

**ORDINANCE NO. 14-04**

**AN ORDINANCE AMENDING THE NORTH LIBERTY CODE OF ORDINANCES BY ADDING CHAPTER 146 HOUSING CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:**

**SECTION 1. AMENDMENT.** The North Liberty Code of Ordinances (2013) is hereby amended by adding Chapter 146 to read as follows:

**CHAPTER 146  
HOUSING CODE**

146.01 General Provisions	146.12 Nature of Evidence
146.02 Definitions	146.13 Notice of Violation
146.03 Conflicts	146.14 Reinspection Authorized
146.04 Certificate of Structure Compliance	146.15 Order to Comply
146.05 Rental Permit Procedures	146.16 Reconsideration
146.06 Rental Permit Sanctions	146.17 Appeal to City Administrator
146.07 Rubbish and Garbage Disposal	146.18 Variances
146.08 Pest and Rodent Control	146.19 Structure Compliance Standards
146.09 Inspections Authorized	146.20 Maintenance – Responsibility of Owner
146.10 Time for Inspections	146.21 Maintenance – Responsibility of Tenants
146.11 Court Order Available	

**146.01 GENERAL PROVISIONS.**

1. Title. This chapter shall be known as the “North Liberty Housing Code” and will be referred to herein as “this code” or “this chapter.”
2. Compliance with State Code. The City, in compliance with the requirements of Section 364.17 of the Code of Iowa, hereby adopts the *International Property Maintenance Code* (hereinafter “IPMC”), as adopted and modified in Section 157.03(1)(101.4.5), City of North Liberty Code of Ordinances, and as promulgated by the International Conference of Building Officials, except as modified herein.
3. Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy, location and maintenance of all residential buildings and structures within this jurisdiction.
4. Scope. The provisions of this chapter shall apply to all dwellings, within the jurisdiction of the City, used or intended to be used for human occupancy, except that said provisions shall not be applicable to temporary housing as defined herein.

**146.02 DEFINITIONS.** In addition to the IPMC definitions hereby adopted as part of the North Liberty Housing Code, the following definitions apply to the interpretation and enforcement of this chapter:

1. “Guest” means any person who shares a dwelling in a non-permanent status for not more than fifteen (15) days.

2. “Rental permit” means a document issued periodically that grants the owner or operator the option of letting a unit for rental purposes and showing that the unit for which it is issued was in compliance with the applicable provisions of this chapter at the time of issuance.

3. “Service request” means a proper application for inspection made by an owner, or representative thereof, or a tenant, in writing, dated and signed, setting forth the alleged violation, clearly identifying and indicating the person and premises involved, and during an existing tenancy with sufficient remaining term for remedial procedures under this chapter. The person making the request shall be available and personally present upon request during such remedial procedures.

4. “Structure Compliance, Certificate of” means that a structure complied with Section 146.19 of this chapter at the time of issuance.

**146.03 CONFLICTS.** In cases where the provisions of this chapter are found to be in conflict with provisions of any zoning, building, fire, safety or health ordinance or code of the City, the provisions that establish the higher standards for the promotion and protection of the health and safety of the people shall prevail. In cases where the provisions of this chapter are found to be in conflict with the provisions of any ordinance or code of the City that establish lower standards for the promotion and protection of health and safety, the provisions of this chapter shall be deemed to prevail.

#### **146.04 CERTIFICATE OF STRUCTURE COMPLIANCE.**

1. Certificate of Structure Compliance Required. It is unlawful for any person to let to another for rent and occupancy any dwelling, dwelling unit or rooming unit, unless the owner or operator possesses a valid Certificate of Structure Compliance issued by the Building Department and applicable to those portions of the specific structure used for residential rental purposes. However, manufactured and modular homes may be exempt from this requirement, as set out in more detail in Paragraph 6 of this section.

2. Certificate of Structure Compliance. The Certificate of Structure Compliance shall be a permanent document (except as noted below) that, when issued, shall satisfy the requirements of Section 146.19. The Certificate of Structure Compliance shall be transferable at the time of a change in ownership. The Certificate of Structure Compliance shall not be interpreted as granting the owner or operator the privilege of letting the structure for residential occupancy unless it is accompanied by a valid rental permit. The Certificate of Structure Compliance shall state the date of issuance, the type of structure for which the certificate is being issued, and the address of the structure to which it is applicable. All dwellings, dwelling units, or rooming units being let for rent and occupancy without either a valid Certificate of Structure Compliance, or an application for the same on file with the City with fees paid, may be ordered vacated.

