

ORDINANCE 12-01

AN ORDINANCE RELATING TO ADOPTION BY REFERENCE OF THE INTERNATIONAL BUILDING CODE, 2012 EDITION AND THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION AND PROVIDING PENALTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. Chapter 160 of the Code of Ordinances is amended by deleting the same and inserting in lieu thereof the following:

**CITY OF MARION CODE OF ORDINANCES CHAPTER 160**  
**BUILDING CODE**

160.01 International Building Code Adopted	160.25 Residential Sprinkler Systems
160.02 Amendments to the Building Code	160.26 Chimney Enclosures
160.03 Name of Jurisdiction	160.27 Floor Assembly Framing Protection
160.04 Residential Energy Effective Date	160.28 Repeal of Section -- Lighting Systems
160.05 Work exempt from Permit IBC Decks	160.29 Incidental Uses Area Limitations
160.06 Work exempt from Permit IRC Sheds	160.30 Incidental Uses Table 509
160.07 Work exempt from Permit IRC Decks	160.31 Marking and Identification
160.08 Expiration	160.32 Group F-1 Upholstered furniture and mattresses
160.09 Schedule of Permit Fees	160.33 Group M-1 Upholstered furniture and mattresses
160.10 Valuation	160.34 Group S-1 Upholstered furniture and mattresses
160.11 Reinspection Fees	160.35 Basements
160.12 Board of Appeals	160.36 Fire Alarms Group E
160.13 Violations and Penalties	160.37 Fire Alarms Group R-2
160.14 Definition; Accessory Structure	160.38 Floor-Level Exit Signs
160.15 Definition; Habitable Attic (Deleted)	160.39 Stairs and Exits
160.16 Definition; Existing Structure	160.40 Sewer Depth (deleted)
160.17 Definition; Townhouse	160.41 Group A Seat Stability
160.18 Design Criteria	160.42 Repeal of Exception (Door To Remain Unlocked)
160.19 Assembly Group A	160.43 Fuel Gas Piping
160.20 Educational Group E	160.44 Slab on Grade Foundations
160.21 Opening Protection	160.45 Foundation Drainage Systems
160.22 Exterior Walls	160.46 Code on File
160.23 Two-Family Dwellings	160.47 Condominium Conversions
160.24 Repeal of Section (Window Sills)	

**160.01 INTERNATIONAL BUILDING CODE ADOPTED.** Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Building Code of the City that certain Building Code known as the *International Building Code, 2012 Edition and International Residential Code, 2012 Edition*, including *International Residential Code, 2012 Edition* Appendix G, First Printings, as prepared and edited by the International Code Council, Inc. and the provisions of said Building Code shall be controlling in the construction of buildings and other structures and in all matters covered by said Building Code within the corporate limits of the City and shall be known as the Marion Building Code.

**160.02 AMENDMENTS TO THE BUILDING CODE.** Certain sections and portions of sections of the *International Building Code, 2012 Edition and International Residential*

*Code, 2012 Edition*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

**160.03 NAME OF JURISDICTION.** The Marion Building Code is hereby amended by inserting “City of Marion” as the name of jurisdiction into Section 101.1 of the *International Building Code, 2012 Edition*, and Section R101.1 of the *International Residential Code, 2012 Edition*.

**160.04 EFFECTIVE DATE OF RESIDENTIAL ENERGY REGULATIONS.** The Marion Building Code is hereby amended by adding a new exception to Section N1101.1 of the *International Residential Code, 2012 Edition* and Section R101.2 of the *International Energy Conservation Code, 2012 Edition* as follows:

Exception: Prior to January 1, 2013, the International Energy Conservation Code, 2009 Edition, shall regulate the energy efficiency for the design and construction of residential buildings, the buildings sites, and associated systems and equipment regulated by this Code.

**160.05 WORK EXEMPT FROM PERMIT.** The Marion Building Code is hereby amended by adding a new numbered item to Section 105.2 of the *International Building Code, 2012 Edition*, as follows:

**Building:**

14. Platforms or decks not more than 30 inches above adjoining grade and not over any basement or story and not supporting floor, roof or unusual loads.

