

CHAPTER 300

BUILDING CODES

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300.01 TITLE AND PURPOSE. This chapter shall be known and may be cited and referred to as the “Monona County Building Code,” may be cited as such, and is referred to herein as the “Building Code.” The purpose of this Code is to provide minimum standards for the protection and safeguard of life and limb, health, property, and the general public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings, structures and domiciles and certain equipment specifically regulated therein.

300.02 WARNING. No person shall place reliance upon this chapter, any inspections performed or certificates issued pursuant to this chapter, as indicating the safety of or quality of construction of any particular premises. Neither this chapter nor inspections made pursuant thereto nor certificates issued are intended to assume the duty of any person to adequately construct and maintain a premises or provide a safe premises or to, in any way, indicate a decrease in the risk associated with the use or occupancy of any premises. A certification that a premises has been inspected pursuant to this chapter shall not in any way constitute a warranty or guarantee of the safety or quality of that premises.

300.03 JURISDICTION. The provisions of this Chapter shall apply to all of the unincorporated territory of Monona County, Iowa with the exception of facilities owned by the United States of American, State of Iowa, or Omaha Tribe of Nebraska. Nothing in this Chapter shall be construed to be in conflict with the State laws or the State Housing Code. In the event of such conflict, the State Law shall prevail.

300.04 EXEMPTIONS. The following activities are exempt from the requirements of this chapter:

1. Farm buildings in accordance with Section 100.04 of the Zoning Regulations.
2. One-story detached accessory structures with a floor area not exceeding 120 square feet.

3. Fences not exceeding 6 feet in height, retaining walls less than 4 feet in height unless such wall supports a structure, and sidewalks and driveway not more than 30 inches above grade and not over a basement.
4. Water tanks less than 5,000 gallons and above ground prefabricated swimming pools less than 18 inches deep.
5. Moveable cases, counters, and partitions less than five feet nine inches (5'-9") in height.
6. Finish work in include painting, papering, tiling, carpeting, cabinets, and countertops.
7. Minor electrical work and repairs where cost of material shall not exceed one hundred dollars (\$100.00).
8. The installation, alteration or repair of electrical equipment installed by or for any electrical supply agency, for the use of such agency in the generation, transmission, distribution or metering of electricity.
9. Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical or mechanical equipment or apparatus, except that this exemption shall not include any permanent wiring or plumbing.
10. Any plumbing work generally known as maintenance work, such as the repairing of leaks, the removal of stoppage in sewer or waste pipes or the repairing of faucets and closet tanks.
11. Nothing in this section shall become construed as an exception if such work includes the excavation of any part of a public street, street right-of-way without first obtaining a permit and notifying the County Engineer of such activity.

300.05 DEFINITIONS. For the purpose of this chapter, the following terms and words are defined.

1. “*Sub-slab depressurization system (Passive)*” means a system designed to achieve lower sub-slab air pressure relative to indoor air pressure by use of a vent pipe routed through the conditioned space of a building and connecting the sub-slab area with outdoor air, thereby relying on the convective flow of air upward in the vent to draw air from beneath the slab.
2. “*Sub-slab depressurization system (Active)*” means a system designed to achieve lower sub-slab air pressure relative to indoor air pressure by use of a fan-powered vent drawing air from beneath the slab.
3. “*Drain tile loop*” means a continuous length of drain tile or perforated pipe extending around all or part of the internal or external perimeter of a basement or crawl space footing.
4. “*Radon gas*” means a naturally-occurring, chemically inert, radioactive gas that is not detectable by human senses. As a gas, it can move readily through particles of soil and rock and can accumulated under the slabs and foundations of homes

where it can easily enter into the living space through construction cracks and openings.

5. “*Soil-gas-retarder*” means a continuous membrane of 6-mil (0.15 mm) polyethylene or other equivalent material used to retard the flow of soil gases into a building.
6. “*Sub-membrane depressurization system*” means a system designed to achieve lower-sub-membrane air pressure relative to crawl space air pressure by use of a vent drawing air from beneath the soil-gas-retarder membrane.

300.06 ADMINISTRATIVE PROVISIONS. Administration of this chapter shall be as provided in this section and in the following sections of the several codes names, which are herein adopted by reference, to provide procedures for local enforcement of the codes constituting the Monona County Building Code.

