

RENTAL HOUSING ADVISORY COMMITTEE

**STAFF REPORT REGARDING PROCESS TO REVISE
CITY OF AMES MUNICIPAL CODE CHAPTER 13, RENTAL HOUSING**

NOVEMBER 5, 2008

ABSTRACT

The City of Ames strives to conduct business in an inclusive and transparent manner. Citizens play an active role in creating the community's regulatory policies, standards, and practices. This includes rental housing maintenance.

The City of Ames has not conducted a comprehensive review of its rental housing code since 1977. In 2007, Fire Department Inspections staff recommended a comprehensive review to address code ambiguity and interpretation conflicts that have been encountered.

Council directed staff to form an ad hoc Rental Housing Advisory Committee (RHAC). The charter: clarify and update Chapter 13, Ames Rental Housing Code. The purpose of the Rental Housing Code has historically been to insure that rental housing is "safe, sanitary, and suitable." There are alternatives in this report, recommended by the RHAC, that if adopted would broaden the scope, purpose, and include owner-occupied property .

Like many Iowa communities, Ames is dealing with aging residential neighborhoods. More than 25 Iowa cities have adopted the International Property Maintenance Code in whole, or in part, as a tool to address this issue. Their efforts, like ours, are intended to provide clearer housing maintenance standards for existing structures and premises, and improved consistency of code application and enforcement.

Throughout six months of weekly meetings, the RHAC discussed code standards from the points of view of property owners, future property owners, residents, visitors, tenants, and neighbors. Rental Housing Advisory Committee members voted unanimously to support the proposals in this report for inclusion in the municipal code. Seventy-nine alternatives are presented here for Council consideration, of which thirty-two are recommended for all residential properties. City staff was not voting members of the RHAC, but did reserve the right to issue alternative recommendations if deemed appropriate from a public safety standpoint. They have not found it necessary to do so.

Considering the varied interests of these key representatives and their constituencies, the success of this collaborative effort is remarkable, as you will see in this report.

TABLE OF CONTENTS

ABSTRACT	i
TABLE OF CONTENTS.....	ii
BACKGROUND	4
RENTAL HOUSING ADVISORY COMMITTEE – COMPOSITION.....	5
THE BIG FOUR ISSUES.....	6
INTERNATIONAL PROPERTY MAINTENANCE CODE	9
RETROACTIVE CONVERSION PERMITS	11
ADDITIONAL ALTERNATIVES OF SPECIAL INTEREST	12
LISTING OF ALTERNATIVES.....	13
FUTURE COMMITMENTS.....	40

APPENDICES

APPENDIX A	41
APPENDIX B	42
APPENDIX C	43
APPENDIX D	44
APPENDIX E	45
APPENDIX F.....	48

Background

Code Changes:

Chapter 13 of the Municipal Code of Ames was adopted in May, 1977. Since that time it has been revised 23 times. In early in 2005, staff conducted a series of meetings regarding rental housing. The meetings included rental property owners, renters, neighborhood residents, students, and City inspectors. Rental property owners were brought in three different times as small, medium, and large operators. As a result of citizen input, twelve sections of the rental housing code were revised to focus more effort on properties of concern and reward well maintained and protected properties with longer inspection intervals.

Staff Changes:

In 2005, Council voted to support an increase in staffing for the rental inspections program, to help accomplish their goal of “Strengthening our Neighborhoods”. As a part of our “One Community” effort, it was decided to utilize students as part time intern inspectors.

In 2007, Council voted to support reorganization within the Inspections Division. The rental housing inspector position was revised to acknowledge past changes and better define the position’s responsibility/accountability for the rental housing inspections program. A new position of neighborhoods inspector was also created.

In late 2007 and early 2008, the city manager, assistant city manager, building official, rental housing inspections supervisor, fire chief, and neighborhoods inspector met several times to develop a consensus understanding of the implementation of our adopted ordinances. During these meetings, issues identified by staff members and concerns brought to the city managers by citizens or Council members were discussed.

Staff developed five categories of concern to property owners:

1. Interpreting code sections differently than during previous rental inspections
2. Arguable/ambiguous code language
3. Codes that were previously not enforced during rental inspections
4. Items that were previously passed during inspections that are now found to not be in code compliance.
5. Items property owners find “too expensive” and do not want to be included in the codes

A standard approach for our division to better serve our customers is to conduct customer input sessions. Three public input sessions were held in February and March of 2008. At those meetings of rental property owners, renters, neighborhood residents, students, and City inspectors, an issues list was developed. Later emails from participants were used to prioritize the following list:

1. Establish clearer maintenance standards in the code
2. Establish codes/standards that are the same for rental and owner-occupied properties
3. Clarify meaning and application of grandfathering
4. Establish clearer descriptions of tenant vs. landlord responsibilities
5. Set reasonable time limits for compliance
6. Working together on tenant issues
7. Garbage issues
8. Front yard and off-street parking
9. Partner with service organizations to help needy owners
10. Enforce/revise the junk vehicle ordinance

Rental Housing Advisory Committee - Composition

The Rental Housing Advisory Committee (RHAC) was comprised of two large scale rental property owners, three medium to small scale rental property owners, two renters, and three neighborhood residents. The building official, fire chief, rental housing inspections supervisor, and, as needed, other inspections staff facilitated this dialogue.

In May, 2008, the RHAC started to meet. Initially, it was anticipated that the ad hoc team would conduct six to ten meetings to prepare recommendations for additional public meetings and Council consideration. The RHAC has met 23 times over the last six months. Not including preparation time, RHAC members have contributed over 500 volunteer hours participating in meetings. During this period staff members have conducted over 1,500 hours in research, preparation for, and participation in RHAC meetings.

During this time, we have made significant progress in formulating alternatives to update the existing rental housing code for Council's consideration.

Staff utilized input from three sources to identify issues to be addressed by the RHAC:

1. Three citizen meetings identified several areas of concern
2. Code interpretation ambiguities and enforcement issues identified during inspections

3. National model codes adopted by the City or available from the International Code Council

A quick review of the RHAC’s progress follows:

Number of Items initially identified for study (Appendix A) 25

Final count of alternatives discussed by RHAC 84

Issues completed as of October 29, 2008 78

Number of issues consolidated or deemed outside the RHAC charter 6

The RHAC always endeavored to reach a unanimous decision. Given the divergent interests of the RHAC members, they came together to focus on benefits for the community with 85% of the alternatives presented coming with a unanimous endorsement. Appendix F gives a listing of votes taken and vote tallies. When unanimous votes could not be obtained, two alternatives are presented with the vote tally given for Council’s consideration. This will in effect give the Council two alternatives with minority/majority voting record. Appendix D has a more complete breakout of the summary table below:

Total # of Committee Votes on Alternatives	84	100%
Votes with Unanimous Decisions	71	85%
<u>Total of Votes With Majority/Minority Decisions (not unanimous)</u>	<u>13</u>	<u>15%</u>
# with 1 member abstaining	1	1%
# with 1 member proposing or supporting alternative solutions	10	12%
# with 2 member proposing or supporting alternative solutions	1	1%
# with 3 member proposing or supporting alternative solutions	1	1%
Total	13	15%

Appendix E has a complete breakdown of voting tallies and minority positions.

The Big Four Issues

During the RHAC’s deliberations, four topics stood out as hot buttons, deal breakers, or integral to the success of this project.

1. How to handle pre-existing conditions?
 - 1.1 Non-code complaint egress windows *
 - 1.2 Pave driveways and off-street parking *
 - 1.3 Non-code compliant furnaces (heating, ventilating, air conditioning systems that re-circulate air through multiple living units.)*
 - 1.4 Habitable Space - ceiling heights close to but not code compliant.

**Note: In March 2008, Council placed a one year moratorium on enforcement of these three areas.*

2. How specific should the code language become?
3. The issues of fairness and equity. Why should rental properties have different property standards then other residential properties?

4. What can a property owner do to appeal the decision of a City inspector?

The RHAC has brought forward alternatives for all the “big four” issues. The following is a summary of actions taken or approach to these important issues.

1. How to handle pre-existing conditions?

One of the motivating factors for revising the Chapter 13 Rental Housing Code was the conflicts that have developed on how to treat pre-existing conditions, often called “grandfathering.” When asked to help define this issue for the RHAC the City Attorney wrote the following definition of “grandfathering” and its application to the rental housing code.

“You have asked whether property owners who previously have not been required to comply with all provisions of the City of Ames Rental Housing Code in past inspections are somehow “grandfathered” into a status that exempts them from enforcement now or in the future. The answer is no.

Persons with property rights that are affected by a change in the law -- most commonly by a zoning change -- are permitted to continue their structural or use non-conformities in a “grandfather” status.

Sometimes it is done explicitly in the legislation. Other times it is done by court doctrine.

In general, however, the concept of “grandfather” status does not apply to housing standards and rental housing letters of compliance. The purpose of the Ames Rental Housing Code, Chapter 13, is to insure that rental housing is “safe, sanitary, and suitable.” By enforcing the code now when it may not have been in the past does not take away any vested property right of the owner/landlord. (Owners could choose to give up the rental income and not seek letters of compliance, and we would leave them alone.) Enforcing the code keeps the renters safe. The concept of “grandfather” status simply does not apply.

There are a couple unrelated, but similar concepts present in the Rental Housing Code that may seem like exceptions to what I just stated:

- 1) Over-occupancy was tolerated by the terms of the ordinance -- Ames Municipal Code section 13.36(2) -- through 2006. Even that specific exception has now expired.*
- 2) Retroactive conversion permits filed before June 30, 1986, or as allowed by the Housing Appeal Board after that date, may allow Rental Housing Code non-conformities to continue. See section 13.39(3). The standards are rigorous and I cannot imagine that the Housing Appeal Board would issue many, if any, after this passage of time. Nevertheless, if the Housing Appeal Board has issued a retroactive conversion permit, the Code provides that a letter of compliance shall be issued Section 13.39(1).”*

In summary, property owners who previously have not been required to comply with all provisions of the City of Ames Rental Housing Code in past inspections are not “grandfathered” into an exempt status. Several of the City’s adopted ICC codes clarify what items may remain “as is” if they were code compliant at the time of construction or

installation. Other ICC codes specify that they are to be implemented and all properties brought into code compliance. The RHAC recommends alternatives that acknowledge pre-existing conditions for specific identified situations. When the code calls for bringing a property up to current codes and the property is not under construction (new, additions, or remodel), adequate time frames for compliance have been recommended.

