

BLAINE COUNTY ORDINANCE NUMBER 2019-06

AN ORDINANCE OF BLAINE COUNTY, IDAHO, AMENDING BLAINE COUNTY CODE, TITLE 7, CHAPTER 1, BUILDING CODE ORDINANCE, BY DELETING IT IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 1, BUILDING CODE, BY WHICH THE 2015 INTERNATIONAL BUILDING CODE (IBC), THE 2015 INTERNATIONAL EXISTING BUILDING CODE (IEBC), THE 2012 INTERNATIONAL RESIDENTIAL CODE (IRC), THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE (ISPSC), THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC), RESIDENTIAL PROVISIONS, AND THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC), COMMERCIAL PROVISIONS, ALONG WITH AMENDMENTS AND ADDITIONS TO REFLECT LOCAL CONCERNS ARE ADOPTED PURSUANT TO IDAHO CODE, TITLE 39, CHAPTER 41, IDAHO BUILDING CODE ACT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Blaine County seeks to protect the public health, safety and welfare of the citizens of and visitors to the County.

WHEREAS, Blaine County, pursuant to Idaho Code §39-4116(2) and as a local government that issues building permits and performs building code enforcement activities, shall adopt the following codes as published by the International Code Council and amended by the Idaho building code board through the negotiated rulemaking process (see IDAPA 07.03.01.004):

- (a) International Building Code, including all rules promulgated by the board to provide equivalency with the provisions of the Americans with disabilities act accessibility guidelines and the federal fair housing act accessibility guidelines;
- (b) International Residential Code, parts I-IV and IX;
- (c) International Energy Conservation Code, excluding amendments by the Idaho Building Code Board;
- (d) International Swimming Pool and Spa Code;
- (e) International Existing Building Code;

WHEREAS, Blaine County, pursuant to Idaho Code §39-4116(4), may amend the adopted codes or provisions of the above referenced codes to reflect local concerns, if such amendments establish at least an equivalent level of protection.

WHEREAS, Blaine County, pursuant to Idaho Code §31-714 “. . . may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein...”

WHEREAS, Areas of Blaine County require higher roof snow load standards due to elevation, topography and climate will require construction in accordance with the 2015 International Building Code and snow loads established in part based on “Ground and Roof Snow Loads for

Idaho” by Ronald L. Sack and Azim Sheikh-Taheri, © 1986 by the Department of Civil Engineering, University of Idaho, Moscow, Idaho 83843;

WHEREAS, while Blaine County supports the salvage of existing structures for building material conservation as well as relocated residences, it is appropriate to require that moved residential and commercial structures meet the same energy conservation, structural, life safety and other code requirements as new structures;

WHEREAS, natural grade is site specific to establish overall building height and therefore is necessary to preserve and document natural grade to show compliance with Title 9 Zoning Regulations of the Blaine County Code;

WHEREAS, due to the rural nature of Blaine County, response times by the fire districts vary and this is appropriate to require fire resistive construction of chimney chases for factory-built solid fuel appliances;

WHEREAS, State of Idaho, House of Representatives, Business Committee passed House Bill 547, on March 20th, 2018, limiting the authority of local jurisdictions to amend the International Residential Code and the residential provisions of the International Energy Conservation Code. HB547 is not retroactive, the 2012 International Energy Conservation Code, residential provisions, without State of Idaho amendments and including the Blaine County’s Buildsmart amendments, will continue to be the energy code for residential construction in the County.

WHEREAS, Adoption of the International Existing Building Code is necessary due to the removal of chapter 34, existing structures, from the International Building Code.

WHEREAS, Notice for the March 26, 2019 hearing on this ordinance satisfies Idaho law and Blaine County Code;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY, IDAHO, AS FOLLOWS:

[NOTE: Additions are underlined; deletions are stricken; and unmarked text is unchanged between the existing 2012 and the proposed 2015 editions.]

SECTION 1. Blaine County Code, Title 7, Chapter 1, Building Code, is hereby repealed in its entirety and a new Chapter 1, Building Code is adopted as a supplemental amendment to the 2015 edition of International Building Code, 2015 edition of International Existing Building Code, 2012 edition of International Residential Code, 2015 edition of the International Energy Conservation Code, commercial provisions, the 2012 edition of the International Energy Conservation Code, residential provisions, and 2015 edition of the International Swimming Pool and Spa Code. The following text reflects amendments, changes, and alterations to the 2015 supplemental amendments to the 2015 International Building Code, the 2012 International Residential Code, the 2015 International Existing Building Code, 2012 residential provisions & 2015 commercial provisions of the International Energy Conservation Code, and the 2015 International Swimming Pool and Spa Code.

§7-1-1 SHORT TITLE: This ordinance shall be known as the Building Code ~~Ordinance~~.

§7-1-2 ADOPTION OF CODES: Pursuant to Idaho Code 39-4116(2), the following Codes published by the International Code Council are hereby adopted by reference:

~~01A:~~ ~~2015~~~~2012~~ International Building Code (~~2012~~ IBC) as published by the International Code Council and amended by The Idaho Building Code Board.

1. Including all rules promulgated by the Idaho Building Code Board to provide equivalency with the provisions of the Americans with Disabilities Act accessibility guidelines and the Federal Fair Housing Act accessibility guidelines;

~~02B:~~ 2012 International Residential Code (~~2012~~ IRC) as published by the International Code Council including parts I, II, III, ~~I~~ and IX as amended by Idaho Building Code Board;

1. Including Appendix F of the 2012 IRC: Radon Control Methods;

~~03:~~ 2015 International Energy Conservation Code (IECC), commercial provisions, as amended by Idaho Building Code Board.

~~04C:~~ 2012 International Energy Conservation Code (~~2012~~ IECC), residential provisions as published by the International Code Council, including a specific reference to the ASHRAE/IESNA 90.1 and 90.2 standard (~~2013~~~~2007~~ edition) and Title 7, Chapter 6 of Blaine County Code.

~~05D:~~ ~~2015~~~~2012~~ International Swimming Pool and Spa Code (~~2012~~ ISPSA) as published by the International Code Council.

~~06:~~ 2015 International Existing Building Code as published by the International Code Council.

§7-1-3 AMENDMENT OF CODES: Pursuant to Idaho Code 39-4116(4), the Codes adopted in Section 7-1-2 are added to, or amended to read as follows:

01: International Building Code, 2015 Edition with the following amendments.

(SA) denotes amendments by the Idaho Building Code Board.

