accordance section 2904 of the IRC, NFPA 13, NFPA 13R, NFPA 13D, or other systems listed and approved for installation in dwellings:

1. Any residential dwelling unit in which the gross square footage of the dwelling space(s), including all floor levels whether finished or unfinished and all basement areas whether finished or unfinished (exclusive of attached garage areas), that exceed 5,000 square feet.

2. Townhouse structures that contain more than 6 dwelling units.

3. Townhouse structures that exceed 14,000 square feet in gross floor area as determined above for dwelling units).

(I) Amend Chapter 11 (RE) of the 2021 International Residential Code to read as follows:  
Chapter 11 (IRC) The provisions of the International Energy Code as currently adopted and amended by the Iowa State Building Code Bureau shall apply to all matters governing the design and construction of buildings for energy efficiency.

**Section 8. Section 7-1-1 is hereby amended to read as follows**

**7-1-1 Adoption Of International Fire Code**

The City of Storm Lake, Iowa adopts the International Fire Code, ~~2015~~, 2021 Edition, and other Standards as may be referenced therein, published by the International Code Council, Inc., as adopted and amended from time to time by the state fire marshal in the Iowa Department of Public Safety pursuant to Iowa Code Sections 100.1(5) and 100.35 and administrative rules pursuant thereto, save and except such portions as are hereinafter deleted, modified or amended by Sections 7-1-5, 7-1-6, and 7-1-7 hereof. Such Code and Standards have been and are now filed in the office of the Building Official and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Chapter shall take effect, the provision thereof shall be controlling within the limits of the City.

**Section 9. Section 7-1-5 is hereby amended to read as follows**

**7-1-5 Establishments Of Limits In Which Storage Of Liquefied Petroleum Gases Is To Be Restricted**

Section 6101.1 of the International Fire Code shall be amended as follows: Storage of liquefied petroleum gas is restricted, ~~are hereby established as follows: Within the City limits of Storm Lake, Iowa with the exception of~~ in the City of Storm Lake to the Heavy Industrial (GI) Zoning District lying east of Geisinger Road and Flindt Drive and south of the abandoned railroad right-of-way.

**Section 10. Section 7-1-6 is hereby amended to read as follows**

**7-1-6 Establishments Of Limits Of Districts In Which Storage Of Explosives And Blasting Agents Is To Be Prohibited**

Section 5601.1, of the International Fire Code is amended to read as follows: Storage of explosives and blasting agents is prohibited within the City Limits of Storm Lake, Iowa.

**Section 11. Section 7-1-7 is hereby amended to read as follows**

**7-1-7 Amendments Made In The International Fire Code**

NFPA30, Flammable and Combustible Liquids Code is amended and changed in the following respects:

Reference Chapter 23.4 of NFPA30.

Location: A flammable or combustible liquid storage tank may be located underground, either away from or under a building, if such installation meets the requirements of this Section, except that no such installation can be made in any Residential District within the City.

Chapter 4.3.2.7 of NFPA 30A, as referenced by the International Fire Code shall have the following added:

Class I or Class II liquids shall not be dispensed into the fuel tank of a motor vehicle from above ground tanks with the exception that this subsection shall prohibit the dispensing of Class I or Class II liquids in the open from a fuel dispensing system supplied by an above ground tank or tanks, not to exceed a total of 6,000 gallons in capacity at any one location, which are located in areas of the City zoned light industrial (LI) or heavy industrial (GI) and intended for fueling vehicles used in connection with a business operated by the owner or lessee of the premises providing:

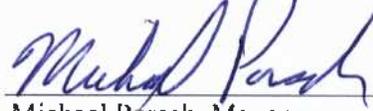
- a. An inspection of the premises and operations has been made and approval granted by the Storm Lake Fire Chief.
- b. The dispensing is done on premises which are not open to the public.
- c. The tank is safeguarded against collision, spillage and overflow, to the satisfaction of the Storm Lake Fire Chief.
- d. The tank system is listed or approved for such above ground use, and the longest dimension of each tank shall be the horizontal dimension.
- e. The tank complies with the requirements for emergency relief venting, and the tank and dispensing system the electrical classification requirements of the Code.
- f. The tank or tanks are not located within forty feet (40') from any building or any property line of a parcel of land not under the ownership or lease of the operator.
- g. The tank or tanks are not located within twenty feet (20') from any tanks used to store L.P gas.
- h. The tank storage shall be located completely within a concrete bunker which shall surround the tank or tanks and appurtenances and have the capacity to hold 120% of the capacity of the tank or tanks. The said bunker must be at least 3,000 psi concrete, be watertight with drain plug installed, and shall otherwise comply with the provisions of NFPA 30, Flammable and Combustible Liquids Code or the comparable provisions of NFPA 30A, as appropriate.

**SECTION 13. REPEALER:** All ordinances or parts of ordinances of the City of Storm Lake, Iowa in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 14. SAVINGS CLAUSE:** If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part thereof not adjudged invalid or unconstitutional.

**SECTION 15. EFFECTIVE DATE:** This ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 18th DAY OF OCTOBER, 2021.

A handwritten signature in blue ink, appearing to read "Michael Porsch", written over a horizontal line.

Michael Porsch, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Mayra A. Martinez", written over a horizontal line.

Mayra A. Martinez, City Clerk