Call to Order

Pledge of Allegiance

Public Comment: Five Minute Limit per Speaker
This comment period is for the public to address topics on today’s agenda.

Consent Agenda
Items listed on the consent agenda are routine and will be considered by one motion without individual discussion unless the Board removes an item for separate consideration.

Reports

Resolutions

Resolution authorizing the County Auditor and County Treasurer to destroy certain records that are more than ten years old.

Resolution authorizing the County Auditor to issue warrants when the Board of Supervisors is not in session for purposes provided for in Section 331.506, Code of Iowa, and that all bills paid under said Section shall be passed upon by the Board of Supervisors at the first meeting following such payments.

Contract and Agreements

Licenses & Permits

Regular Agenda

Appoint Chair and Vice Chair for 2022

Discuss and Decide on Consent Agenda

Minutes
Discuss and decide on meeting minutes.

Claims
Discuss and decide on claims.

Resolution of Appointment Filling Vacancy in Linn County Attorney Position
Public Hearing and First Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 12, Fire Code of the Linn County Code of Ordinances. (Updating Building, Fire, Plumbing, and Mechanical codes to the 2021 versions with amendments)

Public Hearing and First Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 105, Articles II, IV, & V of the Linn County Code of Ordinances. (Updating Building, Fire, Plumbing, and Mechanical codes to the 2021 versions with amendments)

Discuss and decide on a resolution approving the Linn County Temporary Reprecincting Plan

First consideration and reading of Linn County Public Ordinance establishing the various voting precincts in Linn County, Iowa and defining the boundaries and listing of the populations thereof pursuant to the Code of Iowa.

**Public Comment: Five Minute Limit per Speaker**
This is an opportunity for the public to address the board on any subject pertaining to board business.

**Payroll Authorizations**
Discuss and decide on Employment Change Roster (payroll authorizations).

**Board Member Reports**

**Correspondence**

**Appointments**

**Adjournment**

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncountyiowa.gov
RESOLUTION

BE IT RESOLVED, that the Board of Supervisors, Linn County, Iowa, hereby designate the following named newspapers as the Official County Newspapers pursuant to Chapter 349, Code of Iowa:

- The Gazette Company
- The Linn Newsletter
- The Sun

The Gazette Company is to receive compensation based on one full designation and the two weekly newspapers will share equally in the remaining two designations.

Dated this 4th day of January, 2022.

LINN COUNTY BOARD OF SUPERVISORS

AYES:

NAYS:

ABSTAIN: Chairperson

ABSENT:

Supervisor

Supervisor

ATTEST:

________________________
JOEL MILLER, Linn County Auditor
Resolution

WHEREAS, Section 331.323(2d), Code of Iowa, provides that the Board of Supervisors is authorized to order a county officer to destroy records in the officer’s possession which have been on file for more than ten (10) years and not required to be kept as permanent records.

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Board of Supervisors, Linn County, Iowa, be hereby authorized to order the County Auditor to destroy all Assessor’s books, assessment rolls, tax lists, county vouchers, cancelled warrants on file in the office of the County Auditor for more than ten (10) years and order the County Treasurer to destroy all duplicate tax receipts on file in the office of the County Treasurer for more than ten years.

Dated this 4th day of January, 2022.

LINN COUNTY BOARD OF SUPERVISORS

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:  

Chairperson

Supervisor

Supervisor

ATTEST:

JOEL MILLER, Linn County Auditor
Resolution

BE IT RESOLVED by the Board of Supervisors, Linn County, Iowa, that the County Auditor is authorized to issue warrants when said Board is not in session for the following purposes provided for in Section 331.506 (2 & 3) , Code of Iowa, and that all bills paid under said Section shall be passed upon by the Board of Supervisors at the first meeting following such payments.

1. For fixed charges including, but not limited to, freight, express, postage, water, lights, telephone service or contractual services previously approved by the Board of Supervisors, after a bill is filed with the Auditor.

2. For salaries and payrolls if the compensation has been fixed or approved by the Board of Supervisors, under whose direction or supervision the compensation is earned.

3. For rent assistance and insurance settlement payments.

4. For refunds due caused by an overpayment of fees to any Linn County office or department or for return of payment due when payment has been made for a service, license or permit that will no longer be performed or issued.

Dated this 4th day of January, 2022.

LINN COUNTY BOARD OF SUPERVISORS

AYES:

NAYS:

ABSTAIN: Chairperson

ABSENT: Supervisor

ATTEST:

JOEL MILLER, Linn County Auditor
RESOLUTION OF APPOINTMENT FILLING VACANCY
IN LINN COUNTY ATTORNEY POSITION
#__________

WHEREAS, Linn County Attorney Jerry Vander Sanden has resigned from the Linn County Board of Supervisors effective December 31, 2021, and

WHEREAS, the Linn County Board of Supervisors has met, as authorized pursuant to Section 69.8(3), Code of Iowa, to fill the Linn County Attorney vacancy, and

WHEREAS, the Linn County Board of Supervisors has, pursuant to Section 69.14A(2)(a), Code of Iowa, approved a motion to fill the Linn County Attorney vacancy through appointment, and, on December 17, 2021, published Notice of Intent to fill said vacancy by appointment, and

WHEREAS, the Linn County Board of Supervisors now acts to fill the Linn County Attorney vacancy.