<u>Issue</u>	<u>Alternative Developed</u>
1.1 Non-code complaint egress windows	71. Egress Windows, Emergency Escape Openings
1.3 Non-code compliant furnaces	64. Furnace Replacement, Re-circulated Ventilation Air
1.2 Pave driveways and parking stalls	76. Required Off-Street Parking: Hard Surface
1.4 Habitable space	23. Dwelling Unit Height and Area Requirements

2. How specific should the code language become?

As a general rule, the more specific the language, the better. Inspections staff and RHAC members worked diligently to improve the clarity of the code language. In many cases, the RHAC chose proven language verbatim from the national code language in the IPMC. In some cases, the IPMC language was improved or clarified. Two key components in support of the proposed alternatives are the definition of “noted versus cited” and the establishment of a mayor appointed, citizen staffed appeals board. Although noting items has been a long term tool to identify minor items, the RHAC thought it important to codify the definition. (alternative 73)

One of the best examples of how the proposed process would work is alternative 30 that addresses protective treatment – paint. The RHAC spent considerable time on this language and eventually chose to recommend language verbatim from IPMC section 304.2. The language integrates well with the definitions of “noted verses cited” and the appeals board. Should a protective treatment have degraded in small areas or lightly overall the condition could be noted and brought to the owner’s attention. This would not block a rental property owner from receiving their letter of compliance. If the area was of considerable size, deteriorated condition, and in the opinion of the inspector needed addressed, it would be cited for correction. Alternative 75 defines reasonable time limits that can be negotiated by inspector and property owner. Should the property owner disagree with the inspector’s determination, they can appeal to the building official. Should that appeal not meet the property owner’s expectations, and appeal to the Property Maintenance Board of Appeals can be made pursuant to alternative 22. The property owners have the right to appeal to district court.

3. The issues of fairness and equity. Why should rental properties have different property standards than other residential properties?

The RHAC has developed a category for issues where the developed alternatives should apply equally to rental housing units and owner occupied housing units. The RHAC members voted unanimously to support that 32 of the property maintenance alternatives can and should apply to all residential housing. The 32 items are identified in the listings of alternatives and summarized in Appendix C. Of the 78 alternatives presented, 32 of them come with a recommendation that they apply to all residential properties.

4. What can a property owner do to appeal the decision of a City inspector?

The committee has developed an alternative to the present appeals process. Currently, appeals for rental housing maintenance issues are heard by the Building Board of Appeals. Alternative 22 would create a Property Maintenance Board of Appeals with a different set of skills and interests than the Building Board of Appeals. This proposed board and its composition are viewed as a critical part of the proposed code revisions. Many members felt it was very important to have a low cost appeal process from an interested board with the proper composition. Property code maintenance language presently contained in the City's ordinance and the IPMC does not always have a degree of specificity that many would desire. A low cost appeal of an inspector's decision helps to reduce property owners' concern about over zealous enforcement.

International Property Maintenance Code

Initially, staff developed and distributed in advance of each meeting, four to five alternatives for the committee members' consideration. Typically, the alternatives included the existing Ames ordinance, the national model code from the International Property Maintenance Code (IPMC), and two to three codes from similar cities. After the first 12 weeks, it was apparent that the committee was routinely choosing the IPMC language either verbatim or with minor changes.

In 1977 when the City's rental housing code was adopted, there were no similar national codes available. Today, many Iowa cities have adopted codes for established dwellings. Other communities in Iowa have also adopted the 2006 International Property Maintenance code (IPMC). (Appendix B) Our current ordinance, with its 23 revisions, is neither as comprehensive as the IMPC nor as clear.

Internationally, code officials recognize the need for a modern, up-to-date property maintenance code governing the maintenance of existing buildings. The International Property Maintenance Code (IPMC) is designed to meet this need through model code regulations that contain clear and specific property maintenance requirements with required property improvement provisions.

This 2006 IPMC is fully compatible with all International Codes (I-Codes) published by the International Code Council (ICC). The City of Ames has adopted the International Building Code, International Energy Conservation Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, ICC Performance Code, and International Residential Code.

The International Property Maintenance Code provisions provide many benefits, among which is the model code development process that offers a national forum for code officials and other interested parties to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages national consistency in the application of provisions.

The first edition of the International Property Maintenance Code (1998) was the culmination of an effort initiated in 1996 by a code development committee appointed by ICC and consisting of representatives of the three statutory members of the International Code Council at that time, including: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The committee drafted a comprehensive set of regulations for existing buildings that was consistent with the existing model property maintenance codes at the time. This 2006 edition presents the code as originally issued, with changes reflected through the previous 2003 editions and further changes developed through the ICC Code Development Process through 2005. A new edition of the code is promulgated every three years.

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety, and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products, or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products, or methods of construction.

Retroactive Permits

Rental housing inspections resulting from the 1977 adoption of Chapter 13 identified a large number of non-code compliant apartments. By 1985, the City encountered considerable resistance from property owners who felt they were being adversely affected by having to meet code requirements adopted after their residence was constructed. Chapter 13 was amended in 1985 as follows:

A 'retroactive conversion permit' may, be issued for dwellings or dwelling units where some aspect of the premises was in noncompliance with an applicable code at the time of the establishment of the desired use, but only if the non-complying aspects of the premises are brought into conformance with the provisions of all presently applicable codes and ordinances adopted for Ames. In that regard, the housing code board of appeals may grant specified and limited exceptions from applicable 'non-zoning' code and ordinance requirements where it finds that there is no practical way to achieve compliance, and denial of the letter of compliance will produce a personal loss on the part of an individual owner greatly disproportionate to any risks of harm to individuals or the public interest that could likely be caused by granting the desired exception; and, if the same exception can be granted to all others similarly situated consistent with the public interest.

Currently the number of retroactive conversion permits issued is unknown. There are concerns that adequate public safety has not been maintained for some basement apartments which were issued retroactive conversion permits over 20 years ago. The RHAC is proposing a better process for continuation of non-code compliant pre-existing conditions in specific areas. The proposed alternative does not include continued occupancy of basement apartments that do not have adequate egress, separation of sleeping rooms from furnaces and water heaters, or other life safety concerns. Alternative 23 establishes a sunset date of July 31, 2010, for all retroactive conversion permits. The sunset date is intended to give property owners adequate time to either utilize the new process of documenting certain pre-existing conditions or making necessary changes to become code compliant.

Additional Alternatives of Special Interest

Alternative 76 titled “Partnering with Public Service Organizations” may not be suitable for inclusion in the municipal code. The RHAC and staff members agreed that property maintenance ordinances are not a complete solution to our community’s property maintenance needs. The alternative would encourage solutions for Council’s consideration outside of the adoption of new ordinances.

The RHAC strived to stay within its charter and focus on the rental housing code. The elephant in the room that could not be ignored was the issue of why some proposed ordinances were needed for rental properties but not private residences. At the second to last regular meeting of the RHAC, 32 items were selected that members strongly felt should apply to all residential properties. The members unanimously voted that these alternatives should move forward to be adopted by the Council. The support for many of these alternatives would undoubtedly evaporate if the 32 items are not applied to all residential properties.

Introduction to Alternatives

On the following 25 pages 78 alternatives are presented. Although presented as individual items many are inter-related to each other and to other areas of the municipal code such as those dealing with zoning. It would be difficult to separate the individual alternatives from the processes used to make the whole program acceptable to the committee members. No RHAC member is 100% supportive of every individual alternative. Yet the committee as a whole voted to support the adoption of these key provisions into the municipal code.

Intrinsic to these property maintenance codes are several key concepts summarized below:

Adequate time for taking corrective actions

Identification of pre-existing conditions and the application for record keeping purposes

A clearly defined appeal process with a new property maintenance board

New definitions of noted verses cited

Application of 32 alternatives to all residential property

LISTING OF ALTERNATIVES DEVELOPED BY RHAC

1. Building Numbering

New and existing buildings shall have approved address numbers, building numbers, or approved identification placed plainly legible and visible from the street or road fronting the property.

1. Residences, Townhouses, and Businesses

The address number shall be made up of numbers which are not less than four inches in height, contrasting sharply in color with the background on which they are affixed, as near to the front entrance as possible, and practical.

2. Private Lane and Long Driveways

If any residence, apartment building, or business is located such that the address number is not clearly visible from the street, an additional address number shall be posted at the intersection of the driveway and the street. The additional address number shall be made up of numbers which are not less than four inches in height, contrasting sharply in color with the background on which they are affixed, and placed upon a post or other structure which displays the number at least forty-eight inches above the ground.

3. Apartment Buildings, High-rises, and Multi-tenant Buildings

Address numbers shall contrast sharply with the color of the background to which they are affixed, and shall be at least six inches in height. Apartment numbers for individual units within the complex shall be displayed on, above, or to the side of the doorway of each unit.”

Unanimous vote for adoption 8-0

Unanimous committee recommendation for this item apply to all residential properties

2. Bare Light Bulbs in Closets

Uncovered or bare incandescent luminaries (light fixtures, bulbs) are not permitted in clothes closets. Clothes closet is defined as: A non-habitable room or space intended primarily for storage of garments and apparel.

Unanimous vote for adoption 8-0

3. Electrical Work Which May Be Done By Property Owners/Managers

An unlicensed property owner, landlord, or maintenance person may perform routine maintenance upon rental property under their ownership or control. Routine maintenance means the repair or replacement of existing electrical apparatus or equipment, including but limited to switches, receptacles, outlets, fuses, circuit breakers, and fixtures, of the same size and type for which no changes in wiring are made, but does not include any new electrical installation or the expansion or extension of any circuit. The performance of routine maintenance in itself does not require a person to obtain or hold a license as an electrician or electrical contractor.”

Unanimous vote for adoption 8-0

Unanimous committee recommendation for this item apply to all residential properties

4. Maintenance of Detached Garages, Sheds

All accessory structures, including detached garages, fences, and walls shall be maintained structurally sound and in good repair. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

All exterior doors, door assemblies, and hardware shall be maintained in good working condition. Every window, skylight, door, and frame shall be kept in sound condition, good repair, and

weather tight.

