

ORDINANCE NO. 042-25

AN ORDINANCE REPEALING CHAPTER 36 OF THE CEDAR RAPIDS MUNICIPAL CODE AND ENACTING AND ADOPTING IN ITS PLACE A NEW CHAPTER 36, ENTITLED “MECHANICAL CODE” CONSISTING OF THE STATE MECHANICAL CODE WITH PROPOSED AMENDMENTS.

WHEREAS, THE MECHANICAL CODE CONSISTS OF THE ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS, WITH CERTAIN AMENDMENTS, THAT CERTAIN MECHANICAL CODE KNOWN AS THE STATE MECHANICAL CODE AS ADOPTED IN IOWA ADMINISTRATIVE CODE 641-61 ADOPTING THE INTERNATIONAL MECHANICAL CODE, 2024 EDITION, AS PREPARED AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

WHEREAS, IS HEREBY SPECIFICALLY INCORPORATED BY REFERENCE REGULATING THE INSTALLATION, ALTERATION, REPAIR, RELOCATION, REPLACEMENT, ADDITION TO, USE, OR MAINTENANCE OF ANY HEATING, VENTILATING, COOLING, REFRIGERATION SYSTEM, INCINERATORS, OR OTHER MISCELLANEOUS HEAT-PRODUCING APPLIANCES, APPARATUS, OR EQUIPMENT IN THE CITY OF CEDAR RAPIDS, IOWA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

Section 1. Chapter 36 of the Cedar Rapids Municipal Code, entitled “Mechanical Code,” is hereby repealed and it is place a new Chapter 36 consisting of the State Mechanical Code with amendments is enacted, as follows:

MECHANICAL CODE

Section Number	Title	IMC Section
36.01	State Mechanical Code Adopted	
36.02	Amendments to the Mechanical Code	
36.03	Creation of Agency Deputies	103.1 103.3
36.04	Conflict of Interest	104.10
36.05	Permits Not Required	105.2
36.06	Fees Payment of Fees Fee Schedule Work Commencing Before Permit Issuance Re-Inspection Fees	108 108.1.2 108.2.1 108.4 108.7
36.07	Qualification	112.3
36.08	Administration	112.4

36.09	Mechanical Board of Appeals	113.1
	Composition of the Board	113.2
	Powers and Duties of the Board	113.3
36.10	State of Iowa Mechanical Licensing Law	36.10.1
	License Required	36.10.2
36.11	Violation Penalties	114.4
36.12	Ventilation System	403.1

36.01 MECHANICAL CODE ADOPTED.

Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Mechanical Code of the City of Cedar Rapids, Iowa, that certain Mechanical Code known as the State Mechanical Code as adopted in Iowa Administrative Code 641-61 adopting the International Mechanical Code, 2024 Edition, as prepared and published by the International Code Council, which Code is hereby specifically incorporated by reference as prepared and published by the International Code Council; and the provisions of said Mechanical Code, as amended, shall be controlling in the design, construction, installation, alteration, repair, relocation, replacement, quality of materials, location, operation, use, maintenance or removal of heating, ventilating, cooling, or refrigeration systems, incinerators, or other miscellaneous heat producing or refrigerating, and air-handling equipment in all matters covered by said Mechanical Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the Mechanical Code.

36.02 AMENDMENTS TO THE MECHANICAL CODE.

Certain sections of the State Mechanical Code are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this Chapter.

36.03 103.1 CREATION OF AGENCY.

Creation of Agency is hereby amended by deleting Section 103.1 Creation of Agency, and replacing said Section with the following:

Section 103.1 Creation of Agency.

1. Inspection Section. There is hereby established in the City of Cedar Rapids, Iowa, a Mechanical Inspection Section consisting of Mechanical Inspectors, hereinafter referred to as Inspector.
2. Mechanical Inspector. The Mechanical Inspector is hereby authorized, directed, and empowered to make all inspections and to perform such duties as required by the terms of this ordinance for the enforcement of the Mechanical Code, and shall perform such other duties as may be required by the Building Official.

Said Inspector shall be appointed from the approved list of the Civil Service Commission, in accordance with the statutes governing civil service appointments.

3. Code Official. The executive official in charge thereof, shall be known as the Code Official.

Section 103.3 Deputies. Section 103.3 Deputies is hereby deleted.

36.04 104.10 CONFLICT OF INTEREST.

Section 104.10 Conflict of Interest is hereby added as follows:

The Building Official, Inspectors and other employees who are engaged in building inspections, building plan review and issuance activities in accordance with this Code shall not directly or indirectly perform and/or be involved in any work, sales of services, equipment, materials or systems regulated by this Code for any financial gains or benefits nor enter into any written or verbal contractual agreements for financial gains or benefits. Employees may perform work or activities regulated by this Code when it is without compensation or other financial benefits. In no event, shall the employee inspect or be involved in the inspection process on any project where the employee performed work or has a financial interest.

36.05 105.2 PERMITS NOT REQUIRED.

Section 105.2 Permits Not Required is hereby added to the last Section as follows:

These exceptions do not waive gas test requirements for portable or temporary heating equipment.

36.06 108 FEES.

Section 108 Fees is hereby modified by adding and modifying the following provisions to that Section as follows:

Section 108.1.2 Payment of Fees is added as follows:

Mechanical permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid for or approval of payment arrangements have been granted.

Section 108.2.1 Fee Schedule is hereby modified by adding Section 108.2.1 to the provision with the following:

The fees for mechanical work shall be set forth by resolution of the City Council.

