

## BOARD OF SUPERVISORS

District 1 | **James Houser**  
District 2 | **Stacey Walker**  
District 3 | **Ben Rogers**  
District 4 | **Brent Oleson**  
District 5 | **John Harris**

935 2ND ST. SW  
CEDAR RAPIDS, IA 52404  
PH: 319-892-5000  
LinnCounty.org



## LINN COUNTY BOARD OF SUPERVISORS MEETING AGENDA

Monday, September 10, 2018  
9 a.m.

Informal Board Room—Jean Oxley Public Service Center  
935 2ND ST. SW, Cedar Rapids, IA

### Call to Order

#### Public Comment: Five Minute Limit per Speaker

This comment period is for the public to address topics on today's agenda.

#### Minutes

Discuss and decide on meeting minutes.

Discuss a 28E Agreement between Linn County Planning and Development Department and the City of Mount Vernon

#### 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).

#### Claims

Discuss and decide on claims.

#### Correspondence

#### Appointments

#### Closed Session

The Board will enter into a closed session pursuant to Iowa Code § 21.5(1)(j) to discuss the purchase or sale of real estate

#### 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@linncounty.org](mailto:bd-supervisors@linncounty.org).

LINN COUNTY AND CITY OF MOUNT VERNON  
AGREEMENT FOR CONSTRUCTION CODE ADMINISTRATION

**1. TITLE**

Pursuant to Iowa Code Chapter 28E, this Agreement by and between Linn County, Iowa and the City of Mount Vernon, Iowa, shall be known as the *Linn County and City of Mount Vernon Agreement for Construction Code Administration*.

**2. PURPOSE AND SCOPE**

*2.1. Purpose of Agreement.* The purpose of this Agreement is to provide for the administration and enforcement of the Construction Codes of the City of Mount Vernon by Linn County to protect the public health, safety and welfare. It is the intent that the same level of service shall be provided to the citizens of Mount Vernon as is currently provided to the citizens of the unincorporated areas of Linn County.

*2.2. Scope of services.* Linn County, through the Building Division of the Planning and Development Department, shall provide services to administer and enforce the Construction Codes of the City of Mount Vernon for all projects requiring inspections, plan review and certificates of occupancy as specified in the City's adopted Construction Codes.

**3. DEFINITIONS:**

As used in this Agreement, the following terms are defined:

*Building Division:* The Building Division of the Linn County Planning and Development Department.

*Building Official:* The Linn County Building Official who is the designated authority charged with the administration and enforcement of the Linn County *Construction Codes*.

*City:* The City of Mount Vernon, Iowa.

*Construction Codes:* The current version of Chapter 105, Buildings and Building Regulations: Article I (In General), Article II (Construction Regulations), Article III (Electrical Installations), Article IV (Mechanical Systems), and Article V (Plumbing); and the current version of Chapter 12, Fire Prevention and Protection; of the Linn County Code of Ordinances as adopted by Linn County, Iowa including amendments and recodifications in effect at the time of permit application.

*County:* The County of Linn, Iowa.

*Inspectors:* The Combination Building Inspectors employed with the Linn County Building Division under the direction of the Linn County Building Official.

*Permit:* Permits issued in accordance with the referenced *Construction Codes* for work within the city limits of the City. The provisions of this Agreement are determined to supersede and fulfill the requirements of Chapter 152, Building Permits, for the City.

#### **4. PROCEDURES AND FEES**

*4.1. Place of application.* Permit applications shall be made at Linn County Planning and Development, 935 2<sup>nd</sup> Street Southwest, Cedar Rapids, IA, in accordance with the County's procedures and requirements. For each permit, the City shall provide the County with a copy of the approved zoning site plan and floodplain permit, as applicable.

*4.2. Permit issuance.* The County shall issue permits in accordance with its procedures and requirements. Permits will be issued when the construction drawings have been reviewed by the Building Official or designee for compliance with the *Construction Codes*.

*4.3. Fees.* Permit and inspection fees shall be the same for City Permits as for County Permits and shall be determined in accordance with the Linn County Building Regulations Fee Schedule in effect at the time of this Agreement or as amended by Resolution of the Linn County Board of Supervisors. Fees are due and payable to Linn County Planning and Development at the time of application.

4.4. *Fees for Saturday inspections.* Saturday inspection fees will be charged to the individual requesting the inspection at one-and-one-half times the hourly rate based upon the current hourly wage rate of the personnel required, plus overhead costs for fringe benefits, office administration and transportation, with a (3) hour minimum charge, subject to change based on current fee & pay grade schedule. The County reserves the right to request an increase in charges if the current rate does not fully cover the County's costs. Saturday inspections must be requested at least 24 hours prior to the close of business on Friday.

