

ORDINANCE #299
LATAH COUNTY BUILDING CODE ORDINANCE

AN ORDINANCE OF LATAH COUNTY, A GOVERNMENTAL SUBDIVISION OF THE STATE OF IDAHO; REPEALING PRIOR ORDINANCES AND AMENDMENTS PERTAINING TO BUILDING CODES; PROVIDING FOR FILING OF THE ADOPTED CODES IN THE LATAH COUNTY BUILDING DEPARTMENT; ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL RESIDENTIAL CODE, THE AMERICAN NATIONAL STANDARD ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, ICC/ANSI A117.1, 2003 EDITION, THE 2009 INTERNATIONAL MECHANICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2009 INTERNATIONAL EXISTING BUILDING CODE, THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE, IDAPA 07.03.01, ALL AS THE LATAH COUNTY BUILDING CODE; PROVIDING FOR AMENDMENT OF CERTAIN SECTIONS OF SAID CODES; PROVIDING FOR VOIDING PERMITS CONTRARY TO LAW; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Latah County Commissioners finds that the application of the adopted building standards and regulations within the unincorporated portion of Latah County is in the best interest of and will further the health, safety, and welfare of the public and the citizens of Latah County; and

WHEREAS, this ordinance is adopted under authority of Idaho Code Title 39 Chapter 41, Idaho Code 31-714 and applicable provisions of the Constitution of Idaho and statutes of the State of Idaho; and

WHEREAS, the Board of Latah County Commissioners finds that good cause exists for the amendments included in this document to such codes and that these amendments are reasonably necessary;

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Latah County, Idaho:

SECTION 1. REPEAL OF PRIOR CODES. That Latah County Ordinance No.280 and all subsequent amendments passed by the Board of County Commissioners are hereby repealed; except with respect to those portions repealing prior ordinances.

SECTION 2. FILING OF CODE. That the codes adopted in Section 3 of this ordinance shall be designated as the Latah County Building Code, one copy of each Code shall be recorded in the office of the Clerk of the Board of Commissioners of Latah County and be available for inspection at the County Building Department, at the Latah County Courthouse, Moscow, Idaho.

SECTION 3. CODES ADOPTED. That the International Building Code, 2009 edition; the International Residential Code, 2009 edition, Parts I through VI and IX; the American National Standard Accessible and Usable Buildings and Facilities, ICC/ANSI A117.1, 2003 Edition; the

International Mechanical Code, 2009 edition; the International Fuel Gas Code, 2009 Edition; the International Energy Conservation Code, 2009 edition; the International Existing Building Code, 2009 edition; the International Property Maintenance Code, 2009 edition; IDAPA 07.03.01; excluding all appendices thereto except as herein enumerated, are hereby adopted by Latah County for the regulation of the erection, construction, enlargement, alteration, repair, moving, conversion, occupancy, use, height, area and maintenance of all buildings and structures in Latah County, including installation of manufactured homes in accordance with the provisions of the Title 44, Chapter 22 Idaho Code. These Codes and regulations are hereby adopted by reference and shall be the Latah County Building Code.

The following appendices to the International Building Code, 2009 edition, are specifically adopted: Appendix C, Agricultural Buildings; Appendix E, Supplementary Accessibility Requirements; Appendix F, Rodent Proofing; Appendix G, Flood Resistant Construction; Appendix H, Signs; Appendix I, Patio Covers; and Appendix J, Grading.

The following appendices to the International Residential Code, 2009 edition, are specifically adopted: Appendix A, Sizing and Capacities of Gas Piping; Appendix B, Sizing of Venting Systems Serving Appliances with Draft Hoods, Category I Appliances, and Appliances listed for use and Type B Vents; Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems; Appendix F, Radon Control Methods; Appendix G, Swimming Pools, Spas and Hot Tubs; Appendix H, Patio Covers; Appendix J, Existing Buildings and Structures ; Appendix M, Home Day Care-R-3 Occupancy.

The following appendices to the International Existing Building Code, 2009 edition, are specifically adopted: Appendix A-1, Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings; Appendix A-2, Earthquake Hazard Reduction in Existing Reinforced Concrete and Reinforced Masonry Wall Buildings with Flexible Diaphragms; Appendix B, Supplementary Accessibility Requirements for Existing Buildings and Facilities; and Resource A, Guideline on Fire Ratings of Archaic Materials and Assemblies..

SECTION 4. AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, 2009 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2009 EDITION, AND THE INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION.

That Section 105.2 of the International Building Code, 2009 edition, Section R105.2 of the International Residential Code, 2009 edition, and Section 105.2 of the International Existing Building Code, 2009 edition, are hereby amended as follows:

14. [10.] Agricultural buildings. Classification as an agricultural building shall require that the structure be exclusively used for storage of farm equipment, crops, or animals that are part of a bona fide revenue-producing agricultural enterprise. Such classification shall require that the structure be built on a parcel designated as category 1, 2, 3, 4, or 5, by the Latah County Assessor, or verification of registration of the building owner as a farm owner or operator with Latah Farm Services Agency, or documentation of reported farm income on appropriate federal income tax forms. A Zoning Placement Certificate, including a statement of use, shall be secured prior to construction of building-permit-exempt agricultural

buildings.

That Section 105.3 of the International Building Code, 2009 edition, and Section R105.3 of the International Residential Code, 2009 edition, are hereby amended as follows:

105.3 [R105.3] Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the department of building for that purpose. Such application shall:

6. Be signed by the applicant/owner, and the applicant's authorized agent or contractor.
8. Written verification of septic/sewer approval from the North Central District Health Department, appropriate sewer district, or municipality.

