

ARA Slide #	Done	ARA Adjusted	Staff Adjusted	Close	Major Differences	Summary Table of Recommendations RED = code section and summary of Ames Rental Association (ARA) recommendations Blue = Property Maintenance Appeals Board (PMAB) decision Green = summary, history, & staff positions
1				X		This includes two separate requests - increase the time to appeal and change the word 'increase' to 'equal' PMAB Recommendation: Retain current 20 day time limit for appeals Add that "The 20 day time limit for filing an appeal begins on the date of the inspection deficiency letter." Change the word 'increase' to the phrase "provide an equivalent degree" Summary: PMAB agreed partially with ARA request changing the language in Sec. 13.108 (1) (c) to equal. Staff has no objections to increasing the time to appeal, although 60 days exceeds any other appeal length in the Ames code. However, 30 days would be preferable to staff.
2			X			Allow letter of compliance to run its course. PMAB Recommendation: Remove the word "reported" from 6(b). Add a 6(d) to state that if the inspection division cannot have an inspector out to do the rental inspection before the current LOC expires, then the LOC continues to be valid until the inspection can be done. Summary: Sec. 13.301 PMAB Agreed with ARA, Staff does not object to this change.
3			X			Make Letters of Compliance (LOC) transferable from one owner to another, without requirement for inspection PMAB Recommendation: Retain text of 13.302 (7) as is Summary: Sec. 13.302 Rental Inspections (7) Transfer of ownership. While staff sees benefits of the inspections at time of sale it does not appear to be required by other jurisdictions. Therefore, staff does not object to this change. In the 15 months since the new code was adopted we have performed: Change of ownership - 31 (existing rentals), New Rentals - 23 (Single family homes, first time registration or lapsed registration), Pre- Sale inspections that did not continue process to register - 3
4		X				Tenant and Landlord Responsibilities, Interior cleanliness. Remove the word "clean" throughout. The LOC should not hinge on tenant actions. PMAB Recommendation: Code section should remain without change Summary: Sec. 13.302. The City's ordinance is similar to the national code language contained in the International Property maintenance Code and found in other comparable Iowa communities. The implementation of this code is appealable. The ARA has conceded on this point.

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5					X	Accommodation of conditions that have met the standard of inspection over time PMAB Recommendation: Code section should remain without change Summary: Sec. 13.402 (3)(b) removal of this section would actually remove protection for landlords that is included in our code. A blanket approval of all conditions would be unprecedented and not support by staff. Slides 5, 6, & 28 are the same argument and are not consistent with any national codes or recent Iowa Supreme Court ruling.
6					X	A continuing letter of compliance shall constitute evidence of acceptance of lawful existence as outlined in the code. <u>Newly registered rentals to be treated same as previously registered rentals</u> PMAB Recommendation: Code section should remain without change Summary: This broad acceptance of all preexisting conditions is unprecedented and contrary to the City's adopted codes from the International Code Council. Staff does not believe this position should be considered. The ARA also wants new rental properties to be exempted from the Chapter 13 requirements. Slides 5, 6, & 28 are the same argument and are not consistent with any national codes or recent Iowa Supreme Court ruling.
7				X		Gas fired appliances. Delete the words "or open directly into" Add the sentence " <i>Unless equipped with power vent technology</i> ". New technology improves safety of these appliances. PMAB Recommendation: Add an "exception" to Rental Code Section 14.403(1)(b) to read the same as the International Mechanical Code: "Direct-vent appliances that obtain all combustion air directly from the outdoors." Summary: Sec. 13.403 Both the ARA and PMAB positions are acceptable. This was largely a misinterpretation by the ARA. Staff can work on clarification language.
8		X				Remove the words "Retrofitting" and "pre-existing" and add the word "new" for automatic Fire alarm system. PMAB Recommendation: Code section should remain without change Summary: Part of the 2003 and after IFC. ARA has conceded this request.
9			X			Delete - driveway approaches adjoining paved streets must be paved with Portland Cement Concrete. PMAB Recommendation: Recommend that this requirement be deleted from Chapter 13, that Council refer it to the Planning Department for inclusion in Chapter 29, Zoning Ordinance, <u>and it be made applicable to all properties.</u> Summary: Sec. 13.403(1) This was an important issue in the new draft of the rental code. Previously the rental code called for all parking lots to be paved. The neighborhood groups were concerned about safety from rock and gravel pushed out to the sidewalks. Paving the approach was a compromise solution. Staff have no defined position.

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10			X			Approval of pre-existing parking areas. PMAB Recommendation: Delete the words "rearranged" and "rearrangement" Summary: Sec. 13.406. EXTERIOR PROPERTY AREAS(8) Staff have no objections to this change.
11					X	Add the word "leased" All leased accessory structures... The rental code should apply only to rented structures. PMAB Recommendation: Code section should remain without change Summary: This request would mean that simply by not including garages, sheds etc in the lease they would not have to be maintained. The maintenance of out buildings is common in comparable cities and is a part of the International codes. Staff does not support this change.
12					X	Paint and surface protection. PMAB Recommendation: Code section should remain without change Summary: The ARA has reduced it's request to deleting one sentence dealing with corrosion. The Staff position is to retain the language that is from the International Property Maintenance Code. A lot of effort went into this section. The results were to stick with a national standard.
13					X	Stair rise and run – exterior, delete 3/8 inch and substitute one inch. PMAB Recommendation: Code section should remain without change Summary: Considerable effort was made to protect property owners and yet keep the safety aspects of the national codes. Staff does not support this change.
14		X				Interior Surfaces - Paint, Occupant & Owner Responsibilities remove the word "clean". PMAB Recommendation: Code section should remain without change Summary: ARA has retracted request
15					X	Stair rise and run – interior, delete 3/8 inch and substitute one inch. PMAB Recommendation: Code section should remain without change Summary: Considerable effort was made to protect property owners and yet keep the safety aspects of the national codes. Staff does not support this change.
16					X	Occupancy Limitations – Limits Based on Unit Height and Room Areas PMAB Recommendation: Recommend to Council this request be referred to the Planning Department, since the requirement originates in the Zoning Ordinance, Chapter 29 Summary: Sec. 13.403 (1)(d) This is an important and long standing issue for the community. This issue needs to be addressed separate form the other Chapter 13 issues.