3. Application for Certificate of Structure Compliance. The owner or operator shall file an application for a Certificate of Structure Compliance with the Building Department on forms provided by the Building Department. Any owner or operator who does not reside within fifty (50) miles of the City shall be required to designate a contact person who resides within fifty (50) miles of the City who shall be responsible for ensuring compliance with this Code.

4. Issuance of Certificate of Structure Compliance. When the provisions of Section 146.19 of this Housing Code have been met by the owner or operator, the Building Department shall issue a Certificate of Structure Compliance upon payment of a fee, the amount of which is set by resolution of the City Council.

5. Revocation of Certificate of Structure Compliance. The Certificate of Structure Compliance shall be permanent, except when there has been fraud, collusion or illegality in the inspection process applicable to the Certificate of Structure Compliance or when there exists a material and substantial noncompliance with Section 146.19 that directly affects the health and/or safety of the occupants therein. The rental inspector who believes that there exist grounds for revocation may revoke the Certificate of Structure Compliance. The owner or operator of the affected property shall be properly notified of the revocation.

6. Manufactured Homes.

A. If a manufactured home (commonly known as a mobile home) has a State of Iowa seal and therefore is registered in accordance with Iowa law, or otherwise is proven to have been constructed in accordance federal or state standards after February 1, 1973, it is exempt from the Certificate of Structure Compliance requirements and processes set out in this chapter when used as a rental unit.

B. If a manufactured home does not have a State of Iowa seal and has not been proven to have been constructed in accordance federal or state standards after February 1, 1973, and is occupied as a rental unit as of July 1, 2014, it will be considered a legal nonconforming structure as of that date. In such cases, it is exempt from the Certificate of Structure Compliance requirements and processes set out in this chapter, but is subject to the minimum safety standards set out in Section 146.04(6)(C) below.

C. Any manufactured home that is exempt from the Certificate of Structure Compliance requirements and processes pursuant to Section 146.04(6)(B) above shall be required to meet minimum safety standards no later than January 1, 2015. Said minimum safety standards are as follows:

- (1) Units are properly anchored in accordance with State of Iowa requirements.
- (2) Certification by qualified licensed contractor that heating units are safe to operate (no defects in the heat exchangers).
- (3) Certification by qualified licensed contractor that unit is free of mold and exposed asbestos.
- (4) Emergency Escape and Rescue Openings (window or door openings in all bedrooms) per International Residential Code (“IRC”) Section R310.
- (5) Means of egress requirements:
  - a. Egress doors (main entrance door requirements) per IRC Section R311.2.

- b. Landings at egress doors (all exterior door openings) per IRC Section R311.3.
  - c. Stairs (exterior) per IRC Section R311.7.
  - d. Ramps (exterior ramps from door openings, if any) per IRC Section R311.8.
- (6) Guardrails (exterior landing, decks and stairs) per IRC Section R312.
  - (7) Smoke detectors per IRC Section R314.
  - (8) Carbon monoxide (CO) detectors per IRC Section R315 (if any gas appliances in unit).
- D. All manufactured homes remain subject to the rental permit requirements and processes set out in this chapter.