1. The Building Official shall be appointed by the Chairman of the Monona County Board of Supervisors, subject to approval of the Board, for the enforcement of the Building Code, and such other ordinances as shall be assigned to the Building Official. The Building Official shall also perform such other duties as may be required by the Board.
2. The Building Official shall be accountable for the issuance of all applicable permits and shall have the power to render interpretations of the Building Code and to adopt and enforce rules and regulations supplemental to the Building Code, subject to approval of the Board as the Building Official deems necessary in order to clarify the application of the provisions of the Building Code. Such rules, regulations and interpretations shall be in conformity with the intent and purpose of this chapter
3. The Building Official may waive the submission of required informational elements of a Building Permit or supplementary information when in his or her opinion such information is otherwise available or is not necessary to review an application. However, the Building Official shall not have the authority to waive any of the requirements of the Chapter 100 Zoning Regulations.
4. An official copy of all codes adopted by reference in this chapter shall be on file in the office of the Building Official. A certified copy of the Ordinance adopting this chapter shall be on file in the office of the County Auditor.
5. The Building Official or a designee as may be appointed by the Board of Supervisors is hereby designated as the Building Inspector and is charged with the responsibility for performing all of the administrative and building, mechanical, plumbing, and electrical inspection functions required by Monona County by this chapter and not otherwise delegated.
6. The Building Inspector shall have the authority to perform inspection functions and enforcing provisions of the Monona County Ordinance adopting rules for the installation of on-site wastewater treatment and disposal systems in Monona County.

300.07 SCOPE. The provisions of this chapter shall apply to:

1. New Construction
2. Existing Buildings
 - A. Additions to, alternations of, and repairs to existing buildings, if covered by this code. The Building Official may, when such additions, alterations or repairs are made, order other reasonable additions or alterations in a building, structure, or on premises, when a danger to life or property may result if such other additions or alterations were not made.
 - B. Installations, which were in compliance with the code in existence at the time such installations were made, shall be presumed to be safe and proper, which presumption can be rebutted by evident that the installation may be dangerous to life or property.
 - C. If the classification of a building has been changed due to a change in occupancy, the entire building shall comply with all the building standards applicable to the new classification. If the occupancy of a building has been changed to a mixed occupancy, with the required fire separation between the mixed occupancy, each occupancy shall comply with its own particular classification.

300.08 CODES ADOPTED BY REFERENCE. Any code adopted by reference in this chapter shall include any appendix contained in the publisher's addition of that code. A portion of the code labeled "commentary" or "explanation" or by a similar term shall be considered a statement of legislative intent, finding, purpose or explanation of the referenced provision and shall be treated as legislative history.

300.09 INTERNATIONAL BUILDING CODE, 2012 EDITION. Pursuant to published notice and public hearing, as required by law, the International Building Code, 2012 Edition, and all provisions of the International Building Code Referenced Standards, 2012 Edition, published by the International Code Council, and commonly known as the International Building Code (IBC), are hereby adopted by reference and in full except for such portions as may hereinafter deleted, modified or amended.

The following sections are hereby revised:

1. Section 109.2: Add new sentence "Fees shall be in accordance with Chapter 300.15 of the Monona County Code of Ordinances."
2. Foundations: Notwithstanding the provisions of said IBC, the following provisions shall apply:
 - A. No application for a building permit may be granted with regard to the construction of any building (except private garages, carports, sheds, storage buildings, or warehouses) wherein the plans and specifications do not provide for a concrete foundation at least forty-eight inches (48")

below grade, four (4) #4 horizontal re-rods continuous around the perimeter of structure, eight inches (8”) thick, with a minimum concrete strength of three thousand (3,000) psi. These minimum specifications shall apply in all instances except as provided is subsection 2(B) of this Section.

B. In lieu of the requirements set out is subsection 2(A) of this Section., the following alternatives may apply:

- (1) Any accessory building as defined in the Monona County Zoning Regulations, with a total floor area of five hundred seventy-six (576) square feet or less, may provide for a foundation of a floating slab type, which foundation otherwise meets the support and strength requirements provided by the IBC.
3. The provisions of Section 113.3 of said IBC are hereby amended by providing that elected officials of the County may not serve on the Board of Appeals.
4. Section 101.4 shall be amended to state “The Codes and Standards referenced in this Code shall be considered part of the requirements of this code to the prescribed extent of each such reference. The reference code for mechanical shall be in accordance with Section 300.10 of the Monona County Building Code. The reference code for electrical shall be in accordance with Section 300.11 of the Monona County Building Code. The reference code for plumbing shall be in accordance with Section 300.12 of the Monona County Building Code. When differences occur between provisions of this Code, as adopted, and referenced codes and standards, the provisions of Chapter 300 – Building Codes of the Monona County Code of Ordinances shall apply.”

