

AGENDA ITEM SUMMARY

DATE: 3/3/14 DEPARTMENT: PW - WW DEPT. HEAD SIGNATURE: 

SUBJECT: Public Hearing of Ordinance amending how Wastewater base rates are set for new occupants of Townhomes/Condos where irrigation is on the homeowner's association meter and for moves within city limits

Ord #1145

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Hailey Municipal Code 13.04.130(B)(3) states:

2. Non-Metered Account Fee. New Wastewater user accounts, where an average winter water use has not been established, shall pay a set monthly charge for water usage of 6000 gallons per month.

This revised ordinance was introduced to city council on February 3, 2014 under New Business. Following that city council meeting additional customers contacted city hall with similar but slightly different concerns about how sewer fees are set (see attachments).

With these additional comments we now have three different requests for adjusting our setting of sewer fees.

1. Owners of a townhouse/condo where the HOA pays for irrigation and the owners water use is strictly domestic. This concern would be covered by the attached ordinance.
2. Customers who move from one house within the city to another with no changes to the number of persons in the house. The reasoning is that their domestic use would be similar and should be charged that way. This presents more of a problem with tracking for city staff and verifying the house occupancy. The proposed ordinance does not address this concern.
3. A revision to our established ordinance and policy that customers who run water to avoid freezing run the water outside and they provide proof this is being done. This was a discussion in 2007 and a two year period to rectify water services subject to winter freezing was put in place followed by the requirement to run the water outside. Municipal Code does not allow for adjustments to the sewer fees if this proof is not provided.

City staff recommends that the ordinance be revised as shown on the attachment to allow for adjustment of a property where the irrigation is not a part of the services used. The new account would be initially assessed at the current 6,000 gallons per month rate until there is 2 full months of water use with which to set an average sewer rate. Any excess fees could then be credited to the account or possibly an increased fee set.

Council should discuss whether option #2 should be added to the ordinance. Staff recommendation is that this be a request from the customer with verification that the number of occupants or water using appliances has not changed. The ordinance would then be revised as shown below:

2. Non-Metered New Account Fee. New Wastewater user accounts, where an average winter water use has not been established, shall pay a set monthly charge for water usage of 6000 gallons per month. For those properties identified as having a separate irrigation system account the wastewater fee shall be set

following two full months of water use to the average water use. A user moving from one property to another within city limits may request that their previous wastewater fee be continued at the new property with certification that the number of occupants and water using appliances has not changed.

I do not recommend any revisions to the Municipal Code to address the third concern. This issue was been discussed in the past and compromises made to allow customers time to repair shallow water services subject to freezing.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____
Budget Line Item # _____ YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: _____ Phone # _____
Comments: _____

No negative impact as this is a minimal number of properties and will be calculated in rates.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<input type="checkbox"/> City Administrator	<input type="checkbox"/> Library	<input type="checkbox"/> Benefits Committee
<input type="checkbox"/> City Attorney	<input type="checkbox"/> Mayor	<input type="checkbox"/> Streets
<input type="checkbox"/> City Clerk	<input type="checkbox"/> Planning	<input type="checkbox"/> Treasurer
<input type="checkbox"/> Building	<input type="checkbox"/> Police	_____
<input type="checkbox"/> Engineer	<input type="checkbox"/> Public Works, Parks	_____
<input type="checkbox"/> Fire Dept.	<input type="checkbox"/> P & Z Commission	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve Ordinance _____ and conduct first reading by title only.

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date 5/3/14 council approved ord no. 1176

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

HAILEY ORDINANCE NO. 1745

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 13 OF THE HAILEY MUNICIPAL CODE BY AMENDING SECTION 13.04.130(B)(2) TO CLARIFY THAT NEW WASTEWATER USER ACCOUNTS SHALL BE BASED ON A WATER USE OF 6000 GALLONS PER MONTH WITH A PROVISION FOR ADJUSTMENT BASED ON ACTUAL USEAGE; BY PROVIDING FOR A REPEALER CLAUSE; BY PROVIDING FOR A SEVERABILITY CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City desires to clarify that new wastewater user accounts shall be initially based on a water use of 6000 gallons per month;

WHEREAS, the City desires to allow for an adjustment to properties served by a separate irrigation account after two full months of useage; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 13.04.130(B)(2) of the Hailey Municipal Code is hereby amended by the addition of the following underlined language and the deletion of the following stricken language:

2. Non-Metered New Account Fee. Except as otherwise provided herein, N new Wastewater user accounts, where an average winter water use has not been established, shall pay a set monthly charge for based on water usage of 6000 gallons per month until the metered wastewater fee can be established pursuant to subsection 13.04.130(B)(1).
 - a. For those properties identified as having a separate irrigation system account, the metered wastewater fee shall be set following two full months of water use to the average water use during the two full months until the metered wastewater fee can be established pursuant to subsection 13.04.130(B)(1).
 - b. For those properties where a user has moved from one property to another property within the city limits and where the user has certified that the number of occupants has not increased and that the quantity of water in appliances will not increase, the metered wastewater fee shall be based on the water useage established in the prior property until the metered wastewater fee can be established in the subsequent property pursuant to subsection 13.04.130(B)(1).

Section 2. Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 3. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable,

such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this ___ day of March, 2014.

Fritz X. Haemmerle, Mayor City of Hailey

ATTEST:

Mary Cone, City Clerk

Tom Hellen

From: tablerk@aol.com
Sent: Saturday, January 25, 2014 6:09 PM
To: Tom Hellen
Subject: Re: Wastewater Fees

Tom,
I had read this and knew it was a way to adjust for summer irrigation, however we do not irrigate and have meters that are read monthly so no average should need to be made. I did talk to Heather and she mentioned that it may be addressed at a city council meeting in Feb.
Hope that it is changed as many people have been charged without disclosure of the 6000 gal. base.
Thankyou,
Donnale

-----Original Message-----

From: Tom Hellen <tom.hellen@haileycityhall.org>
To: tablerk <tablerk@aol.com>
Cc: Heather Dawson <heather.dawson@haileycityhall.org>; Shellie Rubel <shellie.rubel@haileycityhall.org>
Sent: Fri, Jan 24, 2014 9:58 am
Subject: Wastewater Fees

Donnale,

Attached is the ordinance setting 6,000 gallons as the wastewater initial fee for billing.

If Heather Dawson, City Administrator, hasn't already called I did discuss this with her and we are looking into options on revising this ordinance.

