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LINN COUNTY ORDINANCE # 2-1-2022

**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)

Sec. 12-19. - International Fire Code adopted, title.

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)

Sec. 12-20. - Modifications of the International Fire Code.

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 15 day of January 2022

LINN COUNTY BOARD OF SUPERVISORS

[Signature]
Chairperson

[Signature]
Supervisor

[Signature]
Supervisor

ATTEST:

[Signature] by [Signature], Deputy
Joel D. Miller, Linn County Auditor

STATE OF IOWA)

)SS

COUNTY OF LINN)

[Signature] by [Signature], Deputy
Joel D. Miller, 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

[Signature] by [Signature], Deputy
Linn County Auditor

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



[Signature]
Notary Public, State of Iowa