THEREFORE, the Linn County Board of Supervisors, hereby appoints Nicholas Maybanks to fill the Linn County Attorney position, vacated by the resignation of Linn County Attorney Jerry Vander Sanden on December 31, 2021, effective upon Nicholas Maybanks qualifying by taking the oath of office no later than ten (10) days from the date of this appointment.

Approved this _____ day of ________________, 2022, at Cedar Rapids, Linn County, Iowa.

_______________________________
Ben Rogers, Chair

_______________________________
Louis Zumbach
RESOLUTION #__________

Aye_____ Nay _____ Abstain_____ Stacey Walker

ATTEST:

_________________________________
Joel D. Miller, Linn County Auditor

STATE OF IOWA ) ss:
COUNTY OF LINN )

I, Joel D. Miller, County Auditor of Linn County, hereby certify that at a regular meeting of the said Board, the foregoing was duly adopted by a vote of _____ aye, _____ nay and _____ abstained from voting.

_________________________________
JOEL D. MILLER

Subscribed and sworn to before me by the aforesaid on this __________ day of __________, 2022.

_________________________________
NOTARY PUBLIC – State of Iowa
LINN COUNTY ORDINANCE # _________________________

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA BY AMENDING PROVISIONS IN CHAPTER 12, ARTICLE II, FIRE CODE

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa:

SECTION 1. Chapter 12 of the Linn County Code of Ordinances is hereby amended as follows:

ARTICLE II. – Fire Code

State Law reference—Adoption by reference, I.C.A. § 331.302 (5)


Except as hereafter added to deleted, modified or amended, there is hereby adopted as the fire code of the county that certain code known as the International Fire Code, 2021 edition, as published by the International Code Council, and shall be known as the "Linn County Fire Regulations."

(Code 2006, § 32.1; Ord. No. 7-6-2015, § 32.1, 6-17-2015)


Certain sections, and portions of sections, of the International Fire Code, 2021 edition (hereinafter IFC) are hereby amended, deleted, modified or added as set forth below.

(1) Title. Insert the following into IFC section 101.1, Title: Linn County, Iowa.

(2) Permits. Delete IFC section 105, Permits, in its entirety, and delete all references to permits required under section 105 as contained in subsequent chapters of the IFC.

(3) Board of appeals. Delete IFC section 111, Board of Appeals, and add the following:

Section 109. Board of Appeals.

Section 111.1. Board of Appeals. The Linn County Building Board of Appeals, as established in the Linn County Building Regulations, article II of chapter 105 of the Linn County Code of Ordinances, shall hear and decide appeals of orders, decisions or
determinations made by the building official relative to the application and interpretation of this code.

Section 111.2. Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The authority of the board in hearing appeals is limited to the technical provisions of the code related to the design, construction, use and maintenance of buildings and other structures including alternative methods and materials. The board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

Section 111.3. Appeal Fee. Nominal fee for an appeal to the building board of appeals shall be in accordance with the fee schedule as established by resolution by the county board of supervisors.

(4) Violation penalties. Delete IFC section 112.4, Violation Penalties, and add the following:

Section 112.4. Violation Penalties. Any person, firm corporation or entity who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be subject to enforcement and penalties in accordance with article II of chapter 1 of the Linn County Code of Ordinances.

112.4.1. Abatement of Violation. In addition to the imposition of the penalties herein described, the building official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises.

(5) Failure to comply. Delete IFC section 112.4, Failure to Comply, and add the following:

Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties in accordance with article II of chapter 1 of the Linn County Code of Ordinances.

(6) Fire code official. Modify section 202, General Definitions, by deleting the definition for fire chief and fire code official and adding the following definitions:

Fire code official. The building official or other designated authority charged with the administration and enforcement of this code, or any duly authorized representative.

(Code 2006, § 32.2; Ord. No. 7-6-2015, § 32.2, 6-17-2015)

Sec. 12-21. - Limitations of regulations.

The fire regulations shall not apply within the limits of any incorporated city or town unless otherwise provided.

(Code 2006, § 32.3; Ord. No. 7-6-2015, § 32.3, 6-17-2015)

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed.
SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 20 day of December 2021.

Second consideration on the 22 day of December 2021.

Third and final passage on the 28 day of December 2021.

Published in the Gazette on the 1 day of January 2021.

LINN COUNTY BOARD OF SUPERVISORS

________________________________________
Chairperson

________________________________________
Supervisor

________________________________________
Supervisor

ATTEST:

______________________________
Joel D. Miller, Linn County Auditor

STATE OF IOWA       )
COUNTY OF LINN      )SS

I, ________________________________, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on _______________________, 2021 and published as provided by law on _______________________, 2021.