Tom Hellen
Public Works Director/City Engineer
(208) 788-9830 X14
Please be aware that all email correspondence is public record

Donnale Brown
Customer Notes

01/29/2014 10:04 AM - shellie
VERIFIED NO LEAK BY THE WATER DEP 1-21-14

01/24/2014 10:00 AM - shellie
email sent:Donnale,

Attached is the ordinance setting 6,000 gallons as the wastewater initial fee for billing.

If Heather Dawson, City Administrator, hasn't already called I did discuss this with her and we are looking into options on revising this ordinance.

Tom Hellen
Public Works Director/City Engineer
(208) 788-9830 X14

01/22/2014 04:55 PM - shellie
LEFT A MESSAGE FOR DONNALE TO LET HER KNOW SHE NEEDS TO TALK TO TOM ABOUT DISPUTING OUR ORDINANCE AND ALSO LET HER KNOW THAT SHE DOESN'T HAVE A LEAK.

01/21/2014 08:53 AM - shellie
Spoke with Donnale and explained the sewer calculation at the property and that it won't change from 6,000 gals standard for a new property until April when we recalculate sewer averages. She said she would pay the bill not to worry, she was all to happy and I let her know that would could make payment arrangements if she liked. I also, explained that I hadn't received the title until last week and wasn't aware that the property had sold.

01/17/2014 11:44 AM - shellie
RECEIVED WARRANTY DEED, PROPERTY SOLD IN JUNE 2013, MADE A BILLING ADJUSTMENT FOR \$564.91, JUNE \$79.89, JULY \$80.14, AUGUST \$80.14, SEPTEMBER \$80.39, OCTOBER 480.14, NOVEMBER \$63.17, DECEMBER \$101.04 this includes the \$25.00 transfer fee. SENT A BILL TO THE CUSTOMER WITH A NOTE ASKING HER TO CALL ME AT CITY HALL TO MAKE PAYMENT ARRANGEMENTS.

RECEIVED
FEB 05 2014
BY: FILE TH, HD

TO: Tom Hellen, Public Works Director
FROM: Cygnia F. Rapp (CR)
DATE: January 28, 2014
SUBJECT: Inequity in Calculating Sewer Usage Results in 2X Overcharge

Dear Mr. Hellen,

As instructed by City of Hailey employee Shellie Rubel, I am writing to document the inequity of being overcharged for sewer services we do not use. We are renters. Our previous residence was 531 Eastridge Drive, Hailey owned by Tom and Sarah Shephard. We lived in this location for two years until last October (October, 2013) when we moved to 1121 Silver Star Drive, Hailey, recently purchased by Sara Gorham.

We are a mature, married couple with no children. Our sewer bill with the City of Hailey at the Shepard residence was \$31.50 per month. When we moved to the Gorham residence, we were SHOCKED when our sewer bill jumped to \$49.41, an almost 2-fold jump in our rate even when our usage was the same – even less with business travel – than at our previous residence. Please see attached bills – one from each residence – for your use.

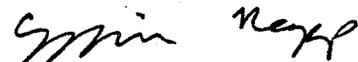
When I contacted the City of Hailey for a correction of the bill, I was given inaccurate and indefensible explanations. First, I was told the rates increased in March, 2013. This fact is irrelevant since our rate of \$31.50 occurred throughout 2013 well after the rate increase was implemented.

Second, I was told the sewer rate calculations are based on last year's water usage. How is it defensible to calculate last month's sewer usage based on last year's water usage? Besides the fact this policy disincentivizes families from conserving water and sewer use, we are being charged sewer rates based on a family of two adults and multiple children who have not lived here for several months. Why wouldn't sewer rates be based on last MONTH'S water usage instead? Your policy for calculating sewer rates substantially overcharges our actual use and considerably overpays the City of Hailey.

We would like to know what actions the City of Hailey can take to correct our sewer bill. We are not responsible for paying sewer rates that are equivalent to a large family. The City of Hailey is overcharging us for usage rates in a manner that appears difficult to defend in a court of law.

Please contact me directly (208-727-7107, cygnia@meltorganic.com) to confirm you personally received and read this letter so I can be assured the recommended action of writing to you directly was actually circulated, read, and taken into consideration. Thank you.

Best Wishes,


Cygnia F. Rapp

City of Hailey

Office Hours
9 A.M. to 5 P.M. Monday—Friday
Except Holidays

115 Main Street South (208) 788-4221
Suite H (208) 788-2924 Fax
Hailey, ID 83333

Please provide your up to date contact information:

Customer Phone(s): _____

Customer Email: _____

Service Address:

531 EASTRIDGE DR



Billing Date	11/01/2013
Due Date	11/25/2013
Total Amt Due	81.85
Amount Paid	
Account Number	

UTILITY BILL



PO BOX 2754
HAILEY ID 83333-2754

4

Amount Paid	Account Number

▲ DETACH HERE ▲ PLEASE RETURN TOP PORTION WITH YOUR PAYMENT ▲ DETACH HERE ▲

NAME & SERVICE ADDRESS		SERVICE PERIOD		NO. OF DAYS BETWEEN METER READINGS	ACCOUNT NUMBER
THOMAS & SARAH SHEPARD 531 EASTRIDGE DR		FROM 10/01/2013	TO 10/31/2013	29	
PREVIOUS	PRESENT	GALLONS USED	CHARGES	UTILITY SERVICE	
1,607	1,632	WATER 25,000 <i>(Previous residence)</i>	72.23 72.23CR 14.57 4.35 31.50 7.31 24.12	PREVIOUS BALANCE PAYMENT RECEIVED THIS PERIOD WATER WATER BOND SEWER SEWER BOND GARBAGE SERVICE	
<p>WATER USAGE</p> <p>26 4 4 3 4 3 4 28 33 31 29 36 25 x 1000 gal Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct</p> <p><i>~ 4000/month</i></p>		81.85	ADJUSTMENTS		
Deposit(s) on this account: \$		81.85	CURRENT BILLING TOTAL		
			PLEASE PAY THIS AMOUNT		

Choose to pay your bill online at www.haileycityhall.org/billPay/index.asp
or to set up monthly auto draft payments, call 788-4221.

FALL YARD WASTE CLEAN UP, Saturday, November 9th from 9:00am - 3:00pm at the Hailey Park n Ride, corner of Bullion St. and River St. Bring grass, yard trimmings and branches (maximum: 8' long and 18" diameter) If you have any questions please contact Clear Creek Disposal at 726-9600.