Section 108.4 Work Commencing Before Permit Issuance is hereby modified by adding the following provision to the end of that Section as follows:

Any person who commences work on a mechanical system before obtaining the necessary permits shall be subject to fees set forth by resolution in addition to the required permit fees.

The City Council may by resolution set fees for re- inspection and special inspections. These inspection fees shall be identified in the Schedule of Fees.

Section 108.7 Re-Inspection Fees is hereby added as follows:

A re-inspection fee may be assessed for each inspection or re-inspection when such work or portion of such work for which the inspection is called for is not complete or when corrections called for are not made.

Re-inspection fees may be assessed when the access is not provided on the date for which the inspection is requested, the property and building address are not properly posted, or when there is a deviation from plans requiring approval of the Building Official.

This Section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

36.07 112.3 Section 112.3 Qualifications is hereby deleted.

36.08 112.4 Administration Section is hereby deleted.

36.09 MEMBERSHIP OF BOARD.

Section 113.1 Membership of Board is repealed and a new Section 113.1 Mechanical Board of Appeals, with Subsections 113.2 Composition of the Board and 113.3 Powers and Duties of the Board.

Section 113.1 Mechanical Board of Appeals. There is hereby established a Mechanical Board of Appeals, hereinafter referred to as the "Board," with authority and responsibility as follows:

1. To act as a Board of Appeals as provided in the Mechanical Code.
2. To periodically review the provisions of the Mechanical Code and make recommendations for improving and updating said Code.

Section 113.2 Composition of the Board is added as follows:

The Board shall consist of five members, all of whose place of business, residence, or work is located in the City of Cedar Rapids. One member shall be a state licensed-insured heating, ventilation and air conditioning contractor; one member shall be a state licensed-insured hydronic heating-cooling contractor; one member shall be a state licensed-insured refrigeration contractor; one member shall be a

registered practicing mechanical engineer; and one member shall be a licensed practicing architect; all members to have been engaged in the profession of their primary interest for a period of at least five years in the City of Cedar Rapids, Iowa immediately prior to their appointment.

The Mayor shall appoint the members of the Board with the approval of the City Council. The terms of the members shall be for three years; the terms shall expire on June 30th of each year. A vacancy within any term shall be filled by appointment by the Mayor with the approval of the City Council for the unexpired portion of that term only.

The members of the Board shall serve without compensation.

Section 113.3 Powers and Duties of the Board is added as follows:

The Mechanical Board of Appeals shall have the following powers and duties:

1. To hold meetings if determined necessary for the purpose of Mechanical Code appeals and interpretations.
2. To keep a complete record of the official proceedings of the Board; to preserve all documents, books, and papers relating to appeals for at least three years.
3. To hear appeals from the decision of the Mechanical Inspector and to rule on interpretations of the provisions of the Mechanical Code, and to determine the suitability of alternate materials and methods of construction consistent with the provisions of the Mechanical Code.

Quorum. Three members of the Board shall constitute a quorum for the transaction of business.

Chairperson. The Board shall annually elect one of its members as Chairperson. The Chairperson shall preside at all meetings of the Board or designate an acting Chairperson to preside in his or her absence.

36.10 LICENSING.

Section 36.10.1 State of Iowa Mechanical Licensing Law is added as follows:

The examination, qualification, enforcement and licensing of mechanical contractors, journeymen and apprentices shall be in accordance with State of Iowa Licensing Laws.

Section 36.10.2 License Required is added as follows:

No person shall engage in the business of contracting, planning or supervising the installation, alteration, repair, relocation, replacement, addition to or removal of any heating, ventilating, cooling, air conditioning or refrigerating system or equipment within the City of Cedar Rapids, Iowa, unless such person is licensed with the State of Iowa in the appropriate category.

36.11 114.4 VIOLATION PENALTIES.

Section 114.4 Violation Penalties is hereby deleted, and a new Section 114.4 Violation Penalties is added, as follows:

It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use, or maintain heating, ventilating, cooling or refrigeration equipment in the City of Cedar Rapids, Iowa, or cause the same to be done, contrary to or in violation of any of the provisions of this Code. Maintenance of equipment that was unlawful at the time it was installed, and which would be unlawful under this Code if installed after the effective date of this Code shall constitute a continuing violation of this Code. Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, may be prosecuted within the limits provided by state or local laws.

36.12 403.1 VENTILATON SYSTEM.

Section 403.1 Ventilation System is hereby deleted and replaced by the following:

Mechanical ventilation shall be provided by a method of supply air and return or exhaust air except that mechanical ventilation air requirements for Group R-2, R-3 and R-4 occupancies three stories and less in height above-grade plane shall be provided by an exhaust system, supply system or combination thereof. Infiltration shall not be used as a source for ventilation air in an exhaust only system. The amount of supply air shall be approximately equal to the amount of return and exhaust air. The system shall not be prohibited from producing negative or positive pressure. The system to convey ventilation air shall be designed and installed in accordance with Chapter 6.

Section 2. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that provision affected by such decision.

Section 3. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 4. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Cedar Rapids Municipal Code and made a part of said Code as provided by law.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Introduced this 24th day of June, 2025.

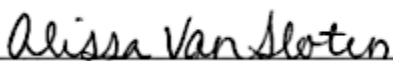
Passed this 8th day of July, 2025.

Voting: Council member Poe moved the adoption of the ordinance; seconded by Council member Maier. Adopted, Ayes, Council members Hoeger, Maier, Olson (Scott), Olson (Tyler), Overland, Poe, Todd, Vanorny and Mayor O'Donnell.



Tiffany D. O'Donnell, Mayor

Attest:



Alissa Van Sloten, City Clerk