~~*A. Residential Fire Separation: Providing for the construction of fire walls or fire barriers when approved by the authority having jurisdiction and protected openings as defined in Chapter 7 of 2012 International Building Code to be a minimum two-hour rated assembly as a means to reduce and limit the spread of fire in residential R-3 structures greater than 4000 square feet or as approved by the fire code official of the district. There shall be no prohibition of voluntary installation of an approved residential fire sprinkler system. See the Blaine County Fire Code for fire district requirements based on square footage, fire district capabilities, and approved water supplies as approved by the fire code official.*~~

A. Title:

Section 101.1 Title: These regulations shall be known as the *Building Code* of Blaine County, hereinafter referred to as “this code.”

B. Referenced Code:

Section 101.4.3 Plumbing: The provisions of the Idaho State Plumbing Code (ISPC) as adopted and incorporated by reference with amendments as prescribed by the Idaho Plumbing Board shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The number of required plumbing fixtures shall be determined by using IBC Table 2902.1 and as per the International Plumbing Code as referenced in the table.

Section 101.4.8 Electrical: The provisions of the National Electrical Code (NEC), 2017 edition as adopted by the state of Idaho shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

B. Alternate Materials, Alternate Design, And Methods Of Construction: Amending 2012 IBC, Section 104.11 Alternative materials, design and methods of construction and equipment, by adding the following sentence:

Section 104.11 ~~The owner/applicant accepts total liability for structural, life safety, and health hazards associated with untested, unproven products, materials, designs, and methods.~~

C. Required Permits: Required building permit applications shall be made on forms furnished by Blaine County and approval shall be in accordance with Sections 9.3.5 and 9.3.6 of Blaine County Code, Title 9 (Zoning Regulations); and in accordance with Section 105, Permits, of ~~2015~~2012 IBC, and as amended by the following additional Sections:

Section 105.1.3 Moved Structures: Permit applications for moved structures shall be specific to the proposed new location within unincorporated Blaine County. Moved structures shall meet the requirements set forth in the 2015 International Existing Building Code. all snow load and other applicable design standards for the proposed new location. ~~Permits for moved structures shall include, but are not limited to, the following information provided by an Idaho licensed engineer: appropriate foundation designed to meet Blaine County structural forces; evidence of investigation of the largest window or garage door opening for structural adequacy of existing headers; where practical an analysis of the existing roof system including trusses or rafters and roof sheathing materials, wall and floor systems for conformity to structural forces criteria for the new occupancy and new location.~~

Section 105.1.4 Manufactured Homes: Permits are required for manufactured homes being placed both within and outside of mobile home parks in unincorporated Blaine County, pursuant to I.C. 44-2202 and this code.

Section 105.1.5 *Demolition Permits:* Permit applications for demolitions shall be specific to the location from which a structure is being deconstructed, moved, or destroyed. Demolition shall include moving a structure from one site to another and destruction/demolition of a structure for disposal. Permit applications shall include owner, address, property descriptions, phone number, description of the scope of the demolition and a timeframe. Written acknowledgement that the utility companies serving the property, the Blaine County Assessor's office and the jurisdiction's Building Official, if other than Blaine County, have been notified. Permits shall be valid for 90 days.

Section 105.1.6 *Re-roofing Permits:* Permit applications for re-roofs shall include identification of the existing structural roof system, e.g. roof rafters, size, spacing, and span, or truss system as constructed. Older, existing residential structures that have not been built to current County snow load standards shall be required to maintain, at the minimum, the existing structural integrity of the roof system. This exception to the snow load standards contained in this code shall be limited to R-3 residential occupancies and shall not apply to new residential construction or any commercial structures. Owners of pre-existing residential structures exempted from the snow load requirements under this provision shall be responsible for maintaining the roof, e.g. shoveling snow therefrom.

Section 105.1.7 *Agricultural Building Setback Permits:* Agricultural buildings, as defined Section 7-1-4(C), shall require a permit in conformance with Title 9, zoning regulations. To protect the public health, safety, and welfare, applications for setback permits shall include approval by the applicable fire district for, but not limited to, required fire protection, water supply, and access.

Section 105.1.8 *Excavation or Grading:* Natural grade shall be documented and preserved to establish overall building height prior to excavation. Natural grade shall be site specific and be expressed in feet above mean sea level. Excavation or grading for residential or commercial buildings shall constitute start of construction. Construction shall not commence prior to obtaining approvals from Blaine County Land Use and Building Services. Applicants shall provide architectural elevation and topo-graphic contours, state ownership, and site description. Approvals for excavating and grading shall be granted on forms provided by Blaine County.

D. Permit Expiration:

Section 105.5 *Expiration:* ~~Every building permit issued shall be obtained within 180 days after the date of issuance by paying all related fees to Blaine County including necessary investigation fees as determined by the Building Official or Department Director.~~ All issued Building Permits shall expire after ~~30 months~~ 2 years from the date of payment of permit fees. Building permits may be extended one time for 6 months upon written request for extension to the Building Department. If the project is not completed within the above timeframe including the one-time 6 month extension (~~36~~ 30 months total), the Building Permit shall expire. Expired Building Permits shall be renewed by paying 10% of the original permit fee line item only of the original Building Permit application. Renewed Building Permits shall be valid for the above stated timeline including the opportunity for an additional one time 6 month extension. Failure to renew a required Building Permit within 30 days of expiration may be considered abandonment, and the building official or director may record with the County Recorder a written notice of non-

compliance. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

E. Submittal documents

Section 107.1 Submittal documents: Construction documents, special inspection and structural observation programs, geotechnical reports and other data as required by Blaine County submittal checklists shall be submitted in two (2) or more sets with each application for a permit. These plans and specifications shall be prepared, signed and sealed by an architect licensed by the State of Idaho under Section 54-309, Idaho Code, as amended.

For buildings or structures, not principally architectural, the design of which involves principally engineering considerations, the plans and specifications may be prepared, signed and sealed by a professional engineer licensed by the State of Idaho and qualified in the engineering specialty involved.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

F. Fees

Section 109.4 *Work Commencing Before Permit Issuance:* Any person who commences any work on a building including excavation or grading, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees which shall be charged as an investigation fee. Investigation fees shall be charged on an hourly basis pursuant to the Blaine County Building Permit Fees Table adopted by resolution of the Board and specified as “Other Inspection and fees”. Exception: Structural investigation to determine structural integrity as required by the design professional in charge.

