ORDINANCE NO. 6546

AN ORDINANCE TO AMEND CHAPTER 17.02 INTERNATIONAL PROPERTY MAINTENANCE CODE BY AMENDING SPECIFIC EXISTING SECTIONS; REPEALING SPECIFIC SECTIONS AND ENACTING NEW SECTIONS AS SET FORTH BELOW.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 17.02 International Property Maintenance Code is hereby amended to read as follows:

Chapter 17.02 - INTERNATIONAL PROPERTY MAINTENANCE CODE

17.02.010 Adoption
17.02.020 Section 101.1 Amended - Title
17.02.030 Section 103.5 Amended - Fees
17.02.040 Section 104.7 Amended - Department Records
17.02.050 Section 111.1 Amended - Application For Appeal
17.02.065 Swimming Pools, Spas, And Hot Tubs Enclosures
17.02.068 Section 304.13 Amended - Window, Skylight, And Door Frames
17.02.070 Section 304.14 Amended - Insect Screens
17.02.077 Section 309 Adopted - Pest Elimination
17.02.080 Section 402.1 Repealed - Habitable Spaces
17.02.081 Section 402.2 Amended - Common Halls And Stairways
17.02.087 Section 403.3 Amended- Cooking Facilities
17.02.090 Section 602.3 Amended - Heat Supply
17.02.100 Section 602.4 Repealed - Occupiable Work Spaces
17.02.200 Section 702.4 Amended - Emergency Escape Openings

Editor's note— Ord. No. 6224, adopted January 26, 2015, amended CBMC 17.02 in its entirety to read as herein set out. Former CBMC 17.02.010—CBMC 17.02.200, pertained to similar material, and derived from Ord. No. 6108, adopted November 8, 2010.

17.02.010 Adoption

The "International Property Maintenance Code," 2018 Edition, as approved and published by the International Code Council, including also the "Referenced Standards," contained therein, all as modified or amended herein, is adopted as the property maintenance code of the city, a copy of which is to remain on file in the office of the building official.

(Ord. No. 6224, 1-26-2015)

17.02.020 Section 101.1 Amended - Title

Section 101 is amended as follows:

These regulations shall be known as the Council Bluffs Property Maintenance Code, hereinafter referred to as "this code".

(Ord. No. 6224, 1-26-2015)

17.02.030 Section 103.5 Amended - Fees
Section 103.5 is amended as follows:

The fees for activities and services performed by the city in carrying out its responsibilities under this code shall be as indicated in CBMC 2.08.

(Ord. No. 6224, 1-26-2015)

17.02.040 Section 104.7 Amended - Department Records
Section 104.7 is amended as follows:

The building official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period of time required by applicable law for retention of public records.

(Ord. No. 6224, 1-26-2015)

17.02.050 Section 111.1 Amended - Application For Appeal
Section 111.1 is amended as follows:

Any person directly affected by a decision of the building official or a notice or order issued under this code shall have the right to appeal to the board of appeals pursuant to CBMC 13.01.204.

(Ord. No. 6224, 1-26-2015)

17.02.065 Swimming Pools, Spas, And Hot Tubs Enclosures
Section 303.2 is amended as follows:

Enclosures. Private swimming pools, hot tubs, and spas, capable of containing water more than 24 inches (610 mm) in depth shall be in compliance with the adopted swimming pool code found in CBMC 13.27. No exiting pool enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

(Ord. No. 6224, 1-26-2015)

17.02.068 Section 304.13 Amended - Window, Skylight, And Door Frames
Section 304.13 is amended as follows:

304.1 Window, skylight and door frames. Every window, skylight, door, and frame shall be kept in sound condition, good repair and weather tight.

304.1.1 Glazing. All glazing materials shall be maintained in a manner that when closed forms a reasonably tight seal. Any window designed to be opened must be operable, and cannot be painted or nailed shut.

304.1.2 Openable windows. Every bedroom shall have at least one (1) window.

(Ord. No. 6224, 1-26-2015)

17.02.070 Section 304.14 Amended - Insect Screens
Section 304.14 is amended as follows:

During the period of April 1st to October 31st, every door, window, and other outside opening required for ventilation of any habitable room, food preparation area, food service areas, or any areas where

products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.
Exception: Screen doors shall not be required where other approved means, such as air curtains, air conditioning, or insect repellent fans, are employed.

17.02.077 Section 309 Adopted - Pest Elimination
Section 309 is adopted.

(Ord. No. 6224, 1-26-2015)

17.02.080 Section 402.1 Repealed - Habitable Spaces
Section 402.1 is repealed.

(Ord. No. 6224, 1-26-2015)

17.02.081 Section 402.2 Amended - Common Halls And Stairways
Section 402.2 is amended as follows:

402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one and two family dwellings, shall be lighted at all times with at least a 60 watt standard incandescent light bulb or equivalent illumination for each 200 square feet (19 m2) of floor area.

(Ord. No. 6224, 1-26-2015)

17.02.087 Section 403.3 Amended- Cooking Facilities

Section 403.3 is amended by adding:
Exception 3. If a stove or range is provided at the time of occupancy, that appliance it to be maintained in operable condition. At no time shall the stove or range be removed and not replaced during the existing tenant's occupancy.

17.02.090 Section 602.3 Amended - Heat Supply
Section 602.3 is amended as follows:

Every owner or operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory, or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees F. in all habitable rooms, bathrooms, and toilet rooms from October 1 to May 1.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the International Energy Conservation Code as adopted in CBMC 13.12.
2. In order to attain compliance with the winter outdoor design temperature criteria, listed portable heat appliances may be utilized to augment heating plants that are deemed operational and safe but cannot attain the minimum standard for conditioned space requirements.
3. Room temperature shall be measured at a distance of two feet (2') in from an exterior wall and at a height of three feet (3') above the floor.

(Ord. No. 6224, 1-26-2015)

17.02.100 Section 602.4 Repealed - Occupiable Work Spaces
Section 602.4 is repealed.

(Ord. No. 6224, 1-26-2015)

17.02.200 Section 702.4 Amended - Emergency Escape Openings
Section 702.4 is amended as follows:

Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following:

1. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, gates, or similar devices are permitted to be placed over emergency escape and rescue openings, provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices are releasable or removable from the inside without the use of key, tool, or force greater than that which is required for normal operation of the escape and rescue opening.
2. Any room used or designed as a bedroom shall be provided with an emergency escape opening (window or door) designed and installed in accordance with the International Residence Code section R310, 2018 Edition. Pursuant to the National Fire Protection Association Life Safety Code NFPA 101 (2018 edition), the building official may grant an exception to window size for a story above grade room used or designed as a bedroom in a residential structure constructed prior to 1976.

(Ord. No. 6224, 1-26-2015)

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND February 27, 2023.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 2-13-23
Second Consideration: 2-27-23
Public Hearing: n/a
Third Consideration: _____