

SCOTT COUNTY ORDINANCE NO. 11-_____

**AN ORDINANCE TO REPEAL CHAPTER 5 OF THE SCOTT COUNTY CODE AND
ADOPT A NEW CHAPTER 5 WHICH ADOPTS THE LATEST EDITIONS OF
VARIOUS CONSTRUCTION CODES FOR ALL NEW BUILDINGS AND VARIOUS
STRUCTURES IN THE UNINCORPORATED AREA SCOTT COUNTY AND CERTAIN
CITIES WITHIN SCOTT COUNTY**

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. Repeal all of Chapter 5, SCOTT COUNTY CODE, 2007.

Section 2. Adopt a new Chapter 5 SCOTT COUNTY CODE, which reads as follows:

Chapter 5
CONSTRUCTION CODES

SECTIONS:

- 5-1 TITLE
- 5-2 SCOPE
- 5-3 LIMITATIONS
- 5-4 ADOPTION OF CONSTRUCTION CODES
- 5-5 AMENDMENTS TO THE INTERNATIONAL BUILDING CODE
- 5-6 AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE
- 5-7 AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE
- 5-8 AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE
- 5-9 AMENDMENTS TO THE NATIONAL ELECTRIC CODE
- 5-10 AMENDMENTS TO THE UNIFORM PLUMBING CODE
- 5-11 AMENDMENTS TO THE UNIFORM MECHANICAL CODE
- 5-12 BUILDING PERMIT FEE SCHEDULE
- 5-13 VIOLATIONS UNDER PRIOR CODE
- 5-14 NO WHOLESALE ADOPTION OF STATE BUILDING CODE
- 5-15 MUNICIPAL INFRACTION

SECTION 5-1 TITLE

This Chapter shall be known and referred to collectively as the Scott County International Construction Code.

SECTION 5-2 SCOPE

No building or structure hereafter shall be used, erected, constructed, repaired, moved or demolished unless it fully complies with the requirements of this Ordinance. Notwithstanding the foregoing, buildings and structures in existence at the time of the adoption of this Ordinance may have their existing use or occupancy continued, if such use or occupancy complies with the provisions of the Code in effect when initiated, provided however that such continued use is not determined to be dangerous to health, life and safety.

SECTION 5-3 LIMITATIONS

This Ordinance shall not apply within the incorporated area of a City except at the option of the City and in accordance with an agreement with the County. Also, except to the extent required to implement Section 6.18 of the Scott County Code (General Provisions of the Floodplain Districts) no provisions of this Chapter shall be construed to apply to farm houses, farm barns, farm outbuildings, or other buildings or structures which are primarily adapted, by reason of nature and area for use for agricultural purposes as defined by Section 6-5 of the Scott County Code (Zoning Definitions). It shall be the responsibility of any person or group claiming that certain property is entitled to exemption on the basis of this Section to demonstrate that the property and buildings are primarily adapted and used for agricultural purposes by a farmer.

SECTION 5-4 ADOPTION OF CONSTRUCTION CODES

The International Building Code 2009 Edition, the International Residential Code 2009 Edition, the International Energy Conservation Code 2009 Edition, National Electrical Code 2008 Edition, International Property Maintenance Code 2009 Edition and related codes as referenced, are hereby adopted in full except for such portions as may hereinafter be deleted, modified, or amended. An official copy of the International Building Code 2009 Edition, International Residential Code 2009 Edition, International Energy Conservation Code 2009 Edition, International Property Maintenance Code 2009 Edition, National Electrical Code 2008 Edition, the Uniform Plumbing Code 2009 Edition, and the Uniform Mechanical Code 2009 Edition are on file in the office of the Planning and Development Department for public inspection. If any conflict exists between the adopted International Codes, National Electrical Code, Uniform Codes, and State Codes, the more restrictive code requirement applies.

