

## **Chapter 20 Polk County Construction Code**

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### **20.1 Purpose and Scope**

#### **20.1.1 Title**

This Code shall be known and may be cited as the “Polk County Construction Code”, except as referred to herein, where it shall be known as “this Code”.

#### **20.1.2 Permit Required**

No person shall undertake any development activity subject to this Code without first obtaining a permit from the Building Official

#### **20.1.3 Purpose**

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 within unincorporated Polk County.

#### **20.1.4 Enactment and Effective Date**

This Ordinance is hereby adopted and shall become effective on March 1, 2010.

### **20.1.5 Interpretation**

In interpretation and application of this Code, all provisions shall be considered to be minimum requirements and deemed neither to limit nor repeal any other powers granted under state statutes.

If any federal or state law or other existing Code or regulation allows lesser regulation, this Code shall govern; if any federal or state law or other ordinance requires greater regulation, the regulations imposed by that authority shall govern.

Regardless of any provision of this Code, no land shall be developed or used in violation of state or federal law.

### **20.1.6 Abrogation**

This Code is not intended to repeal, abrogate, annul, impair or interfere with any existing public or private easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law.

### **20.1.7 Severability**

Should a court of competent jurisdiction hold any article, sentence, clause, phrase, or word of this Code invalid; such decision shall not affect, impair, or invalidate the remaining parts of this Code which can be given effect without the invalid provision.

### **20.1.8 Saving Provision**

This Code shall not be construed: as abating any action now pending under prior existing subdivision regulations; or as discontinuing, abating, modifying any penalty pursuant thereto; or as affecting the liability or rights of any person, firm or corporation; or as waiving or annulling any rights of the Jurisdiction existing at the time of adoption of this Code; except as expressly provided herein.

### **20.1.9 Repeal**

All ordinances, or portions thereof, of Polk County, which relate to construction codes and are inconsistent with the provisions of this Code are hereby repealed to the extent of such inconsistency.

### **20.1.10 Amendments**

This Code may be amended by the Governing Body after public hearing as prescribed by law.

### **20.1.11 Exemptions**

The following activities are exempt from Building permit requirements:

- .1 Farm buildings for farm use;
- .2 State or federal government owned facilities;

- .3 One-story detached accessory structures with a floor area not exceeding 120 square feet;
- .4 Fences not exceeding 6 feet in height, retaining walls less than 4 feet in height unless such wall supports an impoundment, and sidewalks or driveways not more than 30 inches above grade and not over a basement;
- .5 Water tanks less than 5,000 gallons, above ground prefabricated swimming pools less than 18 inches deep which are not emptied in a 24 hour period;
- .6 Cloth shade structures for nurseries, window awnings;
- .7 Oil derricks;
- .8 Temporary stage sets and scenery;
- .9 Playground equipment accessory to single family dwellings;
- .10 Moveable cases, counters, and partitions less than five (5) feet nine (9) inches in height;
- .11 Finish work to include painting, papering, tiling, carpeting, cabinets, and countertops.

The following activities are exempt from Electrical, Gas, Mechanical, and Plumbing permit requirements:

- .12 Minor repair work to include lamp replacement and connection of approved electrical equipment;
- .13 Electrical equipment for radio and television transmissions, but not power supply, or towers or antennas;
- .14 Temporary system for testing or servicing electrical equipment;
- .15 Portable heating ventilating, or cooling equipment;
- .16 Minor part replacement which does not alter equipment approval or render it unsafe;
- .17 Portable evaporative cooler, or self-contained refrigeration unit with less than 10 pounds of refrigerant, and 1 or less horsepower motor;
- .18 Steam, hot or chilled water piping within regulated equipment;
- .19 Stopping leaks or clearing stoppages in drains, water soil, waste or vent piping, and removal and reinstallation of a water closet provided such work does not involve replacement or rearrangement of valves, traps, pipes or fixtures.

The following repair work is exempt:

- .20 Emergency repairs when replacement and repair must take place under emergency conditions, provided a permit application is submitted the next working day.

.21 Ordinary repairs not including structural alteration, walls, means of egress, or alteration replacement or relocation of water, sewer, drainage, gas, oil, soil, waste vent or similar piping, electrical wiring, mechanical or other equipment which may affect public health.

The following activities are exempt from grading permit requirements:

.22 Farms and farming operations;

.23 Excavation of not more than 4 vertical feet nor more than 500 cubic yards;

.24 Fill of not more than 3 vertical feet nor more than 500 cubic yards;

.25 Excavation, fill, or clearing of an area less than 5000 square feet;

.26 For the purposes of fighting fires;

.27 For stockpiling soil, sand, stone, asphalt, gravel and other materials in material processing plants, and storage yards pursuant to an approved site plan;

.28 For mines, and quarries operating pursuant to county, state and/or federal permits;

.29 For landfills and other activities for which there is exclusive state or federal jurisdiction.

