

ORDINANCE NO. 6487

AN ORDINANCE TO AMEND CHAPTER 17.01 "HOUSING DEFINITIONS" OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 17.01.010 "DEFINITIONS-HOUSING" TO INCLUDE TEMPORARY HOUSING.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 17.01 "Housing Definitions" of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 17.01.010 "Definitions-Housing" to include Temporary housing as follows:

17.01.010 Definitions - Housing

For the purposes of the interpretation and enforcement of this title, the following definitions apply:

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Basement: That portion of a building that is partly or completely below grade (see "story above grade").

Bath: A bathtub or shower stall.

Bathroom: That room that contains the toilet, lavatory, and bath.

Bedroom: A habitable room within a dwelling or dwelling unit that is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen, dining room, or living room in which cots, rollaway beds, or davenports may be used for sleeping purposes.

Building official: The chief building official or his or her designee of the building inspection division or any successor division or department.

Cellar: A portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

Dining room: A habitable room used or intended to be used for the purpose of eating, but not for the cooking or preparation of food.

Dwelling: Any building or structure, except temporary housing, that is wholly or partly used or intended to be used for living or sleeping by human occupants, but shall not include dormitories, hotels, or motels. Whenever the word "dwelling" is used in this title, it shall be construed as though it were followed by the words "or any part thereof."

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Extermination: The control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; or, by poisoning, spraying, fumigating, trapping, or any other pest elimination methods approved by appropriate state or federal agencies.

Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking, marketing, or processing of food, or the non-consumed waste resulting from animals or humans consuming food.

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Historic building: Any building or structure that is listed in the National Register of Historic Places, designated as a historic property or local landmark under local or state designation law or survey, certified as individually eligible or a contributing resource within a National Register-listed or locally designated historic district, or with an opinion or certification that the property is eligible to be listed on the National Register of Historic Places either individually or as a contributing building to an historic district by the State Historic Preservation Officer, the Keeper of the National Register of Historic Places, or the building official.

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Kitchen: A habitable room used or intended to be used for the cooking or preparation of food.

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Occupancy: The act or acts of living, sleeping, or cooking in, or having actual possession of, a dwelling, dwelling unit, or rooming unit.

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Person: Means and includes any individual, firm, corporation, association, partnership, or similar entity.

Plumbing: Means and includes all of the following facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

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Violator: Any person who has violated any provision of this title.

(Ord. 5277 § 1, 1996)

(Ord. No. 6047, § 1, 2-22-2010; Ord. No. 6224, § 1, 1-26-2015; Ord. No. 6288, § 1, 4-24-2017)

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

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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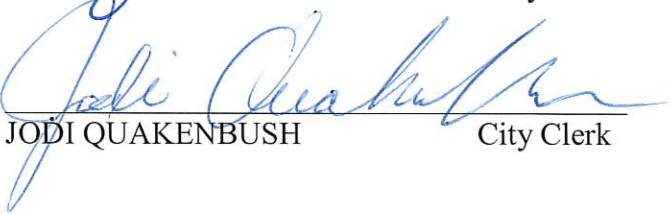
PASSED
AND
APPROVED

March 14, 2022.



MATTHEW J. WALSH Mayor

Attest:



JODI QUAKENBUSH City Clerk

First Consideration: 2-28-22
Second Consideration: 3-14-22
Public Hearing: n/a
Third Consideration: Waived

Proof Of Publication

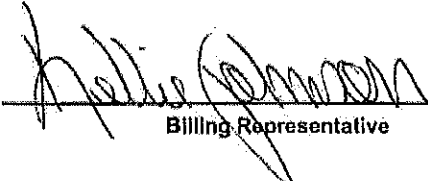
State of Iowa

Pottawattamie County

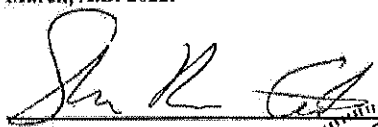
I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

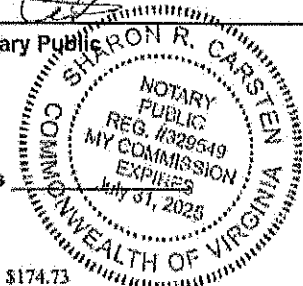
The First publication thereof began on the 18th day of March, 2022.


Billing Representative

Sworn to and subscribed before me this 18th day
of March, A.D. 2022.


Notary Public

State of Virginia
County of Hanover
My Commission expires



CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

Publication Cost: \$174.73
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PASSED AND APPROVED March 14, 2022.

MATTHEW J. WALSH Mayor

Attest: JODI QUAKENBUSH City Clerk

First Consideration: 2-28-22
Second Consideration: 3-14-22
Public Hearing: n/a
Third Consideration: Waived
2022 (3) 18-1 Friday

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Graham Jura

Ordinance 6487
ITEM 6.A.

Council Action: 3/14/2022

Description

Ordinance to amend Chapter 17.01 "Housing Definitions" of the 2020 Municipal Code, by amending Section 17.01.010 "Definitions-Housing" to include Temporary Housing.

Background/Discussion

Temporary housing that has become more "permanent" in nature has created a challenge for the City to maintain the integrity of the building code and keep residents safe from housing that can create risk of injury and death. The addition of this language will allow the City to have more oversight on types of temporary housing within the community and allow for administration to keep temporary housing from becoming "permanent" in nature.

Recommendation

The City Legal Department recommends passage of this Ordinance.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	2/15/2022
Ordinance 6487	Ordinance	2/23/2022

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Violator: Any person who has violated any provision of this title.

(Ord. 5277 § 1, 1996)

(Ord. No. 6047, § 1, 2-22-2010; Ord. No. 6224, § 1, 1-26-2015; Ord. No. 6288, § 1, 4-24-2017)