The roof and flashing shall be sound, tight, and not have defects that admit rainwater or snow melt.

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment.

Unanimous vote for adoption 8-0

Unanimous committee recommendation for this item apply to all residential properties

5. Screens on Operable Windows

During the period from May 15 to October 15, every window and other outside opening required for ventilation of habitable rooms, and food preparation and service areas such as kitchens and dining rooms, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch, and every screen door used for insect control shall have a self-closing device in good working condition.

Unanimous vote for adoption 8-0

6. Interior Door Hardware

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers, or tracks as intended by the manufacturer of the attachment hardware. Doors are required at sleeping rooms that open onto interior hallways or corridors. Such doors must be equipped with operable latching devices and hardware.

Unanimous vote for adoption 8-0

7. Maintenance of Stairways, Decks, Porches, Balconies

Every stair, ramp, landing, balcony, porch, deck, or other walking surface shall be maintained in sound condition and good repair.

Every exterior stairway, deck, porch, balcony, and all appurtenances attached thereto shall be maintained structurally sound, in good repair, with proper anchorage, and capable of supporting the imposed loads.

Unanimous vote for adoption 8-0

Unanimous committee recommendation for this item apply to all residential properties

8. GFCI Outlets Provided in Kitchens and Bathrooms

Each bathroom shall have at least one duplex electrical outlet where an electrical cord may be easily and directly plugged in with a minimum of inconvenience.

Ground-fault protected receptacles are required in the following locations:

1. Bathrooms: All 125-volt receptacles in bathrooms shall be ground-fault protected.
2. Kitchens: All 125-volt receptacles serving kitchen countertop surfaces shall be ground-fault protected.

All rental units shall meet this requirement as directed in their inspection and no later than January 1, 2010.

9. Handrails and Guardrails

Every exterior and interior flight of stairs having four or more risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than 30" above the floor or grade below shall have guards.

Note: the height of the door threshold above the porch, deck, or stoop is considered a riser if it is 4" or more in height. In recognition of the effects of seasonal freeze-thaw cycles, a tolerance of 1" may be applied, as appropriate to specific conditions.

Handrails shall not be less than 30" high or more than 42" high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30" high above the floor of the landing, balcony, porch, deck or ramp or other walking surface.

1. At such time as existing handrails are replaced, they must be in compliance with current City building code requirements.
2. In the event of fixed conditions that prevent the construction of code-compliant replacement handrails or guards, an owner may submit a "code modification request"
3. Minor repairs may be made without causing the handrails or guards to be brought into compliance with current requirements. Minor repairs are defined as:
 - a. replace treads
 - b. replace surface material at decks, porches, landings at exterior stairs
 - c. replacement of less than 40% of existing guards

Unanimous vote for adoption 8-0

Unanimous committee recommendation for this item apply to all residential properties

10. Exterior Stairs Maintenance, Rise, and Run

Every exterior stairway and all parts attached thereto, including treads, risers, stringers, and handrails, shall be maintained structurally sound, in good repair, with proper anchorage, and capable of supporting the imposed loads."

1. Rise and run of existing stairs will be approved provided the components are maintained as required, above, and
 - a. The greatest tread depth within any flight of stairs does not exceed the smallest by more than 3/8 inch
 - b. The greatest riser height within any flight of stairs does not exceed the smallest by more than 3/8 inch

Exception, in recognition of the effects of seasonal freeze/thaw cycles on pre-cast concrete and other existing installations:

- i. the first riser in a flight of stair leading to a porch, deck, or stoop may be as much as 9" or as little as 6" in height above the adjoining sidewalk approach
 - ii. the height of the door threshold above the porch, deck, or stoop may be as much as 9"
 - c. The walking surface of treads and landings of stairways are not sloped in any direction more than ¼ inch in 12 inches.
2. At such time as existing stairs are replaced, they must be built in compliance with current building code requirements for rise and run
3. In the event of fixed conditions that prevent the construction of replacement stairs in

compliance with current code, an owner may submit a “code modification request” for approval

4. Minor repairs may be made without causing the entire stairway to be replaced. Minor repairs are defined as:
 - a. replace handrail or any part or portion thereof
 - b. replace treads
 - c. replace surface material at decks, porches, landings
 - d. replace less than 40% of existing guards
 - e. other items as approved by the inspector

Unanimous vote for adoption 9-0

Unanimous committee recommendation for this item apply to all residential properties

11. Interior Stairs Maintenance, Rise, and Run

Every interior stairway and all parts attached thereto, including treads, risers, stringers, and handrails, shall be maintained in sound condition and good repair.

1. Rise and run of existing stairs will be approved provided the components are maintained as required, above, and
 - a. The greatest tread depth within any flight of stairs does not exceed the smallest by more than 3/8 inch
 - b. The greatest riser height within any flight of stairs does not exceed the smallest by more than 3/8 inch
 - c. The walking surface of treads and landings of stairways are not sloped in any direction more than ¼ inch in 12 inches
2. At such time as existing stairs are replaced, they must be built in compliance with current building code requirements for rise and run, provided there is sufficient floor area to enable a compliant stair to be constructed
3. In the event of fixed conditions that prevent the construction of new code-compliant stairs, an owner may submit a “code modification request” for approval
4. Minor repairs may be made without causing the entire stairway to be replaced. Minor repairs are defined as:
 - a. Replace handrail or any part or portion thereof
 - b. Replace treads
 - c. Replace surface material at landings
 - d. Replace less than 40% of existing guards
 - e. Rather items as approved by the inspector

Unanimous vote for adoption 9-0

Unanimous committee recommendation for this item apply to all residential properties

12. Roofs, Gutters, and Downspouts

The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance

Consensus vote for adoption 9-1

Minority Position: Take action when roofs show substantial deterioration - before they leak. Roofs should be replaced when pieces are missing, falling off, and shingles are curling. Should not have to wait until roofs start to leak.

Unanimous committee recommendation for this item apply to all residential properties

13. Grading and landscaping

All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon or within any structure located thereon. Exception: Approved retention areas and reservoirs.

Unanimous vote for adoption 10-0
Unanimous committee recommendation for this item apply to all residential properties

14. Structural Members

All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

Unanimous vote for adoption 10-0
Unanimous committee recommendation for this item apply to all residential properties

15. Window Maintenance

Every window, skylight, door, and frame shall be kept in sound condition, good repair, and weather tight. All glazing compound materials shall be maintained free from holes. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware. Glazing materials include glass, sash, frame, casing, muntins, glazing compound, i.e., all parts of the window assembly.

Storm door inserts, and storm and screen windows and inserts, shall be supplied and installed by the owner on exterior doors and windows from fall until spring.

Exception: Seasonal installation/changing of storm door inserts, storm windows, and screens may be performed by tenants when the transfer of that responsibility from landlord to tenant has been clearly and separately stated in a lease agreement and specifically initialed by both the landlord and tenant. In such instances, the landlord shall store the inserts on site, or shall deliver them to the site at appropriate times of the year.

Unanimous vote for adoption 9-0

16. Unsafe Wiring

All electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner.

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

17. Furnace and Chimney, Vent Safety Certification

The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements.

All mechanical appliances, operable fireplaces, solid fuel-burning appliances, cooking appliances, and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

The inspector may require an owner to obtain written safety certification from a licensed mechanical contractor when, in the inspector's judgment, the safe, operable condition of an appliance is questionable.

Carbon monoxide (CO) detectors:

Landlords shall include text in tenant leases recommending that tenants provide and install approved CO detectors in the habitable space of all residences with fuel gas fired furnaces, water heaters, and operable fireplaces in each dwelling unit. Signature of lease by both parties will signify compliance with this requirement.

Consensus vote for adoption 9-1

Minority Position: Require annual furnace inspections. Carbon monoxide detectors must be provided by landlord

18. Smoke Detectors in Sleeping Rooms

All systems, devices, and equipment to detect a fire, actuate an alarm, or suppress or control a fire, or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

Single or multiple station smoke alarms shall be installed and maintained in dwellings and dwelling units at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars, but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Unanimous vote for adoption 10-0

19. Emergency Access Key Boxes (Knox boxes)

Key boxes, for emergency Fire Department use, shall be installed in multi-family apartment buildings, at entry points as specified by the fire code official. Key boxes shall be of an approved type and shall contain keys to provide necessary access to rooms and areas as required by the fire code official.

The operator of the building shall immediately notify the fire code official and provide a new key whenever any lock is changed or rekeyed. The new key to such lock shall be secured in the key box, and the old key shall be removed.

This requirement shall apply to all new apartment buildings.

All existing apartment buildings of six dwelling units or more shall comply with this requirement within two years of the effective date of this code section.

Unanimous vote for adoption 10-0

20. Tall Grass and Weed Control

General: Owners are responsible to mow grasses, trim shrubs and trees, manage cultivated plants, and control weeds throughout their properties in a neat and orderly condition, comparable to other properties in the neighborhood. Lawn grasses shall not exceed 12 inches in height.

Weeds: Owners are responsible to control all vines, brush, bushes, volunteer trees less than three inches in diameter, and noxious weeds which, in the judgment of the building or fire code Official or their designees, constitute a health, safety or fire hazard. Weeds, as used in this section, means all vegetation which is not purposefully planted, cultivated, and managed, and/or that which is purposefully planted, but which has been allowed to proliferate in an uncontrolled manner. This includes, but is not limited to, the specific list of plants identified by State Code Chapter 317. All vegetation in this category shall not exceed 12 inches in height.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after posting of a notice of violation and service of a notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Vote for adoption 7-2

Minority Position: Should not be applied to rental properties of not applied to all residential properties. Matter of equitable treatment.

Unanimous committee recommendation for this item apply to all residential properties

21. Portable Fire Extinguishers

At a minimum, all dwelling units shall have one charged and operable 2-A: 10-BC rated fire extinguisher; or there shall be one charged and operable 2-A: 10-BC rated fire extinguisher supplied and kept on each floor of a dwelling within seventy-five (75) feet of every unit entrance located in conspicuous locations where they will be readily accessible and immediately available for use.

