

CHAPTER 147

BUSINESS DISTRICT BUILDING SAFETY AND REDEVELOPMENT STANDARDS

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147.01 PURPOSE. The purpose of this chapter is to institute land use regulations and restrictions to protect the citizens of the City and the personal property and real estate in the City and to prevent the construction of buildings which may create personal safety problems due to fire and collapse and the potential for attractive nuisances and rodent and insect accumulation and to promote a continuous preservation of property values and business enterprises within a portion of the City and to preserve the quality of life for the citizens of the City. The ordinance codified by this chapter was passed due to recent fire within the downtown business area of the City, which highlighted the potential threat to the buildings and citizens of the City due to fire, collapse, potential attractive nuisances, and rodents and insects as well as an economic damage to the community and area.

147.02 AREA OF APPLICATION. This chapter applies to that area of real estate within the City that is known as:

Blocks 47 and 48 of England's Addition and Blocks 11 and 12 of the Original Town, all in the City of Wapello, Louisa County, Iowa.

147.03 DESIGN AND CONSTRUCTION PROVISIONS.

1. No building shall be constructed within the area described in Section 147.02 without receiving a building permit for any development or redevelopment or reconstruction, which entails more than a superficial construction.
2. Prior to any construction, reconstruction, or rebuilding within the area prescribed within this chapter, the landowner shall complete a building permit application and submit it to the Council to handle said building permit applications.
3. The construction, reconstruction, or rebuilding as described above shall only be allowed if the Council approves the application.
4. No building application permit shall be granted by the Council to review said building permit applications if the following design specifications are not met.

147.04 DESIGN SPECIFICATIONS. The following design specifications shall be the standards for construction, building, reconstruction, rebuilding, or other uses of property in the prescribed area:

1. The buildings shall be constructed such that each building shall have its own water system attached separately to the water main, and water from one building shall not be run into or connected to an adjacent property or building.

2. All buildings must be permanent buildings and shall not be temporary in nature.
3. All building shall be attached to a concrete or similar foundation system and shall not be pole buildings which are only attached into the ground by poles.
4. All walls which are between adjacent buildings shall be of fire resistant material which at a bare minimum comply with the State Fire Codes and shall constitute the equivalent of a two-hour firewall.
5. Dumpsters, recycling bins or other trash containers shall be screened from the street view and shall not be visible from public streets and shall not be located on the street right-of-way.
6. Areas of blank walls on the street level frontage of a building shall be minimized and at least 30 percent of the length of the street level frontage shall be windows or doorways.
7. Stairways between buildings shall be enclosed within the building.
8. All buildings must be constructed as to be directly contacting adjacent buildings and no gap or space may be allowed between adjoining buildings.
9. Any construction, reconstruction or rebuilding shall be constructed so that the front edge of said building is directly in line and even with the front edge of the adjacent buildings so that the sidewalk is one continuous expanse of walkway and is not obstructed or irregular.

147.05 BUILDINGS DESTROYED BY NATURAL AND/OR UNNATURAL CAUSES.

Any building that is more than 50% destroyed by natural and/or unnatural causes shall be reconstructed to be a usable building or shall be demolished and torn down and removed in a manner that does not damage adjacent buildings.

147.06 BUILDING PERMIT EXCEPTIONS. Nothing in this chapter shall require a building permit for alteration, repairs, or improvements of any existing building or structure which do not change the dimensional outline of the building being so altered, repaired, or improved, as long as said changes do not increase the value of the building by more than 25 percent.

147.07 DENIAL OF PERMITS. If the Council denies a building permit for which an application has been submitted, the applicant may appeal to the Zoning Administrator as provided for in Section 165.18 of this Code of Ordinances. Any such appeal shall be administered as provided for in Section 165.18 of this Code of Ordinances.

147.08 BUILDING PERMIT CONSIDERATIONS. In reviewing any building permit application or the denial thereof, the Zoning Administrator shall enforce this chapter considering the materials that are proposed to be used in construction, the architectural design of the building, both interior and exterior, and the frontal design and side design and rear design, and the roof design, and shall consider whether all lines of the building are in visual line and physical line with adjacent buildings and shall ensure the building is not likely to create a safety problem, an adjacent support safety problem, a potential for the accumulation of trash, a potential for the accumulation of rodents and insects, a potential for an attractive nuisance, or any other factor which may be detrimental to the safety of the citizens of the City or may detrimentally affect the financial viability of the prescribed portion of the City.

147.09 TIME FRAME FOR COMPLIANCE. The time allowed for demolition or reconstruction shall be consistent with the State Code and further provisions in this Code of Ordinances, including but not limited to Section 145.04, and in any and all events shall not exceed six months from the date of the destruction unless an extension is granted by the City Council.

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