#### **20.1.12 Administrative Waiver**

The Enforcement Officer may waive submission of required information elements of a permit or supplementary information when in his opinion such information is otherwise available or is not necessary to review an application.

#### **20.1.13 Violation**

Any of the following acts shall be a violation of this Code and shall be subject to the enforcement remedies and penalties provided by this Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of the Polk County Code of Ordinances and state law.

.1 To engage in any development, use, construction, remodeling, or other activity of any nature upon the land or improvements thereon subject to the jurisdiction of this Code without the required permits, certificates, or other forms of authorization as set forth in this Code; or

.2 To conduct an activity of any nature in any way inconsistent with any approved plan, permit, certificate, or other form of authorization granted for such activity; or

.3 To violate, by act or omission, any term, variance or waiver, condition, or qualification placed by the Governing Board or its agents upon any required permit, certificate, or other form of authorization for the use, development, or other activity upon land or improvements thereon.

.4 To erect, construct, reconstruct, alter, repair, convert, maintain or use any building or structure or to use any land in violation or contravention of this Code or any other regulation made under the authority conferred thereby.

#### **20.1.14 Questions**

Unless otherwise provided, that all questions arising in connection with the enforcement of this Code shall be presented first to the Building Official. All appeals from the decisions in connection with this Code shall be as prescribed by the applicable code.

#### **20.1.15 Enforcement**

When the Building Official or his agent finds a violation of this Code:

.1 He shall notify the owner and/or agent of the property. Such notice shall be as prescribed by the applicable code.

.2 The owner and /or agent shall immediately remedy the violation, regardless of means of notification.

.3 If the owner of a property fails to comply, the Building Official shall seek relief by following procedures in Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of the Polk County Code of Ordinances.

#### **20.1.16 Remedies**

Any one or all of the following may be used to enforce the provisions of the Code:

.1 Any violation of this Code or of any condition, order, requirement, or remedy adopted pursuant hereto may be restrained, corrected, abated, mandated, or enjoined by appropriate proceeding pursuant to state law.

.2 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 Code.

.3 The Building Official may condition the authorization of any permit or certificate upon the correction of a deficiency.

.4 The Building Official may revoke approval of a permit or certificate by notifying the Developer and/or landowner in writing the reason for the revocation. Revocation may include, but is not limited to, any of the following reasons:

for any substantial departure from the approved application, plans, or specifications; or

for refusal or failure to comply with the requirements of state or local laws, or

for false statements or misrepresentations made in securing permit approval.

#### **20.1.17 Penalties**

Any violation of this Code shall be a misdemeanor or infraction as provided by the Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of the Polk County Code of Ordinances and state law. The owner of any land or part thereof; and any contractor, agent or any other person who participates or acts in concert, assists, directs, creates, or maintains any condition that is in violation of the requirements of this Code may be held responsible for the violation and subject to the remedies herein provided.

#### **20.1.18 Previous Enforcement**

Nothing in this Code shall prohibit the continuation of previous enforcement actions.

#### **20.1.19 Cumulative Violations**

All remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or part thereof, such remedy shall remain available for other violations or other parts of the same violations.

### **20.2 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.

Where provisions of the Code adopted by reference and this Code conflict, this Code shall prevail.

#### **20.2.1 2006 International Fire Code**

The 2006 Edition of the International Fire Code, published by the International Code Council, January 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices; and from conditions hazardous to life or property in the occupancy of buildings and premises in unincorporated Polk County; and providing for the issuance of permits for hazardous uses and operations; and each and all regulations, provisions, conditions and terms of such International Fire Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following sections are hereby revised:

- .1 Section 101.1 Insert: Polk County
- .2 Delete Section 103 Department of Fire Prevention.
- .3 Delete Sections 105.6.1 through 105.6.46.
- .4 Delete Section 105.7.
- .5 Delete Section 108.

.6 Amend Section 109.3 guilty of “an offense as specified in Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of Polk County Code of Ordinances, and subject to fines and penalties as specified therein,” or both

.7 Amend Section 111.4 liable to a fine not less than “that specified in Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of the Polk County Code of Ordinances.”

.8 Delete Section 307.

.9 Delete Appendix A. Board of Appeals.

### **20.2.2 2006 International Mechanical Code**

The 2006 Edition of the International Mechanical Code, published by the International Code Council, January 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement addition to, use or maintenance of mechanical systems in unincorporated Polk County and providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of such International Mechanical Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following sections are hereby revised:

.1 Section 101.1 Insert: Polk County.

.2 Delete Section 103 Department of Mechanical Inspections.

.3 Section 106.5.1 Delete one hundred per cent (100%) and insert thirty percent (30%)

.4 Section 106.5.2 Insert: Fee Schedule as adopted by Board of Supervisors resolution.