IF YOU ARE A LANDLORD DO NOT PAY IF YOUR TENANT IS RESPONSIBLE. THIS IS FOR INFORMATION ONLY.

City of Hailey

Office Hours
9 A.M. to 5 P.M. Monday—Friday
Except Holidays

115 Main Street South (208) 788-4221
Suite H (208) 788-2924 Fax
Hailey, ID 83333

Please provide your up to date contact information:

Customer Phone(s): _____

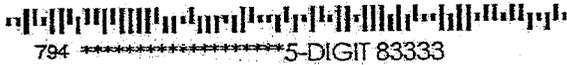
Customer Email: _____

Service Address:

1121 SILVER STAR DR



UTILITY BILL



794 *****5-DIGIT 83333
HAILEY ID 83333-2754

Billing Date	11/01/2013
Due Date	11/25/2013
Total Amt Due	220.87
Amount Paid	
Account Number	

▲ DETACH HERE ▲ PLEASE RETURN TOP PORTION WITH YOUR PAYMENT ▲ DETACH HERE ▲

NAME & SERVICE ADDRESS	SERVICE PERIOD		NO. OF DAYS BETWEEN METER READINGS	ACCOUNT NUMBER
	FROM	TO		
DANIEL & SARA GORHAM 1121 SILVER STAR DR	10/01/2013	10/31/2013	29	

METER READINGS		GALLONS USED	CHARGES	UTILITY SERVICE
PREVIOUS	PRESENT			

2,045	2,058	WATER 13,000	331.66 331.66CR	PREVIOUS BALANCE PAYMENT RECEIVED THIS PERIOD
		(current residence)	11.57 4.35 49.41 7.31 123.23 25.00	WATER WATER BOND SEWER SEWER BOND GARBAGE SERVICE TRANSFER FEE

WATER USAGE

Oct Nov Dec Jan Feb Mar Apr May

Deposit(s) on this account: \$

Choose to

FALL YARD WASTE CLEAN
corner of Bullion St. and
If you have any question

**IF YOU ARE A LANDLO

*GORHAM - bought house in July 2013
sewer rate was 46.22
tenants moved in Oct 1, 2013
\$ 49.41 (sewer rate for Oct.)*

*Nov. - rate went to sewer to
\$ 32.13
Dec. sewer rate
\$ 46.68*

Tom Hellen

From: Cygnia F. Rapp <cygnia@meltorganic.com>
Sent: Thursday, February 06, 2014 9:01 AM
To: Tom Hellen; fxx@haemlaw.com; donidaho@cox.net; Carol Brown; pat cooley; 'Martha Burke'
Cc: Heather Dawson; Mary Cone; Shellie Rubel; 'Rapp, John'
Subject: RE: sewer usage overcharge

Hello All,

Thank you for the opportunity to comment. Tom and I discussed the following:

- When someone moves to a new residence they are automatically charged for sewer usage of 6000 gallons per month during the winter months – from November through April. In our case, that started in October since we moved to the 1121 Silver Star location October 1 and that is when we noted the 2x jump in our sewer usage bill. The automatic 6000 gallon per month charge is based on an average that was calculated for the usage of ~3000 accounts.
- Tom confirmed we actually use half or less than that amount – between 2000 and 3000 gallons per month. Since accounts (in a new residence) using over 6000 gallons per month are NOT billed above that amount during the winter months, my husband and I subsidize other accounts usage.
- At the end of the “grace” period, accounts using more than 6000 gallons per month are NOT billed for their excess usage during those winter months, nor are accounts using less than 6000 gallons per month issued a credit.
- **It is offensive and wrong we are obligated to pay the City of Hailey free money to subsidize other households’ sewer usage. As renters, this means we could pay the City of Hailey multiple times over for usage rates we do not incur since we change locations more frequently than homeowners.**
- The city ordinance creating this method of calculating sewer rates was passed 4 years ago, which is strange because when we moved to the 531 Eastridge location October 1, 2011 we did NOT experience this 2x jump in our sewer rate.
- The City of Hailey should enact a defensible city ordinance that equitably calculates sewer rates based on actual sewer/ water usage instead of an “average” that over- and under-charges accounts upon occupying a new location. If accounts have no history with the City of Hailey, then perhaps an assumed average could be justified for a trial period. But if history exists with the City of Hailey, then accounts should be charged based on their prior history for a new location.
- **We kindly request the City of Hailey adds a provision to the current city ordinance that provides an adjustment at the end of the “grace” period where accounts are issued a credit or debit in order to address this shortcoming. We also request this is retroactively enacted for September 30, 2013.**

Thanks again for the opportunity to provide feedback. Please feel free to call me with any questions – 727-7107.

Best Wishes,
Cygnia

From: Tom Hellen [<mailto:tom.hellen@haileycityhall.org>]
Sent: Wednesday, February 05, 2014 3:57 PM
To: 'fxx@haemlaw.com'; donidaho@cox.net; Carol Brown; pat cooley; Martha Burke (burkefamily203@cox.net)

Cc: cygnia@meltorganic.com; Heather Dawson; Mary Cone; Shellie Rubel

Subject: FW: sewer usage overcharge

Cygnia Rapp has asked that I forward her concerns to you. As we just discussed changes to assist the townhouse owners without irrigation service I feel this would be an appropriate item to discuss.

If I can do her concerns justice she would like to see a credit for those people who don't use 6,000 gallons per month when adjustments are made in April. As she pointed out to me those who use more than 6,000 gallons are not requested to pay us back for what they actually used, they are just adjusted going forward.

Tom Hellen
Public Works Director/City Engineer
(208) 788-9830 X14

Please be aware that all email correspondence is public record

From: Cygnia F. Rapp [<mailto:cygnia@meltorganic.com>]

Sent: Wednesday, February 05, 2014 10:30 AM

To: Tom Hellen

Subject: sewer usage overcharge

Greetings Mr. Hellen,

Please see attached pdf for your review and use. I will also deliver a paper copy shortly. Please let me know if you have any questions. You are welcome to contact me directly at 208-727-7107. Thank you.