______________________________
Linn County Auditor

Subscribed and sworn to me this _____ day of ____________, 2021.
Notary Public, State of Iowa
LINN COUNTY ORDINANCE # _________________________

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA
BY AMENDING PROVISIONS IN CHAPTER 105, ARTICLE II, CONSTRUCTION REGULATIONS

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa:

SECTION 1. Chapter 105 of the Linn County Code of Ordinances is hereby amended as follows:

ARTICLE II. – Construction Regulations

State Law reference— State building code, I.C.A. § 103A.1 et seq.

Sec. 105-16. - International construction codes adopted, title.

Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the construction regulations of the county the certain codes known as the International Building Code, 2021 edition, including appendix K titled Administrative Provisions, the International Residential Code, 2021 edition, including appendix F titled Passive Radon Gas Controls as prepared and edited by the International Code Council, Inc. and the provisions of said codes shall be controlling in the construction of buildings and other structures and in all matters covered by said codes within the jurisdictional limits of the county and shall be known as the "county construction regulations."

(Ord. No. 9-6-2015, § 3.1, 6-17-2015)

Sec. 105-17. - Amendments to the International Building Code and the International Residential Code.

Certain sections, and portions of sections, of the International Building Code, 2021 edition (hereinafter IBC), and the International Residential Code for One- and Two-Family Dwellings, 2021 edition (hereinafter IRC) are hereby amended, deleted, modified or added to as set forth below.

(1) Name of jurisdiction. In the IBC 101.1 and the IRC R101.1, in place of "Name of Jurisdiction" insert Linn County, Iowa.

(2) IRC work exempt. Amend IRC Section R105.2, Work Exempt from Permit, Building, by deleting items 1. One-story detached accessory structures; 3. Retaining walls; and 10. Decks; and adding the following:
R105.2. Work Exempt from Permit, Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.

3. Retaining walls not over six feet high unless supporting a surcharge.

10. Unattached decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, that does not contain any unusual load, and/or roof.

(3) IBC work exempt. Amend IBC Section 105.2, Work Exempt from Permit, Building, by deleting item 4. Retaining walls; and adding the following:

105.2. Work Exempt from Permit, Building:

4. Retaining walls not over six feet high and not supporting a surcharge or impounding Class I, II, or III liquids.

(4) Substantially improved/substantially damaged. Delete IRC R105.3.1.1, Substantially Improved or Substantially Damaged Existing Buildings and Structures, without substitution.

(5) Expiration. Modify IBC 105.5 and IRC R105.5, Expiration, by adding new Sections 105.5.1 and R105.5.1 respectively as follows:

105.5.1, R105.5.1. Expiration. Every building permit issued under the provisions of the Code shall expire 12 months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his agent and by payment of a renewal fee as set forth in the county building division permit fee schedule as adopted by resolution of the county board of supervisors, and provided no changes have been made in plans or location. No permit shall be renewed more than once. Renewal of the permit shall be granted for an additional period of 12 months beginning at the original permit expiration date. The nominal permit renewal fee shall be set by resolution of the board of supervisors. Work not complete at the expiration of 24 months from the original permit issuance date shall require a new permit with fees based on the valuation of all uncompleted work.

(6) Post frame buildings. Add IBC 107.6 and IRC R106.6, Post Frame Buildings, as follows:

107.6 And R106.6. Post Frame Buildings. All pole frame buildings shall be designed and constructed by the following guidelines:

Exception. Pole buildings satisfying all of the following requirements are exempt from the engineering certification of plans required in this section:

(i) Floor area of 1,000 square feet or less.
(ii) Eave height of 12 feet or less.
(iii) Pole spacing of eight feet or less

107.6.1 and R106.6.1. Plans. Plans shall be drawn to a scale of not less than one-fourth-inch per foot and include: Floor plan with dimensions, pole locations and spacing, footing sizes, door sizes and locations; section drawing showing footings, poles, sidewall girts, roof purlins, headers, siding, roofing, and details; and elevation views of all four sides of building.

107.6.2 and R106.6.2. Engineering. Plans shall be certified by a licensed, professional engineer and shall bear the engineer’s seal and signature. The engineer’s certification block shall specify the pages or sheets covered by the seal.
107.6.3 and R106.6.3. Building Design Criteria. The following shall appear on engineer certified plans: Building design in accordance with the 2021 International Building Code; 30 PSF ground snow load; 115 MPH Wind Design Speed; Exposure C (generally open terrain with scattered obstructions); 2000 PSF assumed soil bearing (unless a soils report shows otherwise). Exposure C will be assumed unless it can be demonstrated that the building site meets the definition of Exposure B (suburban and wooded areas with numerous closely spaced obstructions).