All charged and operable fire extinguishers must meet the requirements of applicable fire safety regulations promulgated by authorized officials of the State of Iowa in the Iowa Administrative Code.

Fire extinguishers shall be subjected to required maintenance at intervals of not more than one year by a trained individual. These requirements shall apply to all rental housing. All existing rental housing must comply with these requirements within six years of the effective date of this code section.

Unanimous vote for adoption 10-0

22. Property Maintenance Appeals Board

1. Application for appeal.

Any person directly affected by a decision of the code official, or a notice or order issued under this code, shall have the right to appeal to the Property Maintenance Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means, or that there are specific fixed conditions that make strict compliance with the Code impracticable, and that the specific proposed alternative action will:

- a. Increase the degree of general code compliance of the specific system or throughout the building and premises; and
- b. Increase the comfort and use of the property for occupants; and

c. Increase the asset value of the property to the owner and community

2. Membership of board.

The Board of Appeals shall consist of seven members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

Membership shall consist of:

- 1 - Small/medium property landlord
- 1 - Large property landlord
- 2 - Neighborhood resident owner-occupants with no financial interest in residential rental property
- 1 - Long term tenant
- 1 - Student tenant
- 1 - General contractor - with financial interest in not more than 6 rental properties
- 2 - Alternate members.

The chief appointing authority shall appoint two or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

3. Chairman.

The board shall annually select one of its members to serve as chairman.

4. Disqualification of member.

A member shall not hear an appeal in which that member has a personal, professional, or financial interest.

5. Secretary.

The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

6. Compensation of members.

Compensation of members shall be determined by law.

7. Notice of meeting.

The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

8. Open hearing.

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

9. Procedure.

The board shall adopt, and make available to the public through the secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

10. Postponed hearing.

When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

11. Board decision.

The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

12. Records and copies.

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

13. Administration.

The code official shall take immediate action in accordance with the decision of the board.

14. Court review.

Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

15. Stays of enforcement.

Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

16. Filing fees.

Property owners are entitled to file one appeal per structure, per rental cycle, or at four year intervals, whichever is less, at no fee. Successive appeals filed on the same property within the same inspection cycle will be charged at the standard rate established by City Council. Rental cycle means: that period of time between the date of the most recent regularly scheduled rental inspection and the expiration date of the current Letter of Compliance.

Unanimous vote for adoption 8-0
Unanimous committee recommendation for this item apply to all residential properties

A second vote to change the recommendation for allowing the board member designated as a "General Contractor" was taken at the 29, October meeting. The original language would have allowed the general contractor board member to own no more than 3 rental units. The second vote changed the language to no more than 6 rental units.

Consensus vote for adoption 8-1
Minority position: Should not own more the 3 rental units

23. Dwelling Unit Height and Area Requirements

1. In the event of fixed conditions that prevent compliance with the ceiling height and room area requirements of this section, an owner may submit a code modification request for approval.
2. The use of a pre-existing noncompliant room may continue, provided the owner/manager makes application for approval of the pre-existing condition to the Building Official within thirty days of notification of the condition by the inspector.
3. Minimum room widths.
A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

4. Minimum ceiling heights.
Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).
5. Exceptions:
 - a. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
 - b. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
 - c. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.
5. Bedroom and living room requirements.
Every bedroom and living room shall comply with the requirements of Sections 5.a through 5.e
 - a. Room area.
Every dwelling shall contain at least one room 120 square feet in area, and every bedroom shall contain at least 70 square feet.
 - b. Access from bedrooms.
Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.
 - c. Water closet accessibility.
Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.
 - d. Prohibited occupancy.
Kitchens and non-habitable spaces shall not be used for sleeping purposes.
 - e. Other requirements.
Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements; the heating facilities and electrical receptacle requirements; and the smoke detector and emergency escape requirements of this code.
6. Efficiency unit.
Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:
 - a. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor

area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.

- b. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
 - c. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
7. Effect of conflicting standards.
Where there is conflict between the total unit occupancy resulting from application of these standards, and some other, more stringent occupancy limit stated in the Ames Zoning Ordinance or any other City of Ames rule or regulation, the more stringent standard shall apply.
8. Pre-existing conditions:
Approval of this pre-existing condition is transferable from one owner to another, provided compliance with all conditions of this section is maintained continuously and uninterrupted throughout the succeeding changes of ownership. Failure to maintain continuous compliance with this section will result in termination of approval, and will require compliance with current code provisions, following appropriate notification and hearing procedures of this code.

Approval of this pre-existing condition will not be granted to new rental registration applications for duplex or multifamily dwellings.
9. Expiration of retroactive conversion permits
Retroactive conversion permits authorizing continuation of specified pre-existing conditions shall expire July 31, 2010. Those pre-existing conditions not specifically permitted by this code must be brought into compliance with this code, or occupancy of the dwelling must cease at that time.

Unanimous vote for adoption 8-0

Second vote was conducted on 15 October setting a sunset date for retro-conversion permits of July 31, 2010.

Unanimous vote for adoption 10-0

24. Natural Light Requirements

- 1. Each habitable room shall be provided with natural light by means of one or more exterior glazed openings. Such window openings shall have a total minimum area of at least ten (10) square feet per apartment.
- 2. For the purpose of determining light and ventilation requirements:
 - a. Any room may be considered as a portion of an adjoining room when the common wall has an unobstructed opening of at least 25 square feet.
 - b. Openings of less than 1½ square feet shall not be included in computation.

Unanimous vote for adoption 8-0

25. Natural Ventilation Requirements

1. All habitable rooms and bathrooms shall have natural ventilation provided by easily operable exterior openings. Such openings shall be equal to at least fifty (50) percent of the minimum window area as required in (1) above.
2. In lieu of openable windows for natural ventilation in bathrooms and kitchens, adequate ventilation may be a system of mechanical ventilation.
3. Clothes dryer exhaust.
Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

Unanimous vote for adoption 8-0

26. Sidewalks and Driveways

All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

Consensus vote for adoption 8-1

Minority Position: Delete proper state of repair from description as it is not well defined.
Unanimous committee recommendation for this item apply to all residential properties

27. Rodent Harborage

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

Unanimous vote for adoption 9-0

Unanimous committee recommendation for this item apply to all residential properties

28. Exhaust Vents

Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

Unanimous vote for adoption 9-0

Unanimous committee recommendation for this item apply to all residential properties

29. Defacement of Property

No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

Unanimous vote for adoption 9-0

Unanimous committee recommendation for this item apply to all residential properties

30. Protective Treatment - Paint

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained weather

resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Note : Three integral components of this vote follow:

1. The definition of what would be "noted" versus "cited" (see item 73).
2. Small areas will be noted, only worst cases will be cited.
3. The establishment of an appeals board.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

31. Foundation Walls

All foundation walls shall be maintained safe and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

32. Decorative Features

All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

Unanimous vote for adoption 10-0
Unanimous committee recommendation for this item apply to all residential properties

33. Overhang Extensions

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

Unanimous vote for adoption 10-0
Unanimous committee recommendation for this item apply to all residential properties

34. Chimneys and Towers

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

Unanimous vote for adoption 10-0
Unanimous committee recommendation for this item apply to all residential properties

35. Doors - Exterior

All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall secure the door.

Consensus vote for adoption 9-1
Minority Position: Wanted sections 35,36,37 combined
Unanimous committee recommendation for this item apply to all residential properties

36. Basement Hatchways

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain, and surface drainage water.

Unanimous vote for adoption 10-0
Unanimous committee recommendation for this item apply to all residential properties

37. Building security

Doors, windows, or hatchways for dwelling units, room units, or housekeeping units shall be provided with devices as set forth below in 1, 2, and 3, designed to provide security for the occupants and property within.

1. Doors.

Doors providing access to a dwelling unit, rooming unit, or housekeeping unit that is rented, leased, or let shall be equipped with a keyed lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort and shall have a lock throw of not less than 1 inch (25 mm). Such keyed locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable keyed lock.

2. Windows

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased, or let, shall be equipped with a window sash locking device.

3. Basement Hatchways

Basement hatchways that provide access to a dwelling unit, rooming unit, or housekeeping unit that is rented, leased, or let shall be equipped with devices that secure the units from unauthorized entry.

Consensus vote for adoption 9-1
Minority Position: Opposed to deletion of mandatory deadbolt locks from model code text

38. Exterior Walls

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and properly surface coated where required to prevent deterioration. All areas of the building shall be structurally sound.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

39. Interior Surfaces – Paint, Occupant & Owner Responsibilities

1. In dwelling units, peeling, blistered, or flaking paint shall be removed or effectively covered in a workmanlike manner so as to provide a smooth, easily cleaned finish.

a. Occupant responsibility: Maintaining that part of the dwelling and premises which the occupant occupies in a clean, safe, and sanitary condition.

b. Owner and operator responsibility: Maintaining public areas of the premises in a clean and sanitary condition, including keeping floors, floor coverings, walls, and ceilings reasonably clean.

Unanimous vote for adoption 9-0

40. Disposal of Garbage, and Waste

Every occupant of a structure shall dispose of all rubbish, garbage, and other organic waste in a clean and sanitary manner, by placing it in disposal facilities or storage containers, and by re-closing or replacing container lids.

It is the occupant's responsibility to move containers to and from the curb when curbside service is contracted, within 24 hours.

