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Sarah M Hearst - Recorder, Muscatine County Iowa



Prepared By and Return to: Muscatine County Administration Office, 414 E. Third St, Ste 101, Muscatine, IA 52761 563(263-5317)

**ORDINANCE #06-02-25-01**  
**AMENDING THE MUSCATINE COUNTY CONSTRUCTION CODE**

BE IT HEREBY ORDAINED by the Muscatine County Board of Supervisors:

**Section 1. Amendment:** The Muscatine County Code of Ordinances, Title III, Chapter VI, is repealed in its entirety and replaced with the following:

**SECTION I. PURPOSE.**

The purpose of this ordinance is to adopt by reference uniform building and related codes within unincorporated Muscatine County in order to enhance the health, welfare and safety of inhabitants.

**SECTION 2. ENACTMENT.**

There are hereby adopted in full the following codes, and appendices thereto, which shall be controlling in all matters covered by them within the unincorporated territory of Muscatine County, Iowa:

- 2.1 The International Building Code, (IBC) as adopted by the State - Iowa Administrative Rule 661-301
- 2.2 The International Residential Code (IRC) for One- and Two-Family dwellings as adopted by the State - Iowa Administrative Rule 661-301
- 2.3 State Plumbing Code as adopted by the Department of Public Health Iowa Administrative Rule 481-425
- 2.4 State Mechanical Code as adopted by the Department of Public Health Iowa Administrative Rule 481-426
- 2.5 State Electrical Code as adopted by the State Electrical Licensing Board Iowa Administrative Rule 661-550
- 2.6 International Fire Code as adopted by the State - Iowa Administrative Rule 661-201
- 2.7 International Energy Conservation Code as adopted by the State - Administrative Rule 661-303

- 2.8 International Existing Building Code as adopted by the State – Iowa Administrative Rule 661-301 and 661-350
- 2.9 State Fire Safety Code for Hospitals and Health Care Facilities as adopted by the State – Iowa Administrative Rule 661-205
- 2.10 ADA Requirements, as adopted by the State - Iowa Administrative Rule 661-302
- 2.11 Smoke Alarms/Detectors as adopted by Iowa Administrative Rule 661-210
- 2.12 Carbon Monoxide Alarms as adopted by Iowa Administrative Rule 661-211

The full provisions of the above-listed codes are incorporated herein by reference without being set out in full as authorized by Section 331.302(12) of the Iowa Code.

### SECTION 3. SHORT TITLE.

The above-named codes, as adopted and from time to time amended by the Muscatine County Board of Supervisors shall be known individually as the Muscatine County Building, Residential, Plumbing, Mechanical and Electrical Codes, and collectively as the Muscatine County Construction Codes.

### SECTION 4. APPLICABILITY.

The Muscatine County Construction Codes shall be controlling in all matters covered by them within the unincorporated territory of Muscatine County, Iowa. The Muscatine County Construction Codes shall not apply to farmhouses or other farm buildings, which are primarily adapted for use for agricultural purposes, while so used or under construction for that use. A 'farm' is as defined in the Muscatine County Zoning Ordinance.

### SECTION 5. AMENDMENTS TO THE MUSCATINE COUNTY CONSTRUCTION CODE.

The following sections of the Muscatine County Construction Code are hereby amended:

- 5.1 IBC Section (A) 101.1. In place of "Name of Jurisdiction" insert "Muscatine County". IBC Sections 101.4.1 and 107.3 are amended by replacing the words "ICC Electrical Code" with "State Electrical Code as adopted by the State Electrical Licensing Board Iowa Administrative Rule 661-550".
- 5.2 IBC Section (A) 105.2. Work Exempt from Permit is amended to read:
  - 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet.