Best Wishes,
Cygnia

Tom Hellen

From: Riccardi, Roger <Roger.Riccardi@ejgallo.com>
Sent: Monday, February 10, 2014 2:49 PM
To: Tom Hellen
Subject: Riccardi

Tom thank you for the call today. I think it is unfair that I have \$ 8.50 water bill and a \$326 dollar sewer bill ! This has gone on for some time and I feel I have paid way more than my share. At the time of high use water was running outside. Being a non resident owner this is risky. The line froze and I spent 1000's and had to run off a neighbor's water. I have since insulated and sealed a basement stairwell as well as having a small 1/4 line and valve installed in my basement. As you can see from my water use this is the responsible thing to do. Please help as 3000 plus for sewer use is not fair. I love the town and support programming via the sun valley center. I keep a 1930's old town hailey cottage in the manner that makes hailey proud.

I look forward to hearing back from you. Back in march and glad to show you or your designate the work I have done. Also glad to show your our napa and sonoma wineries. We are a leader in water conservation and erosion control and have hosted many local and state meetings.

Regards Roger Riccardi 707 695 5823

AGENDA ITEM SUMMARY

DATE: 3-3-14

DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: _____

SUBJECT:

Fee Ordinance Amendment

Ord. # 1146

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The Community Development Director would like to revise or create the following three fees:

- A fee for a Floodplain Development Permit that has no substantial impact. Instead of a \$400 fee for such a permit, the fee would be reduced to \$75 provided the work would not have a substantial impact on the floodplain.
- A fee for a permanent sign permit. The fee would increase from \$30 to \$50.
- A fee for a portable sign permit renewal. The fee would decrease from \$50 to \$20.

Ned

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____
 Budget Line Item # _____ YTD Line Item Balance \$ _____
 Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
 Staff Contact: _____ Phone # _____
 Comments: _____

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

____ City Attorney	____ Clerk / Finance Director	____ Engineer	____ Building
____ Library	____ Planning	____ Fire Dept.	_____
____ Safety Committee	____ P & Z Commission	____ Police	_____
____ Streets	____ Public Works, Parks	____ Mayor	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct a public hearing and if satisfactory, make a motion to adopt Ordinance ____ conduct a first reading of the ordinance.

FOLLOW-UP REMARKS:

*3/3 - adopted ord. no. 1146 & conducted 1st reading
3/11 - 2nd reading*

HAILEY ORDINANCE NO. 1196

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY ORDINANCE NO. 1032 ESTABLISHING A REVISED FEE SCHEDULE THAT ADDS A NEW FEE FOR APPLICATIONS FOR FLOODPLAIN DEVELOPMENT PERMITS OF PROJECTS WITH NO SUBSTANTIAL IMPACT AND THAT REVISES THE FEE FOR A PERMANENT SIGN PERMIT AND FOR A PORTABLE SIGN PERMIT RENEWAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has adopted Ordinance No. 1032 setting forth fees for all development related applications;

WHEREAS, the Hailey City Council seeks to establish fees that are appropriate for the nature of the application, are equitable to the applicant, and cover administrative costs required to process the application;

WHEREAS, the City Council has determined that it is necessary for the City to set forth a new fee charged in connection with the submission and handling of a Floodplain Development Permit that has no substantial impact and to revise the fees for a permanent sign permit and for a portable sign permit renewal;

WHEREAS, the Hailey City Council finds that the fees adopted by this Ordinance are reasonably related to and do not exceed the actual cost of the service provided by the City; and

WHEREAS, new fees or fee increases above 5% have been duly noticed and discussed in a public hearing pursuant to Idaho Code Section 63-1311A.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY AS FOLLOWS:

SECTION 1. The Fee Schedule attached as Exhibit "A" to Hailey Ordinance No. 1032 is hereby amended by the deletion of the stricken language and by the addition of the underlined language, as shown on attached Exhibit "A."

SECTION 2. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY
THE MAYOR THIS _____ DAY OF _____, 2014

ATTEST:

Mary Cone, City Clerk

Fritz X. Haemmerle, Mayor

Publish: Idaho Mountain Express _____, 2014

"EXHIBIT A" TO ORDINANCE NO. _____ - FEE SCHEDULE*
 HAILEY ZONING AND SUBDIVISION FEE SCHEDULE

Annexation	\$1250 + \$15/developable acre** + additional fees for services rendered (including but not limited to fees for City Attorney, City Engineer, and Staff) to be negotiated before application is certified as complete
Appeal	\$255
Child Care Conditional Use	\$50
Comprehensive Plan Amendment	\$400
Conditional Use Permit	\$400
Design Review	\$450 + \$25/1000 gross square feet
Design Review – Single Family Dwelling or Accessory Structure or Duplex in Townsite Overlay	\$250
Design Review – Accessory (not associated with a residential Principle Use)	\$250
Design Review - Modifications to Projects that have Received Design Review Approval (determined by the Administrator not to be minor)	\$50
Design Review - No Substantial Impact	\$75
Design Review - Recommendation for Exemption	\$30
Fence Permit	\$30
Floodplain Development Permit	\$400
Floodplain Development Permit- No Substantial Impact	\$75
Lot Line Shift	\$240
Miscellaneous	\$55
Pre-application Meeting	\$50/hour/department head for meetings and/or phone calls exceeding 1 hour
PUD (in addition to other app)	\$500 + additional fees for services rendered by City Attorney (development agreement)
Rezone	\$400 + additional fees for services rendered by City Attorney, associated with a development agreement)
<u>Permanent</u> Sign Permit	\$30 <u>\$50</u>
Portable Sign Permit	\$30
<u>Portable</u> Sign: <u>Renewal Fee</u> and inspection fee for portable sign in ROW	\$50 <u>\$20</u>
Sign: Inspection fee for <u>permanent</u> or <u>portable</u> sign. in ROW	\$50

Short Plat Subdivision	\$300/lot, subplot, or unit; not to exceed \$1200
Subdivision	\$1,250 + \$55/lot, subplot, or unit + additional fees for services rendered by City Attorney (development agreement)
Subdivision Ordinance and Zoning Ordinance Text Amendment	\$400
Vacation	\$400
Variance	\$350
Wireless Permit	\$350
Wireless Master Development Plan	\$250
Wireless Conditional Use Permit	\$600
Wireless Annual Renewal	\$60
In Lieu Parking Contribution	\$9,975 / space
<p>*All Fees: Plus actual cost of noticing (newspaper and/or mail), recording fees, and all other direct costs, not including staff time except where otherwise provided. ** Developable acre: lying below 25% slope line and not within proposed park/green space</p>	