#### **146.05 RENTAL PERMIT PROCEDURES.**

1. Rental Permit Required. It is unlawful for any person to let to another for rent or occupancy any dwelling, dwelling unit or rooming unit, unless the owner or operator holds a valid rental permit issued by the Building Department in the name of the owner or operator and applicable to those portions of the specific structure used for residential purposes.
2. Rental Permit. A Rental Permit shall be a document indicating compliance with Sections 146.20 and 146.21 of the Housing Code and shall be valid for a period of one calendar year running from January 1 through December 31. The Rental Permit shall be transferable from one owner or operator at any time prior to its expiration, termination or revocation. The owner or operator shall notify the Building Department within thirty (30) calendar days of any conveyance or transfer of interest and provide the name and address of all persons who have acquired any interest therein. In the event that the Building Department has not been notified within thirty (30) calendar days, the rental permit shall be transferred from one owner or operator to another only upon payment of a full year's permit fee, the amount of which is established by Resolution of the City Council. The Rental Permit shall state the date of issuance, the address of the structure to which it is applicable, the name of the new owner or operator to which it is applicable, and its new expiration date. Any dwellings, dwelling units or rooming units being let for rent and occupancy without a valid rental permit may be ordered vacated.
3. Application for Rental Permit. The owner or operator shall file an application for Rental Permit with the Building Department on a form provided by the Building Department. Any owner or operator who does not reside within fifty (50) miles of the City shall be required to designate a person who resides within fifty (50) miles of the City who will be responsible for ensuring compliance with this Code.
4. Issuance of Rental Permit. When all of the provisions of Section 146.20 and 146.21 of the Housing Code have been met by the owner or operator, the Building Department shall issue a Rental Permit upon payment of all permit and reinspection fees, the amounts of which shall be set by resolution of the City Council.
5. Expiration of Rental Permit. Rental Permits shall be valid through December 31

of each year, unless the Rental Permit has been suspended or revoked, and provided that all fees have been paid.

#### **146.06 RENTAL PERMIT SANCTIONS.**

1. Rental Permit Sanctions. The Building Department may issue the following Rental Permit sanctions:

- A. Suspension of the Rental Permit.
- B. Revocation of Rental Permit.

2. The Building Department may apply sanctions to an individual dwelling unit, the entire rental dwelling, or the premises. Each separate violation shall count as a basis for a rental permit sanction unless the owner or operator qualifies for a defense to enforcement of sanctions under subsection 7 below.

3. Suspension of Rental Permit. The Building Official may suspend a Rental Permit for any of the following reasons:

A. The owner, any occupant, and/or any of his or her guests on three (3) or more separate occasions within a 12-month period of time has been issued criminal complaints for any of the following provisions of the Code of Iowa (or substantially equivalent provisions of other states), this Code of Ordinances, or the United States Code on the premises of a rental property:

- (1) Code of Iowa Sections 124.401 and 124.403 (controlled substances);
  - (2) Code of Iowa Chapter 708 (Assault);
  - (3) Code of Iowa Chapter 708A (Terrorism);
  - (4) Code of Iowa Section 709A.1 (contributing to delinquency);
  - (5) Code of Iowa Section 710.8 (harboring a runaway child);
  - (6) Code of Iowa Chapter 712 (Arson);
  - (7) Code of Iowa Chapter 713 (Burglary);
  - (8) Code of Iowa Chapter 716 (Criminal Mischief);
  - (9) Code of Iowa Section 719.1 (interference with official acts);
  - (10) Code of Iowa Sections 723.1 (riot) and 723.4 (disorderly conduct);
  - (11) Code of Iowa Chapter 724 (Weapons);
  - (12) Title 13, United States Code, Sections 841, 842, 843, 844, 846, 856 and 861 (controlled substances);
  - (13) Chapter 53 (Noise) of this Code of Ordinances;
  - (14) Section 40.03 (Disorderly Conduct) of this Code of Ordinances;
  - (15) Section 41.05 (Discharging Weapons) of this Code of Ordinances;
- and

(16) Section 40.06 (Keeping Disorderly House) of this Code of Ordinances.

B. The owner, any occupant, and/or any of his or her guests on three (3) separate occasions within a period of 12 months has been issued municipal infractions or written notices of violations for the following provisions of this Code of Ordinances on the premises of rental property:

- (1) Chapter 50 (Nuisance Abatement) of this Code of Ordinances;
- (2) Chapter 51 (Junk and Junk Vehicles) of this Code of Ordinances;
- (3) Chapter 52 (Weeds and Grass) of this Code of Ordinances;
- (4) Chapter 146 (Housing Code) of this Code of Ordinances; and
- (5) Chapters 165-173 (Zoning Code) of this Code of Ordinances.

C. The owner, any occupant, and/or any of his or her guests have been found guilty of three or more federal criminal offenses, state or city criminal offenses (except traffic offenses), and municipal infractions (for any violation of the City's Code of Ordinances).

D. The owner or occupant has failed to correct any violation of this chapter after having received sufficient notice and time to correct said violation.