**160.06 WORK EXEMPT FROM PERMIT.** The Marion Building Code is hereby amended by repealing Section R105.2 Building: Exception #1 of the *International Residential Code, 2012 Edition*, and by replacing said Exception with new Exception, as follows:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.

**160.07 WORK EXEMPT FROM PERMIT.** The Marion Building Code is hereby amended by repealing Section R105.2 Building: Exception #10 of the *International Residential Code, 2012 Edition*, and by replacing said Exception with new Exception, as follows:

**Building:**

10. Platforms or decks not more than 30 inches above adjoining grade and not over any basement or story and not supporting floor, roof or unusual loads.

**160.08 EXPIRATION.** The Marion Building Code is hereby amended by adding a new Section 105.5.1 to the *International Building Code, 2012 Edition* and *International Residential Code, 2012 Edition*, as follows:

105.5.1 EXPIRATION. Every building permit issued under the provisions of the Code shall expire twelve (12) months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his or her agent and by payment of the renewal fee as set forth in Table 1-A SCHEDULE OF FEES as adopted by resolution of the Marion City Council, and provided no changes have been made in plans or location. No permit shall be renewed more than once.

**160.09 SCHEDULE OF PERMIT FEES.** The Marion Building Code is hereby amended by repealing Section 109.2 of the *International Building Code, 2012 Edition* and Section R108.2 of the *International Residential Code, 2012 Edition*, and by replacing said sections with a new section as follows:

108.2 **Schedule of Permit Fees.** On buildings, structures or alterations requiring a permit, a fee for each permit shall be paid as set forth in Table 1-A SCHEDULE OF FEES as adopted by resolution.

**160.10 VALUATION.** The Marion Building Code is hereby amended by adding a new Section 109.3.1 to the *International Building Code, 2012 Edition* and Section R108.3.1 to the *International Residential Code, 2012 Edition*, as follows:

108.3.1 **Valuation.** Valuation for the purpose of establishing permit fees for new construction, additions or alterations to existing buildings shall be determined by the Building Official from the MARION VALUATION SHEET as adopted by resolution of the City of Marion City Council.

**160.11 REINSPECTION FEES.** The Marion Building Code is hereby amended by adding a new Section 109.7 to the *International Building Code, 2012 Edition* and Section R108.7 to the *International Residential Code, 2012 Edition*, as follows:

108.7 **Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection 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 such inspection or reinspection.

Reinspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the property and building address are not properly posted, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

**160.12 BOARD OF APPEALS.** The Marion Building Code is hereby amended by repealing Section 112.1 from the *International Building Code, 2012 Edition* and Section R112.1 of the *International Residential Code, 2012 Edition*, and by replacing said Sections with new Sections as follows:

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals, consisting of The members of the Construction Codes Review Board as established in City of Marion Code of Ordinances Section 30.05. The Building Official or designated representative shall be an ex-officio member without a vote and shall act as secretary of the Board.

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, and may recommend to the City Council such new legislation as is consistent therewith. The Board shall hold a regular meeting on the fourth Tuesday of each month, unless there are no appeals or business on file for a hearing.

Nominal appeal fee to the Board of Appeals shall be paid as set forth in Table 1-A SCHEDULE OF FEES as adopted by resolution of the City Council. The appeal shall be valid for one (1) year from the date of the Board approval to the commencement of work and to the completion of work undertaken pursuant to the approval.

**160.13 VIOLATIONS AND PENALTIES.** The Marion Building Code is hereby amended by repealing Section 113.4 of the *International Building Code, 2012 Edition*, and Section R113.4 of the *International Residential Code, 2012 Edition*, and by replacing said Sections with new Sections, as follows:

113.4 VIOLATIONS AND PENALTIES. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this Code is committed, continued, or permitted and upon conviction of any such violations such person shall be punished in a manner provided in Chapter 4 of the Code of Ordinances.

**160.14 ACCESSORY STRUCTURE.** The Marion Building Code is hereby amended by repealing the definition of Accessory Structure in Section 202 of the *International Residential Code, 2012 Edition* and inserting in lieu thereof the following:

**ACCESSORY STRUCTURE.** A structure the use of which is incidental to that of the main structure and which is located on the same lot.