Exemption: Permits for siding, window replacement, re-roofs, mechanical installations including wood stoves, accessory structures without bedrooms or bathrooms, and signs are exempt from this requirement, provided a 20' setback from the drainfield and septic tank is maintained.

9. Written verification from the Idaho Transportation Department, appropriate highway district, appropriate federal or state agency, or appropriate municipality of approved vehicle access for the building site to a public road.

Exemption: Permits for siding, window replacement, re-roofs, signs outside of the public right-of-way, mechanical installations including wood stoves, additions to existing structures, or accessory structures to existing single-family residences are exempt from this requirement.

That Section 105.5 of the International Building Code, 2009 edition, and Section R105.5 of the International Residential Code, 2009 edition, are hereby amended as follows:

105.5 [R105.5] Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, not more than four extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Each subsequent extension after the first shall not be issued until a fee of \$25 has been paid.

Renewal. When a permit has expired, and before any work can be recommenced on a project, a new permit shall be first obtained to do so, and the fee therefore shall be 25 percent of the original permit fee or a minimum of \$75, whichever is greater, provided no changes have been made or will be made in the original plans and specifications for such work, and the permit is renewed before expiration. A permit which has been expired for up to five years can be renewed for 50 percent of the original permit fee or a minimum of \$75, whichever is greater, provided no changes have been made or will be made in the original plans and

specifications for such work. All permits expired over five years shall be subject to a full permit fee. All subsequent work, which was not previously approved, shall adhere to the most current adopted code. Each permit shall be eligible for only one renewal; thereafter a new permit shall be issued.

That Section 108 of the International Building Code, 2009 edition, and Section R108 of the International Residential Code, 2009 edition, are hereby amended as follows:

108.3 [R108.3] Building permit valuations. The determination of value or valuation shall be based on the “Latah County Building Valuation Schedule” and Building Valuation Data as published by the “Building Standards Magazine, March-April 2002.” as previously modified to reflect a .97 modifier for Idaho. These valuation lists are attached as Exhibit A of this Ordinance. When valuation data for certain projects is not available in Exhibit A, the building official shall determine a valuation in accordance with the policy established in Exhibit A. The corresponding fee shall be paid.

108.5.1 [R108.5.1] Plan Review Fees. When submittal documents are required by Section 107[R106], a plan review fee shall be paid. Said plan review fee shall be 65 percent of the building permit fee as shown in Exhibit A, Table 1-A of this Ordinance, except the plan review fee for Group U pole buildings shall be 25 percent of the building permit fee as shown in Exhibit A, Table 1-A. A non-refundable fee deposit of \$700 for commencement of the plan review shall be paid for projects exceeding \$30,000 in valuation.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 108 [R108] and are in addition to the permit fees. Any balance after plan review fee is deducted from the \$700 deposit shall be credited to the amount due for the permit fee, or any amount owing after the deduction of the \$700 from the full plan review fee shall be added to the amount due for the permit fee. Regardless of circumstance, plan review fees shall not be reduced or waived.

109.4 [108.6] Work commencing before permit issuance. Any person who commences work requiring a permit on a building, structure, gas or mechanical system before obtaining the necessary permits, where any enforcement action has begun, shall be subject to a fee of 25 percent of the permit fees that shall be in addition to the required permit fees.

109.6 [R108.5] Refunds. Prior to plan review and permit issuance, eighty percent [80%] of any fees paid shall be refunded if the application is withdrawn prior to commencement of the project. Plan review fees are not refundable after the plan review has been performed; however, eighty percent [80%] of any permit fees paid shall be refunded if the application is withdrawn prior to commencement of the project. No refunds shall be made after commencement of any work on the project.

That Section 113 of the International Building Code, 2009 edition, and Section R112 of the International Residential Code, 2009 edition, and Section 112 of the International Existing Building Code, 2009 Edition, are hereby amended as follows:

113.1 [R112.1] [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. The building official shall be an ex-officio member of said board but shall have no vote on any matter before the board. This board shall have three members, not including the building official. The Board of Appeals shall be appointed by the Board of Latah County Commissioners and shall hold office at its pleasure. A member of the Board of Appeals shall act as Secretary and shall take minutes of the proceedings. The Board of Appeals shall conform to the Latah County Hearing Procedures Ordinance, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

113.2 [R112.2] [112.2] Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed.

Any affected person may file an appeal from any notice or action of the building official. A \$100.00 fee and written appeal describing the specific issues being appealed must be submitted to the Latah County Planning and Building Department within fifteen (15) days of the date of the notice or action of the building official. After receiving the written appeal, the Board of Appeals shall be appointed within thirty (30) days and shall fix a date, time and place for hearing the appeal. The Board of Appeals shall hear the appeal within forty-five (45) days after the appointment by the Board of Latah County Commissioners. Written notice of the time and place of the hearing shall be given at least fifteen (15) days prior to the date of the hearing to each appellant and to the building official. The Board of Appeals must render a decision within thirty (30) days of the hearing of such appeal. Every decision of the Board of Appeals must be based upon findings of fact and every finding must be supported in the record of the proceedings of the board of appeals.

The board shall have no authority to waive requirement of this code.

R112.2.1 Determination of substantial improvement in areas prone to flooding. DELETED

R112.2.2 Criteria for issuance of a variance for areas prone to flooding. DELETED

That Section R202 Definitions, of the International Residential Code, 2009 edition, shall be amended as follows:

Structure. That which is built or constructed, including roll-off containers, shipping containers or similar items.

