

AGENDA ITEM SUMMARY

DATE: 12/02/2013 **DEPARTMENT:** _____ **DEPT. HEAD SIGNATURE:** _____

SUBJECT: Airport discussion: Expansion of Airport to accommodate space for taxiway on northern portion of runway.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

At the last meeting, the Council, Mayor and other FMAA Representative discussed the possible need for expansion of the airport to accommodate the taxiway on the northern part of the runway. There were three options proposed, including Alternative No. 1 to purchase land to accommodate a standard runway configuration for the taxiway. Another possibility was Alternative No. 3, which was a proposed non-standard configuration of the taxiway. On the day of the last FMAA meeting, FAA representatives commented on the proposals, stating that Alternative No. 1 was the preferred alternative. However, the FAA also commented that it could "live with" Alternative No. 3.

At the last meeting, we were given legal advice that expanding the airport to support Alternative No. 1 violated the existing Amended and Restated Joint Powers Agreement ("JPA"). The JPA expressly states that there will not be any airport expansion. There was a discussion, and the consensus appeared to be to support Alternative No. 3. The consensus also appeared to be that if there was any expansion for some other need, then there would have to be serious discussion within the City and with the County to consider under what circumstances, if any, was present to amend that portion of the JPA which prohibits expansion.

After the last meeting, Councilmen Burke sent the attached document to the Council and FMAA representatives. At this time, Council should consider Councilmen Burke's comments to determine if the City wishes to adopt an alternative course of action, or review the position we took at the last meeting.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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 THE MAYOR:

I believe that we should again adopt our prior position which is as follows:

1. The JPA states that there shall not be an expansion of the Airport.
2. Alternative No. 3 is acceptable to the FAA and Staff Engineers, and this Option should be pursued. Since Option No. 3 does not require us to expand the Airport, we do not need to engage in any expansion discussion.
3. If there is some circumstance where expansion is warranted, then the City and County need do have a serious discussion as to what, if any, circumstances would compel the parties to revise the JPA.

Dear Susan, Mayor and Council:

This is hard for me to write because I am once again at odds with all of you, and that is a position I don't enjoy. However, you need to know where I stand.

I think Susan's general comments at the end of the survey are our reality. A relocated airport is probably 20 years out. We do know that the FAA would not relocate a G.A. only airport. We have learned that the FAA does not shut down airports but they do stop funding. We also know that it has taken the airport 15 years to get a weight limitation for planes using the airport. Meaning we can allow RJ 700's but we can prohibit larger planes of the same class.

It seems that the city is using Tea Party tactics. A Line drawn in the sand stance. Susan, after reading your survey responses, I take away that Hailey's approach is "we will not budge outside the fence for any reason and we are prepared to assume any and all unintended consequences this position will present". This approach feels like stone-walling. When stone-walling replaces negotiated compromises we may find that our "partners" walk away from the table. When the FAA and the County understand that the City will never consider the .42 acre addition or (according to Susan's responses to the survey) any land acquisition at any time for any reason, we have ended the discussion. We can sit back and watch the events unfold around us. I strongly disagree with this approach.

For the record, I am willing to look at changes in the footprint of the airport depending on the use of the added land and if it will allow for the continued exclusion of larger air craft. Expansion of the airport is totally different than expansion of the footprint. I will fight vigorously any expansion of the airport. I will support acquisition of land that allows for increased safety or improved reliability. I still believe that the only way we can get FAA support to relocate is if they see this airport as an invaluable piece of their overall nation-wide air system. We aren't important enough to them as just a single small airport in central Idaho. We only matter if we matter to the entire system. And frankly at this moment I don't think we add huge value to the overall air system or have all that much clout so they can walk away from us easily.