.5 Section 106.5.3 Insert 100%, and 100%

.6 Amend Section 108.4 guilty of “an offense as specified in Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of Polk County Code of Ordinances, and subject to fines and penalties as specified therein,” or both

.7 Amend Section 108.5 liable to a fine not less than “that specified in Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of the Polk County Code of Ordinances.”

### **20.2.3 2006 Uniform Plumbing Code**

The 2006 Edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, January 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement addition to, use or maintenance of plumbing systems in unincorporated Polk County and providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of such Uniform

Plumbing Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following sections are hereby revised:

.1 Delete Section 103.4.1 thru 103.4.3 and 103.4.5: Replace with the following: Fee Schedule as adopted by Board of Supervisors resolution.

.2 Section 103.4.4.2 Delete “equal to” in the second sentence and insert thirty percent (30%).

.3 Section 501.0: Delete the second sentence and also Table 5-1.

.4 Delete Section 603.2.3.

.5 Delete Section 604.2: Replace with the following: Section 604.2 Copper tube for water piping shall have a weight of not less than Type M.

.6 Section 717: Add to the end of the section: The minimum diameter for a building sewer shall be four inches to point of connection.

.7 Delete Section 807.4: Replace with the following: No domestic dishwashing machine shall be directly connected to a drainage system or food waste disposer without the use of an approved dishwasher air gap fitting on the discharge side of the dishwashing machine, or by looping the discharge line of the dishwasher as high as possible near the flood level of the kitchen sink where the waste disposer is located. Listed air gap fittings shall be installed with the flood level (FL) marking at or above the flood level of the sink or drain board, whichever is higher.

.8 Section 906.7: Change two (2) inches (50.8 mm) to three (3) inches (76.2 mm). Add the following sentence at the end of the paragraph, “Main vents of 3 inches in diameter shall have terminals of not less than 4 inches.

.9 Section 908.0: Delete “Vertical” in section heading.

.10 Section 908.1: Delete “vertical” in the first sentence of the section.

.11 Delete Table 10-1 and insert the following new table 10-1:

TABLE 10-1 Horizontal Distance of Trap Arms (except for water closets and similar fixtures)\*

Trap Arm Size (In)	Distance Trap to Vent (Ft)
1 ¼	5
1 ½	6
2	8
3	12
4 or larger	12

Slope one-fourth (1/4) inch per foot

\*The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring (closet flange) to the inner edge of the vent) and its vent shall not exceed six (6) feet.

.12 Add new Section 1213.1 LPG Systems

An approved gas detector and exhaust system shall be installed in conjunction with a liquefied petroleum gas system if any part of the system extends into space below grade.

An approved gas detector and exhaust system shall be installed in conjunction with the installation or replacement of any LP gas burning appliance, any part of which extends below grade or into an above-grade under-floor space or basement.

.13 Delete Appendix K Private Sewage Disposal Systems

**20.2.4 2006 International Building Code**

The 2006 Edition of the International Building Code, published by the International Code Council, January 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the building code of Polk County for the control of building and structures as therein provided in unincorporated Polk County; and each and all regulations, provisions, conditions and terms of said International Building Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following sections are hereby revised:

.1 All Sections: Change any references of the International Plumbing Code to Uniform Plumbing Code.

.2 All Sections: Delete any references to the International Private Sewage Disposal Code.

.3 Section 101.1: Insert Polk County

.4 Delete Section 105.5 and insert the following: See Section 20.3.4 Polk County Construction Code.

.5 Delete Section 108.2 and replace with the following: Fee Schedule as adopted by Board of Supervisors resolution.

.6 Section 108.4 Add new sentence: Thirty percent (30%) shall be added to the fee for permits where work started without a permit.

.7 Delete Section 109.3.7.

.8 Delete Section 112.3

.9 Delete Section 114 and insert language as follows:

Stop Orders. When work is being done contrary to the provisions of this Code, the technical codes, or other pertinent laws or ordinances implemented through this Code; the Building Official may order work stopped by notice in writing posted on the premises, or by notice served on persons performing the work or causing the work to be done. The owner of the premises, so notified, shall prevent further work from being done on the premises, and any person, so notified, shall stop work; until authorized by the Building Official to proceed.

.10 Section 113.4 is amended by adding the following sentence:

Fines and penalties as specified in Chapter 2 Issuance of Citations and Imposition of Civil Penalties for Violation of County Ordinances and Regulations of the Polk County Code of Ordinances.

.11 Delete Chapter 13, Energy Efficiency (State of Iowa Mandated Requirements)

.12 Add new section: 1608.3 The ground snow load for Polk County is 30 lbs per square foot.

.13 Section 1806 is amended by deleting current language and inserting the following in lieu of:

Retaining Walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill shall be structurally designed by the manufacturer and approved by an Iowa Licensed Engineer to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning.

.1 All retaining walls shall be set back from property lines by a minimum height to setback distance ratio of 1:1.5.