SECTION 5-5 AMENDMENTS TO THE INTERNATIONAL BUILDING CODE

The following amendments, modifications, additions and deletions to the International Building Code 2009 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the municipality in those parts of the codes where such insertions are necessary or appropriate.
- (b) All references to the building line and zoning are void, and the subject matter of the Revised Zoning Ordinance of Unincorporated Scott County. (Chapter 6 of the Scott County Code of Ordinances) shall be applicable.
- (c) **105.5 Expiration.** Insert after first sentence: All work must be completed within one (1) year of date of issuance of a permit. Insert after final sentence: A permit extension shall be one half the original fee or based on work to be completed.

- (d) **109.4 Work commencing before permit issuance.** Add second sentence: This fee shall be equal to the permit fee of the entire project and added to the original permit fee.
- (e) Delete **Chapter 11 Accessibility** in its entirety and replace with Chapter 16 - Iowa State Building Code (January 1, 2004), Division VII, Accessibility Rules and Regulations for the Physically Handicapped Section 661-16.720 (103A, 104A).
- (f) Delete **Chapter 28 Mechanical Systems** in its entirety, and replace all references with references to the 2009 Uniform Mechanical Code as promulgated by IAPMO, and its amendments.
- (g) Delete **Chapter 29 Plumbing Systems** in its entirety, and replace all references with references to the 2009 Uniform Plumbing Code as promulgated by IAPMO, and its amendments.
- (h) Delete **Appendices A, B, C, D, E, F, and H** in their entireties.
- (i) Delete **Chapter 27 Electrical** in its entirety- replace with reference to the 2008 National Electric Code.

SECTION 5-6 AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE

The following amendments, modifications, additions and deletions to the International Residential Code 2009 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the jurisdiction in those parts of the codes where such insertions are necessary or appropriate.
- (b) All references to the building line and zoning are void, and the subject matter of the Revised Zoning Ordinance of Unincorporated Scott County. (Chapter 6 of the Scott County Code of Ordinances) shall be applicable.
- (c) **R105.5 Expiration.** Insert after first sentence sentence: All work must be completed within one (1) year of the date of issuance of a permit. Insert after final sentence: A permit extension shall be one half the original fee or based on work to be completed.
- (d) **R108.6 Work commencing before permit issuance.** Add second sentence: This fee shall be equal to the permit fee of the entire project and added to the original permit fee.
- (e) Delete **R105.2 (1)** in its entirety and replace with the following:
R105.2 (1) One-story detached accessory structures, provided the floor area does not exceed 120 square feet.
- (f) Delete **R105.2 (10)** in its entirety.

- (g) The following information is added to **Table R301.2 (1)**:

Roof Snow Load:	P.s.=30 PSF P.g.=25 PSF Ground snow load
Wind Speed: Basic	75 mph
Wind Loading:	90 mph, 3 Second Gust @ 33 ft Above Grade
Seismic Design Category:	A
Weathering:	Severe
Frost line depth:	42"
Termite:	Moderate to Heavy
Decay:	Moderate to Severe
Winter Design Temp:	-4
Flood Hazards:	Adopted FIRM

- (h) Delete **R313.2** one and two family dwellings automatic fire system.
- (i) **R305.5 Ceiling height.** Add exception: 3. Ceilings may have projections to within 6 feet 6 inches of the finished floor for an area not to exceed 50% of the floor area of the room in which the projection is in.
- (j) **R315.1 Carbon monoxide alarms.** Change: For new construction an approved carbon monoxide alarm shall be installed outside of each separate sleeping area within 15 feet of the door to the bedroom in dwelling units within which fuel fired appliances are installed and in dwelling units that have attached garages.
- (k) Delete **Tables R403.1 R404.1.1 (1)** and replace with the following **Table R403.1**:

Number of Floors Supported By the Foundation	Thickness of Foundation Walls (inches)		Minimum Width Footing (inches)	Thickness of Footing (inches)	Minimum Depth of Foundation Below Natural Surface of Ground or Finish Grade (whichever is lower)
	Unit Concrete	Masonry			
1	8	8	16	8	42 inches
2	8	8	16	8	42 inches
3	10	12	18	12	42 inches

- (l) **R403.1.1 Minimum size.** Change the third sentence to read: spread footings shall be at least 8 inches (200 mm) in thickness.