Occupants are required to make special arrangements for removal of any items which will not be picked up by regular contracted service, within 48 hours.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

41. Outdoor Storage

1. Appliances: Any person who abandons or otherwise leaves unattended any refrigerator, icebox, washing machine, dishwasher, kitchen range, clothes dryer, freezer, commode, urinal, bathroom sink, kitchen sink, or other large household appliance, bathroom fixture, kitchen fixture, or similar container outside of buildings, or any person who allows such refrigerator, ice box, washing machine, dishwasher, kitchen range, clothes dryer, freezer, commode, urinal, bathroom sink, kitchen sink, bathroom fixture, kitchen fixture, or other large household appliance, or similar container, to remain outside of buildings or premises in the person's possession or control, abandoned or unattended, commits a violation of this section.
2. Household Furniture: Standards: It shall be a violation of this section for any landowner or person leasing, occupying, or having control of any real property used for residential purposes, to keep, maintain, deposit, or perform or permit on such property the outdoor use, outdoor storage or outdoor placement of household appliances, household furniture, or household furnishings, unless such items are designed for outdoor use and are used on the premises for purposes of the household. The term "outdoor" includes a porch. However, the use, storage, or placement of household appliances, household furniture, or household furnishings on a porch is not prohibited if the porch is completely enclosed by fully intact glass or fully intact screens. A porch is a platform completely covered by a roof located at and attached to or abutting against the entrance to a building. Screens are framed wire mesh or framed plastic mesh used to keep out insects and permit airflow.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

42. Extermination, Single Family Dwellings

1. Owner: The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.
2. Occupant: The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

43. Extermination, Multiple Occupancy

1. Owner: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house, or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.
2. Occupant: The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

Unanimous vote for adoption 9-0

PLUMBING

44. Dwelling Units, Required Fixtures

Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet, and kitchen sink which shall be maintained in a sanitary, safe, working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

Unanimous vote for adoption 8-0

45. Rooming Units, Required Fixtures

In lodging, boarding, fraternity, and sorority houses, the maximum number of persons per the same bathroom facilities shall be eight (8). Such facilities shall be located to afford privacy and to be accessible from a common hall or passage way to all persons sharing the facilities.

Unanimous vote for adoption 8-0

46. Privacy, Bathrooms and/or Toilet Rooms

Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms. Exception: fraternities, sororities, and dormitories.

Vote for adoption 5-3

Minority Position: Unnecessary language. Should only include; "Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior."

47. Location, Bathrooms and/or Toilet Rooms

Toilet rooms and bathrooms serving rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

Unanimous vote for adoption 8-0

48. General - Plumbing

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks, and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary, and functional condition.

Unanimous vote for adoption 8-0

49. Fixture Clearances

Plumbing fixtures shall have adequate clearances for usage and cleaning.

Consensus vote for adoption 7-1

Minority Position: Text is ambiguous and redundant.

50. Plumbing system hazards

Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, deterioration, or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

Consensus vote for adoption 7-1

Minority Position: Language being ambiguous and redundant according to the language of IPMC 504.1.

WATER SYSTEM

51. Plumbing Minimum Requirements

Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

Unanimous vote for adoption 8-0

52. Water Supply Contamination

The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses can be attached, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

Consensus vote for adoption 7-1

Minority Position: Felt this section was unnecessary

53. Water Supply

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

Unanimous vote for adoption 8-0

54. Water Heating Facilities

Water heating facilities shall be properly installed, maintained, and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower, and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom, or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Unanimous vote for adoption 8-0

SANITARY DRAINAGE SYSTEM

55. General Sewer Connection

All plumbing fixtures shall be properly connected to either a public sewer system or to an approved

private sewage disposal system.

Unanimous vote for adoption 8-0

56. Maintenance Lines and Stacks

Every plumbing stack, vent, waste, and sewer line shall function properly and be kept free from obstructions, leaks, and defects.

Unanimous vote for adoption 8-0

MECHANICAL EQUIPMENT

57. Residential occupancies, Mechanical Equipment

Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Unanimous vote for adoption 9-0

58. Heat Supply

Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof, shall supply heat during the heating season capable of maintaining a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Unanimous vote for adoption 9-0

59. Room Temperature Measurement

The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

Unanimous vote for adoption 9-0

60. Removal of Combustion Products

All fuel-burning equipment and appliances shall be connected to an approved chimney or vent. Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

Unanimous vote for adoption 9-0

61. Clearances

All required clearances to combustible materials shall be maintained, in accordance with International Mechanical Code or manufacturer's specifications.

Unanimous vote for adoption 9-0

62. Safety Controls

All safety controls for fuel-burning equipment shall be maintained in effective operation.

Unanimous vote for adoption 9-0

63. Combustion Air

A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel

Unanimous vote for adoption 9-0

64. Furnace Replacement, Re-circulated Ventilation Air

The use of a single furnace serving multiple dwelling units within an existing registered rental structure where air is circulated through more than one unit may continue, provided:

1. The owner/manager makes application for approval of the pre-existing condition to the

Building Official within thirty days of notification of the condition by the inspector.

2. The owner/manager discloses existence of the shared furnace in the lease and acceptance is initialed by the tenant;
3. The owner/manager discloses existence of a shared thermostat in the lease and acceptance is initialed by the tenant;
4. The owner/manager obtains an annual furnace safety inspection and written certification, from a licensed mechanical contractor, of all furnaces more than 5 years of age. Certification of furnaces less than 5 years of age may be required by the inspector for due cause.
5. When the single furnace is replaced, it must be brought into compliance with current codes regulating:
 - a. exhaust system;
 - b. fuel gas piping;
 - c. electrical supply;
 - d. ventilation air;and other relevant provisions of the electrical, mechanical, fuel gas, and plumbing codes.
6. A carbon monoxide detector must be provided within the vicinity of the furnace, as specified by the manufacturer.

Recirculation of air between dwelling units and common areas is not prohibited by this code.

Approval of this pre-existing condition is transferable from one owner to another, provided compliance with all conditions of this section is maintained continuously and uninterrupted throughout the succeeding changes of ownership. Failure to maintain continuous compliance with this section will result in termination of approval, and will require compliance with current mechanical code provisions, following appropriate notification and hearing procedures of this code.

Approval of this pre-existing condition will not be granted to new rental registration applications for duplex or multifamily dwellings.

Unanimous vote for adoption 9-0

ELECTRICAL EQUIPMENT

65. Electricity Service

The size and usage of appliances and equipment shall serve as a basis for determining electrical service needs. Dwelling units shall be served by a minimum three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Electrical system hazards

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

Installation

All electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner.

Unanimous vote for adoption 9-0
Unanimous committee recommendation for this item apply to all residential properties

66. Receptacles

Each habitable space shall have at least two duplex electrical outlets where an electrical cord may be easily and directly plugged in with a minimum of inconvenience. Additional outlets may be required in those conditions where outlet overuse creates a hazard.

Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter.

Each bathroom shall have at least one duplex electrical outlet where an electrical cord may be easily and directly plugged in with a minimum of inconvenience. Ground-fault protected receptacles are required in the following locations:

1. Bathrooms: All 125-volt receptacles in bathrooms shall be ground-fault protected.
2. Kitchens: All 125-volt receptacles serving kitchen countertop surfaces shall be ground-fault protected.

All rental units shall meet this requirement as directed in their inspection and no later than January 1, 2010.”

Unanimous vote for adoption 10-0

67. Luminaries and Lighting

Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room, and furnace room shall contain at least one electric luminary.

The owner shall provide light and supply light bulbs for all public halls and stairways at all times.

Emergency lighting shall be provided in all common hallways and stairways in multiple dwellings with more than two units. Light intensity shall be not less than one foot-candle at floor level.

Unanimous vote for adoption 10-0

EGRESS

68. Elevators

In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

Unanimous vote for adoption 10-0

69. Means Of Egress - General

A safe, continuous, and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the 2006 International Fire Code.

Every dwelling unit shall have at least one exit directly to the outside, or two direct routes of exit to the outside reached by travel in different directions. Routes of exit shall be corridors in common areas kept continually open and accessible, leading directly to exits, one of which may be a window, located remote to one another, which open directly to the outside

Unanimous vote for adoption 10-0

70. Locked Doors

All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort, except where the door hardware conforms to that permitted by the International Building Code.

Unanimous vote for adoption 10-0

71. Egress Windows, Emergency Escape Openings

1. General

Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following: Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates, 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 shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening.

2. Above grade egress windows

The use of pre-existing noncompliant egress windows in above-grade openings may continue, as in 1 above, provided:

- a. The owner/manager makes application for approval of the pre-existing condition to the building official within thirty days of notification of the condition by the inspector.
- b. When an approved pre-existing egress window is replaced, the new window must be made to fit the existing sash clear opening area. Nothing in this section shall prohibit the enlargement of the window area.

3. Approval of this pre-existing condition is transferable from one owner to another, provided compliance with all conditions of this section is maintained continuously and uninterrupted throughout the succeeding changes of ownership. Failure to maintain continuous compliance with this section will result in termination of approval, and will require compliance with current building code provisions, following appropriate notification and hearing procedures of this code.

4. Below grade egress windows

- a. Below grade and basement windows must comply with the 2006 International Residential Code
- b. Pre-existing below grade and basement windows and window wells must be brought into compliance with the 2006 International Residential Code, in regard to window opening and window well dimensions, by not later than July 31, 2010.
- c. Pre-existing below grade and basement windows that are compliant in all regards except window sill height above the floor, will be reviewed on an individual case basis by the building official.

4. Approval of egress windows not in compliance with the 2006 International Residential Code will not be granted to new rental registration applications.

Unanimous vote for adoption 10-0

Unanimous committee recommendation for this item apply to all residential properties

Note: On 10-29-2008 a second unanimous vote changed wording to allow for replacement windows to

be used that fit within a sash.

72. Fire Protection Systems

General - All systems, devices, and equipment to detect a fire, actuate an alarm, or suppress or control a fire, or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

Unanimous vote for adoption 10-0

73. Definitions, Noted vs. Cited Code Violations

Definitions:

Noted – Code violations that are not considered life safety issues and are not of a severity to cause structural deterioration. Noted items will not prevent the issuance of a letter of compliance.

Cited – Code violations that must be repaired prior to the issuance of a letter of compliance. Cited items may lead to issuance of further actions by the building official as defined in the Municipal Code.

Unanimous vote for adoption 10-0

74. Fire Alarm System

At a minimum, all existing R-2 occupancies of more than 16 dwelling or sleeping units, shall have an automatic, or manual and automatic fire alarm system installed throughout all interior corridors serving sleeping units in accord with the following schedule:

1. Each and every existing building that comes within the scope of this section shall be retrofitted as aforesaid not later than [a date five years after adoption of this code].
2. Should a facility be unable to meet the prescribed date of [a date five years after adoption of this code], the owners can request up to two extensions. Requests for extension will be heard by the Building Board of Appeals.
 - a. A first request for extension must be brought to the Building Board of Appeals prior to [four years after adoption]. If granted an extension for three years, the implementation period would end on [eight years after adoption].
 - b. Should a facility be unable to meet the extended compliance date of [eight years after adoption], a second request for extension must be brought to the Building Board of Appeals prior to [seven years after adoption]. If granted an extension for two years, the implementation period would end on [ten years after adoption].
3. In order to grant an extension, the Board must find all of the following five criteria have been met:
 - a. The owners have made a compelling case that they cannot be Code compliant by the prescribed ordinance date.
 - b. The owner's request for extension is based upon financial need.
 - c. The owners have made substantial and unsuccessful efforts to acquire necessary funds.
 - d. Complete and thorough cost estimates, construction plans, and Code compliant sprinkler system designs have been developed.
 - e. The owners have a viable plan for compliance if an extension is granted.