That Table R301.2(1), Climatic and Geographic Design Criteria, of the International Residential Code, 2009 edition, shall be completed as follows:

Ground Snow Load: The ground snow loads, as determined by the study, “Ground and Roof Snow Loads for Idaho”, Ronald L. Sack, et al, University Press of Idaho, 1976, shall be used to

calculate all roof snow loads. All elevations above 3300 feet shall have an additional 20 pounds of snowload above the base snowload. The Latah County Basic Roof Snow Loads map shall be incorporated into this Ordinance as Exhibit B, attached.

Wind Speed: 90 mph

Seismic Design Category: B

Subject to Damage from weathering: Severe

Subject to damage from frost line depth: Frost Depth 30 inches

Subject to damage from termite: Slight to moderate

Subject to damage from decay: None to slight

Winter Design Temp: 10 degrees. F.

Ice Shield Underlayment Required: Yes

Flood Hazards: Date of entry into the National Flood Insurance Program, May 31, 1980

Date of current Flood Insurance Rate Map Index: April 15, 2002

Air Freezing Index: 1500 or less

Mean Annual Temperature: 47.3 Degrees F.

That Section R302 of the International Residential Code, 2009 edition, shall be amended 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 self-closing tight-fitting solid wood doors not less than 1 $\frac{3}{8}$ inch (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 $\frac{3}{8}$ inch(35 mm) thick, or 20-minute fire-rated doors.

R302.6 Separation required. The garage shall be separated from the residence and its attic area by not less than 5/8-inch (15.9 mm) Type X gypsum board applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Garages located less than 3 feet (914mm) from a dwelling unit shall be protected with not less than 5/8-inch (15.9 mm) Type X gypsum board applied to the interior side of exterior walls and ceilings. Openings in these walls shall be regulated by Section R302.5.1.

R302.7 Under-stair protection. Enclosed accessible space under stairs shall have walls, under-stair surface and any soffits protected on the enclosed side with 5/8-inch Type X gypsum board

That Section R403 of the International Residential Code, 2009 edition, shall be amended as follows:

R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table 403.1 and Figure R403.1 (1). The footing width, *W*, for light frame construction shall be 16" for 1- and 2-story with soil bearing value of 1500 p.s.f., and 23" for 3-story with soil bearing value of 1500 psf. Spread footings shall be a minimum of 8 inches (200 mm) in thickness, or thicker where required by design loads. Footing projections, *P*, shall be at least 2 inches (51 mm), and shall not exceed the thickness of the footing. The size

of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1 Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and 403.1(3).

All footings shall have a minimum of two (2) No. 4 (½ inch) or larger reinforcement rods laid continuously in the footing. Lap splices shall be a minimum of 40 bar diameters.

That Section R404.1.1 of the International Residential Code, 2009 edition, shall be amended as follows:

R404.1.1 Masonry foundation walls. Minimum width shall be 8 inches. Masonry basement walls shall be grouted solid below grade and at rebar above grade. Masonry foundation walls shall be constructed as follows: Walls up to 48 inches in height from the top of the footing shall have a horizontal bond beam of # 4 rebar placed at the top course of block. A vertical #4 rebar shall be required at each corner and at 4' on center. Walls over 48 inches in height shall have one (1) horizontal # 4 rebar placed at 4 feet on center and one (1) horizontal #4 rebar placed at top course. A vertical # 4 rebar shall be required at each corner and 32 inches on center. A horizontal # 4 rebar shall also be required at any course securing anchor bolts which fasten rim joists or beams to wall. Openings in masonry walls shall have an approved lintel above and one (1) #4 rebar horizontal below. Foundation walls in excess of 10 feet in height or retaining walls in excess of 8 feet of unbalanced backfill shall be engineered.

That Section R404.1.2 of the International Residential Code, 2009 edition, shall be amended as follows:

R404.1.2 Concrete foundation walls. Concrete foundation walls shall be constructed as follows: For walls less than 48 inches in height from the top of the footing, horizontal rebar, #4, shall be not greater than 18 inches on center and vertical rebar, #4, shall be not greater than 48 inches on center; for walls more than 48 inches in height from the top of the footing, horizontal and vertical rebar, #4, shall be not greater than 18 inches on center. The horizontal rebar shall be placed not greater than 9 inches from the top of the wall. Openings up to 6 feet in concrete walls shall have a lintel above with two #5 rebar or equivalent, extending 2 feet past the opening on either side. Openings greater than 6 feet shall be engineered. The minimum thickness shall be 8 inches for walls which support 2 or 3 stories above grade. Foundation walls in excess of 10 feet in height or retaining walls in excess of 8 feet of unbalanced backfill shall be engineered.

SECTION 5. MANUFACTURED HOUSING & BUILDINGS

Latah County Ordinance #269 as amended, the Latah County Land Use Ordinance, shall apply to all applicable activities unless and until it is repealed or superseded. If there is a conflict between Section 5 of this ordinance and Latah County Ordinance #269 as amended, then the stricter of the two shall take precedence.

SECTION 5.01 Installation Permits. In order for any manufactured building as defined by Idaho Code to be installed, (including manufactured housing, as regulated by this Ordinance) within the unincorporated areas of Latah County, a valid installation permit must be issued by the

Department of Planning and Building for the specific building and site. All applications for installation permits shall be issued by the Building Official upon compliance by the applicant with the provisions of this Ordinance and any regulation adopted pursuant thereto, any other state or local regulation pursuant thereto, and any other applicable legal requirements.

To qualify for an installation permit, all manufactured buildings must comply with the requirements of Idaho Code, Title 39, Chapters 40 and 41, Title 44, Chapters 21, 22 and 25 and any rules and regulations promulgated thereunder.

