

ORDINANCE 04-29-10-22

**AN ORDINANCE ADOPTING BY REFERENCE AND PROVIDING  
AMENDMENTS TO THE 2009 INTERNATIONAL MECHANICAL CODE**

**SECTION I. PURPOSE.** The purpose of this ordinance is to adopt by reference and provide certain amendments to the 2009 International Mechanical Code, as published by the International Code Council; and to provide for the protection of the health, welfare and safety of the citizens of Johnson County, Iowa, and to provide for the enforcement of these codes.

**SECTION II. APPLICABILITY OF CODES.** The 2009 International Mechanical Code shall apply as adopted and amended herein.

**SECTION III. EXEMPTION OF FARM STRUCTURES.** No provisions of the International Mechanical Code as adopted and amended herein, shall apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures, or erections which are primarily adapted, by reason of nature and area, for use for agricultural purposes on a farm.

For purposes of this exemption, a “farm” is defined as no less than forty (40) contiguous acres of land, or a 1/4 of a 1/4 of a Section, as legally described and recorded, while used for agricultural purposes. Residential structures occupied by persons engaged in farm operations shall be included in the term farming as are roadside stands for the sale of farm products.

**SECTION IV. ADOPTION OF UNIFORM CODES.** Subject to the amendments described below, the 2009 International Mechanical Code is hereby adopted and along with said amendments shall be known as the Johnson County Mechanical Code or the Mechanical Code.

**SECTION V. AMENDMENTS TO INTERNATIONAL MECHANICAL CODE.** The following sections of the 2009 International Mechanical Code are amended as follows:

A. Amend entire code to replace “ICC Electrical Code” with “National Electric Code” and “International Plumbing Code” with “Uniform Plumbing Code”.

B. Amend entire code to replace “International Fire Code” with “NFPA 54 and NFPA 58 Guidelines and Standards” for all references to LP gas installations.

C. Section 101.1: Delete Section 101.1 in its entirety and insert in lieu thereof the following:  
**101.1 Title.** These regulations shall be known as the Johnson County Mechanical Code, and shall be cited as such and will be referred to hereinafter as “this code.”

D. Section 106.2: Amend Section 106.2 by adding a number 9 as follows:  
**9.** The replacement of fixed appliances provided however that the replacement appliance is in the same location and has a rating equal to or less than the appliance being replaced, and it is not necessary to remove, replace, alter, or install any additional ductwork or piping.

E. Section 106.3: Delete Section 106.3 and insert in lieu thereof the following:  
**106.3 Application for Permit.** A mechanical permit may be issued to any person holding a valid master license as approved by the State of Iowa. A permit may also be issued for the installation of gas piping to any person holding a valid gas pipe installer’s license approved by Johnson County or to any company which employs a duly licensed gas pipe installer. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent.

F. Section 106.4.9: Add a new Section 106.4.9 as follows:  
**106.4.9 Licensing.** Licensing shall be in accordance with Chapter 641-29 of the Iowa Administrative Code (Plumbing and Mechanical Systems Board—Application, Licensure, and Examinations).

G. Section 106.5: Delete Section 106.5 in its entirety and insert in lieu thereof the following:

**106.5.1 Schedule of Permit Fees.** The fee for any permit shall be as set forth in the building permit fee schedule as established by resolution of the Board of Supervisors.

**106.5.2 Work Commencing before Permit Issuance.** Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the amount of the permit if a permit were issued. This fee shall be collected whether or not a permit is issued. The payment of such fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law. Only 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.

**106.5.3 Re-inspection Fees.** A re-inspection fee may be assessed for each inspection or re-inspection when such work or portion of such work for which the inspection is called for is not complete or when corrections called for are not made. Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, access is not provided on the date for which the inspection is requested, or when there is a deviation from plans requiring approval of the building official. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this code, but as controlling the practice of calling for inspections before the job is ready for said inspection or re-inspection.

**106.5.4 Refunds.** The Building Official may authorize refunding of any fee paid, minus an hourly charge for work done on the permit. Application for a refund must be submitted not later than 180 days after the date of fee payment. The Building Official may authorize a refund of any fee paid or collected erroneously.

H. Section 108.4: Delete Section 108.4 in its entirety.

I. Section 108.5: Delete Section 108.5 in its entirety.

J. Section 109: Delete Section 109 and insert in lieu thereof the following:

**109 Appeals.** See Section 112 of the International Building Code as amended.

K. Section 504.5: Delete Section 504.5 and insert in lieu thereof the following:

**504.5 Makeup Air.** All installations shall be provided with makeup air with an opening of not less than 100 square inches or as required by the manufacturer's specifications.

L. Section 506.3.12.3: Amend Section 506.3.12.3 by adding a sentence to the first paragraph as follows:

Where the exhaust outlet fronts an alley, the measurement may be taken from the center line of the alley.

**SECTION VI. REPEALER.** All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, including but not limited to Ordinance No. 01-31-08-Z2.

**SECTION VII. SEVERABILITY.** If any section, provision or part of this ordinance shall be adjudged invalid, illegal or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provisions or part thereof not adjudged invalid, illegal or unconstitutional.

**SECTION VIII. EFFECTIVE DATE.** This ordinance shall become effective on July 1, 2010.

Date of publication:

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Chairperson, Board of Supervisors  
Johnson County, Iowa

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Attest: Tom Slockett, Auditor  
Johnson County, Iowa