- (m) Add new section: **R403.1.1.1 Footings requirements for decks without roof support.** All decks shall have a minimum footing size of 12 inches in diameter and 42 inches in depth.
- (n) Add new section **403.1.1.2 Footing requirement for covered decks and room additions.** All covered decks, screened porches; three season rooms, four season rooms, and room additions shall have one of the following:
 - 1. Pier footings designed by a design professional
 - 2. 12 inch wide trench footing 42 inch in depth
 - 3. Spread footing 42 inches in depth with a minimum 8 inch masonry wall or concrete foundation wall
- (o) Add new section **403.1.1.3 Footing requirement for accessory buildings.** A one-story wood frame building used for private garage, accessory to a single family dwelling and not over 720 square feet in floor area may be constructed on a floating slab-on-grade provided the following conditions are met: A concrete perimeter grade-beam, twelve inches deep and twelve inches wide and reinforced with two 1/2" reinforcement bars tied and chaired shall be installed to support the exterior walls. A minimum four-inch thick concrete floor slab reinforced with wire mesh or fiber mesh shall be installed within the perimeter beam and shall be formed to allow a continuous pour consisting of the required grade beam and floor.

Exception: Buildings or portions of buildings containing mechanical installations and connected to underground utilities shall be supported on a continuous, frost-free foundation capable of resisting the movement of the slab-on-grade.
- (p) Add figures to: **R404.1.2.3.7.2. Location of reinforcement in wall.** Figures **R404.1.2.3.7.2(a), R404.1.2.3.7.2(b), R404.1.2.3.7.2(c) American Concrete Institute Publication #332-04.**
- (q) Delete **Chapters 25-32** of the IRC in their entirety, and replace all references with references to the 2009 Uniform Plumbing Code as promulgated by IAPMO and all amendments adopted by Scott County Iowa.
- (r) Delete **Appendices F and I.**
- (r) Delete **Chapters 34-43** of the IRC in their entirety, and replace with references to the 2008 National Electric Code.
- (s) Delete **Chapters 12-23** of the IRC in their entirety, and replace all references to the 2009 Uniform Mechanical Code as promulgated by IAMPO and all amendments adopted by Scott County.

SECTION 5-7 INTERNATIONAL PROPERTY MAINTENANCE

The following amendments, modifications, additions and deletions to the International Property Maintenance Code 2009 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the municipality in those parts of the codes where such insertions are necessary or appropriate.
- (b) **Section 101.1** Insert Scott County
- (c) **Section 112.4** Insert not less than \$250.00 or more than \$375.00.
- (d) Delete **Sections 103, 302, 303, 308, 309 and Chapters 4 through 8 and Appendix A**

SECTION 5-8 INTERNATIONAL ENERGY CODE

The following amendments, modifications, additions and deletions to the International Energy Code 2009 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the municipality in those parts of the codes where such insertions are necessary or appropriate.
- (b) **Section 101.1** Insert Scott County
- (c) **Section 108.1** Insert not less than \$250.00 or more than \$375.00

SECTION 5-9 NATIONAL ELECTRIC CODE

The following amendments, modifications, additions and deletions to the National Electric Code 2008 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the municipality in those parts of the codes where such insertions are necessary or appropriate.
- (b) Add to **Section 210.52(D)** third sentence: No outlet or switch shall be located closer than three (3) feet from the edge of a tub or shower. Exception: Authority having jurisdiction may allow installation closer than three (3) feet to a tub or shower providing the line side of the circuit is GFCI protected.
- (c) Add to **Section 220.14 Other loads-All occupancies.** (M) Maximum number of outlets per circuit; except as otherwise provided, the maximum number of outlets per circuit shall be:
 - (1) Lighting outlets in dwelling occupancies twelve (12)
 - (2) General use receptacles-all dwelling occupancies ten (10)