107.6.4 and R106.6.4. Trusses. Submit truss design drawings certified by a licensed, professional engineer. Drawings shall indicate that the design and connectors are in accordance with the 2021 International Building Code and indicate the applicable design criteria from Section 107.6.3 or R106.6.3 above.

(7) Fees. Delete IBC 109.2 and IRC R108.2, Schedule of Permit Fees, and add the following sections:

109.2 and R108.2. Schedule of Fees. For work requiring a permit, a fee for each permit shall be paid as required in accordance with the permit fee schedule as established by resolution of the county board of supervisors.

109.2.1. Plan Review Fees. When plans or other submittal documents are required by section 106, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be in addition to the permit fee and in accordance with the permit fee schedule as established by resolution of the county board of supervisors.

109.2.2 and R108.2.1. Re-Inspection Fee. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the property and building address are not properly posted and the location of the inspection cannot be readily ascertained, the approved plans are not readily available to the inspector, for failure to provide access at the time for which inspection is requested, or for deviating from plans requiring the approval of the building official.

The re-inspection fee shall be in accordance with the permit fee schedule as established by resolution by the county board of supervisors.

(8) Valuation. Add a new IBC Section 109.3.1 and IRC Section R108.3.1 as follows:

109.3.1 and R108.3.1. Valuation. Valuation for the purpose of establishing permit fees for new construction, additions or alterations to existing buildings shall be determined by the building official, based on the most current ICC Building Valuation Data, with reference to the county valuation schedule and submitted documents.

(9) Work commencing before permit issuance. Delete IBC 109.4 and IRC R108.6, Work Commencing Before Permit Issuance, and add the following sections:

109.4 and R108.6. Work Commencing Before Permit Issuance. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, an investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code for the entire project commenced and shall not be limited to the amount of the work completed prior to being informed of the permit requirements. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.
Board of appeals. Delete IBC 113 and IRC R112, Board of Appeals, and replace with the following:

113.1 and R112.1. General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be a building board of appeals consisting of five members, none of whom are employees of the county. One member shall be a registered architect or licensed engineer in the state; one member shall be a general construction contractor; one member shall be a journeyman carpenter; and two members shall be private citizens, all of whom shall be residents of the county. The building official or the building official's duly authorized representative shall be an ex officio member without vote and shall act as secretary of the board. Each appointment or new appointment shall be for a term of three years, with the terms of not more than two members to expire December 31 of any one year.

The building board of appeals shall be appointed by the board of supervisors, and shall serve without compensation, except mileage. The board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the building official for appropriate distribution and filing. The building board of appeals shall make recommendations from time to time to the board of supervisors for appropriate legislation with respect to the building regulations. Nominal fee for appeal to the board of appeals shall be set by resolution of the board of supervisors.

113.2, R112.2 and 108.2.1. Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The authority of the board in hearing appeals is limited to the technical provisions of the code related to the design, construction, use and maintenance of buildings and other structures including alternative methods and materials. The board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

Climatic and geographic design criteria. Insert climatic and geographic design criteria in IRC Table R301.2 (1) as follows:

Table R301.2 (1) Climatic and Geographic Design Criteria

<table>
<thead>
<tr>
<th>Ground Snow Load</th>
<th>Wind Design</th>
<th>Seismic Design Category</th>
<th>Subject to Damage from</th>
<th>Winter Design Temp</th>
<th>Ice Barrier Underlayment Required</th>
<th>Flood Hazards</th>
<th>Air Freezing Index</th>
<th>Mean Annual Temp</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 PSF</td>
<td>115</td>
<td>NO</td>
<td>No</td>
<td>Severe</td>
<td>42°F</td>
<td>YES</td>
<td>Dec 15 1982</td>
<td>July 20, 2021</td>
</tr>
</tbody>
</table>

Ground snow loads. Delete IBC 1608.2, Ground Snow Loads, and replace with the following:

1608.2. Ground Snow Loads. The ground snow load to be used in determining the design snow loads for roofs shall be 30 pounds per square foot.
(13) Fire protection of floors. Delete R302.13 without substitution.

(14) Delete IRC Section R302.5.1, opening protection, and replace with a new section R302.5.1, as follows:

Openings from a private garage directly into a room used for sleeping shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches in thickness or 20-minute fire-rated doors.

(15) Glazing adjacent to doors. Delete IRC Section R308.4.2 and replace with a new Section R308.4.2 as follows:

Glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge of the glazing is within a 24-inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the floor or walking surface shall be considered to be a hazardous location.

Exceptions:
1. Decorative glazing.
2. Where there is an intervening wall or other permanent barrier between the door and the glazing.
3. Where access through the door is to a closet or storage area 3 feet or less in depth.
4. Glazing that is adjacent to the fixed panel of patio doors.

(16) Risers. Add Exception 3 to IRC R311.7.5.1, Risers, as follows:

Exceptions: 3. In order to facilitate the removal of snow and ice, the opening between adjacent treads is not limited on exterior stairs exposed to precipitation.

