

ORDINANCE NO. 2017-483

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF INDEPENDENCE, IOWA, 2011, BY AMENDING PROVISIONS PERTAINING TO CHAPTERS 155 TO 165.

BE IT ENACTED by the City Council of the City of Independence, Iowa:

**SECTION 1. CHAPTER 155 MODIFIED.** Chapter 155 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**155.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Building Code*, 2015 Edition, including Appendix Chapters A, B, C, D, E, F, G, H, I and J, as published by the International Code Council, Inc., is hereby adopted as the Building Code of the City of Independence, in the State of Iowa, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes prescribed in Section 155.02 of this chapter.

**155.02 AMENDMENTS.** The following sections are hereby revised:

1. Section 101.1 – Insert “City of Independence, Iowa” for [Name of Jurisdiction].
2. Section 1612.3 – Insert “City of Independence, Iowa” for [Name of Jurisdiction].
3. Section 1612.3 – Insert “June 16, 2015” for [Date of Issuance].

**SECTION 2. CHAPTER 156 MODIFIED.** Chapter 156 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**156.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Plumbing Code*, 2015 Edition, including Appendix Chapters, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted as the code of the City of Independence, in the State of Iowa, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the City, providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of said *International Plumbing Code* and Appendix I published by the International Association of Plumbing and Mechanical Officials, are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.

**156.02 AMENDMENTS.** The following sections are hereby revised:

1. Section 101.1 – Insert “City of Independence, Iowa” for [Name of Jurisdiction].
2. Section 106.6.2 – Insert “See current Building Permit Fees Schedule kept on file in the office of the Building Official” for [Appropriate Schedule].
3. Section 106.6.3 – Insert “100” for [Percentage] and [Percentage].
4. Section 108.4 – Insert “a municipal infraction punishable as set forth in Section 4.03 of the Code of Ordinances, Independence, Iowa” for [Offense].
5. Section 108.5 – Insert “the amount authorized as penalty for a municipal infraction by Section 4.03 of the Code of Ordinances, Independence, Iowa” for [Amount] and [Amount].
6. Section 305.4.1 – Insert “sewer depth sixty (60) inches” for [Number] and [Number].

7. Section 903.1 – Insert “stack height sixteen (16) inches” for [Number].

**SECTION 3. CHAPTER 157 MODIFIED.** Section 157.01 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**157.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Mechanical Code*, 2015 Edition, including all Appendix chapters, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted as the code of the City of Independence, in the State of Iowa, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling or refrigeration systems, incinerators or other miscellaneous systems and heat-producing appliances in the City, providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of said *International Mechanical Code*, published by the International Association of Plumbing and Mechanical Officials, are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.

**SECTION 4. CHAPTER 158 MODIFIED.** Chapter 158 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**158.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Fuel Gas Code*, 2015 Edition, including all Appendices contained therein, as published by the International Code Council, Inc., is hereby adopted as the Fuel Gas code of the City of Independence, in the State of Iowa, for the control of buildings and structures as therein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code are hereby referred to, adopted and make a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes prescribed in Section 158.02 of this chapter.

**158.02 AMENDMENTS.** The following sections are hereby revised:

1. Section 101.1 – Insert “City of Independence, Iowa” for [Name of Jurisdiction].
2. Section 106.6.2 – Insert “See current Building Permit Fees Schedule kept on file in the office of the Building Official” for [Appropriate Schedule].
3. Section 106.6.3 – Insert “100” for [Percentage] and [Percentage].
4. Section 108.4 – Insert “a municipal infraction punishable as set forth in Section 4.03 of the Code of Ordinances, Independence, Iowa” for [Offense].
5. Section 108.5 – Insert “the amount authorized as penalty for a municipal infraction by Section 4.03 of the Code of Ordinances, Independence, Iowa” for [Amount] and [Amount].

**SECTION 5. CHAPTER 159 MODIFIED.** Section 159.01 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**159.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Fire Code*, 2015 Edition, including all Appendix Chapters, as published by the International Code Council, Inc., is hereby adopted as the code of the City of Independence, in the State of Iowa, for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of building and premises in the City and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such *International Fire Code*, published by the International Code Council, are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.