Unanimous vote for adoption 8-0

75. Reasonable Time Limits For Compliance

General compliance time limits for cited items:

1. Imminent life safety - requires immediate corrective action;
2. Routine/normal maintenance must be complete within 30 days;
3. Seriously deferred maintenance/medium-large project - 90 days;
4. Weather/seasonal dependent item- 180 days or negotiated;
5. Applications for time extensions may be submitted to the building official with a progress report and estimated schedule for completion and will be reviewed on an individual case basis.

Unanimous vote for adoption 8-0

76. Partner With Service Organizations To Help Needy Owners

Include the following language in the staff report to the Council:

During the development of property maintenance alternatives for the Council's consideration, Rental Housing Advisory Committee members expressed concerns that regulations alone will not adequately address the needs of the community. It is the committee's recommendation that the adoption of new property maintenance minimum standards be coupled with supportive efforts from the City and partnerships with service oriented organizations. Examples of this collaborative effort may include:

1. Make changes to the Neighborhood Improvement Grant program to clarify and publicize that funding can be made available for neighborhoods which choose to help individual elderly, low-income, and otherwise disadvantaged property owners in complying with identified property maintenance code violations.
2. Identify City Staff members whose responsibility are to liaison with, help establish, and foster service groups that can help fix the property maintenance needs of individual elderly, low-income, and otherwise disadvantaged property owners in complying with identified property maintenance code violations.
3. Establish and fund a grant program that would help with the necessary property improvements, down payment, and/or acquisition costs to convert rental homes to owner-occupied homes.

In cases other than imminently dangerous to individual or public safety, the building official may seek and enlist the resources of the community, including, but not limited to, neighborhood associations, volunteer organizations, churches, and social service agencies to assist individual elderly, low-income, and otherwise disadvantaged property owners in complying with identified property maintenance code violations. This shall not prevent the building official from proceeding with prescribed enforcement procedures, in the event the assistance of such resources is not forthcoming or is found to be inadequate to correct the code violation within a reasonable period.

Unanimous vote for adoption 9-0

Unanimous committee recommendation for this item apply to all residential properties

77. Required Off-Street Parking: Hard Surface, Front Yard

1. Driveways and off street parking

General

All driveways, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

2. Parking in front yards

Front yard defined:

As used in this section, front yard means the open space in that portion of a yard between the street and the face of the structure and a line extending from the left side of the lot to the right side of the lot. The line, as viewed from the street, shall extend parallel to the street to the nearest corner of the principle structure and then along the face of the principle structure to the right corner, and from that point on a line parallel to the street to a point on the right lot line.

As used in this section, the face of a principle structure shall be any and all portions of the structure fronting on a street. The front yard shall not include any portion of the city right-of-way. A corner lot shall be deemed to have two front yards.

3. Parking in front yards prohibited:

The parking of motor vehicles in the front yards of residential zoned properties is prohibited. Any person who parks a motor vehicle in the front yard of a residential zoned property, or permits such parking on a residential zoned property under their ownership or control, shall be in violation of this section.

Exceptions, parking in front yards may be permitted under the following circumstances:

- a. Where the area is constructed and maintained in accord with the surfacing standards of this section; and
- b. upon a driveway that leads to the side or rear yard or to a garage; and,
- c. one or more parking spaces are permitted in the front yard in the case where there is an existing garage and there is insufficient room between the side of the garage and the side property line. Such spaces shall meet the following requirements:
 - i. The parking spaces shall not be less than nine (9) feet in width and nineteen (19) feet in length; and
 - ii. The parking spaces shall be contiguous to and parallel to the existing driveway; and,
 - iii. The parking spaces shall be located between the existing driveway and the side property line; and
- d. when the parking area is an approved pre-existing condition, as defined by this section; or
- e. when the parking area has been approved in conjunction with issuance of a building permit or zoning permit,

4. Computation of required off-street parking spaces

Number and dimensions of off-street parking spaces must comply with standards in Ames Code Sec. 29.406, and the following:

- a. Parking space for each vehicle must be 18 feet in length and 9 feet in width, and located upon an approved driveway that leads to the side or rear yard or to a garage. The area allocated for each vehicle must be available for parking at all times.
- b. Garage parking spaces will be counted as approved off-street parking spaces if the required area for each vehicle is available for parking at all times.
- c. Specific site conditions that may prevent compliance with these requirements will be reviewed on an individual case basis by the building official.

5. Required materials and standards for new off-street parking areas
Surface Material Standards.
 - a. Materials. All vehicle areas, including front and side and rear yard parking areas, and driveways, must be paved with Portland Cement Concrete, Asphaltic Cement Concrete, or an equivalent as determined by the City Engineer. All driveway approaches adjoining paved streets must be paved with Portland Cement Concrete between the edge of street and the property line.
 - b. Material Thickness. All vehicle areas, including front and side and rear yard parking areas, and driveways, must be paved with an approved material no less than five inches thick, or an equivalent as determined by the City Engineer.
 - c. Striping. All paved parking areas must be striped in accordance with the dimension standards described in the Zoning Code.
 - d. Storm Water Management Design Standards. All vehicle areas, including front and side and rear yard parking areas and driveways shall be designed and graded in compliance with City Storm Water Management Design Standards, and subject to approval of the City Engineer.
 - e. Lighting. Illumination for parking and loading areas must be provided and designed to be fully cut off from adjacent properties.
 - f. Surface Parking Landscaping and Screening. Surface parking facilities must conform to the minimum landscaping and screening requirements set forth in the Zoning Code.
6. Permit required for new off street parking areas
There shall be no installation at grade of any new expanse of asphalt, concrete, gravel, brick, or other form of paving by any material whatsoever upon any residential zoned property without issuance of a permit by the building official. Such authorization shall be granted only if, under the facts and circumstances of the particular situation, it is unlikely that the paving will facilitate the use of the front yard, or any part thereof, for the parking of vehicles, except on a driveway as provided in this section.
7. Approval of pre-existing parking areas
The use of pre-existing noncompliant parking areas may continue provided:
 - a. The owner/manager makes application for approval of the pre-existing condition to the building official within thirty days of notification of the condition by the inspector.
 - b. An approved pre-existing parking area may not be increased or rearranged unless such increase or rearrangement is in compliance with requirements of this section for new parking areas.
 - c. Approval of such pre-existing condition is transferable from one owner to another, provided compliance with all conditions of this section is maintained continuously and uninterrupted throughout the succeeding changes of ownership. Failure to maintain continuous compliance with this section will result in termination of approval, and will require compliance with current building code provisions, following appropriate notification and hearing procedures of this code.
8. Exceptions:
 - a. Pre-existing front yard parking areas established in violation of the requirements of this code must be brought into compliance within one year after notification by the inspector.

- b. Pre-existing driveway approaches in violation of the requirements of this code must be brought into compliance within three years after notification by the inspector.
 - c. Pre-existing residential zoned rear and side yard parking areas which are in excess of the maximum building and parking lot coverage of 60% and minimum 40% green space permitted by the Zoning Code, must be reduced to comply with that standard within one year after notification by the inspector.
 - d. Pre-existing crushed rock or gravel parking areas that have not been maintained with a minimum 5 inch cover must be brought into compliance with this standard within 90 days after notification by the inspector.
 - e. Specific site conditions that may prevent compliance with these exceptions will be reviewed on an individual case basis by the building official.
9. Approval of this pre-existing condition is transferable from one owner to another, provided compliance with all conditions of this section is maintained continuously and uninterrupted throughout the succeeding changes of ownership. Failure to maintain continuous compliance with this section will result in termination of approval, and will require compliance with current code provisions, following appropriate notification and hearing procedures of this code.
10. Approval of this pre-existing condition will not be granted to new rental registration applications for duplex or multifamily dwellings.
11. Responsibility for parking compliance
Any person who parks a motor vehicle in the front yard of a residential zoned property, or permits such parking on a residential zoned property under their ownership or control, shall be in violation of this section.

It shall be the duty of landlords and property managers to inform tenants of the rules governing use of approved off-street parking areas.

It shall be the duty of every registered owner of a vehicle to insure that said vehicle does not park contrary to these regulations. It may be inferred, unless evidence to the contrary is presented, that the registered owner of any motor vehicle parking in violation of the parking regulations of this chapter is responsible for said vehicle being so parked.

Consensus vote for adoption 8-0, (one abstained)
Unanimous committee recommendation for this item apply to all residential properties

78. Tenant And Landlord Responsibilities, Interior Cleanliness

1. General
A person shall not knowingly occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter.
- The following information is not all-inclusive. Other sections of this Code, other chapters of the Ames Municipal Code, the State of Iowa Code Chapter 562A Uniform Residential Landlord and Tenant Law, and various federal statues contain additional duties and rights of the referenced parties. Owners, landlords, tenants, and owner-occupants are advised to consult those sources in addition to the following information.
2. Owner responsibility:
The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not

occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

An owner is also responsible for other maintenance duties as specifically stated in other sections of this code. Owners are encouraged to designate property maintenance responsibilities in their leases.

3. Occupant responsibility:

Occupants of a dwelling unit, rooming unit, or housekeeping unit are responsible for keeping in a clean, sanitary, and safe condition that part of the dwelling unit, rooming unit, housekeeping unit, or premises which they occupy and control. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition.

An occupant is also responsible for other maintenance duties as specifically stated in other sections of this code. Tenants are encouraged to refer to their leases for definition of owner and tenant responsibilities.

Consensus vote for adoption 9-1

Minority Position: List of responsibilities for both owners and occupants should be clear and included in the ordinance. Should remain similar to existing City ordinance.