F. Fees, Deposits, and Refunds:

Section 109.6 Refunds: Refund requests shall be considered on a case by case basis by the Land Use and Building Services Director, with approval from the Board of County Commissioners, upon written request by the applicant stating their case. Refunds shall not exceed 80% of the total of Building Permit fees paid. All refundable deposits will be returned to the payee. Fire District and South Central Public Health District fees are excluded from any refund request to Blaine County. Those refund requests must be directed to their respective agencies accordingly. Refund requests must be received within 180 days from the Building Permit payment date.

Section 109.7 *Fees, and Deposits, And Refunds:* Pursuant to Idaho Code, 2012 IBC, and Blaine County Code, for buildings, structures and other improvements requiring a building or other permit under this chapter, fees and deposits shall be paid to Blaine County as specified herein. Fees shall be charged utilizing the Blaine County Building Permit Fees Table 1 as adopted by

resolution of the Board. In addition, 65% of the building permit fee shall be paid as a plan check fee and 40% of the plan check fee shall be paid for the fire district plan check fee.

Section 109.7.1 *Building Permits*: For projects with valuations in excess of two hundred thousand dollars (\$200,000.00) a partial payment of fifteen hundred dollars (\$1,500.00) shall be made at the time the building permit application is submitted to Blaine County. Said partial payment shall be credited to the total amount of the building permit fee, but shall be subject to a 20% cancellation of the total amount of the building permit if the building permit is not obtained by the applicant within 180 days of permit approval.

Section 109.7.2 *Moved Structures*: Fees shall be based on 50% of the assessed value of the structure plus the value of on-site additions and remodels utilizing Building Permit Fee Table 1 as adopted by resolution of the Board.

Section 109.7.3 *Manufactured Homes*: Fees shall be based on the value of the on-site elements constructed, not the home itself.

Section 109.7.4 *Demolition*: Fee shall be \$ 50.00 and shall be due at the time the application is submitted to Blaine County.

Section 109.7.5 *Re-Roof*: Fee shall be calculated using Blaine County Building Permit Fee Table 1. Valuation shall be based on scope of the work and materials.

Section 109.7.6 *Agricultural Building Setback Permit*: Fee shall be \$25.00 and shall be due at the time the application is submitted to Blaine County.

Section 109.7.7 *Refundable Deposit for Final Inspection*: In addition to building permit fees above, a deposit shall be collected to ensure final inspection. Deposit for final inspections shall be a minimum of \$1500 or 10% of the total of the permit fees whichever is greater and shall be made at the time of the building permit application is submitted. Deposit for final inspection shall be released to the depositor upon a successful final inspection and the issuance of Certificate of Occupancy or if the project is withdrawn.

~~Section 109.7.8 *Refunds*: Refund requests shall be considered on a case by case basis by the Land Use and Building Services Director, with approval from the Board of County Commissioners, upon written request by the applicant stating their case. Refunds shall not exceed 80% of the total of Building Permit fees paid. All refundable deposits will be returned to the payee. Fire District and South Central Public Health District fees are excluded from any refund request to Blaine County. Those refund requests must be directed to their respective agencies accordingly. Refund requests must be received within 180 days from the Building Permit payment date.~~

Section 109.7.89 *Cancellation Fee*: Building permit applications that are withdrawn after approval by the County or that are not obtained within 180 days of approval by the County shall be subject to a cancellation fee of 20% of the total amount of the building permit fee including all plan check fees and Fire Department review fees. If a partial payment of \$1,500.00 has been paid pursuant to [Section 109.7.1-F above](#), said partial payment shall be credited toward the cancellation fee.

G. Required Inspections:

Section 110.3.8.1 *Manufactured Homes*: Inspections are required for manufactured homes placed in Blaine County, pursuant to I.C. 44-2202 and this Code.

H. Building Code Board of Appeals:

Section 113.3.1 *Board Membership*: The Board of County Commissioners will appoint a three (3) person Board to stand as the Building Code Board of Appeals, as needed, with membership to be selected from but not limited to the following list professionals in the various fields of expertise in the building industry:

- The City of Ketchum, Idaho Building Official;
- The City of Hailey, Idaho Building Official;
- The Ketchum Rural Fire District Fire Chief or Assistant Chief;
- The Wood River Rural Fire District Fire Chief or Assistant Chief;
- General Contractor associated with the Building Contractors Association of the Wood River Valley;
- A licensed Idaho Architect; and,
- A licensed Idaho Engineer.

Section 113.4 Appeals To The Building Code Board Of Appeals:

A. Application for appeal: Any applicant for a permit, whose application has been rejected by the Building Official, or any person who has been ordered by the Building Official to modify, alter, remove or install any building code provisions as required by Blaine County Code may within ten (10) calendar days thereafter, appeal by filing notice in writing with the Building Official. The Building Official shall deliver such notice, to the Board of County Commissioners, at the next available date the Board of County Commissioners shall appoint the Building Code Board of Appeals and a date will be set for the appeal hearing. At the hearing the Building Code Board of Appeals may, by a majority vote, affirm, reverse or modify the action of the County. If the actions of the County are modified or reversed, a permit shall be issued in accordance with the determination of the Building Code Board of Appeals.

B. Appeal fee: Any person appealing a decision of the County shall include payment of an appeal fee in the amount of two hundred fifty dollars (\$250.00). In the event the appeal is granted, the appeal fee shall be returned to the appellant.

Section 113.5 Appeal procedure: The Building Code Board of Appeals may receive all evidence on appeal, in accordance with the following procedure:

A. The Building Official or designee shall present background information on the project in question, including relevant code sections and their interpretation. The Building Code Board of Appeals may ask questions during or after each presentation.

B. Applicant shall present any information or applicable code sections to support a reversal of the Building Official's decision. The applicant shall have up to twenty (20) minutes to present such evidence.

C. The Chair shall open the hearing to receive aggrieved parties testimony, if any. Each aggrieved party wishing to provide public testimony shall be given up to five (5) minutes to do so.

D. Following the close of aggrieved parties testimony, the Building Official or designee shall be allowed up to ten (10) minutes for response.

E. The Applicant then shall have up to ten (10) minutes for rebuttal and any final comments.

F. The Chairman of the Building Code Board of Appeals may allocate equivalent additional time to the applicant and the Building Official or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.

G. Following the hearing, the Building Code Board of Appeals may: deliberate and render a decision, request more information before a decision is made, or take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make their decision. Following a vote, a final written decision shall be prepared, approved, and a copy provided to the Applicant and any parties of record.

