



Doc ID: 021803780011 Type: GEN
Recorded: 06/18/2015 at 02:58:51 PM
Fee Amt: \$0.00 Page 1 of 11
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **9278** PG **193-203**

Prepared by Les Beck
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2161
(319) 892-5130

* Return to Auditor's Office

No fee

LINN COUNTY ORDINANCE # 9-6-2015

**THE LINN COUNTY CONSTRUCTION REGULATIONS,
CHAPTER 3,
LINN COUNTY CODE OF ORDINANCES**

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa, that the Linn County Construction Regulations, as codified in Chapter 3 of the Linn County Code of Ordinances, is hereby repealed, and in its place is enacted Linn County Ordinance # 9-6-2015 as attached and set out in full hereafter.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SEVERABILITY. If any section, provision, or part of this Ordinance shall be adjudged to be 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.

EFFECTIVE DATE. These amendments shall become effective on July 1st, 2015.

Passed and approved this 17th day of June, 2015.

It was moved by Rogers and seconded by Harris that the Ordinance as read be adopted, and upon roll call there were:

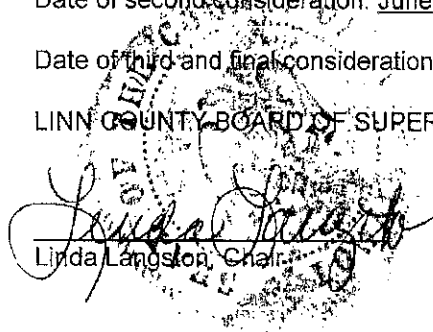
<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	
✓	—	—	Harris
✓	—	—	Houser
✓	—	—	Langston
✓	—	—	Oleson
✓	—	—	Rogers

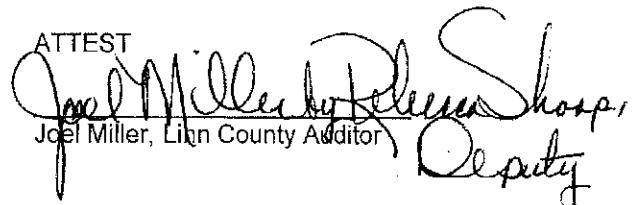
Date of public hearing and first consideration: June 3, 2015

Date of second consideration: June 10, 2015

Date of third and final consideration: June 17, 2015

LINN COUNTY BOARD OF SUPERVISORS


Linda Langston, Chair

ATTEST

Joel Miller, Linn County Auditor
Deputy

**CHAPTER 3
LINN COUNTY CONSTRUCTION REGULATIONS
TABLE OF CONTENTS**

3.1 International Construction Codes Adopted, Title

3.2 Amendments to the International Building Code, the International Residential Code and the International Swimming Pool and Spa Code

- 3.2.1 Name of Jurisdiction
- 3.2.2 IRC Work Exempt
- 3.2.3 IBC Work Exempt
- 3.2.4 Substantially Improved or Substantially Damaged Structures
- 3.2.5 Expiration
- 3.2.6 Post Frame Buildings
- 3.2.7 Fees
- 3.2.8 Valuation
- 3.2.9 Work Commencing Before Permit Issuance
- 3.2.10 Certificate Issued
- 3.2.11 Board of Appeals
- 3.2.12 Definition: Attic, Habitable
- 3.2.13 Climatic and Geographic Design Criteria
- 3.2.14 Ground Snow Loads
- 3.2.15 Townhouse Separation
- 3.2.16 Fire Protection of Floors
- 3.2.17 Emergency Escape and Rescue Openings-Sill Height
- 3.2.18 Risers
- 3.2.19 Window Fall Protection
- 3.2.20 IRC Fire Sprinkler Systems
- 3.2.21 Foundation Drainage Systems
- 3.2.22 Frost Protection
- 3.2.23 Foundation Drainage, Concrete or Masonry Foundations
- 3.2.24 Water Resistive Barrier
- 3.2.25 Sewer Depth

3.3 Limitations of Regulations

3.4 Effective Date

LINN COUNTY CONSTRUCTION REGULATIONS

3.1 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, 2015 Edition, the International Residential Code, 2015 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 Linn County and shall be known as the **Linn County Construction Regulations**.

3.2 Amendments to the *International Building Code* and the *International Residential Code*.

Certain sections, and portions of sections, of the *International Building Code, 2015 Edition* (hereinafter IBC), and the *International Residential Code for One- and Two- Family Dwellings, 2015 Edition* (hereinafter IRC) are hereby amended, deleted, modified or added to as set forth below.