E. The owner or occupant has failed to attend a code compliance meeting as required in subsection 6 of this section.

F. The owner or occupant has violated one or more terms of a code compliance agreement.

G. The owner or occupant has caused serious injury or death to other persons or are, in the opinion of the Police Chief, an immediate threat to cause serious injury or death to other persons.

4. Time of Suspension. A Rental Permit shall be suspended for no more than 180 days beginning from the date of the Building Official's decision or a court decision on a municipal infraction. The rental permit shall be reinstated at the conclusion of the suspension, so long as the owner or operator is otherwise in full compliance with the Housing Code and fully eligible for the rental permit.

5. Revocation of Rental Permit.

A. The Building Official may revoke a rental permit for any of the following reasons:

- (1) Failure to comply with an order to abate a dangerous building;
- (2) Failure to comply with the suspension of a rental permit;
- (3) More than one basis for a rental permit suspension within two (2) years of the reinstatement of a permit that has been suspended; or
- (4) Failure to allow for inspections when appropriately requested by a City official.

- B. Time of Revocation. A Rental Permit shall be revoked for not less than one year beginning from the date of the Building Official's ruling or a decision on a ruling from a municipal infraction.
6. Procedure for Enforcement of Rental Sanctions.
- A. Upon reporting of a violation of this chapter, the Building Official will send written notice within ten (10) days notifying the owner or operator that a code violation has occurred on the premises.
  - B. Upon the reporting of a second violation that serves as a basis for rental sanctions within a 12 month period, the Building Official or Police Chief shall schedule a code compliance meeting with the owner, operator and/or tenants to discuss the avoidance of further code violations. Failure to attend said code compliance meeting shall be grounds for further rental sanctions.
  - C. At the end of the meeting, the City, owner/operator and/or tenants will enter into a code compliance agreement, outlining the steps necessary to avoid further code violations at the premises. Failure to follow the terms of said agreement shall be grounds for further rental sanctions.
7. Defenses to the Enforcement of Rental Sanctions. It shall be a defense to an enforcement action pursuant to the provisions of this chapter if an owner or operator:
- A. Reported the violation to law enforcement; or
  - B. Evicted or attempted to evict the tenant by causing an action to be filed under Chapter 562A, Code of Iowa. This provision is not intended to apply to tenants who have not been charged with one of the specified violations.

**146.07 RUBBISH AND GARBAGE DISPOSAL.** See the IPMC.

**146.08 PEST AND RODENT CONTROL.** See the IPMC.

**146.09 INSPECTIONS AUTHORIZED.**

1. Authority. The Building Official (the City's Code Official as contemplated in international codes and for the purposes of this chapter includes designees) is hereby authorized to administer and enforce the provisions of the Housing Code and to make inspections to determine the condition of all dwellings, dwelling units, rooming units, structures, and premises located within the City to promote and safeguard the health, safety, and welfare of the occupants of dwellings and of the general public under the provisions of the Housing Code. The Building Official shall, upon proper service request, enforce the provisions of this chapter and is hereby authorized and directed to make inspections pursuant to or in response to a proper service request with regard to an alleged violation of the provisions of this chapter or of applicable rules or regulations pursuant thereto.
2. Maintenance Inspections. Inspections of the provisions of Section 146.20 and 146.21 shall be conducted upon request, on a complaint basis, and/or through a program of regular rental inspections that shall be conducted at least every three (3) years.

**146.10 TIME FOR INSPECTIONS.**

1. The Building Official is hereby authorized and directed to request entrance to inspect all dwellings, dwelling units, rooming houses, rooming units and dormitory rooms, and surrounding premises thereof, subject to the provisions of this chapter, at reasonable times and with appropriate notice for the purpose of determining whether there is compliance with its provisions.

2. The Building Official and the owner or occupant of a dwelling, dwelling unit, rooming unit, rooming house or dormitory room, subject to the provisions of this chapter, may agree to an inspection by appointment at any time.

**146.11 COURT ORDER AVAILABLE.** If the owner, occupant or other person in charge of a dwelling, dwelling unit, rooming unit, multiple dwelling or rooming house fails or refuses to permit free access and entry to the structure or premises under said person's control, or any part thereof, with respect to an inspection authorized by this chapter, the appropriate authority, upon a showing that probable cause exists for the inspection and for the issuance of any order directing compliance with the inspection requirements of this chapter with respect to such dwelling, dwelling unit, rooming unit, multiple dwelling or rooming house, may petition and obtain such order from a court of competent jurisdiction.