AGENDA ITEM SUMMARY

DATE: 3-3-2014 DEPARTMENT: CDD DEPT. HEAD SIGNATURE: MA

SUBJECT: Consideration of a City of Hailey initiated text amendment to Title 15 of the Hailey Municipal Code, the Building Ordinance, by amending chapter 15.08 and subsections within. Amendments include a re-roof fee, fireplace fee, Build Better Program modifications, definitions, and specifics for requirements within. *Ord. # 1147*

AUTHORITY: ID Code IAR _____ City Ordinance/Code Title 15. HMC
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Below is a summary of the proposed revisions:

Build Better Program

1. Amend sections of the ordinance that were applicable during the voluntary period of the ordinance but are now unnecessary with the ordinance mandated for all new construction. In particular:
 - a. Change the building permit fee discount from 50% to 8% for projects that elect the Performance Path. This is based on analysis done by the Department of Building Safety on the amount of time saved during the review and inspection period when a builder elects the Performance Path (HERS Rater). Since the ordinance was mandated for all new construction, we have had no builders choose the Performance Path.
 - b. Eliminate the option for deferral of payment of the Building Permit until after the project receives the Certificate of Occupancy. This was an incentive when the program was voluntary
2. Add/Revise two fees as follows:
 - a. The current Re-roof Fee is based on valuation, however it requires the same amount of time to inspect an expensive roof as it does an inexpensive roof. The amended fee would be \$75.00, which is in line with our other building inspection fees per project.
 - b. Addition of a Fireplace Installation for Solid Fuel Burners Fee. The proposed language is as follows:
 - i. Fireplace Installation for Solid Fuel Burners Fee. Fee shall be \$75 per fireplace installation for solid fuel burners and shall be due at the time the application is due.
3. Increase minimum square footage for a building permit from 120 square feet to 200 square feet.
 - a. This amendment is in line with the 2012 IBC, which exempts all structures less than 200 square feet from the requirements of the Building Code.

In compliance with Idaho Code 39-4109 (5), proper notice was sent to all entities that require notice according to Idaho Code 39-4109 (5). Notice was sent out on December 13, 2013.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<input type="checkbox"/> City Administrator	<input type="checkbox"/> Library	<input type="checkbox"/> Benefits Committee
<input checked="" type="checkbox"/> City Attorney	<input type="checkbox"/> Mayor	<input type="checkbox"/> Streets
<input type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Planning	<input type="checkbox"/> Treasurer
<input type="checkbox"/> Building	<input type="checkbox"/> Police	_____
<input type="checkbox"/> Engineer	<input type="checkbox"/> Public Works, Parks	_____
<input type="checkbox"/> Fire Dept.	<input type="checkbox"/> P & Z Commission	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Adopt Ordinance *1147* to revise sections of Title 15 of the Hailey Municipal Code, the Building Ordinance, by amending chapter 15.08 and subsections within. Amendments include a re-roof fee, fireplace fee, Build Better Program modifications, definitions, and specifics for requirements within.

ACTION OF THE CITY COUNCIL

Date: 3/13 - adopted ord #1147 - conducted 1st Reading
3/17 - 2nd Reading -

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

HAILEY ORDINANCE NO. 1147

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING CHAPTER 15.08 OF THE HAILEY MUNICIPAL CODE BY AMENDING SUBSECTION 15.08.012(A) TO EXEMPT QUALIFYING MODULAR BUILDINGS AND MANUFACTURED HOMES FROM THE PROVISIONS OF THE BUILD BETTER PROGRAM, AMENDING SUBSECTION 15.08.012(C) TO INCREASE THE CONDITIONED SPACE SIZE OF NEW COMMERCIAL CONSTRUCTION FROM 10,000 TO 20,000 SQUARE FEET BEFORE ENERGY EFFICIENCY VERIFICATION IS REQUIRED, AMENDING SUBSECTION 15.08.012(D) TO QUANTIFY WATER CONSERVATION STANDARDS, AMENDING SUBSECTION 15.08.012(E)(5) TO CLARIFY THE ALLOCATION OF POINTS FOR ENERGY EFFICIENCY, AMENDING SUBSECTION 15.08.012(E)(8) TO ALLOW SUSTAINABLE FORESTRY INITIATIVE PRODUCTS TO BE USED AS SUSTAINABLE PRODUCTS; AMENDING SUBSECTION 15.08.020(E) TO PROVIDE A REDUCTION IN BUILDING PERMIT FEES FOR NEW RESIDENTIAL CONSTRUCTION IF CONSTRUCTED IN ACCORDANCE WITH THE BUILD BETTER PROGRAM AND WHEN USING A RESNET CERTIFIED HERS RATER; AMENDING SUBSECTION 15.08.020(H) TO DELETE THE KETCHUM BUILDING OFFICIAL FROM THE BOARD OF APPEALS; ADDING A NEW SUBSECTION 15.08.020(Y) TO REVISE PLUMBING FIXTURE REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Idaho Code § 39-4116 allows the City of Hailey to amend the International Building Code, the International Residential Code and the International Energy Conservation Code ("Codes") to reflect local conditions, provided the amendments provide an equivalent level of protection; and

WHEREAS, good cause exists for an amendment to the Codes and that such an amendment is reasonably necessary;

WHEREAS, the City of Hailey has conducted a public hearing to consider such amendments after notice was provided in accordance with Idaho Code § 39-4116 and Chapter 9, Title 50, Idaho Code; and

WHEREAS, the City Council of the City of Hailey have determined that certain amendments and modifications to the Code will promote the public health, safety and welfare of the citizens of and visitors to the City of Hailey, Idaho;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 15.08.012(A) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

A. Applicability. This Section 15.08.012 is a supplement to the other adopted International Codes and is not intended to be used as independent construction regulations or to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances. All commercial and residential New Construction, Additions and Alterations shall comply with the standards of Section 15.08.012, unless otherwise stated herein.

1. Referenced Codes and Standards. It is the expressed intent of this section to require higher minimum standards relating to Building performance than the corresponding minimum standards set by the referenced codes and standards, and in such cases, the higher minimum standards of this section shall take precedence.

2. Other Laws and Codes. The provisions of this chapter shall not be deemed to nullify any provisions of local, state or federal laws and codes.