Future Commitments

During RHAC meeting staff utilized “parking lot” for items that needed a second look or had additional related alternatives. These parking lot issues were cleared up before the completion of this report. In addition staff tracked areas identified that may need future staff action if the related alternatives became part of the municipal code. The future commitments follow:

1. After new rental housing code adoption by Council, training for all landlords and managers regarding the new rental code will occur. Staff will develop documents that specifically address landlord and tenant responsibilities as a part of the educational outreach.
2. Training for personnel who want to be certified to conduct the annual fire extinguisher training will be conducted by AFD or suitable representative.
3. The division will include information about their opportunity to apply for status as a pre-existing condition through:
 - a. Notices for inspections will include information about application for pre-existing conditions.
 - b. Inspector finding such conditions will notify the landlord or manager about the application for pre-existing conditions.
4. The division will continue to pursue changes in the junk vehicle ordinance. The changes will include, at a minimum:
 - a. Improved definition of inoperable
 - b. Removal of language allowing tarps
 - c. The division will first seek junk vehicle ordinance compliance with the owner of the vehicle. If the owner cannot be found, the property owner will become responsible for compliance.
5. Develop plan for notifying contractors that a permit is necessary for new parking spaces.

Original List of Items Addressed by the Rental Housing Advisory Committee

1. GFCI outlets in kitchens and bathrooms
2. Handrails on all stairs with more than three risers
3. Visible Street address numbers/apartment unit numbers
4. Gutters and downspouts
5. Required off-street parking - number of parking spaces - hard surfacing
6. Minimum area requirements in dwelling units - sleeping rooms, habitable rooms
7. Furnace and chimney safety certification
8. Lights in closets
9. Accessory structures - maintenance of garages, sheds, fences, walls
10. Roofs
11. Grading and landscaping - provide positive drainage - dry basements
12. Structural members - interior/exterior
13. Painting - exterior
14. Windows
15. Screens on operable windows
16. Egress windows
17. Stairways, decks, porches, and balconies
18. Knob and tube wiring - exposed
19. Carports and garages
20. Guardrails
21. Smoke detectors in each bedroom
22. Interior door hardware
23. Stair rise and run
24. Furnace replacement
25. Fire alarm system

Jurisdiction	Adopted	With Amendments	Edition
Ankeny	Y		2006
Bremer County	Y		
Coralville	Y		2003
Council Bluffs	Y		2003
Denver	Y		
Des Moines	Y	Y	2003
Dewitt	Y		2003
Ft Dodge	Y	Y	
Hiawatha	Y		
Independence	Y		2003
Janesville	Y		
Linn County	Y		2003
Mount Pleasant	Y	Y	2006
Pella	Y	Portions of	2003
Readlyn	Y		
Sigourney	Y		2003
Sioux Center	Y		
Spirit Lake	Y	Y	2003
Story City	Y		2003
Tripoli	Y		
Urbandale	Y	Y	2003
Waverly	Y		
West Des Moines	Y		2003
Windsor Heights	Y		2003

Item Number	Code item description
1	Building Numbering
3	Electrical Work By Property Owners/Managers/Maintenance
4	Maintenance of Detached Garages, Sheds
7	Maintenance of Stairways, Decks, Porches, Balconies
9	Handrails and Guardrails
10	Exterior Stairs Maintenance, Rise, and
11	Interior Stairs Maintenance, Rise, and Run
12	Roofs, Gutters, and Downspouts
13	Grading and landscaping
14	Structural Members
16	Unsafe Wiring
20	Tall Grass and Weed Control
22	Property Maintenance Appeals Board
26	Sidewalks and driveways
27	Rodent Harborage
28	Exhaust Vents
29	Defacement of Property
30	Protective Treatment - Paint
31	Foundation Walls
32	Decorative Features
33	Overhang Extensions
34	Chimneys and Towers
35	Doors - Exterior
36	Basement Hatchways-Maintenance
38	Exterior Walls
40	Disposal of Garbage, and Waste
41	Outdoor Storage
42	Extermination, Single Family Dwellings
65	Electricity Service
71	Egress Windows, Emergency Escape Openings
76	Partner with service organizations
77	Required Off-Street Parking: Hard Surface, Front Yard

Mtg No.	Meeting Date	Item No.	Code item description	Members Present	Vote YES	Vote NO	Unanimous Y/N	Minority Positions
21	15-Oct	77	Required Off-Street Parking: Hard Surface, Front Yard	9	8	0	N	8-0 approval of proposed text to item 76 w/1 abstaining (was unsure of what the effect would be)
7	18-Jun	12	Roofs, Gutters, and Downspouts	10	9	1	N	Minority Position: take action when roofs show substantial deterioration - before they leak.
9	9-Jul	17	Furnace and Chimney, Vent Safety Certification	10	9	1	N	Minority Position: Require annual furnace inspections and carbon monoxide detectors provided by landlord
			Second Vote on 10-29-2008 changed the # of rental units the contractor member could own to 6	9	8	1	N	Minority Position: The board position designated for a contractor should not own more the 3 rental units
14	27-Aug	26	Sidewalks and driveways	9	8	1	N	Minority Position: delete (proper state of repair)
15	3-Sep	35	Doors - Exterior	10	9	1	N	Minority Position: Wanted sections 35,36,37 combined
15	3-Sep	37	Building security, Doors, Windows, Hatchways	10	9	1	N	Minority Position: Opposed to deletion of mandatory deadbolt locks from model code text
17	17-Sep	49	Fixture Clearances	8	7	1	N	Minority Position: text is ambiguous and redundant
17	17-Sep	50	Plumbing system hazards 504.3	8	7	1	N	Minority Position: language being ambiguous and redundant according to the language of IPMC 504.1.
17	17-Sep	52	Water Supply Contamination	8	7	1	N	Minority Position: felt this section was unnecessary
22	22-Oct	78	Tenant And Landlord Responsibilities, Interior Cleanliness	10	9	1	N	Minority position: List of responsibilities for both owners and occupants should be clear and included in the ordinance
11	23-Jul	20	Tall Grass and Weed Control	9	7	2	N	Minority Position: Status quo unless this applies to all properties
17	17-Sep	46	Privacy, Bathrooms and/or Toilet Rooms	8	5	3	N	Minority Position: Unnecessary language, Should only include "Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior."
Total # of Committee Votes on Alternatives					84	100%		
Votes with Unanimous Decisions					71	85%		
Total of Votes With Majority/Minority Decisions (not unanimous)					13	15%		
# with 1 member abstaining					1	1%		
# with 1 member proposing or supporting alternative solutions					10	12%		
# with 2 member proposing or supporting alternative solutions					1	1%		
# with 3 member proposing or supporting alternative solutions					1	1%		
Total					13	15%		

Mtg No.	Meeting Date	Item No.	Code item description	Members Present	Vote YES	Vote NO	Unan. Y/N	Minority Positions
1	7-May	n/a	General discussion - overview	8	n/a	n/a	n/a	
2	14-May	n/a	Introduce discussion of code items	8	n/a	n/a	n/a	
3	21-May	1	Building Numbering	8	8	0	Y	
		2	Bare Light Bulbs in Closets		8	0	Y	
		3	Electrical Work By Property Owners/Managers/Maintenance		8	0	Y	
		4	Maintenance of Detached Garages, Sheds		8	0	Y	
		5	Screens on Operable Windows		8	0	Y	
4	28-May	6	Interior Door Hardware	8	8	0	Y	
		7	Maintenance of Stairways, Decks, Porches, Balconies		8	0	Y	
5	4-Jun	8	GFCI Outlets Provided in Kitchens and Bathrooms	8	8	0	Y	
		9	Handrails and Guardrails		8	0	Y	
6	11-Jun	10	Exterior Stairs Maintenance, Rise, and	9	9	0	Y	
		11	Interior Stairs Maintenance, Rise, and Run		9	0	Y	
7	18-Jun	12	Roofs, Gutters, and Downspouts	10	9	1	N	Minority Position: take action when roofs show substantial deterioration - before they leak.
		13	Grading and landscaping		10	0	Y	
		14	Structural Members		10	0	Y	
8	25-Jun	15	Window Maintenance	9	9	0	Y	
		16	Unsafe Wiring		9	0	Y	
9	9-Jul	17	Furnace and Chimney, Vent Safety Certification	10	9	1	N	Minority Position: Require annual furnace inspections and carbon monoxide detectors provided by landlord
		18	Smoke Detectors in Sleeping Rooms		10	0	Y	
		19	Emergency Access Key Boxes (Knox boxes)		10	0	Y	
10	16-Jul	n/a	Continued discussion of prior items	10	n/a	n/a	n/a	
11	23-Jul	20	Tall Grass and Weed Control	9	7	2	N	Minority Position: Status quo unless this applies to all properties
12	13-Aug	21	Portable Fire Extinguishers	10	10	0	Y	
13	20-Aug	22	Property Maintenance Appeals Board	8	8	0	Y	
			Second Vote on 10-29-2008 changed the # of rental units the contractor member could own to 6	9	8	1	N	Minority Position: The board position designated for a contractor should not own more the 3 rental units
		23	Dwelling Unit Height and Area Requirements		8	0	Y	
			Second Vote on 10-15, 2008 established sunset clause for retro-conversion permits for July 31, 2010		10	0	Y	
		24	Natural Ventilation Requirements		8	0	Y	
14	27-Aug	26	Sidewalks and driveways	9	8	1	N	Minority Position: delete (proper state of repair)
		27	Rodent Harborage		9	0	Y	
		28	Exhaust Vents		9	0	Y	
Mtg No.	Meeting Date	Item No.		Members Present	Vote YES	Vote NO	Unan. Y/N	Minority