.1 walls proposed to be located closer than the 1:1.5 setback distance ratio shall provide an Iowa Licensed Engineer stamped design.

.2 Guards or railings shall be provided on retaining walls that are 30 inches or more above grade when the retaining wall is considered part of a building structure, the retaining wall is in close proximity to a finished walking surface (loading dock, sidewalk, bike path, patio, or similar), or in any location on a commercial or multifamily project where the height and location of the retaining wall create an obvious fall hazard.

**20.2.5 2006 International Residential Code**

The 2006 Edition of the International Residential Code for One and Two Family Dwellings, published by the International Code Council, February 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement addition to, use or maintenance of one and two family dwellings and townhouses not more than three stories in height in unincorporated Polk County and providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of such International Residential Code for One and Two Family Dwellings, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following sections are hereby revised:

.1 Section R101.1: Insert Polk County

.2 Table R 301 .2: Change section to read, “The purpose of this code is to provide minimum and affordable requirements to safeguard life or limb, health and public welfare.”

.3 Section R301.2: Insert the following: Ground Snow Load: 30psf, Wind Speed: 90 mph, Seismic Design Category: A, Weathering: Severe, Frost line depth: 42 in, Termite: Moderate-Heavy, Decay: Slight-Moderate, Winter Design Temp: 0 deg, Flood Hazard: March 1984 as amended.

.4 Section R105.2 Work exempt from permit: Under “Building” change #1 to read: Residential one-story detached accessory structures, provided the floor area does not exceed 120 square feet. Under “Building” change #7 to read: Prefabricated swimming pools shall conform to the Polk County Zoning Ordinance.

.5 Add sentence: All doors shall be self closing.

.6 Section R309.2 Separation Required: Change all references to ½-inch gypsum board to 5/8-inch Type “X” gypsum board.

.7 Section R309.3 Floor Surface: Change first sentence to read: “ garage or accessory building floor surfaces shall be of concrete, asphalt or approved non-combustible materials.”

.8 Section R 310.1: In the first full sentence delete the words, “with habitable space”. Add new section: R310.1.5 Basement Egress Window Platform. When the 44 inch sill height cannot be maintained the use of a secured 18 deep” x 36” wide x 24” maximum high platform to provide the maximum 44” sill height for emergency escape and rescue window in basements will be allowed.

.9 Section R322.1 Accessibility: Delete section. (State of Iowa mandates accessibility in conjunction with ADA.)

.10 Section R324 .2.1 Elevation Requirements: Delete entire section and insert sentence that reads, “Elevation requirements shall be in accordance with the Polk County Zoning Ordinance.

.11 Table R403.1: Delete and insert the following table:

Stories	Foundation Wall Width	Footing	Footing	Foundation
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	(Inches)		Width (Inches)	Depth (Inches)	Depth (Inches below finish grade)
	Concrete	Masonry			
1	8	8	16	8	42
2	8	8	16	8	42
3	10	12	18	12	42

Footings: Footings shall be cast in place concrete having a minimum compressive strength of 2500 psi at 28 days and be longitudinally reinforced with 2 - ½ inch bars located so that not less than 3 inches of concrete will surround the bars.

Trench Footings: Trench footings shall be cast in place having a minimum compressive strength of 2500 psi at 28 days and not less than 8 inches in width reinforced with one ½ inch bar located horizontally near the top and bottom and 1 - ½ inch bar located vertically at 6 foot intervals.

Note: in the event unusual circumstance are encountered, as determined by the Building Official or by an engineered soil analysis, an engineered footing shall be required

Footings for residential detached accessory 1 story buildings: Buildings less than 720 square feet of floor area may be placed on a 4 inch floating slab thickened to 8 inches by 10 inches wide around the perimeter. Floating slabs shall be reinforced with fiberglass fibers, 6x6 woven wire mesh or ½ inch rebars spaced 2 feet apart to form a checker board configuration.

.12 Section R404.5 is amended by deleting current language and inserting the following in lieu of:

Retaining Walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill shall be structurally designed by the manufacturer and approved by an Iowa Licensed Engineer to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning.

.1 All retaining walls shall be set back from property lines by a minimum height to setback distance ratio of 1:1.5.

.1 walls proposed to be located closer than the 1:1.5 setback distance ratio shall provide an Iowa Licensed Engineer stamped design.

.2 Guards or railings shall be provided on retaining walls that are 30 inches or more above grade when the retaining wall is considered part of a building structure, the retaining wall is in close proximity to a finished walking surface (loading dock, sidewalk, bike path, patio, or similar), or in any location on a commercial or multifamily project where the height and location of the retaining wall create an obvious fall hazard.

.13 Chapter 11: Delete entire chapter. Refer State of Iowa Building Code mandated requirements.

.14 Section G2414.5.2 (403.5.2) Metallic Tubing: Add : Copper tubing shall not be allowed for conveyance of LP gas in interior locations.

