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LINN COUNTY ORDINANCE # 3-1-2022

**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.

- (10) 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.

- (11) 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

Ground Snow Load	Wind Design				Seismic Design Category	Subject to Damage from			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards		Air Freezing Index	Mean annual temp
	Speed (MPH)	Topographic Effects	Special Wind Region	Wind Borne Debris Zone		Weathering	Frost Line Depth	Termite			NFIP ADOPTION	FIRM MAPS		
30 PSF	115	NO	No	No	A	Severe	42"	Moderate-Heavy	-5°F	YES	Dec 15 1982	July 20, 2021	1784	48.9

- (12) 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 R308.4.2as 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. Automatic Fire Sprinkler Systems.
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 15 day of January 2022

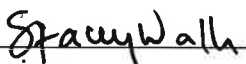
LINN COUNTY BOARD OF SUPERVISORS



Chairperson



Supervisor



Supervisor

ATTEST:

Joel D. Miller by Rebecca Schoop, Deputy
Joel D. Miller, Linn County Auditor

STATE OF IOWA)
)SS
COUNTY OF LINN)

I, Joel D. Miller by Rebecca Schoop, Deputy, 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 January 12, 2022 and published as provided by law on January 15, 2022

Joel D. Miller by Rebecca Schoop, Deputy
Linn County Auditor

Subscribed and sworn to me this 12th day of January, 2022

Amanda Hoy
Notary Public, State of Iowa