No.	Date	No.	Code item description	Present	YES	NO	Y/N	Positions
		29	Defacement of Property		9	0	Y	
		30	Protective Treatment - Paint		9	0	Y	
		31	Foundation Walls		9	0	Y	
15	3-Sep	32	Decorative Features	10	10	0	Y	
		33	Overhang Extensions		10	0	Y	
		34	Chimneys and Towers		10	0	Y	
		35	Doors - Exterior		9	1	N	Minority Position: Wanted sections 35,36,37 combined
		36	Basement Hatchways-Maintenance		10	0	Y	
		37	Building security, Doors, Windows, Hatchways		9	1	N	Minority Position: Opposed to deletion of mandatory deadbolt locks from model code text
		38	Exterior Walls	9	9	0	Y	
16	10-Sep	39	Interior Surfaces - Paint, Occupant & Owner Responsibilities		9	0	Y	
		40	Disposal of Garbage, and Waste		9	0	Y	
		41	Outdoor Storage		9	0	Y	
		42	Extermination, Single Family Dwellings		9	0	Y	
		43	Extermination, Multiple Occupancy		9	0	Y	
17	17-Sep	44	Dwelling Units, Required Fixtures - Plumbing	8	8	0	Y	
		45	Rooming Units, Required Fixtures - Plumbing		8	0	Y	
		46	Privacy, Bathrooms and/or Toilet Rooms		5	3	N	Minority Position: Unnecessary language, Should only include "Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior."
		47	Location, Bathrooms and/or Toilet Rooms		8	0	Y	
		48	General - Plumbing		8	0	Y	
		49	Fixture Clearances		7	1	N	Minority Position: text is ambiguous and redundant
		50	Plumbing system hazards 504.3		7	1	N	Minority Position: language being ambiguous and redundant according to the language of IPMC 504.1.
			Water system					
		51	Plumbing Minimum Requirements		8	0	Y	
		52	Water Supply Contamination		7	1	N	Minority Position: felt this section was unnecessary
		53	Water Supply		8	0	Y	
		54	Water Heating Facilities		8	0	Y	
			Sanitary drainage system					
		55	General Sewer Connection		8	0	Y	
		56	Maintenance Lines and Stacks		8	0	Y	
18	24-Sep	57	Residential occupancies, Mechanical Equipment	9	9	0	Y	
		58	Heat Supply		9	0	Y	
Mtg No.	Meeting Date	Item No.	Code item description	Members Present	Vote YES	Vote NO	Unan. Y/N	Minority Positions

		59	Room Temperature Measurement		9	0	Y	
		60	Removal of Combustion Products		9	0	Y	
		61	Clearances		9	0	Y	
		62	Safety Controls		9	0	Y	
		63	Combustion Air		9	0	Y	
		64	Furnace Replacement, Re-circulated Ventilation Air		9	0	Y	
		65	Electricity Service		9	0	Y	
		66	Receptacles	10	10	0	Y	
19	1-Oct	67	Luminaries and Lighting		10	0	Y	
		68	Elevators		10	0	Y	
		69	Means of Egress - general		10	0	Y	
		70	Locked Doors		10	0	Y	
		71	Egress Windows, Emergency Escape Openings		10	0	Y	
			Second vote on 10-29-2008 changed wording to allow for replacement windows to be used that fit within a sash	9	9	0	Y	
		72	Fire protection systems		10	0	Y	
		73	Definitions, Noted vs. Cited Code Violations		10	0	Y	
		74	Fire Alarm System	8	8	0	Y	
			Second Vote on 10-15, 2008 extended compliance dates	8	8	0	Y	
20	8-Oct	75	Reasonable Time Limits For Compliance		8	0	Y	
		76	Partner with service organizations	9	9	0	Y	
21	15-Oct	77	Required Off-Street Parking: Hard Surface, Front Yard		8	0	N	8-0 approval of proposed text to item 76 w/1abstaining (was unsure of what the effect would be)
22	22-Oct	78	Tenant And Landlord Responsibilities, Interior Cleanliness	10	9	1	N	Minority position: List of responsibilities for both owners and occupants should be clear and included in the ordinance
		79	Items that Should Apply to all Residential Properties	10	10	0	Y	
			Alternatives Developed by Committee are supported to Move forward with recommendation that Council accept	9	9	0	Y	
23	29-Oct		Reviewed actions, Prepared fro upcoming meetings, Clarified many previous issues (see second votes)					

Mtg No.	Meeting Date	Item No.	Code item description	Members Present	Vote YES	Vote NO	Unanimous Y/N	Rental & Owner Occupied
1	7-May	n/a	General discussion - overview	8	n/a	n/a	n/a	
2	14-May	n/a	Introduce discussion of code items	8	n/a	n/a	n/a	
3	21-May	1	Building Numbering	8	8	0	Y	Y
		2	Bare Light Bulbs in Closets		8	0	Y	
		3	Electrical Work By Property Owners/Managers/Maintenance		8	0	Y	Y
		4	Maintenance of Detached Garages, Sheds		8	0	Y	Y
		5	Screens on Operable Windows		8	0	Y	
4	28-May	6	Interior Door Hardware	8	8	0	Y	
		7	Maintenance of Stairways, Decks, Porches, Balconies		8	0	Y	Y
5	4-Jun	8	GFCI Outlets Provided in Kitchens and Bathrooms	8	8	0	Y	
		9	Handrails and Guardrails		8	0	Y	Y
6	11-Jun	10	Exterior Stairs Maintenance, Rise, and	9	9	0	Y	Y
		11	Interior Stairs Maintenance, Rise, and Run		9	0	Y	Y
7	18-Jun	12	Roofs, Gutters, and Downspouts	10	9	1	N	Y
		13	Grading and landscaping		10	0	Y	Y
		14	Structural Members		10	0	Y	Y
8	25-Jun	15	Window Maintenance	9	9	0	Y	
		16	Unsafe Wiring		9	0	Y	Y
9	9-Jul	17	Furnace and Chimney, Vent Safety Certification	10	9	1	N	
		18	Smoke Detectors in Sleeping Rooms		10	0	Y	
		19	Emergency Access Key Boxes (Knox boxes)		10	0	Y	
10	16-Jul	n/a	Continued discussion of prior items	10	n/a	n/a	n/a	
11	23-Jul	20	Tall Grass and Weed Control	9	7	2	N	Y
12	13-Aug	21	Portable Fire Extinguishers	10	10	0	Y	
13	20-Aug	22	Property Maintenance Appeals Board	8	8	0	Y	Y
			Second Vote on 10-29-2008 changed the # of rental units the contractor member could own to 6	9	8	1	N	
		23	Dwelling Unit Height and Area Requirements		8	0	Y	
			Second Vote on 10-15, 2008 established sunset clause for retro-conversion permits for July 31, 2010		10	0	Y	
		24	Natural Ventilation Requirements		8	0	Y	
		25	Natural ventilation requirements		8	0	Y	
14	27-Aug	26	Sidewalks and driveways	9	8	1	N	Y
		27	Rodent Harborage		9	0	Y	Y
		28	Exhaust Vents		9	0	Y	Y
		29	Defacement of Property		9	0	Y	Y
		30	Protective Treatment - Paint		9	0	Y	Y
		31	Foundation Walls		9	0	Y	Y
15	3-Sep	32	Decorative Features	10	10	0	Y	Y
		33	Overhang Extensions		10	0	Y	Y
		34	Chimneys and Towers		10	0	Y	Y
		35	Doors - Exterior		9	1	N	Y
		36	Basement Hatchways-Maintenance		10	0	Y	Y
		37	Building security, Doors, Windows, Hatchways		9	1	N	
		38	Exterior Walls	9	9	0	Y	Y
16	10-Sep	39	Interior Surfaces - Paint, Occupant & Owner Responsibilities		9	0	Y	
		40	Disposal of Garbage, and Waste		9	0	Y	Y
		41	Outdoor Storage		9	0	Y	Y

Mtg No.	Meeting Date	Item No.	Code item description	Members Present	Vote YES	Vote NO	Unanimous Y/N	Rental & Owner Occupied
		42	Extermination, Single Family Dwellings		9	0	Y	Y
		43	Extermination, Multiple Occupancy		9	0	Y	
17	17-Sep	44	Dwelling Units, Required Fixtures - Plumbing	8	8	0	Y	
		45	Rooming Units, Required Fixtures - Plumbing		8	0	Y	
		46	Privacy, Bathrooms and/or Toilet Rooms		5	3	N	
		47	Location, Bathrooms and/or Toilet Rooms		8	0	Y	
		48	General - Plumbing		8	0	Y	
		49	Fixture Clearances		7	1	N	
		50	Plumbing system hazards 504.3		7	1	N	
			Water system					
		51	Plumbing Minimum Requirements		8	0	Y	
		52	Water Supply Contamination		7	1	N	
		53	Water Supply		8	0	Y	
		54	Water Heating Facilities		8	0	Y	
			Sanitary drainage system					
		55	General Sewer Connection		8	0	Y	
		56	Maintenance Lines and Stacks		8	0	Y	
18	24-Sep	57	Residential occupancies, Mechanical Equipment	9	9	0	Y	
		58	Heat Supply		9	0	Y	
		59	Room Temperature Measurement		9	0	Y	
		60	Removal of Combustion Products		9	0	Y	
		61	Clearances		9	0	Y	
		62	Safety Controls		9	0	Y	
		63	Combustion Air		9	0	Y	
		64	Furnace Replacement, Re-circulated Ventilation Air		9	0	Y	
		65	Electricity Service		9	0	Y	Y
		66	Receptacles	10	10	0	Y	
19	1-Oct	67	Luminaries and Lighting		10	0	Y	
		68	Elevators		10	0	Y	
		69	Means of Egress - general		10	0	Y	
		70	Locked Doors		10	0	Y	
		71	Egress Windows, Emergency Escape Openings		10	0	Y	Y
			Second vote on 10-29-2008 changed wording to allow for replacement windows to be used that fit within a sash	9	9	0	Y	
		72	Fire protection systems		10	0	Y	
		73	Definitions, Noted vs. Cited Code Violations		10	0	Y	
		74	Fire Alarm System	8	8	0	Y	
			Second Vote on 10-15, 2008 extended compliance dates	8	8	0	Y	
20	8-Oct	75	Reasonable Time Limits For Compliance		8	0	Y	
		76	Partner with service organizations	9	9	0	Y	Y
21	15-Oct	77	Required Off-Street Parking: Hard Surface, Front Yard		8	0	N	Y
22	22-Oct	78	Tenant And Landlord Responsibilities, Interior Cleanliness	10	9	1	N	
		79	Items That Should Apply to all Residential Properties	10	10	0	Y	
			Alternatives developed by committee are supported to move forward with recommendation that Council accept	9	9	0	Y	