

# Jasper County, Iowa

## Before the Board of Supervisors

### ORDINANCE #40D

AN ORDINANCE OF JASPER COUNTY, IOWA TO ADOPT BY REFERENCE A COMPLETE BUILDING CODE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS AND STRUCTURES, INCLUDING INSTALLATION OF MOBILE, MANUFACTURED AND MODULAR HOMES; TO PROVIDE FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND TO PROVIDE PENALTIES FOR VIOLATIONS AND FOR THE REPEAL OF THE EXISTING JASPER COUNTY BUILDING CODE ORDINANCE #40C IN ITS ENTIRETY AND REPLACING IN LIEU THEREOF THE FOLLOWING:

#### **JASPER COUNTY BUILDING CODE**

1. **Title.** This ordinance shall be known, cited, and referred to as the “*Jasper County Building Code*”.
2. **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 Jasper County.
3. **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.
4. **Jurisdiction of Adopted Codes.** In any code adopted by reference in this chapter, the jurisdiction of that the code is applicable to shall be Jasper County, Iowa, and any reference to “Name of Jurisdiction” or County shall be Jasper County, Iowa.
5. **Adoption of the International Building Code.** Pursuant to published notice and public hearing, as required by law, the 2006 International Building Code, published by the International Code Council, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.
6. **Adoption of the International Residential Code.** Pursuant to published notice and public hearing, as required by law, the 2006 International Residential Code, published by the International Code Council, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

7. **Adoption of the International Energy Conservation Code.** Pursuant to published notice and public hearing, as required by law, the 2006 International Energy Conservation Code, published by the International Code Council, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

8. **Adoption of the International Existing Building Code.** Pursuant to published notice and public hearing, as required by law, the 2006 International Existing Building Code, published by the International Code Council, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

9. **Adoption of International Fire Code.** Pursuant to published notice and public hearing, as required by law, the International Fire Code, as adopted by the Department of Public Safety, found in Iowa Administrative Rule 661-201, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

10. **Adoption of the State Plumbing Code.** Pursuant to published notice and public hearing, as required by law, the State Plumbing Code, as established by the Department of Public Health, found in Iowa Administrative Rule 641-25, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

11. **Adoption of the State Mechanical Code.** Pursuant to published notice and public hearing, as required by law, the State Mechanical Code, as established by the Department of Public Health, found in Iowa Administrative Rule 641-61, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

12. **Adoption of the State Electrical Code.** Pursuant to published notice and public hearing, as required by law, the State Electrical Code, as established by the State Electrical Licensing Board, found in Iowa Administrative Rule 661-504, is hereby adopted in full, including all appendixes, except for such portions as may hereinafter be deleted, modified, or amended.

13. **Construction Documents by Registered Design Professional.** Construction documents for all buildings and/or structures other than those covered by the International Residential Code, shall be prepared, signed, and sealed by a registered design professional.

Exception: Post frame buildings that meet all the following requirements: area of one thousand (1000) square feet or less; eave height of twelve (12) feet or less and pole spacing of eight (8) feet or less.

14. **Exempt.** This ordinance shall not apply to buildings as authorized by the Code of Iowa 331.304 or other laws that allow for exemption.

15. **Conflicts.** Wherever the requirements of this ordinance are at variance with the requirements of any applicable and superseding law, rule, regulation, or ordinance, the most restrictive or that imposing the higher standard shall govern.

16. **Severability.** Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this ordinance or the ordinance as a whole.

17. **Amendments.** This Code may be amended by the Jasper County Board of Supervisors after a public hearing as prescribed by law.

18. **Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the Director of Community Development shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Director shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be entered into the Community Development files.

19. **Schedule of Permit Fees.** The fee for any permit shall be set forth in the building permit fee schedule as established by resolution of the Board of Supervisors. Valuation for the purpose of establishing permit fees for new construction, additions or alterations to existing buildings may be determined by the building official, based on the most current ICC Building Valuation Data, local comparative data and submitted documents. The value to be used in computing the building permit shall be the total value of all construction work, for which the permit is issued, as well as all finish work, painting, site grading, paving, landscaping and other permanent work. Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits will be subject to the doubling of the permit fee. The Building Official may reduce this fee when it is demonstrated that an emergency existed that required the work to be done without a permit.

20. **Violations.** Any of the following acts shall be a violation of this Code and shall be subject to the enforcement remedies and penalties:

20.1 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

20.2 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

20.3 To violate, by act or omission, any term, variance or waiver, condition, or qualification placed by Jasper County 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.

20.4 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.


21. **Enforcement as a County or Municipal Infraction.** Any violations of any provision of this ordinance shall be enforced as a County or municipal infractions according to procedures established by law, as may from time to time be amended. Any person, firm or corporation violating any of the provisions of this ordinance commits a County or municipal infraction and shall, upon a finding that a violation has occurred, be made to pay a penalty fee equal to the maximum then allowed for County or municipal infractions under Iowa law for each infraction, including maximum enhanced penalties for any subsequent or continuing infraction(s). Each day that an infraction is permitted to exist shall constitute a separate infraction. Enforcement of the provisions of this ordinance may also be initiated or assisted by means of an action in law or equity, as the case may be in the Jasper County offices of the Iowa District Court.

21.1 The Director of Jasper County Community Development may withhold the issuance of a building and/or electrical permit if the property for which the permit will be issued has an unresolved noncompliance letter from the Jasper County Community Development Office, an unresolved County Citation, an unresolved Order for Abatement or an unresolved Order of Judgement related to abatement costs that predates the application for permit.

22. **Previous Enforcement.** Nothing in this Code shall prohibit the continuation of previous enforcement actions or initiation of new enforcement.

Passed and approved this 26 day of March 2024.

**Jasper County Board of Supervisors**

  
Brandon Talsma – Chairman

ATTEST:

  
Jenna Jennings – County Auditor

First Reading: 3.26.2024

Second Reading: NA

Third Reading: NA

Approved: 3.26.2024

Published: 4.2.2024 Newton News  
4.4.2024 Jasper County Tribune  
4.4.2024 Home town Press