

CHAPTER 155

UNIFORM CONSTRUCTION CODES

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155.01 TITLE. This chapter shall be known and may be referred to as the Perry Uniform Construction Codes. Section 155.04 shall be known and may be referred to as the Perry Uniform Building Code. Section 155.05 shall be known and may be referred to as the Perry Uniform Electrical Code. Section 155.06 shall be known and may be referred to as the Perry Uniform Mechanical Code. Section 155.07 shall be known and may be referred to as the Perry Uniform Plumbing Code. The above section titles shall supersede the applicable title sections respectively of Sections 155.04 through 155.07.

155.02 SCOPE. No building or structure shall be used, erected, constructed, repaired, altered, moved or demolished unless it fully complies with the standards of this chapter. Notwithstanding the foregoing, buildings and structures in existence at the time of adoption of this chapter may have their existing use or occupancy continued, if such use or occupancy complies with the predecessor ordinance then in effect, provided however that such continued use is not dangerous to health, life and safety.

155.03 LIMITATIONS. This chapter shall apply to all structures on property within the corporate boundaries of the City. This chapter may not apply in whole or in part to some structures in certain situations according to applicable Federal, State or local law that may restrict or prohibit the regulation of certain construction activities. In this event, these situations will be addressed on a case-by-case basis. These limitations are in addition to those expressed in applicable scope sections respectively of Sections 155.04 through 155.07.

155.04 UNIFORM BUILDING CODE. The *Uniform Building Code*, 1994 Edition, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, 90601-2298, and as adopted by the State of Iowa, is hereby adopted by reference.

(Ord. 833 – Mar. 05 Supp.)

155.05 UNIFORM ELECTRICAL CODE. Chapters 1 through 9 of the *National Electrical Code*, 1999 Edition, as published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269, is hereby adopted by reference.

155.06 UNIFORM MECHANICAL CODE. Chapters 1 though 16, and Appendixes A, B, C and D of the *Uniform Mechanical Code*, 1997 Edition, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, 90601-2298, is hereby adopted by reference. Division III, Section 661-16.300 (103A) of the Iowa State Building Code Administrative Rules dated March 3, 1999, is hereby adopted by reference.

155.07 UNIFORM PLUMBING CODE. Chapters 1 through 14, and Appendixes A through J of the *Uniform Plumbing Code*, 1999 Edition, as published by the International Association of Plumbing and Mechanical Officials, 20001 South Walnut Drive, Walnut, California, 91789-2825, is hereby adopted by reference. Division IV of the Iowa State Building Code Administrative Rules dated March 3, 1999, Chapters 1 through 13, is hereby adopted by reference.

155.08 FACTORY BUILT STRUCTURES. Division VI, Sections 661-16.600 (103A) through 661-16.629 (103A) of the Iowa State Building Code Administrative Rules dated March 3, 1999, is hereby adopted by reference as standards and regulation for factory built structures.

155.09 ACCESSIBILITY FOR PERSONS WITH DISABILITIES. Division VII, Sections 661-16.700(103A) through 661-16.706(103A) of the Iowa State Building Code Administrative Rules dated March 3, 1999, is hereby adopted by reference as standards and regulations for the accessibility of persons with disabilities in public buildings.

155.10 THERMAL AND LIGHTING EFFICIENCY STANDARDS. Division VIII, Section 661-16.800 (103A) of the Iowa State Building Code Administrative Rules dated March 3, 1999, is hereby adopted by reference as standards and regulations for thermal and lighting efficiency.

155.11 VIOLATIONS UNDER PRIOR CODE. Any building or structure in violation of predecessor Perry Construction Codes remains in violation unless the successor construction codes eliminate the violation by a change of standards or rules.

155.12 NO WHOLESALE ADOPTION OF THE STATE BUILDING CODE. Although the Perry Uniform Construction Code contains several sections of the Iowa State Building Code Administrative Rules dated March 3, 1999, there is no intention of wholesale adopting of the *State Building Code* within the meaning of Section 103A.12 of the Code of Iowa.

155.13 MUNICIPAL INFRACTION. Any person, whether acting alone or in concert with any others, who violates this chapter shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 4 of this Code of Ordinances.

155.14 POWERS AND DUTIES OF BUILDING OFFICIAL. The Building Official for the City is responsible for the enforcement of this chapter.

1. General Powers. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer.
2. Designees. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The Building Official may designate such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.
3. Right of Entry. When it is necessary to make an inspection to enforce the provisions of this code, or when the Building Official or designee has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises is occupied that credentials be presented to the occupant and entry requested. If such building or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.
4. Stop Orders. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the Building Official or designee may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and

any such persons shall forthwith stop such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

5. Liability. The Building Official or designee charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the Building Official or designee because of such act or omission performed by the Building Official or designee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction. This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damage to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

155.15 CONTRACTOR REGISTRATION AND INSURANCE REQUIREMENTS. Contractors are required to register with the City on forms provided by the Building Official. There is a one-time fee for registration set by resolution of the Council. Contractors are defined as individuals or entities whose primary source of income is derived through the trades of building construction, remodel and/or demolition contractors. All contractors shall have and maintain commercial general liability insurance in an amount required by their insurance carrier. Contractors shall annually provide to the City a certificate of applicable insurance. *(Ord. 837 – May 06 Supp.)*

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