The question for us today is what does this ultimatum approach get us? Is the assumption that by refusing to allow any discussions of expansion outside the fence, we will force the FAA to relocate our airport rather than allow for the loss of commercial air service? Is the assumption that we can force the county to move quickly to find a site and begin plans for a financial plan and expedite relocation? Is the assumption that we can have (or would prefer) a successful G.A. only airport? Is the assumption that this airport can achieve FAA standards within the fence or that the FAA will decide not to require implementation of those standards and will continue to make concessions for our operations? Is the assumption that any money spent at Friedman today makes relocation less likely?

It is highly unlikely, but the County could decide to get out of the airport business and hand the airport over to Hailey. It is somewhat unlikely that the FAA could withdraw funds because they choose not to spend their money on substandard projects.

I just can't accept Susan's ultimatum language. My choice of language would be that Hailey would consider discussing (for very specific uses such as relocating the tower and improved nav- aids or preventing runway incursions) enlarging the airport footprint. But if any other option exists, Hailey will support THE INSIDE THE FENCE ALTERNATIVE.

AGENDA ITEM SUMMARY

DATE: 12/02/2013 **DEPT.:** Legislative/Administration **DEPT. HEAD SIGNATURE:** HD

SUBJECT: Reconsideration of Municipal Code Chapter 9.03 Noise Ordinance Amendment adopted on July 15, 2013 with Ordinance No. 1127

AUTHORITY: ID Code _____ IAR _____ City Ordinance HMC 9.04.030
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On July 15, 2013, following a request for amplified sound during an event at the Arena to play until midnight, the Hailey City Council adopted and published Ordinance 1127.

Written and oral complaints followed. On August 5, 2013, the Hailey City Council adopted a motion to reconsider the ordinance, and tabled the reconsideration to a date uncertain. Mayor Haemmerle has set the matter on the December 2, 2013 City Council Agenda.

Council Action 1 – Motion to untable the reconsideration of Ordinance No. 1127.

Attached to this agenda summary are:

- Ordinance No. 114 __, which proposes to amend time limits and decibel levels previously established by ordinance.
- Decibel Loudness Comparison Chart
- Ordinance No. 1127, which amended Municipal Code Section 9.04.030 in July 2013
- Written correspondence (6) objecting to Ordinance No. 1127.
- Agenda Item Summary for August 5, 2013 Motion for Reconsideration.
- Expanded Minutes from August 5, 2013 Motion for Reconsideration
- Hailey City Council Minutes from August 5, 2013 and July 15, 2013.
- Agenda Item Summary for July 15, 2013 initial consideration of Ordinance No. 1127
- Resolution 2011-09, setting fees for the issuance of amplified sound permits.

A proposed ordinance is attached for discussion:

Council Action 2 – Motion to adopt Ordinance No. 114 __, amending Hailey Municipal Code Section 9.04.030.A.1 (time limits) and 9.04.030.C.5 (maximum decibels)

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Hailey seeks to encourage events, and charges no fee for amplified sound permits. Hailey already owns a decibel meter. Some of the public comments pertain to safe decibel levels to prevent hearing damage. This matter has a stronger economic impact than fiscal impact.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

___ City Attorney	___ Engineer	___ Community Development
___ Fire Dept.	___ Police	___ Parks ___ Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

After untabling the reconsideration, the council should discuss whether the attached draft ordinance amendment meets its goals and the goals of the public.

ACTION OF THE CITY COUNCIL:

Date _____
City Clerk _____

HAILEY ORDINANCE NO. 114 _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 9.04.030(A) AND 9.04.030(C) OF THE HAILEY MUNICIPAL CODE BY LIMITING THE HOURS OF OUTDOOR AMPLIFIED SOUND BETWEEN 10:00 A.M. AND 11:00 P.M. FOR ANNUAL EVENTS IN CITY PARKS AND IN THE MULTI-PURPOSE ARENA AND BETWEEN 10:00 A.M. AND 10:00 P.M. IN OTHER AREAS IN THE CITY OF HAILEY; BY PROVIDING FOR AN EXEPTION FOR ANNUAL EVENTS EXPECTED TO ATTRACT MORE THAN 1500 PEOPLE AT CITY PARKS OR ARENA; AMENDING DECIBAL LEVEL LIMITS; PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to make the City of Hailey an event friendly place while maintaining public safety and residential quality of life; and

WHEREAS, the Mayor and City Council find that an amendment to the amplified sound permit regulations 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 9.04.030(A) of the Hailey Municipal Code is amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.04.030 Noise.