300.10 INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION. Pursuant to published notice and public hearing, as required by law, the International Residential Code, 2012 Edition, published by the International Code Council, and commonly known as the International Residential Code (IRC), is hereby adopted in full except for such portions as may hereinafter deleted, modified or amended.

The following sections are hereby revised:

1. Section 109.2: Add new sentence “Fees shall be in accordance with Chapter 300.15 of the Monona County Code of Ordinances.”
2. Foundations: Notwithstanding the provisions of said IBC, the following provisions shall apply:
 - A. No application for a building permit may be granted with regard to the construction of any building (except private garages, carports, sheds, storage buildings, or warehouses) wherein the plans and specifications do

not provide for a concrete foundation at least forty-eight inches (48”) below grade, four (4) #4 horizontal re-rods continuous around the perimeter of structure, eight inches (8”) thick, with a minimum concrete strength of three thousand (3,000) psi. These minimum specifications shall apply in all instances except as provided in subsection 2(B) of this Section.

- B. In lieu of the requirements set out in subsection 2(A) of this Section., the following alternatives may apply:
1. Any accessory building as defined in Chapter 100 - Zoning Regulations of the Monona County Code of Ordinances, with a total floor area of five hundred seventy-six (576) square feet or less, may provide for a foundation of a floating slab type, which foundation otherwise meets the support and strength requirements provided by the IBC.
 2. Building intended for residential use, as in Chapter 100 - Zoning Regulations of the Monona County Code of Ordinances, may provide for wooden foundations otherwise meeting the strength and support requirements established by said IBC.
- C. The provisions of Section 113.3 of said IBC are hereby amended by providing that elected officials of the County may not serve on the Board of Appeals.
- D. The following Chapters of the IRC are hereby deleted: Chapters 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 except 2904, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41.
- E. Section R504 of said IRC is hereby deleted.
- F. Amend Table R402.2: Insert 3,000 in place of 2,500 in the severe weathering potential column.
- G. Amend R102.4 to state: “The Codes and Standards referenced in this Code shall be considered part of the requirements of this code to the prescribed extent of each such reference. The reference code for mechanical shall be in accordance with Section 300.10 of the Monona County Building Code. The reference code for electrical shall be in accordance with Section 300.11 of the Monona County Building Code. The reference code for plumbing shall be in accordance with Section 300.12 of the Monona County Building Code. When differences occur between provisions of this Code, as adopted, and referenced codes and standards, the provisions of Chapter 300 – Building Codes of the Monona County Code of Ordinances shall apply.”

- H. Subsection R313.1 of said IRC is hereby amended by deleting said subsection and inserting in lieu thereof (exception remains unchanged):
 “An automatic residential fire sprinkler system shall be installed in townhouses containing more than 6 dwelling units or in townhouse structures that exceed 14,000 square feet in gross floor area, including all floor areas whether finished or unfinished and all basement areas whether finished or unfinished and including attached garage area.”
- I. Subsection R313.2 of said IRC is hereby amended by adding the following exception: “Dwelling units in which the gross square footage of the dwelling spaces(s), including all floor areas whether finished or unfinished and all basement areas whether finished or unfinished and including attached garage area, does not exceed 5,000 square feet.”

300.11 INTERNATIONAL MECHANICAL CODE, 2012 EDITION. Pursuant to published notice and public hearing, as required by law, the International Mechanical Code, 2012 Edition, published by the International Code Council, and commonly known as the International Mechanical Code (IMC), is hereby adopted in full except for such portions as may hereinafter deleted, modified or amended.

The following sections are hereby revised:

1. Notwithstanding the provisions of said IMC, the provisions of Section 106.5 related to fees shall not apply including any schedules referred to by said paragraphs. In lieu thereof, the cost of the mechanical improvement shall be included with the other costs of building improvements. “Fees shall be in accordance with Chapter 300.15 of the Monona County Code of Ordinances.
2. The provisions of Section 109 of said IMC are hereby amended by providing that the Board of Appeals shall be established as required in Section 300.08(3) of this Chapter.

300.12 NATIONAL ELECTRIC CODE, 2011 EDITION. Pursuant to published notice and public hearing, as required by law, the National Electrical Code, 2011 Edition, published by the National Fire Protection Association, Inc. and commonly known as the National Electrical Code (NEC), is hereby adopted and in full except for such portions as may hereinafter deleted, modified or amended.

The following sections are hereby revised:

1. Section 103.3: Add new sentence “Fees shall be in accordance with Chapter 300.15 of the Monona County Code of Ordinances.”