Section 113.6, *Appeal to Board of County Commissioners*: Any order, decision or ruling of the Building Code Board of Appeals may be appealed, by filing notice in writing to the Board of County Commissioners within fourteen (14) calendar days of such order, decision or ruling. Appeals to the Board of County Commissioners shall be in accordance with, section 9-32-4 of this Code.

I. *Definitions Building Height*:

Section 202 *Agricultural Building*: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

Section ~~202502~~ *Building Height*: The vertical distance measured from the highest point of the roof directly to natural grade. Parapet walls required by code shall not be included in the measurement of height. This provision does not apply to accessory fixtures such as flag poles, lightning rods, weather vanes, antennas (not including satellite dishes), chimneys, air conditioners, or solar collectors. Buildings located in the floodplain shall be measured from the Intermediate Regional Flood elevation, where base flood elevations are available. (see also Title 9, Chapter 2)

Section 202 *BuildSmart: 2012 International Energy Code (IECC) Amendments*: These above-code energy amendments pertaining to residential construction, Chapter 4 of the 2012 IECC, are set out in Title 7, Chapter 6.

Section 202 Yurt: A yurt is a semi-permanent ~~temporary~~ tent system built on a platform foundation incorporating structural elements to resist snow loads and wind loading which must be insulated as per the manufacturer's specifications. Yurts shall be permitted only as an accessory use (U-1) to an existing single family residence (R-3), accessory to a commercial lodging use or as part of another conditional use permit per Title 9 of Blaine County Code. Yurts shall not exceed 452 314 sq. feet excluding an entry vestibule of 30 sq. feet. No kitchen or plumbing is permitted. Minimum snow load design shall be site specific ~~meet 65# per sq. foot~~, shall be anchored to a foundation system to meet 90 mph wind speed, exposure B. Yurts shall be reviewed and approved on a case by case basis for location and Life Safety issues ~~related to Chapter 3, Section R 314 Smoke Detectors, and R 315 CO Detectors of the 2015 International Residential Code~~ and for compliance with Title 9, Zoning Regulations of the Blaine County Code.

J. Group E, day care facilities:

(SA) Section 305.2.3: Twelve (12) or fewer children in a dwelling unit: A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

K. Institutional Group I-4, day care facilities:

(SA) Section 308.6.4: Persons receiving care in a dwelling unit: A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving day care or having five (5) or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

L. Residential Group R-3:

(SA) Section 310.5: Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, E or I, including:

- i. Buildings that do not contain more than two (2) dwelling units;
- ii. Boarding houses (nontransient) with sixteen (16) or fewer occupants;
- iii. Boarding houses (transient) with ten (10) or fewer occupants;
- iv. Care facilities that provide accommodations for five (5) or fewer persons receiving care;
- v. Congregate living facilities (nontransient) with sixteen (16) or fewer occupants;
- vi. Congregate living facilities (transient) with ten (10) or fewer occupants; or
- vii. Dwelling units providing day care for twelve (12) or fewer children.
- viii. Lodging houses with five (5) or fewer guest rooms.

(SA) Section 310.5.1: Care facilities within a dwelling. Care facilities for twelve (12) or fewer children receiving day care or for five (5) or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code.

~~MJ~~. *Vertical Openings:*

Section 712.1.~~87~~ *Masonry chimney:* Approved vertical openings for masonry chimneys shall be permitted where the annular space is fire-blocked at each floor level in accordance with Section 718.2.5.~~Approved masonry chimneys shall be permitted where the annular space is fire blocked at each floor level in accordance with section 712.2.5.~~ All chimneys shall have approved spark arrestors installed at the point of termination.

Section 712.1.~~1749~~ *Factory-built solid fuel burning appliance chimney chase:* If a factory-built solid fuel burning appliance is enclosed within a shaft or chase, it shall be protected on the interior (flue) side as required for one-hour fire-resistive construction. All factory-built chimneys shall have approved spark arrestors installed at the point of termination.

~~N.E~~. *Seismic Dead Load Calculations:*

Section 1605.3.1, Basic load combinations: Exception 2. Flat roof snow loads of 30 psf or less and roof live loads of 30 psf or less need not be combined with seismic loads. Where flat roof snow loads exceed 30 psf 35% 20 percent shall be combined with seismic loads. Stamped engineering design calculations may be requested by the Building Official. Refer to section O. of this code for site specific roof live snow loads.

~~OM~~. *Live Load Requirements for Balconies and Decks 30” or greater above grade:* ~~or Second Floor Decks: Amending~~

Table 1607.1 of the 2012 IBC, Occupancy or Use Items 5. Residential Category: Exterior Balconies and Decks: Uniform Load (psf) shall be equal to the roof live snow load when exposed to snow loading or table 1607.1 whichever is greater.

~~PK~~. *Roof Live Snow Load Requirements:*

Section ~~1608.2.1~~~~1603.1.3~~ ~~(new subsection “.1” and section 1607.12)~~ *Special roof loads.* Roof live snow load requirements for all structures ~~are site specific~~, including newly sited manufactured homes, in unincorporated areas of Blaine County are site specific and shall not be reduced without approval from the Building Official and shall be as follows:

North Fork to Smiley Creek:	150 pounds roof live load per square foot
North of Ketchum to North Fork:	125 pounds roof live load per square foot
West of Ketchum to western end of platted Board’s Lower Ranch:	110 pounds roof live load per square foot
West of western end of platted Lower Board Ranch	125 pounds roof live load per square foot
East of Triumph	125 pounds roof live load per square foot
North of Bellevue to south of Ketchum	100 pounds roof live load per square foot
Picabo to south of Bellevue	65 pounds roof live load per square foot
Carey Valley including south and East of Carey	50 pounds roof live load per square foot

Exception #1: A manufactured home or mobile home need not meet the roof snow load requirement if supplied with an approved, engineered Ramada roof which conforms to the required

roof live snow load. New manufactured homes in an established mobile home park must meet minimum 80 pound per square foot roof live snow load. Used manufactured homes newly placed within an established mobile home park which do not meet the snow load requirement must present a signed and notarized lease agreement between the park owner and the tenant which provides for continuous snow removal from the roof structure.

Exception #2: Re-roofing projects, limited to those specified (existing R-3 occupancies) in Section §7-1-4 Amendment of Codes, (B) Required Permits, Section 105.1.6, Re-roofing Permits, need not meet roof snow load requirements as approved by the Building Official.

