

ORDINANCE 14-01

AN ORDINANCE TO ADD NEW CHAPTER 162 TO THE MUNICIPAL CODE OF THE CITY OF WINDSOR HEIGHTS, IOWA, ADOPTING THE 2012 INTERNATIONAL FUEL GAS CODE WITH AMENDMENTS

WHEREAS, the City Council of the City of Windsor Heights, 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, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems;

WHEREAS, the Council now deems it appropriate to revise the Municipal Code by adding Chapter 162, Fuel Gas Code, and adopting the latest edition of the International Code Council Fuel Gas Code.

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

Section 1. ADOPTION. That the Municipal Code of the City of Windsor Heights, Iowa, be amended by adding Chapter 162, Fuel Gas Code, and adopting the latest edition of the International Code Council Fuel Gas Code.

CHAPTER 162

FUEL GAS CODE

162.01 Short Title	162.10 Retention of Construction Documents
162.02 Adoption of Mechanical Code	162.11 Fee Schedule
162.03 Amendments, Modifications, Additions & Deletions	162.12 Fee Refunds
162.04 Deletions	162.13 Violation Penalties
162.05 Conflicts	162.14 Stop Work orders
162.06 Title	162.15 Metallic Piping Joints and Fittings (welded)
162.07 General (Building & Zoning Administrator)	
162.08 Permit Acquisition	
162.09 Expiration	

162.01 SHORT TITLE. This chapter shall be known as the Windsor Heights Fuel Gas Code, and may be cited as such, and may be referred to herein as this chapter

162.02 ADOPTION OF FUEL GAS CODE. The International Fuel Gas Code 2012 Edition; published by the International Code Council, Inc., is adopted in full except for such portions as may be hereinafter deleted, modified or amended. A copy of the International Fuel Gas Code 2012 Edition, as adopted and a copy of this chapter are on file in the office of the Code Official.

162.03 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS. The International Fuel Gas Code, 2012 Edition (hereinafter known as the IFGC), is amended as hereinafter set out in Sections 162.04 through 162.15.

162.04 DELETIONS. The following are deleted from the IFGC and are of no force or effect in this chapter:

Section 106.5.4 Extensions, Section 109 Means of Appeal.

162.05 REFERENCED CODES—CONFLICTS. In the event requirements of this code conflict with applicable State and Federal requirements, the more stringent shall apply.

162.06 (SUBSECTION 101.1 AMENDED)—TITLE. Subsection 101.1, Title, of the IFGC, is hereby deleted and there is enacted in lieu thereof the following subsection:

Subsection 101.1 Title. These regulations shall be known as the Fuel Gas Code of the City of Windsor Heights, hereinafter known as “this code.”

162.07 (SUBSECTION 103.1 ADDITION)—GENERAL. Subsections 103.1, General, of the IFGC, is hereby amended by adding the following paragraph to said subsection:

Subsection 103.1 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.

162.08 (SUBSECTION 106.1.1 ADDITION)—PERMIT ACQUISITION. Subsection 106.1.1 Permit acquisition, of the IFGC, is hereby established by adding the following:

1. Permits are not transferable. Fuel Gas work performed under the provisions of this chapter must be done by a contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105. A responsible person or mechanical professional licensed by the State of Iowa Plumbing and Mechanical Systems Board as a “Master” may sign and obtain a permit for the contractor for which they are employed only when said responsible person or “Master” has provided proof of employment or written confirmation by said licensed contractor. Any permit required by the provisions of this code may be revoked by the Code Official upon the violation of any provision of this code.
2. A State of Iowa licensed Mechanical contractor shall be allowed only to secure permits for himself or herself, or for a single firm or corporation. When a State of Iowa licensed Mechanical contractor has secured such a permit, only the employees of such contractor when meeting the provisions of Iowa Code Chapter 105 shall perform the work for which the permit was obtained.
3. For purposes of this section, an “employee” shall be one employed by the contractor, firm or corporation for a wage or salary. A contractor may be required by the Code Official to show positive evidence as to the employee status of workers on the job. Such evidence shall be in the form of payroll and time records, canceled checks, or other such documents.
4. The contractor may also be required to show the agreement or contract pertaining to the work being questioned as evidence that said contractor is, in fact, the actual contractor for such work. Failure or refusal by the contractor to make available such employee or contractual records within 24 hours from demand therefore shall be grounds for immediate revocation of any permit for the work in question.

162.09 (SUBSECTION 106.5.3 AMENDED)—EXPIRATION. Subsection 106.5.3 Expiration, of the IFGC, is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 106.5.3 12 Month Expiration Every permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule, with approval of the Code Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his or her agent and by payment of the renewal fee as established by Resolution of the City Council, and provided no changes have been made in plans or location. Upon approval, permits may be extended for no more than two periods not exceeding 180 days each.

162.10 (SUBSECTION 106.5.6 AMENDED)—RETENTION OF CONSTRUCTION DOCUMENTS. Subsection 106.5.6, Retention of construction documents, of the IFGC, is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 106.5.6 Retention of Construction Documents One set of construction documents shall be retained by the Code Official until final approval of the work covered therein.

162.11 (SUBSECTION 106.6.2 AMENDED)—FEE SCHEDULE. Subsection 106.6.2 Fee schedule, of the IFGC, is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 106.6.2 Fee schedule 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 Windsor Heights. 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.

162.12 (SUBSECTION 106.6.3 AMENDED)—FEE REFUNDS. Subsection 106.6.3, Fee refunds, of the IFGC, is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 106.6.3 Fee refunds The Code Official is authorized to establish a refund policy.

162.13 (SUBSECTION 108.4 AMENDED)—VIOLATION PENALTIES. Subsection 108.4, Violation penalties, of the IFGC, is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 108.4 Violation penalties Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs Fuel Gas work in violation of the approved construction documents or directive of the Code Official, or of a permit issued under the provisions of this code, shall be subject to penalties as prescribed by law.

162.14 (SUBSECTION 108.5 AMENDED)—STOP WORK ORDER. Subsection 108.5, Stop Work orders, of the IFGC, is hereby amended by deleting the last sentence of said subsection and inserting in lieu thereof the following:

Subsection 108.5 Stop Work Order Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

162.15 (SUBSECTION 403.10 ADDITION)—METALLIC PIPING JOINTS AND FITTINGS. Subsection 403.10.1, Pipe joints, of the IFGC, is hereby amended by adding a new subsection as follows:

Subsection 403.10.1.1 Welded Pipe Joints All joints of wrought iron or steel gas piping larger than two-inch (2") standard iron pipe size and providing gas pressure of two (2) PSIG or greater shall be welded steel. All welded joints shall comply with the State of Iowa requirements and work shall be performed by certified welders.

Section 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. SEVERABILITY. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

Section 4. PRIOR ACTIONS. All Ordinances, orders, Resolutions and actions of City Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked and rescinded.

Section 5. EFFECTIVE DATE. This ordinance shall be effective _____, after its final passage and publication as required by law.

PASSED AND APPROVED this ____ day of _____,2014.

Diana Willits, Mayor

ATTEST:

Jeffrey Fiegenschuh, City Clerk

February 3, 2014

Burgess _____
Peterson _____
Timm _____
Glover _____
Butz _____

February 17, 2014

Burgess _____
Timm _____
Glover _____
Butz _____
Peterson _____

March 3, 2014

CHAPTER 162

Peterson _____
Glover _____
Butz _____
Timm _____
Burgess _____