300.13 UNIFORM PLUMBING CODE, 2009 EDITION. Pursuant to published notice and public hearing, as required by law, the Uniform Plumbing Code, 2009 Edition, published by the International Association of Plumbing and Mechanical Officials,

January 2009, and commonly known as the Uniform Plumbing Code (UPC), is hereby adopted and in full except for such portions as may hereinafter deleted, modified or amended.

The following sections are hereby revised:

1. Section 103.4.1 through 103.4.3 and 103.4.5: Replace with the following: “Fees shall be in accordance with Chapter 300.15 of the Monona County Code of Ordinances.”

300.14 INTERNATIONAL FIRE CODE. This section reserved for future use.

300.15 INTERNATIONAL FUEL GAS CODE. This section reserved for future use.

300.16 RADON CONTROL REGULATIONS. The following construction techniques are intended to resist radon entry and prepare the building for post construction radon mitigation, if necessary. These techniques are required for all new construction in Monona County.

1. ***Subfloor preparation.*** A layer of gas-permeable material shall be placed under all concrete slabs and other floor systems that directly contact the ground and are within the walls of the living spaces of the building, to facilitate future installation of a sub-slab depressurization system, if needed. The gas-permeable layer shall consist of one of the following:
 - A. A uniform layer of clean aggregate, a minimum of 4 inches (102 mm) thick. The aggregate shall consist of material that will pass through a 2-inch (51 mm) sieve and be retained by a ¼-inch (6.4 mm) sieve.
 - B. A uniform layer of sand (native or fill), a minimum of 4 inches (102 mm) thick, overlain by a layer of strips of geotextile drainage matting designed to allow the lateral flow of soil gases.
 - C. Other materials, systems or floor designs with demonstrated capability to permit depressurization across the entire sub-floor area.
2. ***Soil-gas-retarder.*** A minimum 6-mil (0.15 mm) [or 3-mil (0.075 mm) cross-laminated] polyethylene or equivalent flexible sheeting material shall be placed on top of the gas-permeable layer prior to casting the slab or placing the floor assembly to serve as a soil-gas-retarder by bridging any cracks that develop in the slab or floor assembly and to prevent concrete from entering the void spaces in the aggregate base material. The sheeting shall cover the entire floor area with separate sections of sheeting lapped at least 12 inches (305 mm). The sheeting shall fit closely around any pipe, wire or other penetrations of the material. All punctures or tears in the material shall be sealed or covered with additional sheeting.
3. ***Entry routes.*** Potential radon entry routes shall be closed in accordance with Sections 3.4.1 through 3.4.10.

4. **Floor openings.** Openings around bathtubs, showers, water closets, pipes, wires or other objects that penetrate concrete slabs or other floor assemblies shall be filled with a polyurethane caulk or equivalent sealant applied in accordance with the manufacturer's recommendations.
5. **Concrete joints.** All control joints, isolation joints, construction joints and any other joints in concrete slabs or between slabs and foundation walls shall be sealed with a caulk or sealant. Gaps and joints shall be cleared of loose material and filled with polyurethane caulk or other elastometric sealant applied in accordance with the manufacturer's recommendations.
6. **Condensate drains.** Condensate drains shall be trapped or routed through non-perforated pipe to daylight.
7. **Sumps.** Sump pits open to soil or serving as the termination point for sub-slab or exterior drain tile loops shall be covered with a gasketed or otherwise sealed lid. Sumps used as the suction point in a sub-slab depressurization system shall have a lid designed to accommodate the vent pipe. Sumps used as a floor drain shall have a lid equipped with a trapped inlet.
8. **Foundation walls.** Hollow block masonry foundation walls shall be constructed with either a continuous course of solid masonry, one course of masonry grouted solid, or a solid concrete beam at or above finished ground surface to prevent passage of air from the interior of the wall into the living space. Where a brick veneer or other masonry ledge is installed, the course immediately below that ledge shall be sealed. Joints, cracks or other openings around all penetrations of both exterior and interior surfaces of masonry block or wood foundation walls below the ground surface shall be filled with polyurethane caulk or equivalent sealant. Penetrations of concrete walls shall be filled.
9. **Dampproofing.** The exterior surfaces of portions of concrete and masonry block walls below the ground surface shall be damp proofed in accordance with Section R406 of the International Residential Code.
10. **Air-handling units.** Air-handling units in crawl spaces shall be sealed to prevent air from being drawn into the unit. Exception: Units with gasketed seams or units that are otherwise sealed by the manufacturer to prevent leakage.
11. **Ducts.** Ductwork passing through a crawl space or beneath a slab shall be of seamless material unless the air-handling system is designed to maintain continuous positive pressure within such ducting. Joints in such ductwork shall be sealed to prevent air leakage.
12. **Crawl space floors.** Openings around all penetrations through floors above crawl spaces shall be caulked or otherwise filled to prevent air leakage.
13. **Crawl space access.** Access doors and other openings or penetrations between basements and adjoining crawl spaces shall be closed, gasketed or otherwise filled to prevent air leakage.