(17) Window fall protection. Delete IRC R312.2 without replacement.

(18) IRC fire sprinkler systems. Delete IRC R313, Automatic Fire Sprinkler Systems, and replace with the following:


R313.1. Townhouse Automatic Fire Sprinkler Systems. An automatic residential fire sprinkler system shall be installed throughout all attached townhouse dwelling units when any of the following conditions exist:

1. The townhouses are constructed in a group of more than four attached units.

2. Any individual townhouse dwelling unit of a structure with four or fewer attached townhouses has a floor area greater than 4,000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

R313.1.1. Design and Installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D or Section P2904.

R313.2. One- and Two-Family Dwellings Automatic Fire Sprinkler Systems. Automatic residential fire sprinkler systems shall be installed in one- and two-family dwellings when the following condition exists:
1. The one- or two-family dwelling has a floor area greater than 4,000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

   Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing one- and two-family dwellings that do not have an automatic residential fire sprinkler system installed.

   R313.2.1. Design and Installation. Automatic residential fire sprinkler systems for one- and two-family dwellings shall be designed and installed in accordance with NFPA 13D or Section P2904.

   R313.3. Alternative Methods. Maximum floor area square footages of Sections R313.1 and R313.2 may be increased by 25 percent for buildings or floors containing more than one egress door as specified in Section R311.2 or more than one vertical egress as specified in Section R311.4 or other approved alternate methods of building occupant egress enhancement.

(19) Foundation drainage systems. Delete IBC 1805.4.3, Drainage, and replace with a new section 1805.4.3 and adding a new IRC section R401.3.1, as follows:

   1805.4.3/R401.3.1. Drainage Discharges. The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the following:

   (a) Sump pit located inside building. Exception: Sump pit may be omitted if drainage tile can be designed with natural fall and drain on same property if approved by the building official.

   (b) For each sump pit installed, a pump discharge pipe shall be provided running continuous from a point directly outside the sump pit to a storm sewer, waterway or other approved discharge location.

   (c) Pump discharge pipe shall be installed as per the requirements of the county plumbing code with connections to a storm sewer, waterway or other approved discharge location.

   (d) Installation of sump pump if one is found by the building official to be necessary. It shall be equipped to automatically provide for discharge of sump pit water outside the basement wall and discharge as allowed elsewhere in this code.

   FPN: A sump pump will be considered to be necessary if water inside the sump pit will not recede to a level four inches or more below the lowest basement floor surface by gravity or absorption into the earth within a reasonable period of time.

   (e) The outlet line from the sump pump shall discharge a minimum of two feet from the outside foundation wall.

   (f) Where groundwater conditions warrant, the building official may require additional drainage tile as may be deemed necessary.

(20) Frost protection. Modify IRC R403.1.4.1, Frost Protection, by deleting all exceptions and adding the following:
R403.1.4.1. Exception 1. Slab-On-Grade Foundation. One-story detached accessory buildings of wood or steel frame construction, 1,250 square feet in area or less, may have a concrete slab-on-grade foundation without frost protection. The slab-on-grade shall be a minimum of four inches thick reinforced concrete and shall be thickened at its entire perimeter to a minimum cross section dimension of ten inches wide by ten inches high. The thickened portion shall have continuous reinforcing with a minimum of one number 4 reinforcing bar at the top and bottom. Reinforcement of the slab shall be six-inch by six-inch welded wire mesh or a minimum of number 4 reinforcing bars not greater than 24 inches on center both directions and such reinforcing shall extend into the thickened portion. The slab shall be cast monolithically with the thickened portion. Foundations supporting wood light frame construction shall extend not less than six inches above finish grade and have eaves not more than ten feet above grade. A foundation under this section shall not support other than light frame construction. The vertical distance from the top of the slab-on-grade foundation to the lowest point at the base shall not exceed 24 inches. No plumbing shall be located in buildings with slab on grade foundations without frost protection. Stone and masonry veneer shall not be applied to exterior walls supported by slab-on-grade foundations.

(21) Foundation drainage, concrete or masonry foundations. Delete the Exception to IRC R405.1, Concrete or Masonry Foundation Drainage, without replacement.

(22) Sewer depth. Delete IRC P2603.5.1, Sewer Depth, without substitution.

(23) Accessibility. Delete IBC chapter 11 in its entirety and replace with the following:
   IBC chapter 11. Buildings or portions of buildings shall be accessible to persons with disabilities as required by 661-302 of the State of Iowa Administrative Code.

(24) Energy Efficiency. Delete Chapter 11 of the IRC in its entirety and insert in lieu thereof insert the following:
   Chapter 11, section N1101. Energy efficiency for the design and construction of buildings regulated by this code shall be as required by 661-303 of the State of Iowa Administrative code.

(25) Energy Efficiency. Delete Chapter 13 of the IBC in its entirety and insert in lieu thereof insert the following:
   Chapter 13, section 1301. Energy efficiency for the design and construction of buildings regulated by this code shall be as required by 661-303 of the State of Iowa Administrative code.