.15 Chapters 25 through 32: Delete and use the requirements of the 2006 Uniform Plumbing Code.

.16 Appendix E Manufactured Housing Used As Dwellings: Add new section AE101.2 entitled "Manufactured Housing Code Conflicts". Whenever there is a conflict between the requirement of this section and a mandated State of Iowa requirement, the State of Iowa Requirements shall take precedence.

.17 Appendix F Radon Control Methods: Delete

.18 Appendix I Private Sewage Disposal: Delete.

## **20.2.6 2008 National Electrical Code**

The 2008 Edition of the National Electrical Code, published by the national fire Protection Association Inc., a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement addition to, use or maintenance of electrical systems in unincorporated Polk County and providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of such National Electrical Code, 2008 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following sections are hereby revised:

.1 Delete section 210.8 paragraph (A) and insert in lieu thereof the following new paragraph:

(A) Dwelling Units. All 125-volt, single-phase, 15-and 20-ampere receptacles installed in the locations specified in (1) through (8) shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms

(2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.

Exception No. 1 to (2): Receptacles that are not readily accessible.

Exception No. 2 to (2): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

Receptacle installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).

(3) Outdoors.

Exception to (3): Receptacles that are not readily accessible and are supplied by a dedicated branch circuit for electric snow-melting or deicing equipment shall be permitted to be installed in accordance with 426.28.

(4) Crawl spaces—at or below grade level.

(5) Unfinished basements—for purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage, work areas, and the like.

Exception No. 1 to (5): Receptacles that are not readily accessible.

Exception No. 2 to (5): A single receptacle or duplex receptacle for two appliances located within a dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

Exception No. 3 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection. Receptacles installed under the exceptions of 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

(6) Kitchens—where the receptacles are installed to serve the countertop surfaces.

(7) Laundry, utility, and wet bar sinks—where the receptacles are installed within 1.8 m (6ft) of the outside edge of the sink.

(8) Boathouses.

## **20.2.7 2006 International Existing Building Code**

The 2006 Edition of the International Existing Building Code, published by the International Code Council, January 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for the control of existing buildings and structures as therein provided in unincorporated Polk County; and each and all regulations, provisions, conditions and terms of said International Existing Building Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following section is hereby revised:

Section 101.1 Insert Polk County.

## **20.2.8 2006 International Fuel Gas Code**

The 2006 Edition of the International Fuel Gas Code, published by the International Code Council, January 2006, a copy of which is on file in the Office of the Building Official, is hereby adopted by reference as the code of Polk County for the control of fuel gas piping systems as therein provided in unincorporated Polk County; and each and all regulations, provisions, conditions and terms of said International Fuel Gas Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this code. The following section is hereby revised:

Section 101.1 Insert Polk County.

## **20.3 Permits**

### **20.3.1 Application**

Applications for building, electrical, mechanical permits shall be made in accordance with this Section. All work authorized by an electrical, plumbing or mechanical permit shall be

performed in accordance with the Polk County Code of Ordinances and Iowa Code Chapter 103 and Chapter 105.

Notwithstanding any provision in this chapter to the contrary, after July 1, 2008 or the date upon the State of Iowa Electrical Examining Board or the State of Iowa Plumbing and Mechanical Systems Examining Board issue licenses, only those persons working in the electrical, mechanical or plumbing trades who have been issued Master, Journey person or Apprentice licenses, by the State of Iowa Electrical Examining Board or the State of Iowa Plumbing and Mechanical Systems Examining Board shall be recognized as licensed and eligible to work in Polk County.

.1 Unless otherwise specified all applications for permits under this Code shall be submitted by the property owner or his authorized agent to the Building Official. The Building Official may require reasonable proof of agency from any person submitting an application as an agent.

.2 Any person or firm desiring to obtain a permit authorizing electrical, plumbing or mechanical work shall furnish, upon request of Polk County, verification of:

a. Class A Master Electrician license issued by the State of Iowa Electrical Examining Board, pursuant to Iowa Code §103.10

1. Notwithstanding any provision in this section to the contrary, a person working in the electrical trades who has been issued a Class A Master Electrician license, pursuant to Iowa Code § 103.10 shall be allowed to operate as a Master Electrician or Electrical Contractor.

b. Class B Master Electrician license issued by the State of Iowa Electrical Examining Board, pursuant to Iowa Code § 103.10.