14. **Passive sub-membrane depressurization system.** In buildings with crawl space foundations, the following components of a passive sub-membrane depressurization system shall be installed during construction. Exception: Buildings in which an approved mechanical crawl space ventilation system or other equivalent system is installed.
15. **Ventilation.** Crawl spaces shall be provided with vents to the exterior of the building. The minimum net area of ventilation openings shall comply with Section R408.1 of the International Residential Code.
16. **Soil-gas-retarder.** The soil in crawl spaces shall be covered with a continuous layer of minimum 6-mil (0.15 mm) polyethylene soil-gas-retarder. The ground cover shall be lapped a minimum of 12 inches (305 mm) at joints and shall extend to all foundation walls enclosing the crawl space area.
17. **Vent pipe.** A plumbing tee or other approved connection shall be inserted horizontally beneath the sheeting and connected to a 3 or 4 inch diameter (76 mm or 102 mm) fitting with a vertical vent pipe installed through the sheeting. The vent pipe shall be extended up through the building floors, terminate at least 12 inches (305 mm) above the roof in a location at least 10 feet (3048 mm) away from any window or other opening into the conditioned spaces of the building that is less than 2 feet (610 mm) below the exhaust point, and 10 feet (3048 mm) from any window or other opening in adjoining or adjacent buildings.
18. **Passive sub-slab depressurization system.** In basement or slab-on-grade buildings, the following components of a passive sub-slab depressurization system shall be installed during construction.
19. **Vent pipe.** A minimum 3 inch diameter (76 mm) ABS, PVC or equivalent gas-tight pipe shall be embedded vertically into the sub-slab aggregate or other permeable material before the slab is cast. A “T” fitting or equivalent method shall be used to ensure that the pipe opening remains within the sub-slab permeable material. Alternatively, the 3 inch (76 mm) pipe shall be inserted directly into an interior perimeter drain tile loop or through a sealed sump cover where the sump is exposed to the sub-slab aggregate or connected to it through a drainage system. The pipe shall be extended up through the building floors, terminate at least 12 inches (305 mm) above the surface of the roof in a location at least 10 feet (3048 mm) away from any window or other opening into the conditioned spaces of the building that is less than 2 feet (610 mm) below the exhaust point, and 10 feet (3048 mm) from any window or other opening in adjoining or adjacent buildings.
20. **Multiple vent pipes.** In buildings where interior footings or other barriers separate the sub-slab aggregate or other gas-permeable material, each area shall be fitted with an individual vent pipe. Vent pipes shall connect to a single vent that terminates above the roof or each individual vent pipe shall terminate separately above the roof.

21. ***Vent pipe drainage.*** All components of the radon vent pipe system shall be installed to provide positive drainage to the ground beneath the slab or soil-gas-retarder.
22. ***Vent pipe accessibility.*** Radon vent pipes shall be accessible for future fan installation through an attic or other area outside the habitable space. Exception: The radon vent pipe need not be accessible in an attic space where an approved roof-top electrical supply is provided for future use.
23. ***Vent pipe identification.*** All exposed and visible interior radon vent pipes shall be identified with at least one label on each floor and in accessible attics. The label shall read: "Radon Reduction System."
24. ***Combination foundations.*** Combination basement/crawl space or slab-on-grade/crawl space foundations shall have separate radon vent pipes installed in each type of foundation area. Each radon vent pipe shall terminate above the roof or shall be connected to a single vent that terminates above the roof.
25. ***Building depressurization.*** Joints in air ducts and plenums in unconditioned spaces shall meet the requirements of Section M1601 of the International Residential Code. Thermal envelope air infiltration requirements shall comply with the energy conservation provisions in Chapter 11. Firestopping shall meet the requirements contained in Section R602.8 of the International Residential Code.
26. ***Power source.*** To provide for future installation of an active sub-membrane or sub-slab depressurization system, an electrical circuit terminated in an approved box shall be installed during construction in the attic or other anticipated location of vent pipe fans. An electrical supply shall also be accessible in anticipated locations of system failure alarms.