A. Except as otherwise provided herein, it is unlawful for any person to make, create, continue or cause to be made, created or continued, any loud or unnecessary noise, which noise disturbs or injures others within the limits of the city, or which adversely affects the comfort, health, peace or safety of others within the limits of the city.

1. Outdoor amplified sound may be permitted with an approved Special Events permit, an approved park reservation or an approved amplified sound permit. Permitted outdoor amplified sound shall be limited to the hours between 10:00 a.m. and 10:00 p.m. except for an annual event expected to attract more than 1500 people per day shall be limited to the hours between 10:00 a.m. and 11:00 p.m. in City Parks as defined by Section 12.14.020 of the Hailey Municipal Code, and ~~between 10:00 a.m. and 11:30 p.m. in the Business (B) zoning district, and between 10:00 a.m. and midnight at Hailey's multi-purpose arena.~~

Section 2. Section 9.04.030(C) of the Hailey Municipal Code is amended by the addition of the underlined language as follows:

C. An outdoor amplified sound permit is required for those events exempted by Section 12.14.030 of the Hailey Municipal Code.

1. An outdoor amplified sound permit application must be completed

and filed with the city two business days prior to the event date. An outdoor amplified sound permit may be administratively approved after an applicant submits the following information on a form provided by the city.

- a. the name, address, and telephone number of the applicant;
- b. the address of the location of the property where the amplified sound will be generated;
- c. the maximum decibel level expected to be generated;
- d. the time during which the sound equipment will be used;
- e. an application fee, if established by separate resolution; and
- f. a statement that the applicant has obtained a copy of the applicable requirements of this chapter and agrees to comply with all applicable requirements.

2. An outdoor amplified sound permit may be administratively approved upon finding that the requirements of this chapter have been met.

3. Approval of Permit. The Chief of Police or his/her designee shall approve the application unless one of the following finding are made:

- a. Use of the equipment would constitute a detriment to traffic safety;
- b. The issuance of the permit would be otherwise detrimental to the public health, safety or welfare;
- c. The issuance of the permit will substantially interfere with the peace and quiet of the neighborhood or the community;
- d. The applicant would violate the provisions of this Code or any other law.

4. Upon approval of an outdoor amplified sound permit a Hailey Police officer may visit the property on the day of set up of the amplified sound equipment to measure the decibel level emitted and mark the maximum decibel level permitted on the equipment.

5. The decibel level shall not exceed ~~ninety (90)~~ eighty-five (85) dB measured at the ~~property line~~ closest accessible area to the amplifiers at any time during the event.

6. Disapproval of Permit. In the event the permit application is not approved, the Chief of Police or his designee shall state the reason(s) for such in writing and provide the applicant with the written statement.

7. Right of Appeal. Any person whose permit application is denied may appeal to the City Council within ten (10) calendar days from the date of notification of decision.

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. Repealer Clause. All ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

GALEN CAROL
AUDIO

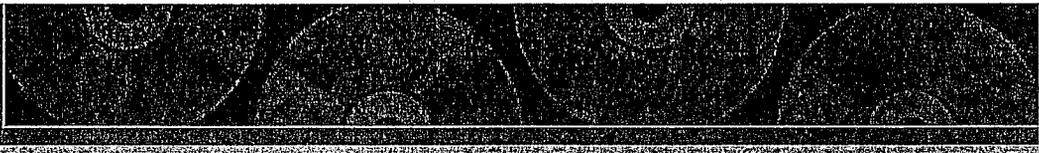
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HOW-TO'S

Decibel (Loudness) Comparison Chart

Here are some interesting numbers, collected from a variety of sources, that help one to understand the volume levels of various sources and how they can affect our hearing.