~~Exception #3: Yurts are limited to approximately 314 square feet and shall incorporate structural support to meet a minimum of 65 lbs per square foot of roof snow load.~~

~~L. Seismic Dead Load Calculations: A minimum thirty five percent (35%) of the flat roof snow loads for regions of Blaine County as stated above in Section K shall be included in the seismic calculations for all habitable structures in the County as referenced in chapter 16 section 1605.3.1 of the 2012 IBC exception 2 to read: where the flat roof snow loads exceed 30# per square foot, thirty five percent (35%) shall be combined with seismic loads. Stamped engineering design calculations may be requested by the Building Department~~

~~M. Live Load Requirements for Balconies or Second Floor Decks: Amending Table 1607.1 of the 2012 IBC, Occupancy Items 5:~~

~~Residential Category: Exterior Balconies and Decks: Uniform Load (p.s.f.) shall be equal to the roof live snow load when exposed to snow loading or table 1607.1 whichever is greater.~~

Q~~N~~. Snow Hooks:

Section 1608.4 *Snow hooks*: Snow hooks are structural elements that are required on roof structures to protect pedestrians at all exit and similar areas and to protect glazed roof structures from snow and ice sliding from a roof overhead.

R~~O~~. Foundations:

Section 1809.4 *Depth of Footings*, Footings supporting walls of light frame construction by changing the depth of footing below undisturbed ground surface to 32 inches in all situations, bottom of footing to be a minimum of 32 inches below grade. Exception: Plans stamped with a seal by an Idaho licensed engineer may differ from this provided all other Blaine County design specifications have been met.

(SA)S. Minimum number of fixtures, Table 2902.1:

- i. Add footnote (f) in the header row of the table column labeled “Drinking Fountains” of Table 2902.1 Minimum Number of Required Plumbing Fixtures and add footnote (f) under Table 2902.1 to state the following: Drinking fountains are not required for an occupant load of thirty (30) or fewer.

- ii. Delete footnote (e) contained under Table 2902.1 Minimum Number of Required Plumbing Fixtures and replace with the following: For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required.

P. Snow Loads:

~~Section R301.2.3—*Snow loads:* Wood framed construction, cold-formed steel framed construction and masonry and concrete construction in regions with ground snow loads 70 psf (3.35 kN/m²) or less, shall be in accordance with Chapters 5, 6 and 8 of the 2012 IRC. Buildings in regions with ground snow loads greater than 70 psf (3.35 kN/m²) shall be designed in accordance with accepted engineering practice, which may utilize practices and standards set forth in Chapter 16 of the 2012 IBC and this chapter.~~

~~Q. *Climate Zone:*—Blaine County is represented as climate Zone 6B, the most extreme climate zone in Idaho, as stated in the 2012 International Energy Conservation Code (2012 IECC). Said 2012 IECC shall be the minimum energy standard related to construction practices for commercial buildings proposed for construction in Blaine County. Compliance reports shall be submitted in support of the project and shall be wet stamped signed and dated by the responsible design professional in charge. BuildSmart program has been adopted for residential construction, reference chapter 6 of this title.~~

02: International Residential Code, 2012 Edition with the following amendments.

(SA) denotes amendments by the Idaho Building Code Board.

A. Title:

Section, R101.1 *Title:* These regulations shall be known as the *Building Code* of Blaine County, hereinafter referred to as “this code.”

B. Scope:

(SA) Section R101.2 *Scope:*

Delete exception No. 1.

Amend exception No. 2, *Owner-occupied lodging houses with five (5) or fewer guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-family Dwellings.*

C. Required Permits:

Required building permit applications shall be made on forms furnished by Blaine County and approval shall be in accordance with Sections 9.3.5 and 9.3.6 of Blaine County Code, Title 9 (*Zoning Regulations*); and in accordance with Section 105, *Permits*, of 2012 IRC, and as amended by the following additional Sections:

Section R105.1.3 *Moved Structures:* Permit applications for moved structures shall be specific to the proposed new location within unincorporated Blaine County. Moved structures shall meet the requirements set forth in the 2015 International Existing Building Code.

Section R105.1.4 *Manufactured Homes*: Permits are required for manufactured homes being placed both within and outside of mobile home parks in unincorporated Blaine County, pursuant to I.C. 44-2202 and this code.

Section R105.1.5 *Demolition Permits*: Permit applications for demolitions shall be specific to the location from which a structure is being deconstructed, moved, or destroyed. Demolition shall include moving a structure from one site to another and destruction/demolition of a structure for disposal. Permit applications shall include owner, address, property descriptions, phone number, description of the scope of the demolition and a timeframe. Written acknowledgement that the utility companies serving the property, the Blaine County Assessor's office and the jurisdiction's Building Official, if other than Blaine County, have been notified. Permits shall be valid for 90 days.

Section R105.1.6 *Re-roofing Permits*: Permit applications for re-roofs shall include identification of the existing structural roof system, e.g. roof rafters, size, spacing, and span, or truss system as constructed. Older, existing residential structures that have not been built to current County snow load standards shall be required to maintain, at the minimum, the existing structural integrity of the roof system. This exception to the snow load standards contained in this code shall be limited to R-3 residential occupancies and shall not apply to new residential construction or any commercial structures. Owners of pre-existing residential structures exempted from the snow load requirements under this provision shall be responsible for maintaining the roof, e.g. shoveling snow therefrom.

Section R105.1.7 *Agricultural Building Setback Permits*: Agricultural buildings, as defined section 2027-1-4(C), shall require a permit in conformance with Title 9, zoning regulations. To protect the public health, safety, and welfare, applications for setback permits shall include approval by the applicable fire district for, but not limited to, required fire protection, water supply, and access.

Section R105.1.8 *Excavation or Grading*: Natural grade shall be documented and preserved to establish overall building height prior to excavation. Natural grade shall be site specific and be expressed in feet above mean sea level. Excavation or grading for residential or commercial buildings shall constitute start of construction. Construction shall not commence prior to obtaining approvals from Blaine County Land Use and Building Services. Applicants shall provide architectural elevation and topo-graphic contours, state ownership, and site description. Approvals for excavating and grading shall be granted on forms provided by Blaine County.

D. Work exempt from permit:

R105.2 Work exempt from permit: Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 ~~200~~ square feet (18.58 m²).

