

## CHAPTER 155

### BUILDING PERMITS

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**155.01 BUILDING OFFICIALS.** The Building Inspector, the Mayor and the Clerk are the building officials and are responsible for the administration and enforcement of this chapter.

**155.02 PERMIT REQUIRED.** No building or other structure shall be erected, structurally altered or moved within the City without first receiving a permit therefor.

**155.03 APPLICATION.** Application for a permit shall be made in writing, filed with the Clerk and shall contain the following information:

1. Name. The name and address of the applicant.
2. Location. The street address and full legal description of the property.
3. Proposed Work. The nature of work proposed to be done.
4. Use. The use for which the structure is or will be used.
5. Plans. Application for permits shall be accompanied by such drawings of the proposed work as the building officials may require.
6. Plot Diagram. There shall also be filed with the application a plot diagram in a form and size suitable for filing permanently with the permit record, with all dimensions figured, showing accurately the size and exact location of all proposed new construction or, in the case of demolition, of such construction as is to be demolished and of all existing buildings.
7. Deadline. Permit applications must be submitted to the Clerk at least one week prior to the next scheduled Council meeting. An application that needs approval before the next scheduled Council meeting will be considered on its merits by the building officials.

**155.04 AMENDMENTS.** Nothing shall prohibit the filing of amendments to an application or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was sought. Such amendments, after approval, shall be filed with and be deemed a part of the original application.

**155.05 EXISTING BUILDINGS.** Nothing contained in this chapter shall require any change in the plans, construction, size or designated use of a building, for which a valid permit was issued or lawful approval given before December 27, 1979.

**155.06 ACTION ON APPLICATION.** The Mayor and Clerk shall examine permit applications within a reasonable time after filing. Upon examination the Mayor and Clerk may approve or disapprove the permit application or in their discretion may forward the application to the Council for consideration. If the application is forwarded to the Council, the Council shall, within a reasonable time, examine the application and the recommendations of the building officials and either approve or disapprove the application.

**155.07 PERMIT ISSUANCE.** If the application is approved, the building officials shall issue a building permit to the applicant in triplicate, with one copy for the applicant, one copy for the County Assessor and one copy to be retained in the City records. If the application is disapproved the applicant shall be notified of the disapproval and the reasons therefor.

**155.08 RESTRICTIONS.** No permit for the erection, alteration, use or occupancy of a building or similar structure shall be granted unless it definitely appears that such erection, alteration, use or occupancy shall not cause or be the source of the following:

*(Code of Iowa, Sec. 414.24)*

1. Noise. Any undue noise.
2. Electrical Interference. Any undue radio or television interference.
3. Odors. Any offensive odors.
4. Refuse. Any offensive or unsightly refuse.
5. Smoke. Any offensive or undue smoke.
6. Fire Hazard. Any fire hazard.
7. Appearance. Any unsightliness due to the appearance of any building or structure on the premises.

8. Congestion. Any undue gathering, congregating, parking of cars, or undue congestion of people or traffic.
9. Other. Any effect which will be obnoxious, offensive, dangerous or injurious to the health, welfare and safety of citizens.

**155.09 CONDITION OF THE PERMIT.** All work performed under any permit shall conform to the approved application and plans, and approved amendments thereof. The location of all new construction as shown on the approved plot diagram, or an approved amendment thereof, shall be strictly adhered to. It is unlawful to reduce or diminish the area of a lot or plot of which a plot diagram has been filed and has been used as the basis for a permit, unless a revised plot diagram showing the proposed change in conditions shall have been filed and approved; provided that this shall not apply when the lot is reduced by reason of a street opening or widening or other public improvement.

**155.10 REVOCATION.** The building officials may revoke a permit or approval issued under the provisions of this chapter in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

**155.11 PERMIT VOID.** In the event that construction covered by a permit is not initiated and under way within one year from the date of issuance of the permit, such permit shall be deemed void and of no effect.

**155.12 ABATEMENT OF VIOLATION.** Any building or structure erected, altered, used or occupied in violation of this chapter shall be determined a nuisance and the same may be abated by the City in the manner provided for the abatement of nuisances.

**155.13 VIOLATION AND PENALTY.** Any person who violates this chapter by beginning construction on a project for which a building permit is required, while not holding an approved building permit, will be subject to a civil penalty of fifty dollars (\$50.00) per occurrence. In addition, the person in violation shall be required to pay for a building permit and pay the applicable fee.  
*(Ord. 383 – Mar. 04 Supp.)*