300.17 AMERICANS WITH DISABILITIES ACT. The applicant for a Building Permit to be issued by Monona County is hereby put on notice that their project may be subject to the provisions of the Americans With Disabilities Act (ADA). The applicant is solely responsible for determining whether, and to what extent, the ADA may be applicable to such project. The County shall have no, and expressly disclaims any, responsibility for determining whether or to what extent any construction project may be subject to ADA requirements and neither the existence of this provision nor the issuance of any building or other permit by the County shall be interpreted or construed as any representation that the project for which such permit is issued is, or is not, subject to, or in compliance with, the terms and provisions of the ADA.

300.18 BUILDING PERMITS AND FEES. It is unlawful to do any excavating, erecting, construction, reconstruction, enlarging, altering, or moving of any building or structure, electrical work, mechanical work, plumbing, or building drainage system work until a Building Permit shall have been approved by the Building Official and issued by the Zoning Administrator. It is also unlawful to change the use or occupancy of any

building, structure, or land from one classification to another, or to change a nonconforming use without the issuance of a Building Permit.

1. Applications for Building Permits, covering building, electrical, mechanical and plumbing work shall be made in accordance with this Section. All work authorized by an building, electrical, mechanical, plumbing permit shall be performed in accordance with the Monona County Code of Ordinances and Iowa Code Chapters 103 and 105.
2. Unless otherwise specified, all application for permits under this Chapter shall be submitted by the property owner or his/her authorized agent to the Building Official. The Building Official may require reasonable proof of agency from any person submitting an application as an agent.
3. Submit with the Permit Application, when applicable, a Floodplain Development Permit application and On-Site Wastewater treatment System Permit application. These reports and plans will be reviewed concurrently with the application.
4. When Site Plans are required in conformance with Chapter 100- Zoning Regulations, approval such Site Plan by the Board of Supervisors shall be a precondition to issuance of a permit. Except as otherwise allowed, zoning, floodplain, and subdivision regulations must be met prior to permit issuance.
5. Before a Building Permit is issued, a fee in an amount established from time to time by Resolution of the Board of Supervisors.
6. In accordance with the provisions of Section 109 of said IBC, Building Permit fees shall be based on the total estimated cost of construction, reconstruction or repair, specifically including the estimated cost for any mechanical, electrical and plumbing improvements incorporated into the work.
7. No permits shall be issue for additional plumbing work or electrical work in any building where existing plumbing or electrical work is found defective, or has been installed or maintained contrary to the provisions of applicable codes or County Ordinances, unless such work is to be corrected and the permit is taken out to cover the correction of such work.
8. Permit Expiration. If the work authorized by a Building Permit has not begun within 180 days of the date of issuance thereof, such permit shall be void and a new permit, consistent with all provisions of this Code, shall be required. For the purposes of this subsection, construction shall be deemed to have begun at the time of completion of an approved footing inspection. If, twelve (12) months after issuance of the permit, the work is discontinued or incomplete, the permit shall immediately expire. No work authorized by any permit that has expired shall thereafter be performed until a new permit has been secured.

300.19 AUTHORITY AND INSPECTIONS. The Building Inspector shall have the right, during reasonable hours, to enter any building or premises in the discharge of any of his/her duties, for the purpose of making any inspection, re-inspection or the testing of any mechanical, electrical or plumbing equipment contained therein.

