ORDINANCE NO. 1672

AN ORDINANCE ESTABLISHING TITLE 182 BUILDING AND PROPERTY REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY ADOPTING THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE WITH AMENDMENTS

WHEREAS, the City Council of the City of Ankeny, Iowa desires to continue to protect life, safety and property through the adoption and enforcement of construction codes, and to establish the minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design and construction of buildings for the effective use of energy and to provide flexibility to permit the innovative approaches and techniques to achieve the effective use of energy;

WHEREAS, the Council now deems it appropriate to revise the Municipal Code by adopting the latest edition of the *International Code Council Energy Conservation Code*.

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

1. That Chapter 182 of the Municipal Code of the City of Ankeny, Iowa, the Energy Conservation Regulations be enacted in the following Chapter;

Chapter 182 ENERGY CONSERVATION CODE

Section Number	Title	IECC Section
182.01	Short Title	
182.02	Adoption of Energy Code	
182.03	Amendments, modification, additions and deletions	
182.04	Deletions	
182.05	Conflicts	
182.06	Title	101.1
182.07	Intent	101.3
182.08	General	104.1
182.09	Required Approvals	104.2
182.10	Schedule of Permit Fees	107.2
182.11	Refunds	107.5
182.12	Failure to Comply	108.4

182.01 SHORT TITLE. This chapter shall be known as the Ankeny Energy Conservation Code, and may be cited as such, and may be referred to herein as this chapter

182.02 ADOPTION OF ENERGY CONSERVATION CODE. The *International Energy Conservation Code 2009 Edition*; published by the International Code Council, Inc., is adopted in full except for such portions as may be hereinafter deleted, modified or amended. An official copy of the *International Energy Conservation Code 2009 Edition*, as adopted, and a certified copy of this chapter are on file in the office of the City Clerk.

182.03 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS. *The International Energy Conservation Code, 2009 Edition* (hereinafter known as the IECC), is amended as hereinafter set out in Sections 182.04 through 182.12.

182.04 DELETIONS. The following is deleted from the IECC and is of no force or effect in this chapter:

Section 109 Board of Appeals.

182.05 CONFLICTS In the event there are requirements of this code conflict that with applicable State and Federal requirements, the more stringent shall apply.

182.06 SUBSECTION 101.1 AMENDED - - TITLE. Subsection 101.1, Title, of the IECC is hereby enacted in the following subsection:

Subsection 101.1 Title. These regulations shall be known as the Ankeny Energy Conservation Code, hereinafter known as "this code."

182.07 SUBSECTION 101.3 ADDITION - - INTENT. Subsection 101.3, Intent, of the IECC, is hereby amended by adding the following paragraphs to said subsection:

Subsection 101.3.1 Building and Zoning Administrator The term code official is intended to also mean the Building and Zoning Administrator and his or her representatives or designees, who are herewith delegated the same powers, authorities, duties and responsibilities as designated for the Code Official.

Subsection 101.3.2 Building & Zoning Administrator There is also hereby established the position of Building & Zoning Administrator, who shall be designated by the Planning & Building Director and when so appointed, shall be responsible for the enforcement of this code. The Building & Zoning Administrator shall have authority to file a complaint in any court of competent jurisdiction charging a person with the violation of this title. The Building and Zoning Administrator shall have whatever additional duties the Planning & Building Director may prescribe.

182.08 SUBSECTION 104.1 AMENDED - - GENERAL. Subsection 104.1 – General, of the IECC is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 104.1 General Construction or work for which a permit is required may be subject to inspection by the Code Official.

182.09 SUBSECTION 104.2 AMENDED - - REQUIRED APPROVALS. Subsection 104.2 Required approvals, of the IECC is hereby amended by deleting said subsections and inserting in lieu thereof the following:

> Subsection 104.2 Required approvals The Code Official may make or caused to be made the requested inspections. Any portion that does not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Code Official.

182.10 SUBSECTION 107.2 AMENDED - - SCHEDULE OF PERMIT FEES. Subsection 107.2 Schedule of Permit Fees, of the IECC is hereby amended by deleting said subsection and inserting in lieu thereof the following:

> Subsection 107.2 Schedule of Permit Fees Permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid to the City of Ankeny. An amended permit or a supplemental permit for additional construction shall not be issued until the permit fee(s) for the additional work has been paid.

182.11 SUBSECTION 107.5 AMENDED- - REFUNDS. Subsection 107.5, Refunds of the IECC is hereby amended by deleting said subsection and inserting in lieu thereof the following:

> Subsection 107.5 Refunds The code official is authorized to establish a refund policy in accordance with City policy.

182.12 SUBSECTION 108.4 AMENDED - - FAILURE TO COMPLY. Subsection 108.4, Failure to comply of the IECC is hereby amended by deleting said subsection and inserting in lieu thereof the following:

> Subsection 108.4 Failure to comply Any person who violates a provision of this code or fails to comply with any of the requirements thereof, or directive of the code official, shall be subject to penalties as prescribed by law.

2. Copy. An official copy of the Ankeny Energy Conservation Code hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the City Clerk in City Hall, and shall be kept there on file and copies shall be available for public inspection.

3. Repeal. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

4. Effective date. This ordinance shall be effective August 15, 2010, after its final passage and publication as required by law.

PASSED AND APPROVED this 2nd day of **AUGUST**, 2010.

Steven D. Van Oort, Mayor

ATTEST:

Pamela DeMouth, City Clerk

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2nd Con 7/19/10
3rd Con 8/2/10