

Chapter 5-8

HOUSING CODE

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Section 5-8-1 PURPOSE

The purpose of this Chapter shall be to establish the authority of the City with regard to rental housing within the City and to provide for the adoption of a uniform housing code.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-2 APPLICATION

The provisions of this Chapter shall apply to all residential units, including single family homes, duplexes, apartments, rural houses or condominiums which are leased for consideration to a person or persons other than the owner.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-3 HOUSING CODE ADOPTED

Pursuant to published notice and public hearing as required by law, the Uniform Housing Code, 1994 Edition, as published by the International Conference of Building Officials, is hereby adopted, except to the extent modified hereafter, as the housing code for the City applicable to all rental housing, and it is hereby incorporated by reference.

A copy of the Uniform Housing Code, 1994 Edition shall be maintained in the office of the Code Enforcement Officer and shall be available for public inspection during all normal business hours.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-4 AUTHORITY

The use of the term "building official" within the Uniform Housing Code shall mean the Code Enforcement Officer for the City of Storm Lake, or the Fire Chief, or such other persons as may be designated by the City Administrator or the Fire Chief.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-5 PARTS NOT APPLICABLE

Chapters 15 and 16 and Section 504.1 through 504.3 of the Uniform Housing Code, 1994 edition, shall not be applicable within the City of Storm Lake, Iowa.

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-6 COMPLIANCE - MODIFICATION

The second sentence of Section 1401.1 shall not apply within the City of Storm Lake. Instead, a violation of any of the provisions of this Chapter shall constitute a municipal infraction subject to the penalties and alternative relief authorized by Title I, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-7 SUBSTANDARD BUILDINGS INAPPLICABLE SECTIONS

The following Sections of Chapter 10 of the Uniform Housing Code relating to substandard buildings shall not apply within the City of Storm Lake.

(A) Subsections 2, 4, 7, 8, 9, 11,12, 13 and 15 of Section 1001.2 as well as the words "include, but not" contained in the definition of inadequate sanitation set forth in the introductory portion of Section 1001.2.

(B) Subsections 1 and 9 of Section 1001.3 as well as the words "include, but not" contained in the definition of structural hazards set forth in the introductory portion of Section 1001.3.

(C) Section 1001.4.

(D) Section 1001.10.

(E) Section 1001.11 to the extent that it would apply to owners of leased premises, provided, however, that owners shall be subject to Section 1001.11 if the occupant responsible for the accumulation no longer resides in the premises. Section 1001.11 shall remain in effect as to occupants of leased premises."

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 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 401.2
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 101.3, Tables 2308.4.2.1(1),2308.4.2.1(2), IBC
1001.3(5)	Table 2308.5.1 IBC
1001.3(7)	Tables2308.7.1(1),(2) and 2308.7.2(3) IBC
1001.3(8)	UHC 1001.3
1001.5	<u>Control Panel</u>
	Access IFC 605.3
	Labeled IFC 605.3.1
	Openings NEC 110.12(A)
	<u>Outlets</u>
	Covered NEC 406.6
	Open Wires/Splices IFC 605.6
	Extension Cords IFC 605.5
	Proper Overcurrent Protection NEC 310.15(B)(16)
	Electrical Service Sized To Loads Imposed NEC230.23
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 1212.5
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 30404.3.4
	Smoke Detectors - IFC 907.2.11
	Fire Alarm Systems - IFC 907.2.9
	Fire Extinguishers - IFC 906

(Ord. No. 079596, Enacted, 12/18/95) (Ord. 01-O-2016-2017, Amended, 09/06/2016; Ord. 15-O-2010-2011, Amended, 05/02/2011)

Section 5-8-9 REGISTRATION; REGISTRATION FEES

The owner or owners of each residential unit held out for rental to the public shall register that rental unit and their ownership thereof with the City by filling out a form approved by the City Manager. Such registration shall be done annually during the period July 1 of each fiscal year through and including August 31 of such fiscal year. For new rental housing, housing newly converted to rental housing, or new ownership of rental housing, such registration shall take place within the thirty (30) day period immediately following the change of ownership or first occupancy of a rental unit by a tenant or tenants. Owners shall pay a registration fee of fifteen dollars (\$15.00) which shall include a base registration fee to cover the structure and one (1) rental unit within that structure plus an additional seven dollars (\$7.00) for each rental unit in excess of one (1). The owner or owners shall pay an additional fifty dollar (\$50.00) late registration fee for any rental unit which is not registered within the time frame set forth above. If a rental unit is registered for the fiscal year July 1 to June 30 of the following year and it is sold or conveyed to a new owner during the fiscal year, the old owner shall notify the City Clerk of the change of ownership. The City shall not assess a fee for recording a change of ownership.

The base fee for timely registrations shall be reduced from fifteen dollars (\$15.00) to ten dollars (\$10.00), and the fee for additional units from seven dollars (\$7.00) to five dollars (\$5.00), if the owner has proof that the owner or the owner's designated manager attended a training session for rental unit owners given by the City within the preceding twelve (12) months. The housing inspectors providing such training shall provide persons attending such training with a certificate which documents their attendance.

The City Housing Inspector is hereby authorized to schedule such inspections of the rental units as are required to ensure compliance and shall attempt to work with the owner or owners to find a mutually agreeable time during business hours to make the inspection. At the time scheduled for the inspection, the owner or owners shall ensure that one or more of them are available to show the premises or they may arrange to have the premises shown by any other responsible adult they may designate. If the inspector arrives at the time scheduled and no person is available to show the premises to him, the owner or owners shall pay a fifty dollar (\$50.00) "no show" fee and the inspection shall be rescheduled for the earliest appropriate time.

If the housing inspector discovers conditions not in compliance with the housing code, the inspector shall so notify the owner or owners and shall set a date by which the violations shall be brought into compliance. The amount of time allowed by the inspector shall vary depending upon the circumstances with the greatest urgency being required for those violations which pose a serious threat to human health or safety. At the expiration of the time in which the violation must be brought into compliance, the housing inspector shall reinspect the premises to determine compliance. A fee of thirty-five dollars (\$35.00) shall be charged for the first reinspection and all additional reinspections which are required in a given year.

(Ord. No. 079596, Enacted, 12/18/95) (Ord. 10-O-2011-2012, Amended, 01/03/2012; Ord. 12-O-2004-2005, Amended, 12/06/2004)

Section 5-8-10 HOUSING ADVISORY AND APPEALS BOARD

Notwithstanding the provisions of Section 203.1 of the Uniform Housing Code, 1994 Edition, the City Council shall constitute the Housing Advisory and Appeals Board. If both the appellant and the City Council agree, they may waive any or all of the procedures of Chapter 13 of the Uniform Housing Code in connection with a hearing requested by the appellant.

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-11 MUNICIPAL INFRACTION

Violation of any of the requirements set forth in this Chapter shall constitute a municipal infraction. Normally, if the Housing Inspector/Building Official discovers deficiencies that require correction, a municipal infraction will not be filed unless the owner fails to correct the deficiencies within the time allowed but they may, if circumstances warrant, file a municipal infraction upon initial discovery of a violation.

(Ord. 10-O-2011-2012, Add, 01/03/2012)