IBC Section 105.5 is amended to read:

Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within one year after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one year after

the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- 5.3 IBC Section (A) 109.3 is amended to read:  
Building Permit Fee. Building permit fee shall include total square footage, number of plumbing and mechanical fixtures, electrical service, etc., for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems. Schedule of permit fees is established in accordance with Section (A) 109.2. The Building Official maintains the right to withhold issuance of a permit to an individual who has outstanding building, zoning, or environmental violations or who is delinquent on property taxes.
- 5.4 IBC Section (A) 113.1 is amended to read:  
General. In order to hear and decide appeals of orders and decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be a Building Board of Appeals consisting of five members, none of who are employees of Muscatine County. One member shall be a registered architect or engineer in the State of Iowa; one member shall be a general construction contractor; one member shall be a licensed electrician; and two members shall be private citizens, all of whom are residents of Muscatine County, Iowa. The Building Official or the building official's duly authorized representative shall be an ex officio member without a vote and shall act as secretary of the Board. Each appointment or new appointment shall be for a term of three years, with the terms of not more than two members to expire December 31 of any one year. The Building Board of Appeals shall be appointed by the Board of Supervisors and shall serve without compensation, except mileage. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the Building Official for appropriate distribution and filing. The Building Board of Appeals shall make recommendations from time to time to the Board of Supervisors for appropriate legislation with respect to building regulation. Nominal fee for appeal to the Board of Appeals shall be set by resolution of the Board of Supervisors.

## SECTION 6. AMENDMENTS TO THE MUSCATINE COUNTY RESIDENTIAL CODE.

The following sections of the Muscatine County Residential Code are hereby amended:

- 6.1 IRC Section R101.1 is amended as follows: In place of "Name of Jurisdiction" insert "Muscatine County". IRC Section R107.3 is amended by replacing the words "ICC Electrical Code" with "State Electrical Code as adopted by the State Electrical Licensing Board Iowa Administrative Rule 661-550".
- 6.2 IRC Section R105.5 is amended to read:  
Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within one year after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one year after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions not more than 180 days each. The extension shall

be requested in writing and justifiable cause demonstrated.

6.3 IRC Section R108.3 is amended to read:

**Building Permit Fee.** Building permit fee shall include total square footage, number of plumbing and mechanical fixtures, electrical service, etc., for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems. Schedule of permit fees is established in accordance with section R108.2. The Building Official maintains the right to withhold issuance of a permit to an individual who has outstanding building, zoning, or environmental violations or who is delinquent on property taxes.

6.4 IRC Section R112.1 is amended to read:

**General.** In order to hear and decide appeals of orders and decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be a Building Board of Appeals consisting of five members, none of who are employees of Muscatine County. One member shall be a registered architect or engineer in the State of Iowa; one member shall be a general construction contractor; one member shall be a licensed electrician; and two members shall be private citizens, all of whom are residents of Muscatine County, Iowa. The Building Official or the building official’s duly authorized representative shall be an ex officio member without a vote and shall act as secretary of the Board. Each appointment or new appointment shall be for a term of three years, with the terms of not more than two members to expire December 31 of any one year.

The Building Board of Appeals shall be appointed by the Board of Supervisors and shall serve without compensation, except mileage. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the Building Official for appropriate distribution and filing. The Building Board of Appeals shall make recommendations from time to time to the Board of Supervisors for appropriate legislation with respect to the Building Regulations. Nominal fee for appeal to the Board of Appeals shall be set by resolution of the Board of Supervisors.

6.5 IRC Table R301.2(1) is amended to read:

Climatic and geographic design criteria.

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDER-LAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special wind region	Wind-borne debris zone		Weathering	Frost free depth	Termite					
25	116	No	No	No	A	Severe	42	Moderate to Heavy	-5F	Yes	A, B, C	2000	50.7

A – The date of the jurisdiction’s entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas) October 17, 1986.

B- The date(s) of the Flood Insurance Study: November 4, 2016.

C- The panel numbers and dates of the currently effective FIRMs and FBFMS or other

flood hazard map adopted by the authority having jurisdiction, as amended.