2. Fences not over 7 feet (2134 mm) high.

3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

5. Sidewalks and driveways.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

7. Prefabricated swimming pools that are less than 48 ~~24~~ inches (610 mm) deep.

8. Swings and other playground equipment.

9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

9 ~~40~~. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

10 ~~41~~. Flag Poles

E. Permit Expiration:

Section R105.5 Expiration: Every building permit issued shall be obtained within 180 days after the date of issuance by paying all related fees to Blaine County including necessary investigation fees as determined by the Building Official or Department Director. All issued Building Permits shall expire after 30 months ~~2 years~~ from the date of payment of permit fees. Building permits may be extended one time for 6 months upon written request for extension to the Building Department. If the project is not completed within the above timeframe including the one-time 6 month extension (36 ~~30~~ months total), the Building Permit shall expire. Expired Building Permits shall be renewed by paying 10% of the original permit fee line item only of the original Building Permit application. Renewed Building Permits shall be valid for the above stated timeline including the opportunity for an additional one time 6 month extension. Failure to renew a required Building Permit within 30 days of expiration may be considered abandonment, and the building official or director may record with the County Recorder a written notice of non-compliance. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

F. Submittal documents

R106.1 Submittal documents: Construction documents, special inspection and structural observation programs, and other data as required by Blaine County submittal checklists shall be submitted with each application for a permit. These plans and specifications shall be prepared, signed and sealed by an architect licensed by the State of Idaho under Section 54-309, Idaho Code, as amended.

For buildings or structures, not principally architectural, the design of which involves principally engineering considerations, the plans and specifications may be prepared, signed and sealed by a professional engineer licensed by the State of Idaho and qualified in the engineering specialty involved.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

F. Fees:

Section R108.5 Refunds: Refund requests shall be considered on a case by case basis by the Land Use and Building Services Director, with approval from the Board of County Commissioners, upon written request by the applicant stating their case. Refunds shall not exceed 80% of the total of Building Permit fees paid. All refundable deposits will be returned to the payee. Fire District and South Central Public Health District fees are excluded from any refund request to Blaine County. Those refund requests must be directed to their respective agencies accordingly. Refund requests must be received within 180 days from the Building Permit payment date.

Section R108.6 Work Commencing Before Permit Issuance: Any person who commences any work on a building including excavation or grading, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees which shall be charged as an investigation fee. Investigation fees shall be charged on an hourly basis pursuant to the Blaine County Building Permit Fees Table adopted by resolution of the Board and specified as "Other Inspection and fees". Exception: Structural investigation to determine structural integrity as required by the design professional in charge.

Section R108.7 Fees, And Deposits: Pursuant to Idaho Code, 2015 IRC, and Blaine County Code, for buildings, structures and other improvements requiring a building or other permit under this chapter, fees and deposits shall be paid to Blaine County as specified herein. Fees shall be charged utilizing the Blaine County Building Permit Fees Table 1 as adopted by resolution of the Board. In addition, 65% of the building permit fee shall be paid as a plan check fee and 40% of the plan check fee shall be paid for the fire district plan check fee.

Section R108.7.1 Building Permits: For projects with valuations in excess of two hundred thousand dollars (\$200,000.00) a partial payment of fifteen hundred dollars (\$1,500.00) shall be made at the time the building permit application is submitted to Blaine County. Said partial

payment shall be credited to the total amount of the building permit fee, but shall be subject to a 20% cancellation of the total amount of the building permit if the building permit is not obtained by the applicant within 180 days of permit approval.

Section R108.7.2 Moved Structures: Fees shall be based on 50% of the assessed value of the structure plus the value of on-site additions and remodels utilizing Building Permit Fee Table 1 as adopted by resolution of the Board.

Section R108.7.3 Manufactured Homes: Fees shall be based on the value of the on-site elements constructed, not the home itself.

Section R108.7.4 Demolition: Fee shall be \$ 50.00 and shall be due at the time the application is submitted to Blaine County.

Section R108.7.5 Re-Roof: Fee shall be calculated using Blaine County Building Permit Fee Table 1. Valuation shall be based on scope of the work and materials.

Section R108.7.6 Agricultural Building Setback Permit: Fee shall be \$25.00 and shall be due at the time the application is submitted to Blaine County.

Section R108.7.7 Refundable Deposit for Final Inspection: In addition to building permit fees above, a deposit shall be collected to ensure final inspection. Deposit for final inspections shall be a minimum of \$1500 or 10% of the total of the permit fees whichever is greater and shall be made at the time of the building permit application is submitted. Deposit for final inspection shall be released to the depositor upon a successful final inspection and the issuance of Certificate of Occupancy or if the project is withdrawn.

Section R108.7.8 Cancellation Fee: Building permit applications that are withdrawn after approval by the County or that are not obtained within 180 days of approval by the County shall be subject to a cancellation fee of 20% of the total amount of the building permit fee including all plan check fees and Fire Department review fees. If a partial payment of \$1,500.00 has been paid pursuant to Section 108.7.1, said partial payment shall be credited toward the cancellation fee.

H. Required Inspections:

Section R109.1.7 Manufactured Homes: Inspections are required for manufactured homes placed in Blaine County, pursuant to I.C. 44-2202 and this Code.

I. Building Code Board of Appeals:

Section R112.3.1 Board Membership: The Board of County Commissioners will appoint a three (3) person Board to stand as the Building Code Board of Appeals, as needed, with membership to be selected from but not limited to the following list professionals in the various fields of expertise in the building industry:

- The City of Ketchum, Idaho Building Official;
- The City of Hailey, Idaho Building Official;

- The Ketchum Rural Fire District Fire Chief or Assistant Chief;
- The Wood River Rural Fire District Fire Chief or Assistant Chief;
- General Contractor associated with the Building Contractors Association of the Wood River Valley;
- A licensed Idaho Architect; and,
- A licensed Idaho Engineer.

Section R113.5 Appeals To The Building Code Board Of Appeals:

A. Application for appeal

Any applicant for a permit, whose application has been rejected by the Building Official, or any person who has been ordered by the Building Official to modify, alter, remove or install any building code provisions as required by Blaine County Code may within ten (10) calendar days thereafter, appeal by filing notice in writing with the Building Official. The Building Official shall deliver such notice, to the Board of County Commissioners, at the next available date the Board of County Commissioners shall appoint the Building Code Board of Appeals and a date will be set for the appeal hearing. At the hearing the Building Code Board of Appeals may, by a majority vote, affirm, reverse or modify the action of the County. If the actions of the County are modified or reversed, a permit shall be issued in accordance with the determination of the Building Code Board of Appeals.

B. Appeal fee

Any person appealing a decision of the County shall include payment of an appeal fee in the amount of two hundred fifty dollars (\$250.00). In the event the appeal is granted, the appeal fee shall be returned to the appellant.

