

ORDINANCE NO. _____

ORDINANCE AMENDING TITLE 17, ENTITLED "BUILDING AND HOUSING," CHAPTER 5, ENTITLED "HOUSING CODE," TO SUPPORT NEIGHBORHOOD STABILIZATION BY PROHIBITING FURNITURE ON ROOFS, ADDING STANDARDS FOR EXTERIOR BUILDING AND FENCE SURFACES, REQUIRING SCREENING OF DUMPSTERS ON MULTI-FAMILY DWELLINGS AND UNDER CERTAIN DECKS/PORCHES, LIMITING THE STORAGE OF LANDSCAPING/CONSTRUCTION MATERIAL, AND REQUIRING GFCI PROTECTED OUTLETS AND CARBON MONOXIDE DETECTORS.

WHEREAS, as its strategic planning focus for 2014-15, the City Council identified fostering a more inclusive and sustainable City through a commitment to five areas, including healthy neighborhoods and a strong urban core;

WHEREAS, as part of the City's ongoing efforts to foster healthy neighborhoods and a strong urban core, the Housing Code should be amended to prohibit storing and use of furniture on roofs and other surfaces above 30 inches without guard rails, establish standards for treatment of exterior surfaces of buildings, fences, and retaining walls, require areas beneath decks and porches in Historic and Conservation Districts to be screened, require screening of dumpsters on existing multi-family sites, and limit the storage of landscaping and construction material to areas not visible from the street;

WHEREAS, to enhance residents' safety, GFCI protected outlets and carbon monoxide detectors should be required in all dwelling units; and

WHEREAS, it is in the best interest of the City to adopt these amendments for the health and safety of home owners and tenants.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CITY, IOWA:

SECTION I. AMENDMENTS.

1. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by renumbering Subsection A2 as Paragraph a of Subsection A2 and adding the following new Paragraph b:

Exterior Screening: In historic and conservation districts, porches and decks less than 5' above grade and visible from the right of way shall have under porch and under deck screening. The screening shall be required to be complementary to the dwelling as approved by the City.

2. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by deleting Subsection F and adding the following new Subsections F1, F2 and F3:

F1: All exterior painted surfaces of a dwelling and its accessory structures, fences, porches and similar appurtenances shall be painted in a uniform, color consistent, and complete fashion. All painted surfaces shall be properly prepped to allow for paint to adhere and remain painted regardless if items are subject to decay or deterioration. (Guidelines for the removal of lead based paint are located in appendix B of this chapter.)

F2: All exterior surfaces, regardless of material composition, shall be maintained in a good, safe, and sanitary condition.

F-3: In historic and conservation districts, bare treated lumber is a prohibited finish for wood surfaces visible from the street.

3. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by adding the following sentence to the end of Subsection I:

All receptacles in kitchens and bathrooms shall have ground fault circuit-interrupter for personnel.

4. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by adding the following sentence to the end of Subsection L:

Carbon monoxide alarms shall be provided in dwelling units which contain fuel-fired appliances or have an attached garage with an opening that communicates with the dwelling unit.

5. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by renumbering Subsection V1 as Paragraph a of Subsection V1 and adding the following new Paragraph b of Subsection V1:

Outdoor Storage. The storage of trash bags, landscaping, construction, or compost material or any other similar materials determined by the City to create a substantial interference with the use of enjoyment of the property shall not be permitted in areas visible from the street facing right of way.

6. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by deleting Subsection V2 and adding the following new Subsection V2 in lieu thereof:

Fences, screening, and retaining walls shall be maintained in a safe, structurally sound manner and shall comply with the Iowa City zoning ordinance. All wood or painted surfaces shall be painted and or stained in a uniform, color consistent, and complete fashion. All other surfaces shall be maintained in a uniform, color consistent, and complete fashion. At the discretion of the Director of Neighborhood and Development Services or designee, landscaping timbers and other related items may be exempt from this provision.

7. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by adding the following new Subsection V4:

The storage and use of furniture on surfaces 30" above grade, which include but are not limited to decks and roofs, without guardrails is prohibited.

8. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 19, entitled, "Responsibilities of Owners Relating to the Maintenance and Occupancy of Premises," is hereby amended by renumbering Subsection W as Subsection W1 and adding the following new Subsection W2:

All solid waste facilities located at multi-family dwellings shall be screened with materials that are complementary to the dwelling as approved by the City.

9. Title 17, entitled "Building and Housing," Chapter 5, entitled "Housing Code," Section 10, entitled, "Placarding of Structures: Condemnation Referrals," is hereby amended by deleting Subsection E and adding the following new Subsection E in lieu thereof:

After a reasonable period of time after a property has been placarded and no remedial action begun, the City may pursue condemnation consistent with this Code and the Code of Iowa.

SECTION II. REPEALER. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION III. SEVERABILITY. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION IV. EFFECTIVE DATE. This Ordinance shall be in effect after its final passage, approval and publication, as provided by law.

Passed and approved this _____ day of _____, 2015.

MAYOR

ATTEST: _____
CITY CLERK

Approved by

City Attorney's Office