Permits for manufactured buildings not in compliance with Idaho Code, Title 39, Chapters 40 and 41, Title 44, Chapters 21, 22, and 25, and any rules and regulations promulgated thereunder shall not be valid.

SECTION 5.02 Site And Unit Requirements. When applying for a Manufactured Housing Installation Permit, the following conditions must be met before an installation permit will be issued:

- A. A building site which meets all applicable requirements of this ordinance and the criteria set forth in all Latah County Ordinances shall be designated and required.
- B. All setback, height, and lot size requirements of the zone and all criteria set forth in all Latah County Ordinances shall be met. If the building site is an approved space within a manufactured housing development, the manufactured home park development plans for setbacks shall prevail along with the setback and separation distances for structures contained in the building codes referenced in this ordinance.
- C. Permits shall be issued only for those manufactured housing units meeting all of the specifications and minimum health and safety standards for plumbing, heating, electrical, and frame and body design established pursuant to Title 39, Chapters 40 and 41 of the Idaho Code. Furthermore, all manufactured housing units shall meet state installation standards in Title 44, Chapter 22 of the Idaho Code. All manufactured housing units shall bear an insignia of approval of the state in which the manufactured home was built.
- D. Sewage treatment systems shall be approved by the agency having jurisdiction. If the building site is an approved space within a manufactured housing development sewage treatment approval must only be gained only once per space from the relevant jurisdiction.
- E. Exterior electrical and plumbing connections shall be approved by the agency having jurisdiction.
- F. Access points onto or from any road or highway shall be approved by the agency having jurisdiction.

SECTION 5.03 Application. Applications for installation permits shall be in writing, signed by

the applicant, and shall contain the following:

- A. The name and address of the applicant, and the name, address, license number and signature of the contractor and licensed installer;
- B. The signature of the owner, when the applicant is not the land owner, and the location of the proposed installation site by lot, block, tract, street address, or similar description that will readily identify and specifically locate the proposed installation;
- C. The proposed use of the building;
- D. A site plan or plot plan showing;
 - 1. The area and dimensions of the building site and proposed location of the building;
 - 2. The number, location and size of any and all existing buildings and structures; and the distance from those buildings;
 - 3. Location of and type of water and sewer facilities, including a copy of Health Department approval of the sewer facilities;
 - 4. Two sets of plans and specifications of all buildings, and other improvements, if required by the Building Official;
- E. The zoning designation;
- F. Additional information as may be requested by the Building Official to determine whether the proposed installation will comply with legal requirements.

SECTION 5.04 Permanent Living Quarters. Nothing within this Ordinance shall be construed to allow a camping trailer, licensed vehicle or trailer, tent, recreational vehicle (including park models), or any other vehicle, accessory structure, or item as a permanent dwelling. No parcel can be used for temporary living quarters for a period of more than 6 months in a 12 month period, unless permitted for use as specified under a conditional use permit for a campground or recreational vehicle park.

SECTION 5.05 Fee. The installation permit application shall be accompanied by such fee as indicated in the Fee Schedule of the Latah County Planning and Building Department, Exhibit A.

SECTION 5.06 General Installation Provisions.

- A. **Building Inspection Requirements.** Prior to the occupancy of any manufactured housing unit in Latah County, the Latah County Building Official shall inspect such manufactured housing unit and certify that its occupancy for permanent living quarters will not violate any laws, provisions, ordinance or regulation of Latah County or the State

of Idaho, and a certificate of occupancy must be issued by Latah County Building Department. Each manufactured housing unit shall be installed in such a manner as to provide a safe, secure, well-drained, and substantially level building that complies with the requirements for personal or real property for the support of the maximum anticipated load during all seasons. Provision shall be made for proper connection of utilities, including sewer drains. In addition, all installations shall meet the minimum requirements as set forth in the state-approved installation instruction for the specific unit or model, or in the current Idaho Manufactured Home Installation Standard.

- B. **Validity of Permit.** An installation permit shall be valid for one hundred and eighty (180) days. The certificate of occupancy shall be valid until removal of such manufactured building from said property. (See 'Replacement' below.)
- C. **Transfer of Permit.** An installation permit shall not be transferable from one location to another. The certificate of occupancy shall be transferable from one person to another so long as the manufactured building is not moved or structurally altered without a permit.
- D. **Replacement.** When any manufactured housing unit for which an installation permit or a certificate of occupancy has or has not been issued is replaced at the same site, a new installation permit and certificate of occupancy must be obtained.

SECTION 5.07 After Installation Of Manufactured Building. Following installation of a manufactured building, building permits shall be required for all further building improvements. In addition, any further improvements shall meet the requirements set forth in this Ordinance.

SECTION 5.08 Remodels, Changes To Interior Of Manufactured Buildings, Change in Occupancy. A building permit is required and must be obtained for any remodel, change in occupancy, or change to the interior of a manufactured building before any work may be performed.

SECTION 5.09 Use of Manufactured Home While Building or Installing New Residence. Any person may remain in an existing manufactured home being used for a residence while obtaining a building or installation permit to build or install a new home, so long as the parcel is eligible for such under the Latah County Land Use Ordinance, and so long as they file an affidavit (provided by the Building Department) with the Building Department. The affidavit shall state that the owner will remove the existing manufactured home or convert the existing manufactured home to a U occupancy (or other allowed occupancy) prior to the issuance of a certificate of occupancy and prior to any occupancy of the new structure. Any such conversions of manufactured homes to a U occupancy (or other allowed occupancy) are subject to Section 5.08 of this ordinance. At a minimum all kitchen appliances and cabinets shall be removed, in addition to any other removal or disconnection of items that are required by the Building Official. Any conversions of manufactured homes to a U occupancy that are older than June 15, 1976 shall rehabilitate (as per Idaho Code) or remove any electrical systems in the home; any conversions of manufactured homes to any other allowed occupancy that are older than June 15, 1976 shall be fully rehabilitated as per Idaho Code.

