



CITY COUNCIL WORK SESSION DEPARTMENT REPORT

TO: Matthew R. Schmitz, MPA – City Manager
FROM: Matt Chesmore, Building Official
DATE OF MEETING: August 5th, 2024
ITEM TITLE: Department Report – Building/Code Enforcement

DISCUSSION:

Building Department:

From June 1, 2024, through July 31, 2024, 70 Permits were issued.

Residential: 6 – Building, 2 – Curb-cut, 2 – Building moving, 1 – Driveway, 7 – Fence, 1 – Garage, 8 – HVAC, 9 – Remodel/Addition, 1 – New Construction, 1 – Demolition, 7 – Plumbing, 8 – Roofing, 2 – Patios, 2 – Window replacement

Commercial: 7 – Building/remodel, 6 – Beer/Liquor (renewal)

Code Enforcement:

21 Letters of Violation were sent in the months of June and July

9 in June and 12 in July

11 Violations were resolved.

The most prevalent violation is overgrown grass and weeds, with a couple of reports of illegally parked campers, other junk vehicles, and overgrown shrubs/trees. I am currently working on a complaint regarding several vehicles parked on a property owner's lawn.

657A.10B has been filed on an abandoned property located on the Northwest side.

A municipal infraction has been filed on a problem property located on the Southeast side.

Progress is being made on a Southwest property that is under a court-ordered cleanup and rehab.

Property owners on the Northeast side have cleaned up storm damage, and I'm working with a couple of folks to get rubbish cleaned up and keep up with the mowing.

We have fielded a few questions regarding the maintenance of the area between a private property line and the curb or street, also known as the Right-of-Way (ROW). If any Council member is asked who is responsible for the maintenance of this area, local ordinance 135.10 and Code of Iowa 364.12(2(c)) requires abutting property owners to keep the ROW free from all nuisances, obstructions, and hazards. This includes trimming trees, mowing grass, maintenance of the sidewalk, and picking up litter and debris.

Property Line disputes and concerns:

I have received an abundance of concerns regarding the location of property lines. Mainly regarding the installation of fences. I am advising property owners the City is not capable of locating private property pins or property lines and, therefore, will not attempt it. My advice has been to hire a licensed professional to locate their boundaries. From the requests that I have received this year, I feel this was not the practice before my tenor and why I am getting some undesired feedback, but nevertheless, it's my understanding that to legally locate property boundaries, the person doing so must be a licensed surveyor.

812 10th Street NE – Derelict property

In July, an asbestos survey was conducted by Terracon Inc., where two materials were found that contained asbestos. Vinyl flooring and roofing tar were identified and may need to be abated. We await the official report before sending an RFP out to have the materials abated. Terracon recommended that they do not perform the task of compiling a work specification as there is very little work involved. They recommend that we send out a general RFP and cite the report they supply, and this should be enough information for a contractor to abate the asbestos.

Planning and Zoning:

The Planning and Zoning Commission met on June 4th, 2024, where previous minutes from Sept 5th through May 7th were approved. Stephanie Sailer was nominated and approved to fill the role of Secretary of the P&Z Commission. An application from Nathan Hansen was reviewed for the combination of lots 11 and 12 of the Pines addition. The application would allow Nathan to combine two lots that he currently owns so that he can build one new single-family dwelling with a four-stall garage and comply with the zoning ordinance. The application was approved as submitted. The City Council approved the application on June 10th in a regular council meeting.

Board of Adjustments:

No Activity

Flood Plain Administration:

A property owner who lives along the river on the NW side asked if they could rebuild their eroding riverbank. I told her I had no objection to it; however, they must contact IDNR as they also have an interest in the riverbank. I believe she was also referred to the Iowa Corp of Engineers. The mere rebuilding or stabilization of the riverbank in this location should not cause any change in the floodplain as it will not cause water levels to rise and will not redirect the floodway.

Training:

6/13/24 – Attended Eastern Iowa Construction Code Council (EICCC) Conference. Building code updates and discussion on Code Enforcement being involved in these meetings. The group will get a better feel for this after the next meeting; however, the general thought was that code enforcement duties do not cross well with the duties of building code staff. All in attendance were asked to bring a code enforcement person to the next meeting.

Discussion was also brought up about future International Code Council (ICC) training through the Iowa Association of Building Officials (IABO). FYI, Independence is not currently a member of IABO, however as budget allows, I would recommend joining this group as they are excellent resource for on-going training.