(26) Part VII Plumbing, Chapters 25 thru 33 inclusive of the IRC. Delete IRC Part VII chapters 25 thru 33 and insert the following:
   Part VII, Chapter 25 section P2501 General. Section P2501. P2501.1 Scope. Plumbing systems shall comply with Chapter 105, article V, of the Linn County Code Of ordinances.

(27) Part VIII Electrical, Chapters 34 thru 43 inclusive of the IRC. Delete IRC Part VIII chapters 34 thru 43 and insert the following:
   Part VIII, Chapter 34 section E3401 General. Section E3401. E3401.1 Scope. Electrical systems shall comply with Chapter 105, article III, of the Linn County Code of ordinances.

(28) Section K103.2 of the IBC. Work exempt from permit. Delete Section K103.2 in the IBC and insert in lieu thereof the following:
   Section K103.2 Work exempt from permit. See section 105.2 in both the IRC and IBC.

(29) Section K106.5 of the IBC. Add a new Section K106.5 as follows:
Section K106.5 Energy Connections; An electrical system or equipment regulated by this code for which a permit is required shall not be connected to a source of energy or power until approved by the building official.

(30) Section K106.6 of the IBC. Add a new Section K106.6 as follows:
Section K106.6 Temporary Energy Connections. The building official may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment, or for use under a temporary certificate of occupancy.

(31) Delete IBC Section K111.4.

(Ord. No. 9-6-2015, § 3.2, 6-17-2015)

Sec. 105-18. - Limitations of regulations.
The provisions I.C.A. § 331.304 provide exemptions from the application of building regulations.

(Ord. No. 9-6-2015, § 3.3, 6-17-2015)

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

SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 20 day of December 2021.

Second consideration on the 22 day of December 2021.

Third and final passage on the 28 day of December 2021.

Published in the Gazette on the 1 day of January 2021.

LINN COUNTY BOARD OF SUPERVISORS

________________________________________
Chairperson

________________________________________
Supervisor

________________________________________
Supervisor
ATTEST:

______________________________
Joel D. Miller, Linn County Auditor

STATE OF IOWA  )
                 )SS
COUNTY OF LINN  )

I, ________________________________, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on __________________________, 2021 and published as provided by law on __________________________, 2021.

______________________________
Linn County Auditor

Subscribed and sworn to me this _____ day of ____________, 2021.

______________________________
Notary Public, State of Iowa
LINN COUNTY ORDINANCE # _________________________

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA
BY AMENDING PROVISIONS IN CHAPTER 105, ARTICLE V, PLUMBING

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa:

SECTION 1. Chapter 105 of the Linn County Code of Ordinances is hereby amended as follows:

Chapter 105 – BUILDINGS AND BUILDING REGULATIONS
ARTICLE V. - PLUMBING

Sec. 105-66. Plumbing Code Adopted.

Except as hereafter modified, that certain plumbing code known as the latest version of the State Plumbing Code; Iowa Administrative Code Rule 641—25.1(105) to 641-25.3(105), and Iowa Administrative Code sub rules 25.4(2) to 25.4(9)"d" adopting and amending the Uniform Plumbing Code 2021 edition which code is hereby specifically incorporated by reference and shall be known as the "Linn County Plumbing Code". The provisions of said Plumbing Code shall be controlling in the erection, installation, alterations, additions, repair, relocation, replacements, maintenance or use of any plumbing system within the corporate limits of the County.

(Ord. No. 10-6-2015 § 5.1, 6-17-2015)

Sec. 105-67. Conflicts

If conflicts arise in requirements with regards to specifications of materials or methods between portions of this code, between this code and other local codes or between this code and applicable State or Federal requirements, the more stringent shall apply.

Sec. 105-68. Modifications of the Uniform Plumbing Code—Certain sections and portions of sections of the Uniform Plumbing Code, 2021 edition, hereinafter UPC, are hereby amended or modified as set forth below.

(1) Delete UPC Section 104.3.2, Plan Review Fees, in its entirety without substitution.

(2) Modify UPC Section 104.4.3, Expiration.

Section 104.4.3. Expiration. A permit issued by the authority having jurisdiction under the provisions of this code shall expire by limitation and become null and void where the work authorized by such permit is not commenced within 180 days from the date of such permit, or where the work authorized by such permit is suspended or abandoned at a time after the work has commenced for a period of 180 days. Before such work is recommenced, a new permit shall first be obtained to do so, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspensions or abandonment has not exceeded one year.

Every permit issued under the provisions of this code shall expire one year from the date of issue unless the application is accompanied by a construction schedule of specific longer duration, in which instance, the permit may be issued for the term of the construction schedule. If the work has not been completed by the expiration of the permit, the permittee shall submit a permit application for the work remaining and pay the new permit fee.