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17					X	<p>PLUMBING RESPONSIBILITY. New Work Must Comply with current code. Remove words "repaired or replaced" and insert the words "involved in remodeling" (talks about plumbing items).</p> <p>PMAB Recommendation: Recommend staff develop alternatives to address existing "S" traps, auto vents, and basement surface draining of showers, laundry, and sinks, for the City Council's consideration.</p> <p>Summary: Sec. 13.600.(3) The PMAB deferred a decision to the City Council. The staff recommendation is for the City to retain the existing language. Staff has worked with the ARA to present an alternative for the Council's consideration to address 4 specific plumbing issues as they relate to an issuance of a LOC.</p>
18				X		<p>Carpet should be allowed in bathrooms.</p> <p>PMAB Recommendation: Leave text as is however, make this issue a noted item instead of cited so that it would have to be corrected by the next inspection cycle.</p> <p>Summary: Sec. 13.602. TOILET ROOMS(3) Possible solution is no new carpet, when replaced replacement must be solid surface material.</p>
19				X		<p>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.</p> <p>PMAB Recommendation: Add the word "shared" behind the word "all" and in front of the word "furnaces" in section 13.702 (6) (d) to clarify this section as applying to shared furnaces.</p> <p>Summary: Possible agreement if the inspector can request the furnace be checked.</p>
20		X				<p>GFCI Outlets in Kitchens and Baths. In kitchens add the words "within six feet of a water source"</p> <p>PMAB Recommendation: Code section should remain without change</p> <p>Summary: ARA conceded this point</p>
21					X	<p>Allowing current windows to remain in place without need for an application for pre-existing condition for all older homes (currently serving as rentals and those that may be made into rentals in the future).</p> <p>PMAB Recommendation: No motions to recommend changes were approved. Unanimous to direct the City Attorney to issue an opinion if the Board can hear appeals regarding bringing new rental property that has been inspected and found non-compliant into the City's rental registration system based upon an appeal that equal levels of safety could be obtained.</p> <p>Summary: The existing code stipulates inspectors document the allowed pre-existing condition and does not allow for additional non-conforming rentals to be brought in. Staff does not support a change.</p>

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22		X				Delete Smoke detectors required in all sleeping rooms. PMAB Recommendation: Code section should remain without change Summary: ARA conceded this point
23		X				Portable Fire Extinguishers. Remove "2-A; 10-BC " and replace with "1-A; 10-BC." PMAB Recommendation: Code section should remain without change Summary: ARA conceded this point
24					X	Knox Box requirement should only apply to new buildings. PMAB Recommendation: To change the compliance date from 2011 to 2013. To change the number of units from 6 units to 9 units and over for Knox box requirement Summary: Sec. 13.802. FIRE PROTECTION SYSTEMS.(4) Staff disagree with ARA and PMAB alternatives to move this requirement from 6 to 9 unit buildings. This change would eliminate 98 buildings with 660 living units. While staff also objects to the most recent ARA proposed wording, we do support the PMAB proposal to extend the period for installation to 2013.
25		X				Fire Alarm retrofitting for buildings with 17 and more units. PMAB Recommendation: Code section should remain without change, board has no authority to make a change to the State code requirement Summary: ARA conceded this point.
26	X					Retain Sections 101.4 Scope and 101.5 Application to Existing Plumbing System from Chapter 1 of the 2006(9) Uniform Plumbing Code PMAB Recommendation: No Board action is required on this item. The request has been accomplished with recent Council adoption of the 2009 International Codes and revisions to Chapter 5 Summary: Sec. 5.100(13)(b) Although the code section the ARA requested has been adopted it's interpretation and application may not provide the relief the ARA seeks. It should be remembered that not all of the existing plumbing systems were installed in accordance with the code in effect at that time.
27	X					Restore following Language: UPC 2006 Chapter 1 101.4 Scope 101.4.1.3 PMAB Recommendation: No Board action is required on this item. The request has been accomplished with recent Council adoption of the 2009 International Codes and revisions to Chapter 5 Summary: Summary: Sec. 5.100(13)(b) Although the code section the ARA requested has been adopted it's interpretation and application may not provide the relief the ARA seeks. It should be remembered that not all of the existing plumbing systems were installed in accordance with the code in effect at that time.

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28					X	Evidence of inspection of the premises by a duly appointed representative of the City of Ames shall constitute satisfaction of the 'accordance with law'. PMAB Recommendation: Code section should remain without change Summary: This broad acceptance of all preexisting conditions is unprecedented and contrary to the City's adopted codes from the International Code Council. Staff believes that this position should not be supported. Slides 5, 6, & 28 are the same argument and are not consistent with any national codes or recent Iowa Supreme Court ruling.