SECTION 6. AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE AND THE INTERNATIONAL FUEL GAS CODE, 2009 EDITION.

That Section 106.5.2 of the International Mechanical Code, 2009 Edition, and 106.6.2 of the International Fuel Gas Code, 2009 edition, are hereby amended as follows:

106.5.2 [106.6.2 IFGC] Permit Fees. The fees for each permit shall be as set forth in Exhibit A, Fee Schedules. Mechanical fees for new residences shall be considered to be included in the building permit fee for the new residence, and no separate mechanical permit shall be issued. All other mechanical installations shall require a separate permit with attendant fees to be issued.

106.5.3 [106.6.3 IFGC] Fee refunds.

2. Not more than eighty percent [80%] of the permit fee paid shall be refunded when no work has been done under a permit issued in accordance with this code.
3. Not more than eighty percent [80%] of the plan review fee paid shall be refunded when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

That Section 108 of the International Mechanical Code, 2009 edition, and the International Fuel Gas Code, 2009 edition, are hereby amended as follows:

108.4 Violation penalties. Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than three hundred dollars [\$300] or by imprisonment not exceeding thirty [30] days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

That section 109 of the International Mechanical Code, 2009 edition, and International Fuel Gas Code, 2009 edition, are hereby amended as follows:

109.1.1 [109.1 IFGC] Application for appeal. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed.

Any affected person may file an appeal from any notice or action of the building official. A \$100.00 fee and written appeal describing the specific issues being appealed must be submitted to the Latah County Planning and Building Department within fifteen (15) days of the date of the notice or action of the building official. After receiving the written appeal, the Board of Appeals shall be appointed within thirty (30) days and shall fix a date, time and

place for hearing the appeal. The Board of Appeals shall hear the appeal within forty-five (45) days after the appointment by the Board of Latah County Commissioners. Written notice of the time and place of the hearing shall be given at least fifteen (15) days prior to the date of the hearing to each appellant and to the building official. The Board of Appeals must render a decision within thirty (30) days of the hearing of such appeal. Every decision of the Board of Appeals must be based upon findings of fact and every finding must be supported in the record of the proceedings of the board of appeals.

The board shall have no authority to waive requirement of this code.

109.2.1 Qualifications. 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. The building official shall be an ex-officio member of said board but shall have no vote on any matter before the board. This board shall have three members, not including the building official. The Board of Appeals shall be appointed by the Board of Latah County Commissioners and shall hold office at its pleasure. A member of the Board of Appeals shall act as Secretary and shall take minutes of the proceedings. The Board of Appeals shall conform to the Latah County Hearing Procedures Ordinance, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

109.2 Membership of board. DELETED

109.2.2 Alternate members. DELETED

109.2.3 Chairman. DELETED

109.2.5 Secretary. DELETED

109.3 Notice of meeting. DELETED

109.4.1 Procedure. DELETED

109.5 Postponed hearing. DELETED

109.6 Board decision. DELETED

109.6.1 Resolution. DELETED

That Section 504 of the International Mechanical Code, 2009 Edition, and Section M1502 of the International Residential Code, 2009 Edition, is hereby amended as follows:

504.6.4.2 [M1502.4.4.2 IRC] Manufacturer's Instructions. DELETED

That Section 621 of the International Fuel Gas Code, 2009 Edition, is hereby amended as

follows:

621.2 Prohibited use. Unvented room heaters shall not be used as a source of comfort heating in a dwelling unit.

SECTION 7. PERMITS CONTRARY TO LAW. Any permit issued contrary to law under authority of this Ordinance for construction or any use contrary to law or any other ordinance of Latah County shall be void.

SECTION 8. ENFORCEMENT AND PENALTIES. The following are available to enforce compliance with the provisions of this ordinance. Nothing herein shall prevent the Board of County Commissioners or any other public official or private citizen from taking such other lawful action as is necessary to prevent or correct any violation of this ordinance or of the Idaho Code.

- A. **Injunction.** The County may obtain from a district court having jurisdiction, an injunction enjoining the construction or installation of buildings or structures on any building site upon affidavit of the County that such building or structure does not conform to the requirements of this ordinance. The affidavit must set forth such violations in detail. The injunction may be made permanent, at the discretion of the court.
- B. **Criminal Action.** Any person who willfully violates or fails to comply with any provisions of this ordinance or any provisions of the codes enumerated in this ordinance, or who, having obtained a permit hereunder, shall willfully fail to continue to comply with the conditions as set forth herein, shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than three hundred dollars (\$300.00), or incarcerated for not more than ninety (90) days, or by both fine and incarceration. A separate violation is deemed to have occurred with respect to each building or structure not in compliance with this ordinance. Further, each day such violation continues constitutes a separate offense.
- C. **Civil Action.** Notwithstanding any other remedies available, any person, damaged as a result of a violation of this ordinance or the codes enumerated herein or promulgated pursuant to this ordinance has a cause of action in any court of competent jurisdiction against the person who committed the violation, and if such damaged person prevails, he shall be entitled to a reasonable attorney's fees to be determined by the court, together with court costs.
- D. **Notice of Noncompliant Building or Structure.**
 - 1. **Definition of Noncompliant Building or Structure:** Any building or structure that does not comply with the provisions of this ordinance and the codes adopted in this ordinance.
 - 2. **Commencement of Proceedings.** When the building official has inspected or caused to be inspected any building or structure and has found that such building

or structure is noncompliant, or the building official is unable to verify compliance because the required inspections have not been requested and performed, the building official shall commence proceedings to cause the repair or inspection of the building or structure.