1. However, a person issued a Class B Master Electrician license, pursuant to Iowa Code § 103.10 and has not held a license recognized by Polk County prior to July 1, 2009 shall not be allowed to operate as an electrician, subject to the restrictions contained in Iowa Code § 103.10, §

103.18 and 103.19 until such time he/she obtains Class A Master Electricians licensure.

d. A Master license, for plumbing, HVAC, refrigeration or hydronic work, issued by the State of Iowa Plumbing and Mechanical Systems Examining Board, pursuant to Iowa Code § 105.10.

e. A 2008 license recognized by Polk County, for those contractors or persons to be regulated by the Plumbing and Mechanical System Licensing Board established pursuant to Chapter 105 of the Iowa Code, as amended July 1, 2008, until the date upon which the State of Iowa Plumbing and Mechanical Systems Licensing Board assumes the powers, duties and responsibilities regarding licensing mandated by the Code and issues such licenses.

Exception: an owner of a single family dwelling may perform electrical, mechanical or plumbing work on the owner's principle residence if such residence is an existing dwelling rather than

new construction and is not larger than a single-family dwelling, or farm property, excluding commercial or industrial installations or installations in public use buildings or facilities. In order to qualify for the exception to this section, a residence shall qualify for the homestead tax exemption.

.3 An application for any permit under this Code shall be submitted in such form, number of copies and format as required by the applicable code. The Building Official may waive submission of required elements of information when in his opinion such information is otherwise available or is not necessary to review of the application.

.4 Submit with the Permit Application, Floodplain Development Permit Application (if required), Percolation test Soil Analysis for On-Site Wastewater Treatment System (if required), and a State Storm Water Permit (if required). These reports and plans will be reviewed concurrently with the application.

.5 All applications for permits shall be submitted, reviewed, and processed in accordance with the requirements of this Code. Any permit issued in noncompliance with this Code shall be null and void.

.6 When Construction Plans or Site Plans are required; approval of those plans will be a precondition to issuance of a permit. Except as otherwise allowed, zoning, floodplain, and subdivision regulations must be met prior to permit issuance.

.7 A copy of required plans or information submitted with the application shall be returned to the applicant after the Building Official has marked the copy either approved or disapproved and attested to the same. The Building Official shall retain a similarly marked copy.

.8 Unless otherwise provided, any permit for any building or use for which a State or County on site wastewater treatment system permit or an entrance permit is required; shall not be issued until the State or County has approved such permit.

.9 Unless otherwise provided, required off-site improvements to include streets, sidewalks, sanitary and storm sewers, street lights, and landscaping must be constructed or guaranteed before a building or use permit can be issued.

.10 A fee in an amount as set by the Board of Supervisors shall accompany each application. No permit or certificate shall be issued unless or until all charges and fees have been paid in full.

The Polk Emergency Home Repair Program and the Polk County Owner Occupied Home Rehabilitation Program shall be exempt from payment of permit fees. All other requirements of this Code are applicable.

.11 A plan review fee in the amount set in the Schedule of Fess adopted by the Polk County Board of Supervisors shall be submitted for all projects except for one and two family dwellings and accessory structures.

.12 No work shall commence until the application is approved and the permit has been issued.

.13 The permit must be posted in a prominent place on the site at all times it is in effect

### **20.3.2 Issuance**

Permits shall be issued as follows:

.1 Plot or Site Plans, if required, must be approved prior to issuance of any permits.

.2 Permits for on site wastewater treatment system, if required, must be approved prior to issuance of a building, sign, or use permit.

.3 For permit purposes, Final Plat recordation may be deferred on group developments; but a Certificate of Occupancy may not be issued until all platting requirements have been met.

.4 None of the improvements, except clearing, grubbing, and erosion control, may be constructed until a permit has been issued by the Building Official.

.5 The Building Official may issue permits for not more than two (2) model homes, temporary construction trailers, safety structures, and other customary construction mobilization structures prior to Site Plan approval or Final Plat recordation.

.6 Review of all plans may be concurrent.

### **20.3.3 Permit Appeals**

Any owner or occupant who has been denied a permit may appeal the denial by giving notice of appeal in writing to the Building Official. An appeal from permit denial shall be to the Construction Code Board of Appeals.

In order to determine the suitability of alternate materials and methods of construction there shall be a Construction Code Board of Appeals consisting of five members having the following qualifications:

.1 One Iowa registered architect

.2 One registered professional engineer

.3 One general contractor or home building contractor

.4 One plumbing contractor or journeyman plumber

.5 One electrical contractor or journeyman electrician

The Building Official shall be an ex officio member and shall appoint a secretary to the Board. The Board of Appeals shall be appointed by the Board of Supervisors of Polk County for a term of five years. The Board of Appeals shall hold meetings as needed for the purpose of hearing appeals. The Board shall adopt reasonable rules and regulations for conducting

its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant.

#### **20.3.4 Permit Expiration**

.1 If the work authorized by a 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 Section, construction shall be deemed to have begun at the time of completion of an approved footing inspection.

.2 If, after date of issuance, the work is discontinued or incomplete for a period of one (1) year, the permit shall immediately expire.

.3 After a one (1) year duration, permit may be reissued for incomplete work for an additional one hundred eighty (180) day period, if justified, by making a written request to the Building Official prior to the permit expiration date. No permit fee will be required for renewal of a permit, however, surety, if applicable, shall remain in effect.