Section R113.6 Appeal procedure: The Building Code Board of Appeals may receive all evidence on appeal, in accordance with the following procedure:

A. The Building Official or designee shall present background information on the project in question, including relevant code sections and their interpretation. The Building Code Board of Appeals may ask questions during or after each presentation.

B. Applicant shall present any information or applicable code sections to support a reversal of the Building Official's decision. The applicant shall have up to twenty (20) minutes to present such evidence.

C. The Chair shall open the hearing to receive aggrieved parties testimony, if any. Each aggrieved party wishing to provide public testimony shall be given up to five (5) minutes to do so.

D. Following the close of aggrieved parties testimony, the Building Official or designee shall be allowed up to ten (10) minutes for response.

E. The Applicant then shall have up to ten (10) minutes for rebuttal and any final comments.

F. The Chairman of the Building Code Board of Appeals may allocate equivalent additional time to the applicant and the Building Official or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.

G. Following the hearing, the Building Code Board of Appeals may: deliberate and render a decision, request more information before a decision is made, or take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make their decision. Following a vote, a final written decision shall be prepared, approved, and a copy provided to the Applicant and any parties of record.

Section R113.7, Appeal to Board of County Commissioners: Any order, decision or ruling of the Building Code Board of Appeals may be appealed, by filing notice in writing to the Board of County Commissioners within fourteen (14) calendar days of such order, decision or ruling. Appeals to the Board of County Commissioners shall be in accordance with, section 9-32-4 of this Code.

J. Definitions:

Section 202 Agricultural Building: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

Section 202 Building Height: The vertical distance measured from the highest point of the roof directly to natural grade. Parapet walls required by code shall not be included in the measurement of height. This provision does not apply to accessory fixtures such as flag poles, lightning rods, weather vanes, antennas (not including satellite dishes), chimneys, air conditioners, or solar collectors. Buildings located in the floodplain shall be measured from the Intermediate Regional Flood elevation, where base flood elevations are available. (see also Title 9, Chapter 2)

Section 202 BuildSmart: 2012 International Energy Code (IECC) Amendments: These above-code energy amendments pertaining to residential construction Chapter 4 of the 2012 IECC, are set out in Title 7, Chapter 6

Section 202 Yurt: A yurt is a semi-permanent ~~temporary~~ tent system built on a platform foundation incorporating structural elements to resist snow loads and wind loading which must be insulated as per the manufacturer's specifications. Yurts shall be permitted only as an accessory use (U-1) to an existing single family residence (R-3), accessory to a commercial lodging use or as part of another conditional use permit per Title 9 of Blaine County Code. Yurts shall not exceed 452 314 sq. feet excluding an entry vestibule of 30 sq. feet. No kitchen or plumbing is permitted. Minimum snow load design shall be site specific ~~meet 65# per sq. foot~~, shall be anchored to a foundation system to meet 90 mph wind speed, exposure B. Yurts shall be reviewed and approved on a case by case basis for location and Life Safety issues related to Chapter 3, Section R 314 Smoke Detectors, and R 315 CO Detectors of the 2015 International Residential Code and for compliance with Title 9, Zoning Regulations of the Blaine County Code.

K. TABLE R301.2 (1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

	<u>Wind Design</u>			<u>Subject To Damage From</u>			
<u>Ground Snow Load</u>	<u>Speed (mph)</u>	<u>Topographic Effects</u>	<u>Seismic Design Category</u>	<u>Weathering</u>	<u>Frost Line Depth</u>	<u>Termite</u>	<u>Winter Design Temp</u>
<u>Site specific</u>	<u>90</u>	<u>No</u>	<u>D or per IBC chap. 16</u>	<u>Severe</u>	<u>32"</u>	<u>Slight to moderate</u>	<u>-20F</u>
-							
<u>Ice Barrier Underlayment Required</u>		<u>Flood Hazards</u>		<u>Air Freezing Index</u>	<u>Mean Annual Temp</u>		
<u>Yes, 24" inside of wall line</u>		<u>(a) 05/14/1971 (b) 11/26/2010 (c) 11/26/2010</u>		<u>2000</u>	<u>40°F</u>	-	-
							-

(SA) L. TABLE R302.1 (1) EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour-tested in accordance with ASTM E 119 or UL263 with exposure from both sides	< 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet
Projections	Fire-resistance rated	1 hour on the underside	≥ 2 feet to < 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet
Openings in Walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	≥ 3 feet to < 5 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	≥ 3 feet

K. Chimney clearances.

Section R1005.3.1, Factory-built solid fuel burning appliance chimney chase: If a factory-built solid fuel burning appliance is enclosed within a shaft or chase, it shall be protected on the interior (flue) side as required for one-hour fire-resistive construction. All factory-built chimneys shall have approved spark arrestors installed at the point of termination.

03: International Energy Conservation Code, 2015 Edition, commercial provisions, with the following amendments.

A. Title:

Section C101.1 Title: This code shall be known as the *International Energy Conservation Code* of Blaine County, and shall be cited as such. It is referred to herein as “this code.”

04: International Energy Conservation Code, 2012 Edition, residential provisions, with the following amendments.

A. Title:

Section R101.1 Title: This code shall be known as the *International Energy Conservation Code* of Blaine County, and shall be cited as such. It is referred to herein as “this code.”

B. Buildsmart:

Section R102.1.1.1 *BuildSmart*: 2012 International Energy Conservation Code (IECC) Amendments: These above-code amendments pertaining to residential construction, Chapter 4 of the 2012 IECC, are set out in Title 7, Chapter 6 of this Code.

05: 2015 International Swimming Pool and Spa Code, 2015 Edition with the following amendments.

A. Title:

Section 101.1 Title: These regulations shall be known as the *Swimming Pool and Spa Code* of Blaine County hereinafter referred as “this code”.

06: 2015 International Existing Building Code as published by the International Code Council.

A. Title:

Section 101.1 Title: These regulations shall be known as the *Existing Building Code* of Blaine County, hereinafter referred to as “this code.”

§7-1-4 ADDITIONAL REQUIREMENTS: The following regulations shall apply in addition to those contained in the Codes adopted in section 7-1-2.

A. *Manufactured Homes:* Blaine County hereby adopts by reference the “Idaho Manufactured Home Installation Standard” as published by the State Of Idaho, January 1, 2004, compiled jointly with the Manufactured Housing Industry and as may be amended or updated from time to time. Said “Standard” shall be known as the “Manufactured Housing Code for Blaine County”.