3. Notice and Order, and Appeal Process. The building official shall issue a notice and order directed to the record owner of the building or structure. The notice and order shall contain:
 - a. The street address, if issued, and a legal description or Assessor's parcel number sufficient for identification of the premises upon which the building or structure is located.
 - b. A statement that the building official has found the building or structure to be noncompliant with a brief and concise description of the conditions found to render the building or structure noncompliant under the applicable provisions of the applicable code.
 - c. A statement of the action required to be taken as determined by the building official.
 - i. When the building official has determined that the building or structure must be repaired or inspected to comply with adopted codes, the order shall require that all required permits be secured if a permit is no longer valid and the work or inspection physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the building official shall determine is reasonable under the circumstances.
 - ii. A statement advising that if any required repair work or inspection is not completed within the time specified, the building official will file a Certificate of a Noncompliant Building or Structure in the office the County Recorder.
 - d. Statements advising: (1) that any person having any record title or legal interest in the building or structure may appeal from the notice and order or any action of the building official to the Board of Appeals, in accordance with Section 113 of the International Building Code, 2009 edition, and Section 112 of the International Residential Code, 2009 edition; and (2) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

E. **Service of Notice and Order.** The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner. One copy thereof shall be served on each of the following if known to the building official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease or record; and the holder of any other estate or

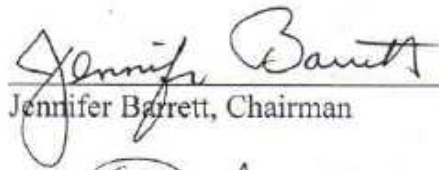
legal interest of record in or to the building or structure or land on which it is located. The failure of the building official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

- F. **Method of Service.** Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the building official. If no address of any such person so appears or is known to the building official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.
- G. **Proof of Service.** Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, or any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the building official.
- H. **Recordation of noncompliance.** If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the County Recorder a certificate describing the property and certifying (1) that the building or structure is noncompliant and (2) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists on the property described in the certificate, the building official shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer noncompliant, whichever is appropriate.
- I. **Referral for Further Action.** The building official shall notify the County Prosecutor's office of completion of this proceeding and refer the matter to the County Prosecutor's office for further action.

SECTION 9. SEVERABILITY. If any section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect; and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 10. EFFECTIVE DATE. This Ordinance shall be in full force and effect on and after January 1, 2011.

PASSED by the Board of Latah County Commissioners, this 15th day of December, 2010.



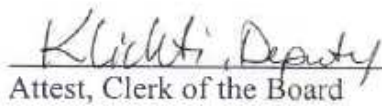
Jennifer Barrett, Chairman



Tom Stroschein, Commissioner



John A. "Jack" Nelson, Commissioner



Attest, Clerk of the Board

“EXHIBIT A”
Building Valuation and Fees
Latah County - 2009 International Codes

VALUATIONS

Foundations:	
Crawlspace (Headroom less than 7 feet)	\$6.35/sq. ft.
Unfinished basement	\$12.70/sq. ft.
Finished basement	\$17.49/sq. ft.
Moved Building	\$29.28/sq. ft.
Residence	\$58.55/sq. ft.
Decks	
Uncovered	\$7.30/sq. ft.
Covered	\$10.96/sq. ft.
Covered and Enclosed	\$14.44/sq. ft.
Carport	\$14.44/sq. ft.
Garage/Shop/Barn	\$21.14/sq. ft.
Steel Structure Building (Residential Accessory)	\$14.00/sq.ft
Pole Buildings	\$7.70/sq.ft.

BUILDING VALUATION DATA

At the request of numerous building officials, *Building Standards™* offers the following building valuation data representing **average costs** for most buildings. Because residential buildings are the most common for many cities, two general classes are considered for these, one for "average" construction and the other for "good." Adjustments should be made for special architectural or structural features and the location of the project. Higher or lower unit costs may often result.

The unit costs are intended to comply with the definition of "valuation" in Section 223 of the 1997 *Uniform Building Code™* and thus include architectural, structural, electrical, plumbing and mechanical work, except as specifically listed below. The unit costs also include the contractor's profit, which should not be omitted.

The determination of plan check fees for projects reviewed by the International Conference of Building Officials will be based on valuation computed from these figures, which were established in **April 2002**.