3. Residential New Construction Exemptions. U.S. Green Building Council's Leadership in Energy and Environmental Design for Homes certification level or National Association of Home Builder's Green Building Program bronze level project are exempt from the Build Better Program requirements. Either exemption must verify that the project is 10% more energy efficient than the IECC, using a HERS Index or the alternative method described in Section C.1.a.ii. of this Ordinance. The exemptions listed above must show intent to meet the requirements at the Building Permit review stage through plans and an initial HERS score based on the proposed design. Prior to receiving a certificate of occupancy, copies of all program documentation and a final HERS score shall be submitted to the Building Department.

4. Commercial New Construction Exemptions. U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction minimum certification level projects are exempt from the Build Better Program requirements, provided the applicant verifies that the project meets the minimum energy efficiency requirements for Commercial Buildings, as identified in Section 15.08.012.C.2.a of the Hailey Municipal Code. The applicant must identify the intent to meet U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction certification level, at a minimum, at the Building Permit review stage with an indication on the plans and with a written narrative what Leadership in Energy and Environmental Design points will be achieved. Prior to receiving a certificate of occupancy, copies of all program documentation shall be submitted to the Building Department.

5. Exemptions for Commercial and Residential Alterations and Additions. In addition to the exemptions listed in Section 101.4 of the IECC, the following projects are exempt from Section 15.08.012:

- a. Window, glass-only replacements of the same size and location.
- b. Bathroom remodel projects limited to the replacement of fixtures and cabinets.
- c. Kitchen remodel projects limited to the replacement of cabinets, counter tops, plumbing fixtures, and appliances.
- d. Electrical work associated with permits issued only for electrical work
- e. Plumbing associated with permits issued only for plumbing.

- f. Replacement of HVAC appliances associated with permits issued only for appliance replacement.
- g. Reroofs.
- h. Additions less than 500 square feet of Conditioned Floor Area.
- i. New Construction or Additions of any size that do not include any Conditioned Floor Area.
- j. Alterations that do not affect the integrity of the Building Envelope.
- k. Alterations that do not require a Building Permit.
- l. Tenant and ADA improvements required by the Building Department.
- m. Structures listed on the National Historic Register.
- n. Modular Buildings built offsite and inspected by the Idaho Department of Building Safety with the official insignia affixed to the modular building.
- o. Manufactured Home built offsite and inspected by the Idaho Department of Building Safety with the official insignia affixed to the manufactured home.

Any commercial or residential alteration or addition which is not otherwise exempt shall comply with the requirements of Section 15.08.012 to the greatest extent possible, unless the Administrators find that compliance with all or part of the provisions of Section 15.08.012 would a) create an undue hardship on the applicant and b) not materially advance the goal of this ordinance to conserve energy, water and other natural resources.

Section 2. Section 15.08.012(C) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

C. Energy Efficiency. All commercial and residential New Construction and Additions shall comply with the IECC, and shall increase energy efficiency 10% beyond the IECC requirements.

1. Residential Energy Efficiency. Energy Efficiency shall be 10% greater than the IECC requirements for New Construction, Additions, and Alterations with Conditioned Space, 500 square feet or greater.

a. New Construction. Energy efficiency shall be verified by a RESNET Certified HERS Rater using a REM/RATE™ Energy Analysis and IECC Section 405 criteria, unless specified herein. Applicants shall submit an initial HERS Index score based on the proposed design with a Building Permit application. Prior to receiving a certificate of occupancy, a final HERS Index score shall be submitted to the Building Department, verifying that both project is 10% more energy efficient compared to the IECC.

i) New residential construction certified under the current ENERGY STAR Northwest Program is exempt from Section 15.08.012.C.1, providing the Building plans and the constructed building are certified ENERGY STAR Northwest.

ii) New residential construction is not required to be verified by a HERS Rater if they install a 90% AFUE furnace or equivalent system is

installed, a 0.62 EF water heater or equivalent system is installed, all lights are LED or CFL, and air sealing tests verify 5 air exchanges per hour at 50 Pascals.

b. Additions. A RESNET Certified HERS Rater shall conduct a Certified HERS Audit of the entire Building associated with the Addition, unless a previous Certified HERS Audit has been conducted and submitted to the Building Department within the last 5 years. The energy efficiency of the Addition itself shall be verified by a REScheck Energy Analysis. Applicants shall submit a REScheck Energy Analysis based on the proposed design with a Building Permit application. Prior to receiving a certificate of occupancy, the specifications of the REScheck Energy Analysis will be verified by the Building Department during routine inspections. The REScheck Energy Analysis shall project a 10% more energy efficient design compared to the IECC.

c. Alterations. A REScheck Energy Analysis shall be submitted to the Building Department verifying that the Alteration exceeds the energy efficiency requirements of the IECC by 10% or by calculating the energy efficiency rating of a specific component that affects energy efficiency associated with the alteration. For example: the IECC requires a U-factor of 0.35 for a new window installation. A new window that is 10% more efficient would have a U-factor of 0.315 (or 0.32 rounded up) or better.

2. Commercial Energy Efficiency.

a. New Construction. Buildings less than ~~10,000~~ 20,000 square feet of Conditioned Space shall verify energy efficiency using a COMcheck Energy Analysis and Buildings ~~10,000~~ 20,000 square feet or larger shall verify energy efficiency using an energy model.

i) Buildings under ~~10,000~~20,000 square feet of Conditioned Space. Applicants shall submit a COMcheck Energy Analysis based on the proposed design with a Building Permit application. Prior to receiving a certificate of occupancy, the specifications of the COMcheck Energy Analysis will be verified by the Building Department during routine inspections. The COMcheck Energy Analysis shall project a 10% more energy efficient design compared to the IECC.

ii) Buildings ~~10,000~~20,000 square feet of Conditioned Space or larger shall be energy modeled by a licensed engineer using Building Department Approved energy modeling software. Approved software includes, but is not limited to, the most recently published version of the following: eQuest, Trace, Carrier HAP, and EnergyPlus. The model shall verify that amount of energy used is 10% more energy efficient compared to the IECC and shall be submitted to the Building Department with the Building Permit application. Prior to receiving a certificate of occupancy, the specifications of the energy model will be verified by the Building Department during routine inspections.

b. Additions. An energy audit shall be conducted by an Idaho licensed engineer on the entire Building associated with the Addition, unless an energy audit by an Idaho licensed engineer has been conducted and submitted to the Building Department within the last 5 years. Energy efficiency shall be verified by a COMcheck Energy Analysis or modeled in accordance with Section 5.08.012,C,2,a,ii. if the addition is greater than ~~10,000~~20,000 square feet of Conditioned Space or larger. Applicants shall submit a COMcheck Energy Analysis based on the proposed design with a Building

Permit application. Prior to receiving a certificate of occupancy, the specifications of the COMcheck Energy Analysis will be verified by the Building Department during routine inspections. The COMcheck Energy Analysis shall project a 10% more energy efficient design compared to the IECC.

c. Alterations. A COMcheck Energy Analysis shall be submitted to the Building Department verifying that the Alteration exceeds the energy efficiency requirements of the IECC by 10% or by calculating the energy efficiency rating of a specific component that affects energy efficiency associated with the alteration. For example: the IECC requires a U-factor of 0.35 for a new window installation. A new window that is 10% more efficient would have a U-factor of 0.315 (or 0.32 rounded up) or better.