(3) Delete Table 104.5, Plumbing Permit Fees, and add the following:

Table 104.5. The plumbing permit and inspection fee schedule titled Table 104.5 shall be set by resolution of the board of supervisors.

(4) Delete UPC Section 106.3, Penalties, and add the following.

Section 106.3. Penalties. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant to this code or violates any condition attached to a permit, approval or certificate shall be subject to enforcement and penalties in accordance with article II of chapter 1.

(5) Delete UPC Section 107.0, Board of Appeals, and add the following:

Section 107.0. Board of Appeals.
107.1. General. In order to hear and decide appeals of any order, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be a plumbing board of appeals consisting of five members, none of whom are employees of the county. One member of said board of appeals shall be a licensed master plumbing contractor; one member shall be a licensed journeyman plumber; one member shall be a general construction contractor; one member shall be a registered architect or graduate mechanical engineer; and one member shall be a private citizen; all of whom shall be residents of the county. The building official or the building official's duly authorized representative shall be an ex officio member without vote and shall act as secretary of the board.

The plumbing board of appeals shall be appointed by the board of supervisors, and shall serve without compensation, except mileage. Each appointment or re-appointment shall be for a term of three years, with the terms of not more than two members to expire December 31 of any one year. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official for appropriate distribution and filing. The plumbing board of appeals shall make recommendations from time to time to the board of supervisors for appropriate legislation with respect to the plumbing regulations.

Nominal fee for appeal to the board of appeals shall be set by resolution of the board of supervisors.

107.2. Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

Sec. 105-69. – Licensing.
(a) Licensing. The examination, qualification, and licensing of plumbing contractors, plumbers, and the registration of apprentice plumbers shall be in accordance with state law.
(b) License required.
(1) No person shall engage in the business of contracting, planning or supervising plumbing work as regulated by these plumbing regulations within the jurisdiction of the county, unless such person is licensed by the state and has obtained a permit therefor from the Building Official according to the provisions of these plumbing regulations.
(2) No person shall perform plumbing work as regulated by these county plumbing regulations, unless said person is authorized or licensed by state law and a permit has been obtained from the Building Official for the work.

(Ord. No. 10-6-2015, § 5.3, 6-17-2015)

Sec. 105-69. - Limitations of regulations.

The provisions of I.C.A. § 331.304 provide exemptions from the application of plumbing regulations.

(Ord. No. 10-6-2015, § 5.4, 6-17-2015)

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

SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect January 1, 2022 after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 20 day of December, 2021
Second consideration on the 22 day of December, 2021
Third and final passage on the 28 day of December, 2021
Published in the Gazette on the 1 day of January, 2021

LINN COUNTY BOARD OF SUPERVISORS

________________________________________
Chairperson

________________________________________
Supervisor
I, ________________, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on ________________, 2021 and published as provided by law on ________________, 2021.

Linn County Auditor

Subscribed and sworn to me this _____ day of ____________, 2021.

Notary Public, State of Iowa
LINN COUNTY ORDINANCE # _________________________

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA 
BY AMENDING PROVISIONS IN CHAPTER 105, ARTICLE, IV MECHANICAL SYSTEMS

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa:

SECTION 1. Chapter 105 of the Linn County Code of Ordinances is hereby amended as follows:

ARTICLE IV. - MECHANICAL SYSTEMS

Sec. 105-46. - Codes adopted.
   Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Mechanical Code of the County that certain Mechanical Code known as the 2021 State Mechanical Code as adopted in Iowa Administrative Code 641-61 adopting the International Mechanical Code, 2021 Edition, as prepared and published by the International Code Council, which code is hereby specifically incorporated by reference and shall be known as the Linn County Mechanical Code. The provisions of said Mechanical Code shall be controlling in the erection, installation, alteration, repair, relocation, replacement, addition to, use, maintenance or removal of heating, ventilation, cooling or refrigerating systems, incinerators or other miscellaneous heat-producing or refrigerating appliances and in all matters covered by said Mechanical Code within the corporate limits of the County.

(Ord. No. 8-6-2015, § 4.1, 6-17-2015)

Sec. 105-47. – Conflicts
   If conflicts arise in requirements with regards to specifications of materials or methods between portions of this code, between this code and other local codes or between this code and applicable State or Federal requirements, the more stringent shall apply.

Sec. 105-48. - Modifications of the State mechanical code.
   Certain sections and portions of 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.
ADOPTION BY REFERENCE. Amend Section 641-61.2(105) of the State Mechanical Code as follows:

641-61.2(105) Adoption by reference. The provisions of the International Mechanical Code, 2021 edition, Chapter 1 thru 15 as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, are hereby adopted by reference as the requirements for the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings and premises in Iowa.

Name of jurisdiction. Insert the following into IMC Section 101.1, Title: Linn County, Iowa.