Occupancy and Type	Cost per Square Foot, Average	Occupancy and Type	Cost per Square Foot, Average	Occupancy and Type	Cost per Square Foot, Average	Occupancy and Type	Cost per Square Foot, Average		
1. APARTMENT HOUSES:									
Type I or II F.R.*	\$88.70								
(Good) \$109.20									
Type V—Masonry (or Type III)	72.40								
(Good) \$88.70									
Type V—Wood Frame..	63.80								
(Good) \$82.00									
Type I—Basement Garage	37.40								
2. AUDITORIUMS:									
Type I or II F.R.	104.80								
Type II—1-Hour	75.90								
Type II—N	71.80								
Type III—1-Hour	79.80								
Type III—N	75.70								
Type V—1-Hour	76.30								
Type V—N	71.20								
3. BANKS:									
Type I or II F.R.*	148.10								
Type II—1-Hour	109.10								
Type II—N	105.60								
Type III—1-Hour	120.40								
Type III—N	116.10								
Type V—1-Hour	109.10								
Type V—N	104.50								
4. BOWLING ALLEYS:									
Type II—1-Hour	51.00								
Type II—N	47.60								
Type III—1-Hour	55.50								
Type III—N	51.90								
Type V—1-Hour	37.40								
5. CHURCHES:									
Type I or II F.R.	99.20								
Type II—1-Hour	74.50								
Type II—N	70.80								
Type III—1-Hour	81.00								
Type III—N	77.40								
Type V—1-Hour	75.70								
Type V—N	71.20								
6. CONVALESCENT HOSPITALS:									
Type I or II F.R.*	139.20								
Type II—1-Hour	96.60								
Type III—1-Hour	99.00								
Type V—1-Hour	93.30								
7. DWELLINGS:									
Type V—Masonry	\$75.70								
(Good) \$96.90									
Type V—Wood Frame..	67.30								
(Good) \$92.40									
Basements—									
Semi-Finished	20.10								
(Good) \$23.20									
Unfinished	14.60								
(Good) \$17.70									
8. FIRE STATIONS:									
Type I or II F.R.	114.40								
Type II—1-Hour	75.30								
Type II—N	71.00								
Type III—1-Hour	82.40								
Type III—N	78.90								
Type V—1-Hour	77.30								
Type V—N	73.30								
9. HOMES FOR THE ELDERLY:									
Type I or II F.R.	103.70								
Type II—1-Hour	84.20								
Type II—N	80.60								
Type III—1-Hour	87.70								
Type III—N	84.10								
Type V—1-Hour	84.70								
Type V—N	81.80								
10. HOSPITALS:									
Type I or II F.R.*	163.20								
Type III—1-Hour	135.10								
Type V—1-Hour	128.90								
11. HOTELS AND MOTELS:									
Type I or II F.R.*	101.00								
Type III—1-Hour	87.50								
Type III—N	83.40								
Type V—1-Hour	76.20								
Type V—N	74.70								
12. INDUSTRIAL PLANTS:									
Type I or II F.R.	56.90								
Type II—1-Hour	39.60								
Type II—N	36.40								
Type III—1-Hour	43.60								
Type III—N	41.10								
Tilt-up	30.00								
Type V—1-Hour	41.10								
Type V—N	37.60								
13. JAILS:									
Type I or II F.R.	\$159.10								
Type III—1-Hour	145.50								
Type V—1-Hour	109.10								
14. LIBRARIES:									
Type I or II F.R.	116.40								
Type II—1-Hour	85.20								
Type II—N	81.00								
Type III—1-Hour	90.00								
Type III—N	85.50								
Type V—1-Hour	84.50								
Type V—N	81.00								
15. MEDICAL OFFICES:									
Type I or II F.R.*	119.50								
Type II—1-Hour	92.20								
Type II—N	87.60								
Type III—1-Hour	100.00								
Type III—N	93.10								
Type V—1-Hour	90.20								
Type V—N	87.00								
16. OFFICES**:									
Type I or II F.R.*	106.80								
Type II—1-Hour	71.50								
Type II—N	68.10								
Type III—1-Hour	77.20								
Type III—N	73.80								
Type V—1-Hour	72.30								
Type V—N	68.10								
17. PRIVATE GARAGES:									
Wood Frame	24.30								
Masonry	27.40								
Open Carports	16.60								
18. PUBLIC BUILDINGS:									
Type I or II F.R.*	123.40								
Type II—1-Hour	100.00								
Type II—N	95.60								
Type III—1-Hour	103.80								
Type III—N	100.20								
Type V—1-Hour	95.00								
Type V—N	91.60								
19. PUBLIC GARAGES:									
Type I or II F.R.*	48.90								
Type I or II Open Parking*	36.70								
Type II—N	28.00								
Type III—1-Hour	37.00								
Type III—N	32.90								
Type V—1-Hour	33.70								
20. RESTAURANTS:									
Type III—1-Hour	\$97.40								
Type III—N	94.10								
Type V—1-Hour	89.20								
Type V—N	85.70								
21. SCHOOLS:									
Type I or II F.R.	111.20								
Type II—1-Hour	75.90								
Type III—1-Hour	81.20								
Type III—N	78.10								
Type V—1-Hour	76.10								
Type V—N	72.60								
22. SERVICE STATIONS:									
Type II—N	67.20								
Type III—1-Hour	70.10								
Type V—1-Hour	59.70								
Canopies	28.00								
23. STORES:									
Type I or II F.R.*	82.40								
Type II—1-Hour	50.40								
Type II—N	49.30								
Type III—1-Hour	61.30								
Type III—N	57.50								
Type V—1-Hour	51.60								
Type V—N	47.70								
24. THEATERS:									
Type I or II F.R.	109.80								
Type III—1-Hour	80.00								
Type III—N	76.20								
Type V—1-Hour	75.30								
Type V—N	71.20								
25. WAREHOUSES***:									
Type I or II F.R.	49.40								
Type II or V—1-Hour	29.30								
Type II or V—N	27.50								
Type III—1-Hour	33.20								
Type III—N	31.60								
EQUIPMENT									
AIR CONDITIONING:									
Commercial	4.20								
Residential	3.50								
SPRINKLER SYSTEMS..									
	2.60								

*Add 0.5 percent to total cost for each story over three. **Deduct 20 percent for shell-only buildings. ***Deduct 11 percent for mini-warehouses.