Section 3. Section 15.08.012(D) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

D. Water, Indoor Air, Construction Waste, Durability and Assurance (WICDA). The provisions of WICDA apply to ~~new residential and commercial~~ New Construction only ~~construction~~.

1. Water Conservation. All faucets, showerheads, and toilets installed in a Building for domestic use and restroom facilities, shall use 20% less water (faucets – 1.5 gpm, showerheads – 2.0 gpm and toilets 1.28 gpf or less) than standard fixtures or be labeled by the WaterSense Program, which use at least 20% less water than standard fixtures. Water Sense labels or equivalent documentation shall be submitted to the Building Department or provided during final inspection for verification.

2. Indoor Air. The applicable sections of the most recent edition of the International Mechanical Code shall be met to ensure proper ventilation.

3. Construction Waste. In Addition to waste receptacles, bins for cardboard and clean wood waste shall be provided and sorted accordingly on-site during construction and will be verified by the Program Administrators during regularly scheduled inspections.

4. Durability and Assurance. Details and specifications shall be submitted in the drawings, details, or in packet form with the Building Permit in order to promote durability, and high performance of the Building enclosure and its components and systems through appropriate design, materials, selection, and construction practices.

a. Under the following categories, the Program Administrators shall specify what items shall be applicable and provide a list of these items with the Building Permit:

- i) Foundations
- ii) Walls
- iii) Roofs
- iv) Air infiltration
- v) Heat loss

b. Before the issuance of a certificate of occupancy, applicants shall sign a declaration that states all items are installed to manufacturer's specifications and plan details.

Section 4. Section 15.08.012(E)(5) of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

5. Energy Efficiency.

a. Insulation: Up to 7 points.

i) Wall Insulation: 2 points.

(1) Application: R-24 minimum wall cavity insulation.

(2) Verification: checked during plan review by the Program Administrators and verified by the Certified HERS Rater for New Construction and checked during plan review and verified by the Program Administrators for Additions.

ii) Basement or Foundation Insulation: 1 to 5 points.

(1) Application: Insulation must be installed on the full height of a basement or foundation wall.

(2) Verification: checked during plan review by the Program Administrators and verified by the Certified HERS Rater for New Construction and checked during plan review and verified by the Program Administrators for Additions.

Points	R-Value and insulated concrete forms
1	15, or
2	20, or
3	25, and
2	Use of insulated concrete forms on the foundation (stem wall and footing)

b. Windows: Up to 3 points.

i) Application: new windows or replacement windows installed as part of an Addition are awarded points as follows:

Points	Maximum U-factor*
1	0.3
2	0.28
3	0.26

*U-factor, as established by the National Fenestration Rating Council (NFRC).

ii) Verification: checked during plan review by the Program Administrators and verified by the Certified HERS Rater for New Construction and checked during plan review and verified by the Program Administrators for Additions. The inspector must be able to clearly identify the U-factor and Solar Heat Gain Coefficient (SHGC) ratings and window type by the National Fenestration Rating Council's stamp or the manufacturer's label. Applicant must show the number of windows to be upgraded on Building plans.

c. Air Sealing of an Existing Building: Up to 4 points.

i) These points shall not be applied to New Construction activity. Points will be awarded when a HERS rating is applied to the existing structure

before and after construction, ~~showing the following blower door results:~~

ii) Points will be awarded when a blower door test, conducted by a certified HERS Rater, showing the following blower door results and when mechanical ventilation is installed that meets the requirements of Section 15.08.012(D)(2):

Points	Natural Air Changes Per Hour at 50 Pascal
1	4
2	3
3	2
4	1

Section 5. Section 15.08.012(E)(8) of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

8. Sustainable Products.

a. Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI) Certified: Up to 6 points.

Points	Number of board feet (BF) of FSC <u>or SFI</u> lumber per square feet (SF) of floor area
2	2 BF per SF of floor area (2BF/SF)
4	3 BF per SF of floor area (3 BF/SF)
6	50% or more of dimensional lumber in total BF is FSC <u>or SFI</u> , excluding engineered wood products

b. Environmentally Preferred, Low Emission, and Local Materials: Up to 10 points from Chart A.

i) Application: For each assembly, all product specification type requirements shall be met in order to receive the points available. Environmentally preferred and low emission qualifying products have more than one of these attributes: recycled content, reclaimed, bio-based, agricultural residue, rapidly renewable, and low or no volatile organic compounds (VOCs) emissions. A “recycled content” product must contain a minimum of 25 percent post-consumer recycled content except as noted otherwise above.

Post-industrial (pre-consumer) recycled content is counted at half the rate of post-consumer content. Except as otherwise noted in Chart A, 90 percent of the component, by weight or volume, must meet the specification shown. Locally sourced materials are products that are manufactured within 500 miles of the city are considered local.