1. Upon the completion of any installation or alteration requiring a permit, it shall be the duty of the person making the installation to notify the Building Inspector who shall inspect the installation or alteration within seventy-two (72) hours of the time such notice is given, exclusive of Saturdays, Sundays, and holidays, or a soon thereafter as practical.
2. If any electrical, mechanical, or plumbing equipment is to be hidden or concealed from view by the permanent placement of parts of the building, the person installing said equipment shall notify the Building Inspector and such equipment shall not be concealed until it has been inspected and approved by the Building Inspector, following due notice as described in subparagraph 1 of this Section. Where the concealment of equipment proceeds continuously, the person installing such equipment shall give the Building Inspector due notice and inspection shall be made periodically during the progress of the work period.
3. The Building Inspector may make any re-inspections that he/she feels are necessary and is hereby authorize to make inspections of any equipment installations which are reported to him/her as dangerous or which he/she believes to be dangerous or hazardous to health.
4. It shall be unlawful for any person to make any connection from a supply of electricity, or to supply electricity to any electrical equipment for the installation of which a permit is required, or which has been disconnected or ordered to be disconnected by the Building Inspector until a certificate of approval has been issued and authorized in connection with the use of such equipment.
5. If the Building Inspector finds such installation or alteration in conformity with the provisions of this Chapter, he/she shall inform the person making such installations verbally of his/her approval. For electrical installations, the Building Inspector shall also inform the agency supplying the electricity of such approval by written certificate, the duplicate going to the Electrical Supply Agency and the original to be retained by the Building Official.
6. When any equipment is found by the Building Inspector to be dangerous to persons or property because of defective installation, he/she shall forthwith notify, in writing, the person owning, maintaining or responsible for such equipment; such notice shall specify the particulars wherein said equipment is defectively maintained or installed, and required that changes be made therein at the earliest possible time deemed reasonable by the Inspector and which will, in the judgment of the Inspector, render such equipment or installation safe, under penalty of having such equipment or installation removed or disconnected. In cases of emergency, or if necessary to prevent a serious health or safety hazard or for the safety of persons or property, the Building Inspector shall immediately disconnect or order the disconnection of such equipment.
7. A Certificate of Occupancy shall be issued by the Building Official as soon as practical after completion of construction. The construction and use provided in the Certificate of Occupancy will be only the use, arrangement, and construction set

forth in approved plans and applications. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation.

8. At the discretion of the Building Official, a Temporary Certificate of Occupancy may be issued provided all health and safety issues have been addressed. Such temporary certificate shall include a deadline for full completion of construction and may be revoked by the Building Official if all construction has not been completed by the established deadline. Regardless of the foregoing, in no case shall a Temporary Certificate of Occupancy shall be issued that permits occupancy of the basement of a dwelling while the remainder of the dwelling is under construction.

300.20 APPLICANT REQUIRED TO BE LICENSED. Applicants for any permit required by this chapter shall meet the following requirements:

1. No permits for the installation or alteration of any electrical equipment shall be issued to any person, unless the applicant therefore is the owner of a license entitling such applicant to secure permits for and to execute the work described in the application for the permit, except that a homeowner shall be entitled to a permit for an existing resident in which he/she resides, but not including a new electrical service, in accordance with State licensing requirements. New homes must be wired by a Master Electrician, licensed by the State of Iowa.
2. Except as otherwise provided by law, no person shall plan, layout and supervise the installation of wiring, apparatus and equipment for electrical light, heat, power, or other related purposes, nor shall they apply for a permit under the provisions of this Chapter unless that person is licensed by the State of Iowa as a Master Electrician or is an Electrical Contractor with at least one Master Electrician in his/her employ.
3. Except as otherwise provided by law, no person shall plan, layout, or supervise the construction, reconstruction, alteration or repair of any plumbing or building drainage system, nor shall they apply for a permit under the provisions of this Chapter unless that person is licensed by the State of Iowa as a Master Plumber or is a Plumbing Contractor with at least one Master Plumber in his/her employ.
4. Every holder of a license shall keep his/her license displayed in a conspicuous place in his/her place of business at all times.

300.21 VIOLATIONS AND PENALTIES.

1. **Violations.** It shall be unlawful to locate, erect, construct, reconstruct, alter, repair, convert, use or maintain any building, land, or structure, or sign in violation of any regulation in, or any provisions of, this Ordinance, or any amendment or supplement thereto, lawfully adopted by the County Board of Supervisors; or to fail to comply with any reasonable requirement or condition imposed by the Building Official.
 - A. If the Building Official shall find that any of the provisions of this chapter are being violated, the Building Official or designee shall notify in writing the person responsible for such violation. The Building Official order discontinuance of illegal use of land, buildings, or structures, removal of illegal

buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done, or shall take any other action authorized by the Zoning Ordinance to insure compliance with or to prevent violation of its provisions. The notice shall state the nature of the violation, order the action(s) necessary to correct it stating the nature of the violation, ordering the action necessary to correct it and providing a reasonable time limit for the satisfactory correction thereof

- B. A Notice of Violation may be served as a first attempt to gain compliance. If compliance is not met with the sending of a Notice of Violation then a Citation shall be served on the property owner. The offender shall be provided a reasonable time, not to exceed thirty (30) days in which to correct the violations.
 - C. A violation which occurs for a short period of time having no other reasonable means for insuring compliance, may be served a citation immediately upon observation of a violation.
 - D. If the violation is not corrected, Monona County may seek such remedies, civil or criminal, as are authorized by law including, but not limited to, the provisions of the Monona County Ordinance for County infractions and as outlined herein.
2. **Penalties.** A violation of this Chapter of the Code of Ordinances or failure to perform any act or duty required by the same, with the exception of those provisions specifically provided under State law as a felony, an aggravated misdemeanor, or a serious misdemeanor, or a simple misdemeanor under Chapters 687 through 747 of the Code of Iowa, is a county infraction punishable by civil penalty as provided herein.