Expiration. Delete IMC Section 106.4.3 and 106.4.4, Extensions, and replace them with the following:

IMC 106.4.3 Expiration. Every permit issued under the provisions of the code shall expire 12 months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his agent and by payment of a renewal fee as set forth in the county building division permit fee schedule as adopted by resolution of the county board of supervisors, and provided no changes have been made in plans or location. No permit shall be renewed more than once. Renewal of the permit shall be granted for an additional period of one year (12 months) beginning at the original permit expiration date. The nominal permit renewal fee shall be set by resolution of the board of supervisors. Work not complete at the expiration of 24 months from the original permit issuance date shall require a new permit with fees based on the valuation of all uncompleted work.

Fees. Delete IMC Sections 109.2, 109.3, 109.4, 109.5 and replace them with the following:

IMC 109.2. Schedule of Fees. For work requiring a permit, a fee for each permit shall be paid as required in accordance with the permit fee schedule as established by resolution of the board of supervisors.

IMC 109.3. Valuation. Valuation for the purpose of establishing permit fees for new construction, additions or alterations to existing buildings shall be determined by the building official with reference to the county valuation schedule and submitted documents.

IMC 109.4. Work Commencing Before Permit Issuance. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, an investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code for the entire project commenced and shall not be limited to the amount of the work completed prior to being informed of the permit requirements. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

IMC 109.5. Re-Inspection Fee. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the property and building address are not properly posted and the location of the inspection cannot be readily ascertained, the approved plans are not readily available to the inspector, for failure to provide access at the time for which inspection is requested, or for deviating from plans requiring the approval of the building official.
The re-inspection fee shall be in accordance with the permit fee schedule as established by resolution by the county board of supervisors.

(4) Means of appeal. Delete IMC Section 114, Means of Appeal, and add the following:

Section 114. Board of Appeals.

114.1. Mechanical Board of Appeals. In order to hear and decide appeals of order, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be a mechanical board of appeals consisting of five members, none of whom are employees of the county. One member of said board of appeals shall be a licensed ducted air heating and cooling contractor; one member shall be a licensed hydronic heating and cooling contractor; one member shall be a licensed journeyman ducted air heating and cooling, hydronic heating and cooling or refrigeration installer; one member shall be a registered architect or graduate mechanical engineer; and one member shall be a private citizen; all of whom shall be residents of the county. The building official or the building official's duly authorized representative shall be an ex officio member without vote and shall act as secretary of the board.

The mechanical board of appeals shall be appointed by the board of supervisors, and shall serve without compensation, except mileage. Each appointment or re-appointment shall be for a term of three years, with the terms of not more than two members to expire December 31 of any one year. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official for appropriate distribution and filing. The mechanical board of appeals shall make recommendations from time to time to the board of supervisors for appropriate legislation with respect to the mechanical regulations.

Nominal fee for appeal to the board of appeals shall be set by resolution of the board of supervisors.

114.2. Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

114.3. Timeline for Appeal. Appeals must be received by the planning and development department within 30 days of the order, decision, or determination of the building official.

(5) Violation penalties. Delete IMC Section 115.4, Violation Penalties, and add the following:

115.4. Violation penalties. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant to this code or violates any condition attached to a permit, approval or certificate shall be subject to enforcement and penalties in accordance with article II of chapter 1.

(Ord. No. 8-6-2015, § 4.2, 6-17-2015)

Sec. 105-48. - Licensing.

(a) State licensing law. The examination, qualification, and licensing of mechanical contractors shall be in accordance with state laws.
License required.

(1) No person shall engage in the business of contracting, planning or supervising heating, ventilating, cooling, refrigeration or other mechanical work as regulated by these mechanical regulations within the jurisdiction of the county, unless such person is licensed with the state in the appropriate category and has obtained a permit therefor from the building official according to the provisions of these mechanical regulations.

(2) No person shall perform mechanical work as regulated by these county mechanical regulations, unless said person is authorized or licensed by state law and a permit has been obtained from the Building Official for the work.

Ord. No. 8-6-2015 § 4.3, 6-17-2015

Sec. 105-49. - Limitations of regulations.

The provisions of I.C.A. § 331.304 provide exemptions from the application of mechanical regulations.

Ord. No. 8-6-2015 § 4.4, 6-17-2015

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

SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 20 day of December 2021.

Second consideration on the 22 day of December 2021.

Third and final passage on the 28 day of December 2021.

Published in the Gazette on the 1 day of January 2021.

LINN COUNTY BOARD OF SUPERVISORS

__________________________________________
Chairperson

__________________________________________
Supervisor

__________________________________________
Supervisor
ATTEST:

______________________________
Joel D. Miller, Linn County Auditor

STATE OF IOWA  )
COUNTY OF LINN  )SS

I, _________________________________, County Auditor of Linn County, Iowa, hereby certify that the above
and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular
meeting of said Board held on ________________________, 2021 and published as provided by law on
________________________, 2021.

______________________________
Linn County Auditor

Subscribed and sworn to me this _____ day of __________, 2021.

______________________________
Notary Public, State of Iowa