**Environmentally Preferred, Low Emission, and Local Materials
Chart**

Up to 10	Product Specification Types				
	Assembly	Component	EPP Specifications	Emission Specifications	Local
1	Exterior Wall	Framing	FSC <u>or SFI</u> Certified		X

1	Exterior Wall	Framing	Finger-jointed studs (vertical use only for structural components)		X
1	Exterior Wall	Siding or masonry	Recycled content or FSC or SFI		X
1	Floor	Flooring	90% of home	NO carpet in home	
1	Floor	Framing	FSC or SFI Certified		X
1	Foundation	Cement	Fly ash or slag as replacement for, not Addition to, cement content (min. 20%)		X
1	Interior Wall	Framing	FSC or SFI Certified		X
1	Interior Wall	Framing	Finger-Jointed, (vertical use only for structural components)		X
1	Interior Walls AND ceilings	Gypsum board	Recycled content		X
1	Interior Walls AND millwork	Paint		VOC concentrations of 150g/L or less AND 48 hour pre-flush	
0.5	Interior Walls AND millwork	Wood finishes		VOC concentrations of 150 g/L or less	
1	Landscape	Decking or patio material	Recycled content or FSC or SFI Certified		X
1.5	Other	Cabinets	Recovered, recycled content, or FSC or SFI Certified	Wood and/or agrifiber products with no added urea-formaldehyde resins	X
1	Other	Counters	Recycled content	Wood and/or agrifiber products with no added urea-formaldehyde resins	
1.5	Other	Doors (not incl. garage)	Recycled content or FSC or SFI Certified	Wood and/or agrifiber products with no added urea-formaldehyde resins	X
1.5	Other	Trim	Recovered, recycled content, or FSC or SFI Certified	Wood and/or agrifiber products with no added urea-formaldehyde resins	X
0.5	Other	Adhesives and sealants		VOC concentrations of 70 g/L or less	

1	Other	Windows	Recycled content or FSC or SFI Certified		X
1	Roof	Framing	FSC or SFI Certified		X
1	Roof	Roofing	Recycled content or vegetated (min. 200 sf)		X
1	Roof AND floor AND wall	Insulation	Recycled content (min 20%)		X
1	Roof, floor, wall (2 of 3)	Sheathing	Recycled content or FSC or SFI Certified		X

Section 6. Section 15.08.020(E) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

E. Fees, Deposits and Refunds: For buildings, structures and other improvements requiring a building or other permit under this chapter, fees, deposits and refunds shall be paid to the city of Hailey as specified herein.

1. Building Permit Fee. Fees shall be charged utilizing Table 1-A of the 97 UBC, published by the International Conference of Building Officials (ICBO). Building valuation shall be factored at one hundred twenty dollars (\$120.00) per square foot. For new construction or substantial remodels, an application fee of \$500 shall be made at the time the building permit application is submitted to the city. Said fee shall be credited to the total amount of the building permit fee, but shall be forfeited if the building permit is not obtained by the applicant within 180 days of permit approval. Except as otherwise provided for herein, the remainder of the building permit fee and the deposit for final inspection shall be collected when the building permit is issued. ~~At the election of the applicant, payment of the remainder of the building permit fee for a Building built according to the Build Better Program, or an Energy Star certified single family residence may be deferred to the date of the issuance of a certificate of occupancy. For the purpose of Section 15.08.020(E), an Energy Star certified single family residence shall mean a single family residence certified as an Energy Star project in accordance with the Northwest Energy Star Program, as amended. The Building built to the Build Better Program shall mean a Building that meets the specifications outlined in Section 15.08.012.~~

a. New residential construction, excluding additions and alterations, shall receive a ~~50%~~ 10.0% reduction in building permit fees when built in accordance with the Build Better Program and when using a RESNET Certified HERS Rater (Performance Path), in accordance with 15.08.012.C.1.a.

2. Plan Review Fee: Building Department review will be 65% of the building permit fee. Except as otherwise provided for herein, the plan review fee shall be collected when the building permit is issued. At the election of the applicant, payment of the plan review fee for an Energy Star certified single family residence or a Building Built to the Build Better Program specifications may be deferred to the date of the issuance of a certificate of occupancy.

a. ~~The plan review fee for new residential construction, excluding additions and alterations, built in accordance with the Build Better Program, shall receive a 50% reduction. By way of example, if a building permit fee is \$1000~~

according to Table 1-A of the 1997 UBC, the plan review fee for new residential construction built in accordance with the Build Better Program shall be \$325 (~~\$1000 x 0.65 x 0.5~~).

3. Fire Review Fee: Fire Department review for commercial or multi-family projects shall be 35% of the building plan review fee. Except as otherwise provided for herein, the fire review fee shall be collected when the building permit is issued. ~~At the election of the applicant, payment of the fire review fee of an Energy Star certified single family residence or a Building built to the Build Better Program specifications may be deferred to the date of the issuance of a certificate of occupancy.~~

4. Deferred Submittal Fee: An additional 100% of the original plan review fee may be charged for all deferred submittals.

5. Moved Structure Fee: Moved structures will be calculated by using the estimated cost of the move applied to Table 1-A of the 97 UBC.

6. Manufactured Homes Fee: Fees shall be based on the on-site elements constructed, not the home itself.

7. Demolition Fee: Fee shall be \$75 and shall be due at the time the application is submitted to the city.

8. Re-roof Fee: ~~Fee shall be calculated using Table 1-A of the 97 UBC. Valuation shall be based on scope of the work and materials.~~ Fee will be \$75 per roof and shall be due at the time the application is submitted to the city.

9. Fence Fee: Fee will be \$30 and be paid when the application is submitted.

10. Shed Fee: Permits must be obtained for all sheds exceeding ~~120~~ 200 square feet. Fees shall be based on Table 1-A of the 97 UBC.

11. Alternative Energy Review Fee. Fee shall be \$75 per Alternative Energy System application and shall be due at the time the application is submitted to the city.

12. Window Replacement Fee. Fee shall be \$75 per window replacement application and shall be due at the time the application is submitted to the city.

13. Fireplace Installation for Solid Fuel Burners Fee. Fee shall be \$75 per fireplace installation for solid fuel burners and shall be due at the time the application is due.

Section 7. Section 15.08.020(H) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language, as follows:

H. Board of Appeals. Section 112 of the IBC and IRC shall be amended by the addition of a new section 112.3.1, as follows:

Section 112.3.1 Board Membership: The Mayor and the Hailey City Council will appoint a three (3) person Board to stand as the Board of Appeals, as needed, with membership to be selected from but not limited to the following list of professionals in the various fields of expertise in the building industry:

- Blaine County, Idaho Building Official;

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

Section 8. Section 15.08.020 of the Hailey Municipal Code is hereby amended by the addition of a new subsection 15.08.020(Y), as follows:

Y. Required Plumbing Fixtures. IBC Table 2902.1 shall be amended as follows:

1. Delete footnote (f) contained under Table 2902.1 Minimum Number of Required Plumbing Fixtures, and replace with the following: Drinking fountains are not required for an occupant load of thirty (30) or fewer.

2. Add the following footnote to Table 2902.1 Minimum Number of Required Plumbing Fixtures: (g) For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required.

Section 9. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 10. Repealer Clause. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 11. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this _____ day of _____, 2014.

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk

