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Linn County Iowa
JOAN MCCALMANT RECORDER

BK **9278** PG **182-186**

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* Return to Auditor's Office

No fee

LINN COUNTY ORDINANCE # 7-6-2015

**THE LINN COUNTY FIRE REGULATIONS
CHAPTER 32,
LINN COUNTY CODE OF ORDINANCES**

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa, that the Linn County Fire Regulations, as codified in Chapter 32 of the Linn County Code of Ordinances, is hereby repealed, and in its place is enacted Linn County Ordinance # 7-6-2015 as attached and set out in full hereafter.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 All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.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>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Harris
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Houser
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Langston
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Oleson
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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
Linda Langston, Chair

ATTEST
Joel Miller
Joel Miller, Linn County Auditor
Shoop, Deputy

CHAPTER 32
LINN COUNTY FIRE REGULATIONS
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LINN COUNTY FIRE REGULATIONS

32.1 International Fire Code Adopted

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*, 2015 Edition, as published by the International Code Council, and shall be known as the **Linn County Fire Regulations**.

32.2 Modifications of the International Fire Code

Certain sections, and portions of sections, of the *International Fire Code*, 2015 Edition (hereinafter IFC) are hereby amended, deleted, modified or added as set forth below.

32.2.1 **TITLE.** Insert the following into IFC Section **101.1, Title**:

Linn County, Iowa

32.2.2 **APPLICATIONS AND PERMITS.** Delete IFC Section **104.2, Applications and permits**, without substitution.

32.2.3 **OFFICIAL RECORDS.** Delete IFC Section **104.6 Official Records**, without substitution.

32.2.4 **FIRE INVESTIGATIONS.** Delete IFC Section **104.10 Fire Investigations**, without substitution.

32.2.5 **AUTHORITY AT FIRES.** Delete IFC Section **104.11 Authority at fires and other emergencies**, without substitution.

32.2.6 **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.

32.2.7 **BOARD OF APPEALS.** Delete IFC Section **108 Board of Appeals**, and add the following:

Section 108 Board of Appeals

Section 108.1 Board of Appeals. The Linn County Building Board of Appeals, as established in the Linn County Building Regulations, Chapter 3 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 108.2 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 108.3 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 Board of Supervisors.

32.2.8 VIOLATION PENALITES. Delete IFC Section **109.4 Violation penalties**, and add the following:

Section 109.4 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 Chapter 19 of the Linn County Code of Ordinances.

109.4.1 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.

32.2.9 FAILURE TO COMPLY. Delete IFC Section **111.4 Failure to comply**, and add the following:

Section 111.4 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 Chapter 19 of the Linn County Code of Ordinances.

32.2.10 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 CHIEF. The Building Official or other designated authority charged with the administration and enforcement of this code, or any duly authorized representative

FIRE CODE OFFICIAL. The Building Official or other designated authority charged with the administration and enforcement of this code, or any duly authorized representative

32.2.11 ASPHALT KETTLES. Delete IFC Section **303 Asphalt Kettles**, in its entirety without substitution.

32.2.12 OPEN BURNING. Delete IFC Section **307 Open Burning and Recreational Fires**, in its entirety without substitution.

32.2.13 SMOKING. Delete IFC Section **310 Smoking**, in its entirety without substitution.

32.2.14 EMERGENCY PLANNING. Delete IFC **Chapter 4 Emergency Planning and Preparedness**, in its entirety without substitution.

32.2.15 FIRE APPERATUS ACCESS ROADS. Delete IFC Section **503 Fire Apparatus Access Roads**, in its entirety without substitution.

32.2.16 WATER SUPPLY. Delete IFC Section **507 Fire Protection Water Supply**, in its entirety without substitution.

32.3 Limitations of Regulations

The Fire Regulations shall not apply within the limits of any incorporated city or town.

32.4 Effective Date

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