- (3) General use receptacles-all dwelling kitchen countertops two (2)
- (d) Change: **Section 230.91 Service-Entrance Conductors inside Structures. Location of overcurrent protection.** The service overcurrent device shall be connected by no more than ten (10) feet of raceway from the meter device, in structures.
- (e) Delete in its entirety the existing **334.10 Uses permitted** and replace with the following: **Section 334.10 Uses permitted.** Type NM and Type NMC cable, minimum size #12 copper or equivalent shall be permitted to be used in one family and two family dwellings. All service and sub-feeds shall be installed in a raceway. Exception: One-family and two-family dwellings not exceeding three (3) stories in height may utilize #12 NM or NMC cable or larger without raceways for subfeeds.
- (f) Add **334.12 (B) (5) Uses Not Permitted.** Type NM and Type NMC cable shall not be used in any commercial or industrial application.
- (g) Add **404.4 (2) Wet Locations.** Insert after third sentence: In no case shall any outlet, switch or unapproved fixture be installed within the restricted tub or shower zone. The zone is all encompassing and includes the space directly over the tub or shower and extends three (3) feet from the side and eight (8) feet above the top of the tub rim and shall be considered minimum distance from said tub or shower.
- (h) Add **Section 300.4 (A) (3). Protection against physical damage.** All wiring in sidewalls shall be protected from the floor to the bottom of the floor joist above or bottom cord of the truss above by an approved conduit or covering. All wiring in ceilings less than eight (8) feet shall be protected by an approved conduit or covering.
- (i) Delete in its entirety existing **210.8 (A)** and replace with **210.8 (A) from the 2005 N.E.C.**
- (j) Change **550.11 (A)** First sentence to read: A single disconnecting means shall be provided outside each mobile home consisting of a circuit breaker or a switch and fuse and its accessories installed within ten (10) feet of the point of entrance of the supply cord or conductors into the mobile home.
- (k) Add to **Section 394.10 (3) Installations** In cases where a new electrical service is installed on an existing building and/or if an existing building is partially rewired, any remaining knob and tube circuits and branch circuits that are partially knob and tube shall be connected to a maximum fifteen (15) ampere over current device.
- (l) Add **Chapter 10 REWIRE:** 10.1(A) Change or upgrade of electric service or panel; (1) Ground electrical panel within five (5) feet of incoming water service and install water meter bonding jumper; (2) Ground Rod installed on outside of house with a 5/8" diameter copper, 8' ground rod. #6 AWG copper grounding electrode conductor to the service panel not to run in service entrance conduit. (3)

Provide GFCI receptacle in bathroom(s) and within six (6) feet of all sink; (4) Install all required battery smoke and carbon monoxide detectors; (5) Remove any damaged or deteriorated exposed knob and tub wiring. All remaining knob and tube must be on a 15 amp breaker or fuse.

10.1 (B) Utility reconnect: (1) Ground electrical panel and install water meter bonding jumper using #6 AWG copper for 100 amp/#4 for 200 amp panels; (2) Ground rod if installed must be connected properly; (3) Provide GFCI receptacle in bathroom(s) and within six(6) feet of all sinks; (4) Install battery powered smoke detectors and carbon monoxide detectors are required if not already in place; (5) Electrical panel and all electrical boxes must have covers in place; (6) no exposed or improper wiring anywhere in dwelling.

10.1 (C) Additions and remodels for existing dwellings. (1) GFCI receptacles at front and rear of house; (2) GFCI receptacles above kitchen counters; (3) GFCI protected outlets in all bathroom(s) (4) Provide grounded or GFI protected laundry outlet; (5) battery powered smoke and carbon monoxide detectors to meet current code, although 120v interconnected battery backup systems are recommended.

SECTION 5-10 UNIFORM PLUMBING CODE

The following amendments, modifications, additions and deletions to the Uniform Plumbing Code 2009 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the municipality in those parts of the codes where such insertions are necessary or appropriate.
- (b) Add **1017.3 Floor drains in private garages.** All private garages with floor drains are required to run to daylight or an approved oil separator.