(Code of Iowa, Sec. 331.307)

- A. **Civil Penalty.** The Building Official or designee may assess the maximum civil penalty allowed per day for each violation. A county infraction of these Building Codes is punishable by the following civil penalties:

- (1) First Offense – Not to exceed \$750.00
- (2) Each Repeat Offense – Not to exceed \$1,000.00.

Each day that a violation occurs or is permitted to exist constitutes a repeat offense.

- B. **Civil Citations.** Any officer authorized by the County to enforce this Chapter of the Code of Ordinances may issue a civil citation to a person who commits a county infraction. The citation may be served by personal service as provided in Rule of Civil Procedure 1.305, by certified mail addressed to the defendant at defendant's last know mailing address with return receipt requested, or by publication in the manner as provided in Rule of Civil Procedure 1.310 and subject to the conditions of Rule of Civil Procedure 1.311. A copy of the citation shall be retained by the issuing officer, and one copy shall be sent to the Clerk of the District Court. The citation shall serve as notification that a civil offense has been committed.

- C. *Alternate Relief.* Seeking a civil penalty as authored in this section does not preclude the County from seeking alternative relief from the court in the same action. Such alternative relief may include, but is not limited to, an order for abatement or injunctive relief. Further, this section does not preclude or limit the authority of the County to enforce the provisions of State or County Code by criminal sanctions or other lawful means.
- D. *Prosecution.* If prosecution becomes necessary, it shall be administered under the provisions of Chapter 335, Code of Iowa, which states in part that the violation of any regulation, restriction or boundary adopted under said chapter or the occupancy or use of any structure erected, altered or maintained in violation of said chapter shall constitute a simple misdemeanor. Such occupancy or use shall be deemed a continuing violation and may be the subject of repeated prosecutions if so continued.

3. *Remedies.*

- A. *Stop Work Order.* If work is being done in violation of any provision of this ordinance and continues beyond the date of the notice and the work is not being done to correct a violation, an immediate stop-work order shall be issued by the Building Official. Such order shall be given to the owner of the property, his authorized agent, or the person or persons in charge of the activity on the property and shall be posted on the property. The stop work order shall state the conditions under which work may be resumed.
- B. The Building Official may withhold or deny any permit, certificate, or other form of authorization on any land in which there is an uncorrected violation of a provision of this chapter.
- C. The Building Official may condition the authorization of any permit or certificate upon the correction of a deficiency.
- D. The Building Official may revoke approval of a permit or certificate by notifying the applicant and/or landowner in writing the reason for the revocation. Revocation may include, but is not limited to, any of the following reasons:
 - (1) For any substantial departure from the approved application, plans or specifications, or
 - (2) For refusal or failure to comply with the requirements of state or local laws, or
 - (3) For false statements or misrepresentations made in securing permit approval.
- E. If the Building Official determines that a violation is an immediate threat to public safety or welfare and the property owner has failed to take corrective action within the time period stated in the notice provided, Monona County may take such remedial action as is necessary to protect the public safety or welfare. Such remedial action may include entering the property where a violation is

present, correcting the violation, and placing a lien on the property to secure payment and reimbursement of any and all expenses incurred by Monona County to correct such violation.

300.22 HOUSING AND ADVISORY APPEALS BOARD. The Board of Supervisors shall appoint the members of the Housing and Advisory Appeals Board. If so appointed, elected officials who are not full-time employees may not serve on the Housing and Advisory Appeals Board.

300.23 APPEALS. Any person may register an appeal in writing with the Board of Appeals for a review of any decision or order of the Building Official and/or Building Inspector acting in that capacity, provided that such appeal is made within five (5) days after such person shall have been notified of such decision by the Building Official or Building Inspector. Notice of such appeal shall be completed by filing a written notice with the Building Official. Upon receipt of such appeal, the Board of Appeals shall proceed to examine whether the action of the Building Official and/or Building Inspector was in accordance with the provisions of the Code and after such investigation and hearing, the Board of Appeals shall within five (5) business days issue its final determination in writing. In no case shall the hearing be held more than thirty (30) days after the original written notification was made.

(Building Codes passed and approved on the ____ day of _____, 2014.)

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