5, 9, 10, 15, 17, 20, 28, 30, 50, 55, 60, 70, 100, 125, 127, 130, 131, 135, 140, 145, 169, 175, 179, 180, 183, 184, 185, 186, 187, 188, 189, 191, 192, 193, 225, 250, 275, 281, 282, 284, 300, 301, 303, 325

Effective date: 06/02/2025

6.6 IRC Section R302.13 Fire Protection of Floors is amended by adding exception 5. To read: "5. Wood floor assemblies located directly above unfinished basement spaces."

6.7 Deletion of Section R313, Automatic Fire Sprinkler Systems.

6.8 IRC Section R403.14.1 is amended by adding Exception 4. To read: One story detached accessory buildings of wood or steel frame construction, 1,250 square feet in area or less, may have a concrete slab-on-grade foundation. The slab-on-grade shall be a minimum of four inches thick reinforced concrete and shall be thickened at its entire perimeter to a minimum cross section dimension of 10 inches by 10 inches. Reinforcement of the slab, including the thickened portion, shall be 6 inches by 6 inches, ten gauge welded wire mesh or #4 reinforcing bars 24 inches on center both ways. The slab shall be cast monolithically with the thickened portion. The top of the foundation shall not be less than six (6) inches above finish grade. No section of the concrete foundation shall extend more than 24" above finish grade. No plumbing shall be located in buildings with slab-on-grade foundations without frost protection. Stone and masonry veneer shall not be applied to exterior wall supported by slab-on-grade foundations.

## SECTION 7. ADMINISTRATION AND ENFORCEMENT.

7.1 Zoning Administrative Officer. The Zoning Administrative Officer of Muscatine County, Iowa, is hereby designated by the Muscatine County Board of Supervisors to enforce the provisions of this ordinance.

7.2 Powers and Duties. The Zoning Administrative Officer and his or her duly authorized assistants shall have the following powers and duties:

a. To issue all permits under this ordinance and make and maintain records thereof. The permits which shall be issued are for the commencement of work and for the occupancy of the building or structure.

b. To conduct inspections of buildings, structures, and uses of land to determine compliance with the provisions of this ordinance. The Zoning Administrative Officer shall set forth in the building permit the inspections which are required to be conducted prior to the work being approved and an occupancy permit issued.

c. To transmit to the Building Board of Appeals applications for appeals of the rulings of the Zoning Administrative Officer pursuant to this ordinance. The Zoning Administrator shall act as secretary to the Building Board of Appeals, maintaining permanent and current records of permits and other correspondence

issued pursuant to this ordinance.

- 7.3 Appeals. Appeals from the decisions of the Zoning Administrative Officer with respect to the issuance or denial of a permit or an interpretation of a code provision under this ordinance may be made to the Building Board of Appeals. Decisions to commence a criminal or civil court proceeding pursuant to this ordinance are not subject to appeal to the Building Board of Appeals.
- 7.4 Violations and Penalties. These rules and regulations shall be enforced in accordance with the provisions of Title I Administration, Chapter V Enforcement Ordinance.
- 7.5 Restraining order. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this ordinance, the County Attorney, in addition to other remedies, may institute any proper action or proceed in the name of Muscatine County, Iowa, to prevent such unlawful erection, construction, reconstruction, alteration or repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent any illegal act, conduct, business or use in or about said premises.

SECTION 8. SAVINGS CLAUSE.

If any section, provision or part of this ordinance, or of the Codes hereby enacted by reference, shall be adjudged invalid, illegal or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid, illegal or unconstitutional.

**Section 2. Severability.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the regulations as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**Section 3. Effective Date.** This ordinance shall take effect upon its publication as required by law.

**Section 4. Conflict with Provisions.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED, APPROVED AND ORDAINED this 2nd day of June, 2025.

ATTEST:

  
Shannon Steele  
Administrative/Elections Clerk

  
Nathan Mather, Chairperson  
Muscatine County Board of Supervisors