.4 After eighteen (18) months, a permit may be renewed for an additional 180 days by payment of 50% of the original fee.

.5 After twenty-four (24) months, a permit may be renewed for an additional 180 days year by payment of 75% of the original fee.

.6 After thirty (30) months, a new permit must be issued for the work to be completed, and the work must be completed in accordance with the code in effect at the time of issuance.

.7 No work authorized by any permit that has expired shall thereafter be performed until a new permit has been secured.

#### **20.3.5 Refunds**

Fees may be refunded as follows:

.1 The Building Official may authorize the full refunding of any permit fee that was erroneously collected or paid. To include applications for permits that were withdrawn before the permit was issued.

.2 The Building Official may authorize refunding of the permit fee when no work has been done on an issued permit by the time the initial 180 day period lapses.

.3 The Building Official may authorize not more than 80 percent refund of a permit fee if work has begun at any time and is subsequently discontinued; or if work is not begun within one year.

.4 After one year no permit fees will be refunded.

#### **20.4 Inspections and Investigations**

The Building Official shall have the right, upon presentation of proper credentials, or inspection warrant if necessary, to enter on any property or premises, public or private, within the jurisdiction of the Governing Body at any reasonable hour for the purposes of

inspection, determination of plan compliance, or for the purpose of investigation of any complaint or alleged violation of this Code.

The Building Official shall have the power to conduct such investigation as he may reasonably deem necessary to carry out his duties as prescribed in this Code, and shall also have the power to require written statements, certificates and certifications or the filing of reports under oath, with respect to pertinent questions relating to complaints or alleged violations of this Code.

## **20.5 Occupancy**

A Certificate of Occupancy shall be issued by the Building Official as soon as practical after completion of construction or development. 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.

### **20.5.1 Certification Inspection**

Prior to issuance of a Certificate of Occupancy the Building Official shall:

- .1 By on-site inspection ensure compliance with this Code.
- .2 By review of records ensure compliance with all applicable provisions of related health, building, and fire codes.
- .3 If required, ensure a Certificate of Flood-Proofing or Floor Elevation is presented and found correct.
- .4 Ensure all required on-site and off-site improvements have been completed, and that connection to all required utilities have been made.

### **20.5.2 Certificate Denial**

If denied, the Building Official will state the reasons by preparing a written list of deficiencies, cite the appropriate provisions of this Code or other regulations upon which denial is based, and state whether a conditional permit, special permit, variance or other procedure may be required.

### **20.5.3 Temporary Certificate of Occupancy**

The Building Official may issue a Temporary Certificate of Occupancy prior to the completion of all construction, alteration, or changes if such occupancy will not endanger health or safety.

- .1 Temporary Certificate of Occupancy may be for a time period as the Building Official deems appropriate to complete the work, but not to exceed one hundred eighty (180) days.
- .2 If the work is not completed within the period of the Temporary Certificate of Occupancy; the Building Official shall notify the owner immediately. The owner shall cease use of the

building and shall not resume such use until a Certificate of Occupancy has been issued. Failure to cease use shall subject the owner to civil penalties, and other enforcement actions.

## **20.6 Records**

The Building Official shall retain on file a signed copy of all Permits, all approved and amended Site Plans, all Flood Elevation Certificates and Flood Proofing Certificates, Certificates of Occupancy and documents required by law.

## **20.7 Debris**

No cut trees, timber, debris, contaminated soil, waste concrete, junk, rubbish, sewage, or food waste shall be buried, or left deposited on any private or public lot. During construction waste materials shall be stored in a manner which prevents blowing on or contamination of adjoining lots and public rights-of-way.

## **20.8 Utilities**

### **20.8.1 Utility Connections**

Utility lines, connections, and equipment shall be placed in accordance with the following:

.1 Connection of each lot to public water and sewer shall be required if service is within three hundred (300) feet of the nearest adequate lines of a public system, provided that no geographic or topographic factors would make such connection infeasible.

.2 Where public sewer is not available: an on-site sewage disposal system shall be provided in accordance with the standards set forth in IAC 567-69.

.3 Where public water is not available: wells shall be provided in accordance with IAC 567-49.

.4 All drainage and utility easements will be kept free and clear of any buildings or other structures that would interfere with their proper maintenance.

### **20.8.2 Backflow Prevention**

Cross connection from any well or other source of water to any piping system connected to Des Moines Water Works shall not be permitted except upon written permission of Water Works. Definitions used herein refer to those found in Des Moines Water Works Cross Contamination Control Regulations.

.1 Each owner shall prevent pollutants and contaminants from entering the Water Works distribution mains by backflow.

.2 All water using devices must be designed that back-siphoning or backflow to the system cannot occur.