**160.15 ATTIC, HABITABLE.** The Marion Building Code is hereby amended by repealing the definition of Attic, Habitable in Section 202 of the *International Residential Code, 2012 Edition*

**160.16 EXISTING STRUCTURE.** The Marion Building Code is hereby amended by repealing the definition of Existing Structure (For Chapter 34) in Section 202 of the *International Building Code, 2012 Edition* and inserting in lieu thereof the following:

**EXISTING STRUCTURE (For Chapter 34).** A structure completed prior to the date of adoption of this code.

**160.17 TOWNHOUSE.** The Marion Building Code is hereby amended by repealing the definition of Townhouse in Section 202 of the *International Residential Code, 2012 Edition* and inserting in lieu thereof the following:

**TOWNHOUSE.** A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

**160.18 DESIGN CRITERIA.** The Marion Building Code is hereby amended by inserting climate and geographical design criteria into Table R301.2(1) of the *International Residential Code, 2012 Edition* as follows:

GROUND SNOW LOAD	WIND SPEED MPH	Topo. Effects	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS		AIR FREEZING INDEX	MEAN ANNUAL TEMP
				Weathering	Frost Line Depth	Termite	Decay			NFIP Adoption	FIRM Maps		
30 PSF	90	NO	A	Severe	42"	Moderate-Heavy	Slight-Moderate	-5 F	YES	1982	7/5/82	1784	48.9

**160.19 ASSEMBLY GROUP A.** The Marion Building Code is hereby amended by repealing Sections 303.1.3 and 303.1.4 of the *International Building Code, 2012 Edition* and leaving said sections blank.

**160.20 EDUCATIONAL GROUP E.** The Marion Building Code is hereby amended by repealing Sections 305.1.1 of the *International Building Code, 2012 Edition* and by replacing said section with a new Section 305.1.1 as follows:

305.1.1 **Accessory to places of religious worship.** Religious educational rooms and religious auditoriums, which are accessory to places of religious worship, shall be classified as Group A-3 occupancies.

**160.21 EXTERIOR WALLS.** The Marion Building Code is hereby amended by repealing Sections R302.1 Exception 2. of the *International Residential Code, 2012 Edition* and by replacing said Exception with a new Exception 2. as follows:

Exception 2. Fire separation distance based on an imaginary line between two buildings on the same lot shall not apply to walls separating dwellings and their accessory structures.

**160.22 TWO-FAMILY DWELLINGS.** The Marion Building Code is hereby amended by repealing Section R302.3 of the *International Residential Code, 2012 Edition* and by replacing said section with a new Section R302.3 as follows:

R302.3 **Two-family dwellings.** Dwelling units in two-family dwellings shall be considered as townhouses and shall be separated from each other with wall assemblies in compliance with Section R302.2 or shall be constructed in compliance with the International Building Code.

Exception: Wall assemblies need not extend through attic spaces when the ceiling is protected by not less than 5/8 inch Type X gypsum board and an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating dwellings. The structural framing supporting the ceiling shall also be protected by not less than 1/2 inch gypsum board or equivalent.

**160.23 OPENING PROTECTION.** The Marion Building Code is hereby amended by repealing Sections R302.5.1 of the *International Residential Code, 2012 Edition* and by replacing said section with a new Section R302.5.1 as follows:

R302.5.1 **Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches thick, or 20-minute fire-rated doors.

**160.24 REPEAL OF SECTION (WINDOW SILLS).** The Marion Building Code is hereby amended by repealing Section 1013.8 of the *International Building Code, 2012 Edition* and Section R312.2.1 of the *International Residential Code, 2012 Edition*, and leaving said sections blank.

**160.25 AUTOMATIC FIRE SPRINKLER SYSTEMS.** The Marion Building Code is hereby amended by repealing Section R313 of the *International Residential Code, 2012 Edition*, and by replacing said section with a new section as follows:

**SECTION R313**  
**AUTOMATIC FIRE SPRINKLER SYSTEMS**

**R313.1 Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed throughout all attached townhouse dwelling units when any of the following conditions exist:

1. The townhouses are constructed in a group of more than four attached units.
2. Any individual townhouse dwelling unit of a structure with four or fewer attached townhouses has a floor area greater than 4000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

**R313.1.1 Design and installation.** Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904.

**R313.2 One- and two-family dwellings automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings when the following conditions exist:

1. The one-or two-family dwelling has a floor area greater than 4000 square feet on any one story or greater than 8000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing one- and two-family dwellings that do not have an automatic residential fire sprinkler system installed.