SECTION 5-11 UNIFORM MECHANICAL CODE

The following amendments, modifications, additions and deletions to the Uniform Mechanical Code 2009 are hereby made:

- (a) Iowa is inserted as the name of the state and Scott County as the name of the municipality in those parts of the code where such insertions are necessary or appropriate.
- (b) Delete **912.0 through 912.12 Floor Furnaces.**

SECTION 5-12 BUILDING PERMIT FEE SCHEDULE

The following addition to the International Building Code 2009 **Section 109.2 Schedule of Fees** and the International Residential Code 2009 **Section R108.2 Schedule of Fees** is hereby made:

Before a building permit is issued, the inspection and/or other fee(s) shall be paid. The following fees are determined for a building permit, based on the estimated value of the work. The building inspector shall have the right to verify or correct the estimated cost of any building, structure, alteration or addition. Permits are valid for one year from date of issuance subject to other requirements in IBC Section 105 and IRC Section R105.

Schedule of Fees

TOTAL VALUATION	FEES
\$1.00 to \$1,000.	\$50.00
\$1,001 to \$5,000.	\$50.00 for the first \$1,000, plus \$7.00 for each additional \$500.00 or fraction thereof up to \$5,000.
\$5,001.00 to \$25,000.00	\$106.00 for the first \$5,000.00, plus \$13.00 for each additional \$1,000.00 or fraction thereof, up to \$25,000.
\$25,001.00 to \$50,000.00	\$366.00 for the first \$25,000.00, plus \$10.00 for each additional \$1,000.00 or fraction thereof, up to \$50,000.
\$50,001 to \$100,000.00	\$616.00 for the first \$50,000.00, plus \$8.00 for each additional \$1,000.00 or fraction thereof, up to \$100,000.00
\$100,001.00 to \$500,000.00	\$1016.00 for the first \$100,000.00, plus \$7.00 for each additional \$1,000.00 or fraction thereof up to \$500,000.00
\$500,001 to \$1,000,000.00	\$3816.00 for the first \$500,000.00, plus \$5.00 for each additional \$1,000.00 or fraction thereof up to \$1,000,000.
\$1,000,001 and up	\$5308.00 for first \$1,000,000, plus \$4.00 for each additional \$1,000 or fraction thereof.

- (a) Governmental, charitable, religious and non-profit organizations receive a 50% discount off building permit fee.
- (b) Re-inspection fees, additional trip fees \$50.00 per trip
- (c) Installation permit for Mobile Home Park
 - Single wide \$100.00
 - Double wide \$150.00
- (d) Residential siding permit \$50.00
- (e) Residential roofing permit \$50.00
- (f) Demolition of structure \$50.00
- (g) Renewal or extension of any permits, one half of original permit fee but in no event less than \$50.00
- (h) Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. The investigation fee shall be equal to the amount of the permit fee required by this code.

SECTION 5-13

VIOLATIONS UNDER PRIOR CODE

Any building or structure in violation of predecessor Scott County Construction Codes remains in violation unless the successor construction codes eliminate the violation by a change of standards or rules.

SECTION 5-14

NO WHOLSALE ADOPTION OF STATE BUILDING CODE

Although the Scott County International Construction Code contain sections of the Iowa State Building Code, there is no intention of adopting the State Building Code within the meaning of Section 103A & 104A, Code of Iowa 2009

SECTION 5-15

MUNICIPAL INFRACTION

Any person, persons, firm, partnerships or corporations, whether acting alone or in concert with any other, who violates this Ordinance shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 29 of the County Code of Scott County, Iowa.

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office and publish the new ordinance in accordance with State Law.

Section 4. Severability Clause. If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its passage and publication as by law provided.

Approved this _____ day of _____, 2011.

Tom Sunderbruch, Chairman
Scott County Board of Supervisors

Roxanna Moritz, County Auditor