4.5 *Construction Codes incorporated by reference.* The City hereby incorporates by reference into the *Code of Ordinances of the City of Mount Vernon, Iowa* the *Construction Codes* as defined in this Agreement.

## 5. INSPECTIONS

5.1. *Types of inspections.* The County shall provide inspections in accordance with the adopted *Construction Codes*. Inspections shall include footings; setbacks; electrical service; gas piping; rough inspections for framing, electrical, mechanical, and plumbing work; final inspections; and all other inspections required by the *Construction Codes*.

5.2. *Requests for inspections.* Inspection requests shall be made by the permit applicant or an authorized representative. Requests may be made online or by telephone to the Linn County Building Division between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday. Twenty-four hour notice is required prior to an inspection.

5.3. *Inspection times.* Inspections will be conducted by the County Inspectors approximately between the hours of 9:30 a.m. and 3:30 p.m., Monday through Friday. The County reserves the right to modify this inspection schedule to accommodate the Inspectors' schedules.

## 6. ENFORCEMENT

6.1. *Administration of Construction Codes by County.* Administration and enforcement of the *Construction Codes* shall be by the County in accordance with the administrative provisions of the *Construction Codes*.

6.2. *Prosecution of violations by City.* Prosecution of violations of the *Construction Codes* cited by the County in the enforcement of the *Construction Codes* shall be by the City.

## 7. ZONING & FLOODPLAIN MANAGEMENT

7.1. *Zoning approval by City.* Enforcement of the City zoning ordinance shall be by the City. The City shall provide copies of an approved zoning site plan / zoning

permit for each new building or addition that increases the building footprint, or for any change in use or occupancy of any existing building.

*7.2. Setback inspection.* County Inspectors shall confirm that the location of new buildings or additions meet the minimum setbacks shown on the approved site plan during the footing inspection.

*7.3. Information provided by City.* The City shall provide to the Building Division copies of City maps or other information showing streets, addresses, zoning districts, property owners, and other pertinent information.

*7.4 Enforcement of floodplain regulations by City.* Enforcement of floodplain regulations shall be by the City in accordance with its adopted regulations. A copy of approved floodplain development permits, as required by the City's floodplain regulations, shall be provided to the County.

## **8. RECORDS**

*8.1. Records maintenance.* The County shall maintain records of Permits, beginning with the effective date of this Agreement, for a period of five years from the issuance date, unless this agreement is terminated sooner.

*8.2. Permit activity reports.* The County shall provide, if requested, quarterly reports to the City of permit activity in the City. The reports shall include the number and type of permits issued, and the valuation of the projects. Other information may be included in the reports as mutually agreed.

## **9. HOLD HARMLESS**

The City of Mount Vernon shall hold harmless, indemnify, and defend all claims and suits for liability against Linn County and any of its employees arising as a result of any services performed by Linn County under this Agreement.

## **10. APPEALS**

*10.1. Appeals of determinations.* Appeals of decisions or determinations of the Building Official relative to the application and interpretation of the *Construction Codes* shall be heard by the City's Building Board of Appeals

*10.2. Written reports and determinations.* The Building Official shall provide a written report to the Building Board of Appeals in advance of the hearing; the City shall provide written findings and decisions regarding the disposition of any appeal to the Building Official.

**11. AMENDMENTS**

Any portion of this Agreement may be amended at any time, as mutually agreed, by Resolution of the County Board of Supervisors and Resolution of the City Council.

**12. DURATION OF AGREEMENT; TERMINATION**

*12.1. Continuation and termination of Agreement.* This Agreement shall continue until terminated by either the County or the City. Either the County or the City may terminate this Agreement at any time by providing written notice at least three months prior to the termination date. Written notice shall be a certified copy of a resolution by the County Board of Supervisors or the City Council.

*12.2. County not obligated after termination date.* The County shall not be obligated to perform inspections after the termination date for permits that are applied for or issued prior to the termination date.

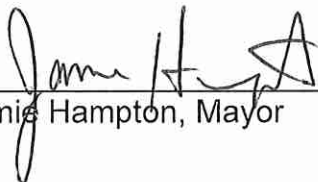
*12.3 Partial refund of fees after termination date.* Upon termination, fees collected for issued permits will be refunded on a prorated basis, as determined by the County Building Official, for the work completed and inspected.

**13. EFFECTIVE DATE**

The effective date of this Agreement is November 1, 2018.

City of Mount Vernon, Iowa

County of Linn, Iowa

  
\_\_\_\_\_  
Jamie Hampton, Mayor

\_\_\_\_\_  
John Harris, Chair  
Linn County Board of Supervisors

Attest:

  
\_\_\_\_\_  
Chris Nosbisch, City Administrator

\_\_\_\_\_  
Joel Miller, Auditor