B. *Special Natural Hazards:* Understanding that certain natural hazards exist in unincorporated Blaine County including, but not limited to avalanche areas, debris flows, earthquake, floodplain, snow loads, wildfires, and soil qualities, site specific surveys and related engineering may be required as deemed appropriate by the authority of the jurisdiction at the expense of the applicant.

C. *Agricultural Buildings:* Pursuant to Idaho Code 39-4116(5 4) and subsection 9-3-5A of this code, agricultural buildings, defined as follows and located within a rural remote (RR-40) or rural residential (R-10) zoning district or a productive agricultural zoning district (A-20 or A-40), are exempt from the requirements of the building code and rules promulgated by the Idaho Building Code Board. A setback permit is required as authorized by Idaho Code and subsection 7-1-3 C of this chapter.

~~D. — 2012 IBC, Section 202 Definitions: —~~

~~Agricultural Building: — A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.~~

~~BuildSmart 2012 International Energy Code (IECC) Amendments: — These above code energy amendments pertaining to residential construction Chapter 4 of the 2012 IECC, are set out in Title 7, Chapter 6~~

~~Yurt: A yurt is a temporary tent system built on a platform foundation incorporating structural elements to resist snow loads and wind loading which must be insulated as per the manufacture’s specifications. Yurts shall be permitted only as an accessory use (U 1) to an existing single family residence (R 3) or as part of another conditional use permit per Title 9 of Blaine County Code. Yurts shall not exceed 314 sq. feet excluding an entry vestibule of 30 sq. feet. No kitchen or plumbing is permitted. Minimum snow load design shall meet 65# per sq. foot, shall be anchored to a foundation system to meet 90 mph wind speed, exposure B. Yurts shall be reviewed and approved on a case by case basis for location and Life Safety issues related to Chapter 3, Section R 314 Smoke Detectors, and R 315 CO Detectors of the 2012 International Residential Code and for compliance with Title 9, Zoning Regulations of the Blaine County Code.~~

~~E. — Masonry Fireplaces, Manufactured Fireplace Inserts Or Free Standing Wood Burning Stoves Or Solid Fuel Burning Appliances In Sleeping Rooms: — Masonry fireplaces, manufactured fireplace inserts, or free standing wood burning stoves when present in a sleeping room, or potential sleeping room shall be equipped with the capability to draw one hundred percent~~

~~(100%) outside combustion air supply and utilized with tight fitting glass doors over the fireplace opening.~~

~~F. *Electrical, Mechanical and Plumbing Inspections Pre Requisite:* The framing and final inspection by the Blaine County Building Department shall not be conducted until the applicant has obtained a rough electrical inspection from the Idaho State Electrical Inspector and a rough mechanical and plumbing inspection from the State Inspectors. The final inspection shall not be conducted until the applicant has obtained a final electrical inspection from the state Electrical Inspector and a final inspection from the State Mechanical and Plumbing Inspector.~~

DG. *Salvaged Building Materials:* The use of salvaged building materials may be approved by the Building Official upon receipt of a complete list of those materials accompanied with written approval of such materials by an Idaho Licensed Engineer. Said materials shall be capable of meeting design criteria for the proposed project.

EH. *Hours Of Construction:* Construction under a valid Blaine County building permit shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday, 8:00 a.m. to 7 p.m. Saturday, and 9:00 a.m. to 7:00 p.m. Sunday, except in the productive zoning districts (A-20 and A-40) and rural remote and rural residential zoning districts (R-10 and RR-40) as defined in Title 9, Zoning Regulation, of this code, or as may be specified in conditions attached to a conditional use permit granted pursuant to Title 9 zoning regulations or to subdivision approval granted pursuant to Title 10 “Subdivision Regulations” of this code.

~~I. *Authority to Inspect:* Inspections of buildings, structures, and sites for compliance with building codes adopted herein shall be conducted by a person to be hired and designated by the Board of Commissioners or Land Use and Building Services Director as the Blaine County Building Official. Pursuant to Idaho Code §39-4108, inspectors shall hold a valid certification as a building inspector or plans examiner as issued by the International Code Council. Deputies shall be designated as provided for in Section 103.3 of 2012 IBC.~~

~~J. *Enforcement:* Enforcement of the Building Code shall be in accordance with Section 104 of the 2012 IBC.~~

FK. *Wellhead Protection Area:* The building official may require that the applicant solicit and document the request for written agency comment from Idaho Department of Environmental Quality (IDEQ), or other appropriate agencies, including, but not limited to, owners of public water systems for projects located in the Commercial Zoning District, Light Industrial Zoning District, and Heavy Industrial Zoning District prior to issuing a building permit for projects located within a wellhead protection area that may involve potential contaminant sources or potential contaminants listed in Appendix A of this title adopted by the Board of County Commissioners by resolution. Construction and operation of uses within a wellhead protection area shall conform to best management practices for those potential contaminant source activities. The building official may attach conditions to the issuance of a building permit that ensures the recommendations from IDEQ will be adhered to.

G. Residential Fire Separation: Providing for the construction of fire walls or fire barriers when approved by the authority having jurisdiction and protected openings in accordance with as defined in Chapter 7 of 2015 2012 International Building Code. Fire separation to be a minimum two hour rated assembly as a means to reduce and limit the spread of fire in residential 1 & 2 family dwellings and R-3 structures greater than 4000 square feet or as approved by the fire code official of the district. There shall be no prohibition of voluntary installation of an approved residential fire sprinkler system. See the Blaine County Fire Code 7-7-5, for fire district requirements based on square footage, fire district capabilities, and approved water supplies as approved by the fire code official.

§7-1-5 PENALTIES: A violation of any provision of the Building Code may be prosecuted as a misdemeanor, punishable as provided in Blaine County Code Section 1-4-1. Each day that such a violation occurs or continues, shall constitute a separate criminal offense.

SECTION 2. SEVERABILITY CLAUSE: The provisions of the Building Code are severable and the invalidity of any part of the Building Code Ordinance shall not affect the validity of the remainder of the ordinance.

SECTION 3. EFFECTIVE DATE: The Building Code Ordinance shall be in full force and effect from and after its passage, approval, and publication.

REGULARLY PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2019.

BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS

Jacob Greenberg, Chairman

Angenie McCleary, Commissioner

Dick Fosbury, Commissioner

ATTEST: _____
JoLynn Drage, Blaine County Clerk

(Seal)