**SECTION 6. CHAPTER 160 MODIFIED.** Chapter 160 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**160.01 ADOPTION OF CODE.** That certain document being marked and designated as the newest edition of the NFPA 1, *Fire Prevention Code*, including all Appendix Chapters, as prepared by the Technical Committee on Fire Prevention Code and acted on by the National Fire Protection Association, Inc., is hereby adopted as the code of the City for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City, and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such newest edition of the NFPA 1, *Fire Prevention Code*, as prepared by the Technical Committee on Fire Prevention Code and acted on by the National Fire Protection Association, Inc., are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.

**SECTION 7. CHAPTER 161 MODIFIED.** Chapter 161 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**161.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *National Electrical Code*, 2017 Edition, including all Appendix Chapters, as published by the National Fire Protection Association, Inc., is hereby adopted as the code of the City of Independence, in the State of Iowa, for regulating and governing the installation, alteration, or repair of or addition to electrical conductors or equipment installed within or on any structure in the City; and each and all of the regulations, provisions, conditions and terms of such *National Electrical Code*, published by the National Fire Protection Association, are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.

**SECTION 7. CHAPTER 162 MODIFIED.** Chapter 162 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**162.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Residential Code*, 2015 Edition, including Appendix Chapters A, B, C, D, E, F, G, H, I, J, K, & L, as published by the International Code Council, Inc., is hereby is adopted as the Residential Code of the City of Independence, in the State of Iowa, for the control of buildings and structures as therein provided; and each and all of the regulations, provisions, conditions and terms of said Residential Code are hereby referred to, adopted and made apart hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes prescribed in Section 162.02 of this chapter.

**162.02 AMENDMENTS.** The following sections are hereby revised:

1. Section R101.1 – Insert “City of Independence, Iowa” for [Name of Jurisdiction].
2. Table R301.2(1) – Insert the following table for [Appropriate Design Criteria]:

| 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              |                    |                                   |                 |                    |                  |
| 30               | 90               | A                       | Severe                  | 42"              | Slight to Moderate | Slight to Moderate | 0 F                | Required                          | Firm 06-16-2015 | 2000               | 47.7F            |

3. Section P2603.5.1 – Insert “sewer depth sixty (60) inches” for [Number] and [Number].

**162.03 EXCEPTIONS.** The following exception applies:

1. Section R313 – Automatic Fire Sprinkler Systems.

**SECTION 8. CHAPTER 163 MODIFIED.** Section 163.01 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**163.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Property Maintenance Code*, 2015 Edition, as published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the City of Independence, in the State of Iowa, for the control of all property, buildings and structures as therein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted and made a part of hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes prescribed in Section 163.02 of the chapter.

**SECTION 9. CHAPTER 164 MODIFIED.** Section 164.01 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**164.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Existing Building Code*, 2015 Edition, as published by the International Code Council, Inc., is hereby adopted as the Existing Building Code of the City of Independence, in the State of Iowa, for the control of all buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes prescribed in Section 164.02 of the chapter.

**SECTION 10. CHAPTER 165 MODIFIED.** Chapter 165 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**165.01 ADOPTION OF CODE.** That certain document, one (1) copy of which is on file in the office of the Building Official, being marked and designated as the *International Energy Conservation Code*, 2015 Edition, as published by the International Code Council, Inc., is hereby adopted as the Energy Conservation Code of the City of Independence, in the State of Iowa, for the control of all energy efficient building envelopes and energy efficient mechanical, lighting and power systems as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes prescribed in Section 165.02 of the chapter.


**165.02 AMENDMENTS.** The following sections are hereby revised:

1. Section C101.1 and R101.1 – Insert “City of Independence, Iowa” for [Name of Jurisdiction].

**SECTION 11. SEVERABILITY CLAUSE.** If any section, provision 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 section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 12. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED** by the City Council of Independence, Iowa, on this 13th day of March, 2017.

  
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Bonita Davis, Mayor of the City of Independence, IA

ATTEST:

  
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Jeena Lynch, City Clerk/Treasurer of the City of Independence, IA

First Reading: February 27, 2017  
Second Reading: March 13, 2017  
Third Reading: Waived March 13, 2017

I certify that the foregoing was published as Ordinance No.2017-483 on the 18th day of March, 2017.

  
Jeena Lynch, City Clerk/Treasurer