**R313.2.1 Design and installation.** Automatic residential fire sprinkler systems for one- and two-family dwellings shall be designed and installed in accordance with Section P2904.

**R313.3 Alternative Methods.** Maximum floor area square footages of Sections R313.1 and R313.2 may be increased by 25% for buildings or floors containing more than one

egress door as specified in Section R311.2 or more than one vertical egress as specified in Section R311.4 or other approved alternate methods of building occupant egress enhancement.

**160.26 CHIMNEY ENCLOSURES.** The Marion Building Code is hereby amended by adding a new Section 425 to the *International Building Code, 2012 Edition* and Section R324 to the *International Residential Code, 2012 Edition*, respectively as follows:

422/R324 CHIMNEY ENCLOSURES. All enclosed chimneys serving solid fuel burning fireplaces and appliances shall be separated from the structure to which they are attached by installation of materials approved for one-hour fire resistive construction on the chimney side of the enclosure. The separation shall extend from the base of the appliance to the outer roofline.

**160.27 FLOOR ASSEMBLY FRAMING PROTECTION.** The Marion Building Code is hereby amended by repealing Section 501.3 of the *International Residential Code, 2012 Edition* and leaving said sections blank.

**160.28 REPEAL SECTION – LIGHTING SYSTEMS.** The Marion Building Code is hereby amended by repealing Section N1104.1 and Section R404.1 of the *International Energy Conservation Code, 2012 Edition* of the *International Residential Code, 2012 Edition* and leaving said section blank.

**160.29 INCIDENTAL USES AREA LIMITATIONS.** The Marion Building Code is hereby amended by repealing Section 509.3 of the *International Building Code, 2012 Edition* and leaving said section blank.

**160.30 INCIDENTAL USES TABLE 509.** The Marion Building Code is hereby amended by adding Foot Note a. to Table 509 of the *International Building Code, 2012 Edition* as follows:

Note a. Separation and/or protection of laundry rooms and waste and linen rooms is required only for those rooms located in Group R or I occupancies.

**160.31 MARKING AND IDENTIFICATION.** The Marion Building Code is hereby amended by repealing Section 703.7 of the *International Building Code, 2012 Edition*, and leaving said section blank.

**160.32 GROUP F-1 Upholstered Furniture and Mattresses.** The Marion Building Code is hereby amended by repealing Section 903.2.4 (4.) of the *International Building Code, 2012 Edition* and by leaving said section blank.

**160.33 GROUP M Upholstered Furniture and Mattresses.** The Marion Building Code is hereby amended by repealing Section 903.2.7 (4.) of the *International Building Code, 2012 Edition* and by leaving said section blank.

**160.34 GROUP S-1 Upholstered Furniture and Mattresses.** The Marion Building Code is hereby amended by repealing Section 903.2.9 (5.) of the *International Building Code, 2012 Edition* and by leaving said section blank.

**160.35 BASEMENTS.** The Marion Building Code is hereby amended by repealing Section 903.2.11.1.3 of the *International Building Code, 2012 Edition* and by replacing said section with a new Section 903.2.11.1.3 as follows:

903.2.11.1.3       **Basements.** Where any portion of a basement is located more than 75 feet from openings required by Section 903.2.11.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

**160.36 FIRE ALARMS GROUP E.** The Marion Building Code is hereby amended by repealing Section 907.2.3 of the *International Building Code, 2012 Edition* and by replacing said section with a new Section 907.2.3 as follows:

907.2.3       **Group E.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group E occupancies having an occupant load of 50 or more. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
  - 1.1 Interior corridors are protected by smoke detectors.
  - 1.2 Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.
  - 1.3 Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved devices.
2. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the notification appliances will activate on sprinkler waterflow and manual activation is provided from a normally occupied location.