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

3.2.2 IRC Work Exempt. Amend IRC **Section R105.2 Work Exempt from Permit; Building** by deleting item 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 6 feet high unless supporting a surcharge.
10. Decks not exceeding 200 square feet in area, that are not more than 30 inches above *grade* at any point, are not attached to any structure and do not serve any door.

3.2.3 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 6 feet high and not supporting a surcharge or impounding Class I, II, or III liquids.

3.2.4 Substantially Improved/Substantially Damaged. Delete IRC R105.3.1.1 **Substantially Improved or Substantially Damaged Existing Buildings and Structures**, without substitution.

3.2.5 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 twelve (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 or her agent and by payment of a renewal fee as set forth in the Linn County Building Division Permit fee Schedule as adopted by resolution of the Linn 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 (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.

3.2.6 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: 1. Floor area of 1,000 square feet or less; 2. Eave height of 12 feet or less; 3. Pole spacing of 8 feet or less.

107.6.1 and R106.6.1 Plans. Plans shall be drawn to a scale of not less than 1/4" 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 2015 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 2015 International Building Code and indicate the applicable design criteria from Section 107.6.3 or R106.6.3 above.

3.2.7 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 Linn 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 Linn 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 Linn County Board of Supervisors.

3.2.8 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 with reference to the Linn County Valuation Schedule and submitted documents.

3.2.9 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 be 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.

3.2.10 Certificate Issued. Delete IBC 110.3 and IRC R110.3 criteria number 3 Certificate Issued without substitution.

3.2.11 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 (5) members, none of whom are employees of Linn County. One (1) member shall be a registered architect or licensed engineer in the State of Iowa; one (1) member shall be a general construction contractor; one (1) member shall be a journeyman carpenter; and two (2) members shall be private citizens, all of whom shall be residents of the County of Linn, Iowa. 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 (3) years, with the terms of not more than two (2) 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.

3.2.12 Definitions. Attic, Habitable. In the IRC R202, delete the definition for **Attic, Habitable**, without substitution.

3.2.13 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

3.2.14 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

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDER-LAYMENT 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	April 5, 2010	1784	48.9

the design snow loads for roofs shall be 30 pounds per square foot.

3.2.15 Townhouses. Delete **R302.2 Townhouses** and replace as follows:

R302.2 Townhouse Separation. Townhouses shall be separated by fire-resistance-rated wall assemblies meeting the requirements of **R302.2, Item 1 or 2.**

1. A common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapter 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

2. Two independent 1-hour fire-resistance rated wall assemblies tested in accordance with ASTM E 119 or UL 263. Each wall shall be rated for exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Wall membrane penetrations shall be in accordance with Section R302.4.

3.2.16 Fire Protection of Floors. Delete R302.13 without substitution.

3.2.17 Emergency Escape and Rescue Openings. Add to **IBC 1030.3 Maximum Height from Floors** and **IRC R310.2.2 Window Sill Height** the following exception:

Exception: Basement escape windows required for remodel or finish of rooms in existing buildings may have window sill height measured from an elevated landing not less than 36 inches wide, extending not less than 18 inches out from the interior finish of the exterior wall and not more than 24 inches in height. The landing shall be permanently affixed to the floor below and the wall under the window it serves.

3.2.18 Risers. Add **Exception 3** to **IRC R311.7.5.1 Risers** as follows:

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

3.2.19 Window Fall Protection. Delete IBC 1013.8 and IRC R312.2 without replacement.

3.2.20 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 4000 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 4000 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% 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.

3.2.21 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 Linn 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 (2) feet from the outside foundation wall.
- (f) Where ground water conditions warrant, the Building Official may require additional drainage tile as may be deemed necessary.

3.2.22 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 10 inches wide by 10 inches high. The thickened portion shall have continuous reinforcing with a minimum of one No. 4 reinforcing bar at the top and bottom. Reinforcement of the slab shall be 6 inch by 6 inch welded wire mesh or a minimum of No. 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 (6) inches above finish grade and have eaves not more than 10 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.

3.2.23 Foundation Drainage, Concrete or Masonry Foundations. Delete the Exception to IRC R405.1, Concrete or masonry foundation drainage, without replacement.

3.2.24 Water Resistive Barrier. Delete the last sentence in the IRC 703.2.

3.2.25 Sewer Depth. Delete IRC P2603.5.1 **Sewer Depth** without substitution.

3.3 Limitations of Regulations

The Building Regulations shall not apply:

1. Within the limits of any incorporated city or town unless specifically adopted in the city or town.
2. To structures exempt under the provisions of Chapter 331.304, Code of Iowa.

3.4 Effective Date

This Ordinance shall be in full force and effect July 1, 2015.