.3 Where harmful contaminants or pollutants are used with any device or process connected to the water system, the owner must install and maintain a reduced pressure backflow prevention device.

.4 All permanently installed underground sprinkling systems shall contain a device to prevent back-siphoning or backflow to the Water Works distribution system.

.5 A new backflow prevention device shall be installed:

When an existing plant or facility has major plumbing changes or change of use or occupancy;

When an underground sprinkler system is connected to the Water Works distribution system;

When a potentially dangerous condition is found at an existing plant or facility and an order to correct is issued by Water Works; and

When required by code or law.

.6 When a backflow prevention device is required:

Water Works will review existing water service facilities and new construction plans for degree of hazard, and determine the type of backflow prevention assembly required. Water Works shall notify the existing residences, plants, and facilities of the degree of hazard, the backflow prevention assembly required, and a schedule of compliance.

.7 The Building Official shall inspect the new installation of the backflow prevention assemblies before initiation of water service.

.8 When a water service has one or more cross connections:

An air gap or approved backflow prevention assembly for containment is required, if classified as high hazard.

An approved double check valve assembly is required if classified as no or low hazard.

.9 A reduced pressure backflow prevention assembly shall be installed on all new and existing fire protection systems when any of the following conditions exist:

A direct connection from public water mains with auxiliary water supply on or available to the premises for pump connection.

Interconnection with auxiliary water supplies such as reservoirs, rivers, ponds, wells, mills, or other industrial water systems.

Antifreeze or other additives are used in the fire protection system.

Industrial and fire protection systems are supplied from public water mains only, with or without gravity storage or pump suction tanks.

Any facility or connection which may cause contamination.

A double check valve assembly will be required for all new fire protection systems at the time of installation, and all existing fire protection systems at the time of upgrade.

.10 Water Works personnel and the Building Official shall have right of access to any check valve or backflow prevention device located on private property.

.11 To ensure unprotected high hazard cross-connections do not exist without backflow protection, each owner shall:

Ensure cross-connections without backflow assemblies do not exist.

Cause the installation, testing and maintenance of backflow prevention assemblies at his expense; and maintain records of such on forms provided by Water Works.

Notify Water Works of any backflow incident, and take steps to confine pollution or contamination.

Provide water usage information at Water Works request.

.12. Backflow prevention assemblies shall be installed as follows:

For containment assemblies, in horizontal plumbing immediately following the meter or as close to that location as deemed practical by Water Works, but in any case upstream from any branch piping.

For reduced pressure assemblies protection from flooding is required, and they may not be installed in underground pits or vaults.

For all assemblies, protection from freezing is required, or removal, if seasonal; however, required testing must be performed on reinstalled assemblies.

For all assemblies, an accessible and safe location is required, as is a means of conveyance of assembly discharge to a suitable drain. Location of an assembly in ceiling or over or near an electrical panel is unacceptable.

For systems using hot water, thermal expansion is required.

For all assemblies, shut off valves shall conform to the current edition of the Manual of Cross Connection Control published by the University of Southern California, requirements for ball or resilient seat gate valves. Ball valves are required on piping two (2) inches or less, and resilient gates valves are required on piping larger than two (2) inches.

For containment assemblies, location shall be approved by Water Works prior to installation.

.13 Required backflow prevention assemblies for containment are listed in 641-225.5 (1) State of Iowa Plumbing Code.

.14 Backflow prevention assemblies shall be tested by a tester registered by the Iowa Department of Public Health:

Upon installation

Annually

Subsequent to repair or replacement,

If the water system has been out of operation for 90 or more consecutive days,

Before being placed in service for seasonal applications, and

When required by Water Works.

.15 Any backflow prevention device that fails a test shall be repaired or replaced using only original manufacturer replacement parts by a registered backflow prevention assembly technician prior to the resumption of water service. The design, material, or operational characteristics of a device shall not be changed during repair or maintenance.

Any time fire services are disrupted for longer than the period to test, the backflow prevention assembly technician shall notify the responsible fire department.

.16 The registered backflow prevention assembly technician shall within 15 days on a form approved by Water Works report all test results, repairs made, and replacement of devices. The report shall include a list of materials and replacement parts used, if any; and the state registration number of the technician. Failure to the backflow prevention assembly technician to properly test, repair, or report conditions, or meet registration requirements, could result in notification of the State Health Department.

.17 Water service may be discontinued if the owner or his agent:

Refuses to allow Water Works personnel or the Building Official access to the property for the purposes of inspection or assessment of backflow prevention,

Removes or by-passes a required backflow prevention assembly,

Fails to provide backflow prevention or provides inadequate backflow prevention when a high-hazard cross connection exists.

Fails to properly test, repair or replace a backflow prevention assembly when required, and

Fails to comply with the requirements of this Code.

(Ord. 219, 5/1/03; Ord. 234, 6/6/05; Ord. 247, 2/1/07; Ord. 253, 8/2/07)