**146.12 NATURE OF EVIDENCE.** The Building Official shall keep all evidence that may be discovered or obtained in the course of an inspection made pursuant to this chapter, and such evidence may be used for the proper and effective administration and enforcement of the provisions of this chapter and rules and regulations issued pursuant thereto. The owner, or other person designated in charge of such dwelling, shall be notified of such evidence prior to any action by the appropriate authority immediately following inspection.

**146.13 NOTICE OF VIOLATION.** See the IPMC

**146.14 REINSPECTION AUTHORIZED.** See the IPMC.

**146.15 ORDER TO COMPLY.** If upon reinspection the Building Official determines that the alleged violations have not been corrected, the Building Official may issue a second notice of violation, which shall constitute an order, requiring that such violations shall be corrected within a time certain but not to exceed ten (10) days.

**146.16 RECONSIDERATION.**

1. Any person aggrieved by a notice or order issued pursuant to this chapter may apply for a reconsideration of such notice or order within seven (7) days after it has been issued.

2. The appropriate authority shall set a time and place for an informal conference on the matter within seven (7) days of the receipt of such application, and shall advise the applicant in writing of such time and place.

3. At the informal conference, the applicant shall be permitted to present to one or more representatives of the appropriate authority the grounds for believing that the notice or order should be revoked or modified.

4. Within seven (7) days following the close of the informal conference, the appropriate authority shall advise the applicant whether or not the notice or order will be modified or set aside.

**146.17 APPEAL TO CITY ADMINISTRATOR.**

1. Any person aggrieved by a notice, order or sanction issued pursuant to this chapter may file a petition with the City Administrator setting forth the reasons for contesting such notice, order, or sanction. Such petition shall be filed within ten (10) days after the notice or order is issued or ten (10) days after the results of the informal conference on reconsideration.
2. A notice, order, or sanction may in the discretion of the Building Official be stayed pending the outcome of an appeal; however, any suspension for felonious conduct or conduct set forth in Section 146.06(3)(G) shall not be stayed.
3. Upon receipt of a valid petition, the City Administrator shall grant a hearing and shall advise the petitioner in writing of the date, time and place of the hearing, which shall be scheduled within fourteen (14) days of the day on which the petition was received. At the hearing, the petitioner shall be given an opportunity to show cause why the notice, order, or sanction should be modified or withdrawn.
4. The City Administrator shall have the power to affirm, modify or revoke the notice, order, or sanction, and may grant an extension of time for the performance of any act required pursuant thereto and shall issue a decision within seven (7) days after the hearing is concluded.

**146.18 VARIATIONS.** The only variations allowed will be in accordance with the IPMC, which shall be strictly interpreted.

**146.19 STRUCTURE COMPLIANCE STANDARDS.** In addition to the standards set out in the IPMC:

1. The structure must be located in a zoning district that allows the use proposed for the structure.
2. Every supplied piece of equipment, facility, or required utility shall be installed so that it will function safely.
3. Off Street Parking.
  - A. The number and size of the spaces shall meet the requirements of the Zoning Ordinance in effect at the time of building permit issuance.
  - B. The spaces and drives and aisles serving these spaces shall be hard-surfaced., i.e., gravel surfacing is not permitted. For those properties not in compliance with this specific provision, the owner shall have six (6) years to hard-surface all off street parking spaces.
  - C. The spaces shall be well marked.

**146.20 MAINTENANCE – RESPONSIBILITY OF OWNER.**

1. Every owner of a dwelling containing two (2) or more dwelling units shall maintain the shared or public areas of such dwelling and premises thereof in a clean and sanitary condition, unless agreed to in writing as the occupant’s responsibility.
2. Every foundation, roof and exterior wall, door, skylight and window shall be

reasonably watertight, weather-tight, and shall be kept in sound condition and good repair. Floors, interior walls and ceilings shall be sound and in good repair. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment. Toxic paint and materials shall not be used where readily accessible to children. Every premises shall be graded, drained and maintained in a clean, sanitary and safe condition.

3. Every window, exterior door and hatchway or similar device shall be reasonably watertight and weather-tight, and shall be kept in working condition and in good repair.

A. During that portion of the year when there is a need for protection against mosquitoes, flies and other flying insects, every door opening directly from a dwelling unit to outside space shall have properly fitted screens supplied. Every operative window or other device that opens to outdoor space required to be used for ventilation shall be supplied with screens, except such screens shall not be required when air conditioning supplies ventilation.

B. Every window located at or near ground level intended to be used for ventilation and every other opening located at or near ground level that might provide an entry for rodents, shall be supplied with adequate screens or such other devices as will effectively prevent their entrance.

4. Accessory structures present or provided by the owner or agent shall be structurally sound and maintained in good repair with reasonable control of insects or rodents. If not so maintained, such structures shall be removed immediately from the premises. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials or the use of paint or other preservatives.

5. Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stair, porch, handrail, guardrail and appurtenances thereto shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon; and they shall be kept in sound condition and good repair.

6. Sidewalks must be in good repair such that no cracks three-quarters of an inch (3/4") or wider exist, no two or more adjacent parts of the sidewalk have three-quarters of an inch (3/4") or more difference in elevation, and no sidewalk has more than one quarter of an inch per foot (1/4"/1') side slope.

7. The street address numbers shall be visible on the outside of each building and the unit numbers shall be placed on or directly adjacent to each dwelling unit entry door.

8. Garbage facilities.

A. Dwellings containing three or more dwelling units shall comply with Chapter 105 - Solid Waste Control.

B. Dwellings containing one or two dwelling units shall comply with Chapter 105 - Solid Waste Control and Chapter 106 - Collection of Solid Waste.

9. Off-Street Parking.

A. The spaces shall be well marked.

B. Only hard-surfaced spaces, drives and aisles shall be used for the parking

and maneuvering of vehicles.

C. All parking spaces, drives and aisles used for the maneuvering and parking of vehicles shall be kept free of snow, ice, debris, garbage, trash and other obstructions. Snow and ice shall be removed in a reasonable time and shall not be moved as to block or interfere with minimum aisle and driveway widths, pedestrian sidewalks nor block parking spaces below the amount required in Chapter 169 of this Code of Ordinances. Responsibility shall be the owner's unless stated to the contrary in the rental agreement in one and two unit dwellings only.

10. Means of Egress.

A. Exit signs shall be operational.

B. Exit lights shall be operational.

C. Accessible exterior doors and windows shall be lockable and secure.

D. Self-closing doors shall be functional.

11. Fire Protection Equipment.

A. Fire extinguishers must be fully charged.

B. Smoke detectors must be operational.

C. Fire alarm system must be operational. Activation of the system or an annual certificate from a qualified, third-party testing agency stating the system is operational are the two options of proving the system will function as designed.

D. Sprinkler systems must be operational. An annual certificate from a qualified, third-party testing agency shall be provided to the inspector.

12. Electrical System. The electrical system of every dwelling or accessory structure shall not, by reason of overloading, dilapidation, lack of insulation, improper fusing, or for any other cause, expose the occupants to hazards of electrical shock or fire. Every electrical outlet, switch and fixture shall be complete as manufactured and maintained in good and safe condition. All electrical wiring newly installed or replaced shall be in compliance with the *National Electrical Code*.

13. Plumbing System. Every supplied plumbing fixture, water piping, and waste piping shall be maintained in good and sanitary condition. All plumbing installed or replaced shall be designed as to prevent contamination of the water supply through backflow, back siphonage, or cross-connection. All plumbing newly installed or replaced shall be in compliance with the *International Plumbing Code*. A minimum water pressure of fifteen (15) pounds shall be maintained to all open outlets at all times.

14. Gas Piping and Appliances. All gas piping shall be properly installed, properly supported, and maintained free of leaks, corrosion or obstruction so as to reduce gas pressure or volume. Every gas appliance shall be connected to a gas line with solid metal piping or approved listed metal appliance connector preceded by an approved listed shutoff valve. Gas pressure shall be adequate to permit proper flow of gas from all open gas valves at all times. All gas piping shall be in compliance with the *International*

*Plumbing Code.*

15. Heating and Cooling Equipment. The heating equipment of each dwelling shall be maintained in good and safe working condition and shall be capable of heating all habitable rooms, bathrooms and toilet rooms located therein to sixty-eight degrees (68°) Fahrenheit at eighteen (18) inches above the floor. Supplied cooling equipment shall be maintained in a good and safe working condition.
16. The temperature pressure relief valve of all hot water heaters shall be maintained in good and safe working condition.
17. The dwelling unit shall not be occupied by a number of persons greater than allowed by the occupancy limitations set forth in the IPMC. Further, no room shall be used as a habitable room unless certified as a habitable room at the time the certificate of structure compliance is issued.
18. Pest Extermination. Whenever infestation exists in two (2) or more dwelling units or rooming units of any dwelling, or in the shared or public parts of any dwelling containing two (2) or more dwelling units or more than one rooming unit, the extermination thereof shall be the responsibility of the owner.
19. Every facility, utility and piece of equipment required by this Code and/or present in the unit and/or designated for the exclusive use by the occupants of said unit, at the time that either the rental agreement is signed or possession is given, shall function safely and shall be maintained in proper working condition. Maintenance of facilities, utilities and equipment not required by this Code shall be the owner's responsibility unless stated to the contrary in the written rental agreement.
20. No supplied facility shall be removed, shut off or disconnected from any occupied dwelling unit or rooming unit except for such temporary interruption(s) as may be necessary while actual repairs, replacements or alterations are being made.

**146.21 MAINTENANCE – RESPONSIBILITY OF TENANTS.**

1. Every occupant of a dwelling shall maintain such part or parts of the dwelling and premises thereof which said occupant occupies and controls in a clean and sanitary condition.
2. Every occupant of a dwelling shall keep all supplied fixtures, appliances and facilities therein in a clean, sanitary and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof, unless there is an agreement to the contrary.
3. Accessory structures provided by the tenant occupying a dwelling shall be structurally sound and maintained in good repair with reasonable control of insects and rodents. If not so maintained, such structures shall be removed immediately from the premises. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials or the use of paint or other preservatives.
4. Fire Safety Items.
  - A. Smoke detectors must be provided with batteries so that the detectors operate properly when tested.

- B. Fire extinguishers shall be maintained in good working condition at all times and shall be properly mounted.
5. Electrical Maintenance.
- A. Light fixtures must be provided with properly-sized, operational light bulbs.
  - B. Electrical panels must be accessible.
  - C. Only one (1) UL rated extension cord with a built-in circuit breaker is allowed per outlet. No other extension cords are permitted. Improper or unsafe extension cords will be removed from use by the inspector.
  - D. Only grounded outlet adapters (15 amp) permanently secured are allowed. All other types will be removed from use by the inspector.
6. No combustible material shall be stored within three (3) feet of a fuel-burning furnace and/or fuel-burning water heater.
7. The dwelling unit shall not be occupied by a number of persons greater than the occupancy limitations set forth in the IPMC. Further, no room shall be used as a habitable room unless certified as a habitable room at the time the certificate of structure compliance is issued.
8. Pests. Every occupant of a single-family dwelling shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises. Every occupant of a dwelling containing more than one dwelling unit or rooming unit shall be responsible for such extermination within the unit occupied by such occupant whenever said unit is the only one infested. If, however, the infestation is caused by failure of the owner to maintain a dwelling in a reasonably rodent-proof or insect-proof condition, extermination shall remain the responsibility of the owner.
9. Every occupant of a dwelling unit shall keep all supplied fixtures there in a clean and sanitary condition and shall be responsible for the exercise of reasonable care, proper use and proper operation thereof.

**SECTION 2. REPEALER.** All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any section, provision or part of this Ordinance shall be adjudged 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 4. WHEN EFFECTIVE.** After its final passage, approval and publication, this ordinance shall become effective on July 1, 2014.

First reading on March 11, 2014.

Second reading on March 25, 2014.

Third and final reading on June 10, 2014.

CITY OF NORTH LIBERTY:

ATTEST:

\_\_\_\_\_  
GERALD L. KUHL, MAYOR PRO TEM

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 14-04 in the North Liberty *Leader* on the 19<sup>th</sup> day of June, 2014.

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TRACEY MULCAHEY, CITY CLERK