**160.37 FIRE ALARMS GROUP R-2.** The Marion Building Code is hereby amended by repealing Section 907.2.9.1 of the *International Building Code, 2012 Edition*, and by replacing said section with a new section as follows:

**907.2.9.1 Group R-2.** A fire alarm system shall be installed in Group R-2 occupancies where:

1. Any dwelling unit is located three or more stories above the lowest level of exit discharge;
2. Any dwelling unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit;
3. The building contains 12 or more dwelling units; or
4. Any dwelling unit, or portion thereof, is more than one story above any other dwelling unit in the same building.

**Exceptions:**

1. A fire alarm system is not required in buildings not over two stories in height where all dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least 1-hour fire partitions and each dwelling unit has an exit directly to a public way, exit court or yard.
2. A separate fire alarm system is not required in buildings that are equipped throughout with an approved, supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or Section 903.3.1.2 and which have a local alarm that meets the notification requirements of Section 907.5.2.1.

For purposes of this section, firewalls shall not define separate buildings.

**160.38 FLOOR-LEVEL EXIT SIGNS.** The Marion Building Code is hereby amended by repealing Section 1011.2 of the *International Building Code, 2012 Edition* and leaving said section blank.

**160.39 STAIRS AND EXITS.** The Marion Building Code is hereby amended by adding a new Exception to Section 1029.1 of the *International Building Code, 2012 Edition* and Section R310.1 of the *International Residential Code, 2012 Edition*, as follows:

Exception: Basement escape windows required for remodel or finish of rooms in existing buildings may have window sill height measured from an elevated landing not less than 36 inches wide, extending not less than 18 inches out from the interior finish of the exterior wall and not more than 24 inches in height. The landing shall be permanently affixed to the floor below and the wall under the window it serves.

**160.40 SEWER DEPTH.** The Marion Building Code is hereby amended by repealing Section P2603.5.1 of the *International Residential Code, 2012 Edition* and leaving said section blank.

**160.41 SEAT STABILITY.** The Marion Building Code is hereby amended by repealing Section 1028.12, Exception #2 of the *International Building Code, 2012 Edition* and by replacing said exception with a new exception as follows:

Exception 2: In a building, room or space used for assembly purposes or portion thereof with seating at tables and without ramped or tiered floors for seating, the seats shall not be required to be fastened to the floor.

**160.42 REPEAL OF EXCEPTION (“THIS DOOR TO REMAIN UNLOCKED”).** The Marion Building Code is hereby amended by deleting Section 1008.1.9.3, item 2. of the *International Building Code, 2012 Edition*.

**160.43 FUEL GAS PIPING.** The Marion Building Code is hereby amended by repealing Sections G2415.3 of the *International Residential Code, 2012 Edition* and by replacing said section with a new Section G2415.3 as follows:

**G2415.3 Prohibited Locations.** Piping shall not be installed in or through a duct supply, return or exhaust, or a clothes chute, chimney or gas vent, dumbwaiter or elevator shaft.

**160.44 SLAB ON GRADE FOUNDATIONS.** The Marion Building Code is hereby amended by adding a new Exception to Section 1809.5 of the *International Building Code, 2012 Edition* and R403.1.4.1 of the *International Residential Code, 2012 Edition*, respectively, as follows:

Exception:

1. Slab-on-Grade Foundations. The Building Official may approve slab-on-grade foundation designs for wood or metal frame, detached buildings of Group U Occupancy or accessory to buildings constructed under the provisions of the *International Residential Code* and 1250 square feet in floor area or less, without additional engineering, providing the design meets all of the following:
  1. Foundations supporting wood shall extend at least six inches above the adjacent finish grade.
  2. The entire perimeter of the foundation shall be provided with a thickened portion of slab with cross section dimensions of 10 inches minimum width and 10 inches minimum thickness.
  3. The slab floor shall be a minimum of 4 inches thick concrete with 6" x 6" reinforcing mesh or #4 reinforcing bars 24" on center front-to-back and side-to-side.
  4. Slab floor and thickened edge shall be one continuous pour, interconnected with reinforcing.

5. Vertical distance from the top of the foundation floor to the lowest point of the footing base shall not be more than 24 inches.

**160.45 FOUNDATION DRAINAGE SYSTEMS.** The Marion Building Code is hereby amended by repealing Section 1805.4.3 of the *International Building Code, 2012 Edition* and by replacing said section with a new Section 1805.4.3 and adding a new Section R401.3.1 to the *International Residential Code, 2012 Edition*, respectively, as follows:

**1805.4.3/R401.3.1 Drainage discharge.** The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the following:

(A) Sump pit located inside building. Exception: Sump pit may be omitted if drainage tile can be designed with natural fall and drain on same property if approved by the Building Official.

