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LINN COUNTY ORDINANCE # 5-1-2022

**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 15 day of January, 2022

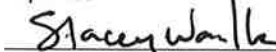
LINN COUNTY BOARD OF SUPERVISORS



Chairperson



Supervisor



Spacey Walker

Supervisor

ATTEST:

Joel D. Miller by Rebecca Shoop,
Joel D. Miller, Linn County Auditor

STATE OF IOWA)

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COUNTY OF LINN)

I, Joel D. Miller by Rebecca Shoop, 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 Shoop, Deputy
Linn County Auditor

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

Amanda Hoy
Notary Public, State of Iowa