REGIONAL MODIFIERS

The following modifiers are recommended for use in conjunction with the building valuation data. Additionally, certain local conditions may require further modifications. To use these modifiers, merely multiply the listed cost per square foot by the appropriate regional modifier. For example, to adjust the cost of a Type III One-hour hotel building of average construction for the low area, select Regional Modifier 0.80 and unit cost from valuation data, \$87.50:

$$0.80 \times 87.50 = \$70.00 (\text{adjusted cost per square foot})$$

Eastern U.S.	Modifier	Eastern U.S. (cont.)	Modifier	Central U.S. (cont.)	Modifier	Western U.S.	Modifier
Connecticut	1.00	Pennsylvania		Kansas	0.87	Alaska	1.20
Delaware	0.93	Philadelphia	1.05	Kentucky	0.83	Arizona	0.87
District of Columbia	0.90	Other	0.88	Louisiana	0.78	California	
Florida	0.80	Rhode Island	0.97	Michigan	0.91	Los Angeles	1.00
Georgia	0.77	South Carolina	0.77	Minnesota	0.91	San Francisco Bay Area	1.16
Maine	0.86	Vermont	0.88	Mississippi	0.74	Other	0.97
Maryland	0.86	Virginia	0.83	Missouri	0.87	Colorado	0.92
Massachusetts	0.97	West Virginia	0.91	Nebraska	0.83	Hawaii	1.24
New Hampshire	0.86			North Dakota	0.86	Idaho	0.97
New Jersey	1.03			Ohio	0.87	Montana	0.84
New York		Central U.S.		Oklahoma	0.78	Nevada	0.93
New York City	1.20	Alabama	0.76	South Dakota	0.84	New Mexico	0.79
Other	0.90	Arkansas	0.75	Tennessee	0.79	Oregon	0.94
North Carolina	0.78	Illinois	0.97	Texas	0.77	Utah	0.84
		Indiana	0.91	Wisconsin	0.92	Washington	0.97
		Iowa	0.87			Wyoming	0.84

TABLE 1-A – BUILDING PERMIT FEES

TOTAL VALUATION	BASE FEE	ADDITIONAL UNITS OR FRACTIONS THEREOF
\$1.00 to \$500.00	\$50.00	
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00	\$1.28 for each additional \$100.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus	\$14.00 for each additional \$1,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00	\$10.10 for each additional \$1,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00	\$7.00 for each additional \$1,000.00
\$100,001.00 and up	\$993.75 for the first \$100,000.00	\$7.00 for each additional \$1,000.00
Other Inspections and Fees:		
1. Inspections outside of normal business hours [minimum charge – two hours]\$50.00 per hour 2. Reinspection fees\$50.00 per hour 3. Inspections for which no fee is specifically indicated [minimum charge – one hour]\$50.00 per hour 4. Additional plan review required by changes, additions or revisions to plans\$50.00 per hour 5. For Building Department use of outside consultants For plan checking and inspections, or both.....Actual costs ¹		

¹Actual costs include all actual costs plus administrative and overhead costs.

GENERAL FEES

Re-Roof	\$50.00
Siding	\$50.00
Window Replacement (No Change in size.)	\$50.00
Manufactured/Modular Home Installation	
Single wide	\$100.00
Double wide	\$150.00
Triple wide/Modular	\$200.00
Conversion to a U occupancy	\$50.00
Residential Wind & Telecommunication Towers	\$2.00 per ft. in elevation above ground level measured to the highest point of any part of the tower including the blades of any wind turbine \$100.00 minimum

GENERAL FEES CONTINUED

Commercial Telecommunication Towers & Electric Generating Wind Turbines	\$11.00 per ft. in elevation above ground level measured to the highest point of any part of the tower including the blades of any wind turbine. \$100.00 minimum
Solar System Installation	\$50.00
Detached Pre-Manufactured Accessory Structures	\$50.00 (10' walls up to 400sq.ft.)
Wood stove/Pellet Stove Inspections	\$50.00
Signs: If a permit is required:	\$50.00
Residential Fences (Over 6 ft.)	\$50.00
Permit extension– Maximum (4) - 1st is free	\$25.00
Permit renewal	25% of the original permit fee; \$100 minimum
Permit renewal expired to 5 years	50% of the original permit fee; \$100 minimum
Permit renewal expired > 5 years	Full permit fee
Work commencing without a permit	25% of the permit fee
Appeals	\$100.00

Additions, alterations, or other items not specified in the fee schedule where square footage on building valuation data sheets cannot be used, shall be valued at the bona fide contractual price or by doubling material costs to account for labor costs.

MECHANICAL PERMIT FEES

Description of equipment	Each
Minimum permit fee for all mechanical permits is total fees listed below or \$50.00 whichever is greater	
Residential Furnace including vent/ducts	\$20.00
Residential Boilers	\$20.00
Suspended, wall, floor mount or radiant heater	\$15.00
Ground Loop Heat pump, hydronic piping	\$15.00
Gas appliances (range, water heater, dryer, barbecue, log lighter, fireplace, inserts, pool/spa heater, other)	\$15.00
Air-Handlers (electric furnace)	\$15.00
Heat pump, air conditioner, evaporative cooler	\$15.00
Heat Recovery Unit	\$15.00
Solid fuel fireplaces, stoves, inserts	\$25.00
Chimney (liner, flue, vent)	\$15.00
Ductwork	\$15.00
Appliance Vents	\$15.00
Gas piping system, 1-4 outlets	\$10.00
Each additional outlets over 4	\$2.00
Other (non-specified equipment)	\$15.00
Permit Processing Fee	\$25.00
Special inspection per hour	\$50.00

"EXHIBIT B"
Snow Load Map
Latah County - 2009 International Codes