(B) For each sump pit installed a pump discharge pipe shall be provided running continuous from a point directly outside the sump pit to the City storm sewer or other approved discharge location.

(C) Pump discharge pipe shall be installed as per the requirements of the City of Marion Plumbing Code with connections to City storm sewer as per City of Marion Engineering Specifications.

(D) Installation of sump pump if one is found by the Building Official to be necessary. It shall be equipped to automatically provide for discharge of sump pit water outside the basement wall and above grade and/or approved by the City Engineer.

FPN: A sump pump will be considered to be necessary if water inside the sump pit will not recede to a level four inches or more below the lowest basement floor surface by gravity or absorption into the earth within a reasonable period of time.

(E) The outlet line from the sump pump shall discharge a minimum of two (2) feet from the outside foundation wall and/or be approved by City Engineer.

(F) Where ground water conditions warrant, the Building Official may require additional drain tile as he/she deems necessary.

Swimming pools shall be designed and constructed so as to provide for appropriate drainage of water resulting from overflowing, draining, and maintenance operations. The site plan for a proposed swimming pool shall indicate where pool drainage is to be directed in such a manner that:

(A) Swimming pool drainage water shall be directed away from any structure foundation.

(B) Ponding of surface water shall be avoided

(C) Swimming pool drainage water shall whenever possible be directed to available drainage tile or storm sewer systems.

(D) Surface water shall not be discharged to any adjacent private property except upon drainage easements or established waterways shall not be altered so that upstream water flow is adversely affected.

(E) Water flow shall be controlled to avoid excessive volume or velocity which could cause soil erosion or create other possible hazards.

Final graded lots shall comply with the grading plan and any terms of the memorandum of agreement for the approved subdivision.

**160.46 CODE ON FILE.** An official copy of the Marion Building Code hereby adopted, including a certificate by the Clerk as to its adoption and the effective date thereof, shall be on file in the Office of the Clerk in City Hall and shall be kept there on file, and copies shall be available for public inspection. Copies of this chapter shall be available in the Building Department Office. A copy of the Marion Building Code hereby adopted shall also be placed in the collection of the Marion Public Library for public reference.

**160.47 CONDOMINIUM CONVERSIONS.** No person shall record in the office of the Linn County Recorder, a condominium conversion relating to property within the corporate limits of the City of Marion, without first complying with the provisions of Section 499B.3 of the Iowa Code and having satisfactorily corrected any deficiency noted in the city inspection and having received a certificate of compliance.

For the purposes of condominium conversion, structures completed prior to the date of adoption of this Code, and thereafter converted to a horizontal property regime (condominium) are not required to be updated to comply with the building code in effect at the time of the conversion, except the following building code provisions shall be complied with:

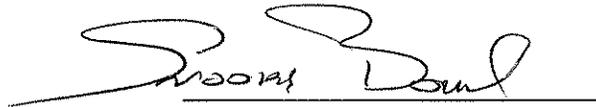
- Fire Protection Systems
- Means of Egress
- Structural and Life-Safety concerns specifically noted

The Building Official may waive compliance with any or all of the above exceptions where he determines compliance to be unduly burdensome or not practical or reasonable given the nature of the structure.

Section 2. Violations of this ordinance shall be punished as provided in section 1.06 of the Code of Ordinances or may be cited as a municipal infraction under chapter 4 of the Code of Ordinances.

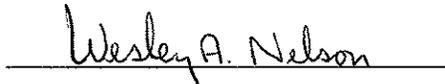
Section 3. This ordinance shall be in full force and effect March 1, 2012 and after its passage and publication as by law provided.

Passed and approved this 19th day of January, 2012.



Snooks Bouska, Mayor

ATTEST:



Wesley A. Nelson, City Clerk

**CERTIFICATE OF SERVICE**

The undersigned City Clerk of Marion, Iowa certifies that the ordinance summarized shown immediately above was published in the Marion Times on the 26th day of January, 2012.  
Wesley A. Nelson  
City Clerk