Environmental Noise	
Weakest sound heard	0dB
Whisper Quiet Library at 6'	30dB
Normal conversation at 3'	60-65dB
Telephone dial tone	80dB
City Traffic (inside car)	85dB
Train whistle at 500', Truck Traffic	90dB
Jackhammer at 50'	95dB
Subway train at 200'	95dB
<i>Level at which sustained exposure may result in hearing loss</i>	90 - 95dB
Hand Drill	98dB
Power mower at 3'	107dB
Snowmobile, Motorcycle	100dB
Power saw at 3'	110dB
Sandblasting, Loud Rock Concert	115dB
<i>Pain begins</i>	125dB
Pneumatic riveter at 4'	125dB
<i>Even short term exposure can cause permanent damage - Loudest recommended exposure WITH hearing protection</i>	140dB
Jet engine at 100'	140dB
12 Gauge Shotgun Blast	165dB
Death of hearing tissue	180dB
Loudest sound possible	194dB

OSHA Daily Permissible Noise Level Exposure	
Hours per day	Sound level
8	90dB
6	92dB
4	95dB
3	97dB
2	100dB

How-To

CONTACT

SEARCH OUR SITE

FIND:

SUBMIT

SIGN UP FOR SOUNDBITES

NAME:

EMAIL:

SUBMIT

1.5	102dB
1	105dB
.5	110dB
.25 or less	115dB

NIOSH Daily Permissible Noise Level Exposure	
Hours per day	Sound level
8	85dBA
6	86dBA
4	88dBA
3	89dBA
2	90dBA
1.5	92dBA
1	94dBA
.5	97dBA
.25 or less	100dBA
0	112dBA

Perceptions of Increases in Decibel Level	
Imperceptible Change	1dB
Barely Perceptible Change	3dB
Clearly Noticeable Change	5dB
About Twice as Loud	10dB
About Four Times as Loud	20dB

Sound Levels of Music	
Normal piano practice	60 -70dB
Fortissimo Singer, 3'	70dB
Chamber music, small auditorium	75 - 85dB
Piano Fortissimo	84 - 103dB
Violin	82 - 92dB
Cello	85 -111dB
Oboe	95-112dB
Flute	92 -103dB
Piccolo	90 -106dB
Clarinet	85 - 114dB
French horn	90 - 106dB
Trombone	85 - 114dB
Tympani & bass drum	106dB
Walkman on 5/10	94dB
Symphonic music peak	120 - 137dB

Amplifier, rock, 4-6'	120dB
Rock music peak	150dB

NOTES:

- One-third of the total power of a 75-piece orchestra comes from the bass drum.
- High frequency sounds of 2-4,000 Hz are the most damaging. The uppermost octave of the piccolo is 2,048-4,096 Hz.
- Aging causes gradual hearing loss, mostly in the high frequencies.
- Speech reception is not seriously impaired until there is about 30 dB loss; by that time severe damage may have occurred.
- Hypertension and various psychological difficulties can be related to noise exposure.
- The incidence of hearing loss in classical musicians has been estimated at 4-43%, in rock musicians 13-30%.
- Recent NIOSH studies of sound levels from weapons fires have shown that they may range from a low of 144 dB SPL for small caliber weapons such as a 0.22 caliber rifle to as high as a 172 dB SPL for a 0.357 caliber revolver. *Double* ear protection is recommended for shooters, combining soft, insertable ear plugs and external ear muffs.

Statistics for the Decibel (Loudness) Comparison Chart were taken from a study by Marshall Chasin, M.Sc., Aud(C), FAAA, Centre for Human Performance & Health, Ontario, Canada. There were some conflicting readings and, in many cases, authors did not specify at what distance the readings were taken or what the musician was actually playing. In general, when there were several readings, the higher one was chosen.

Additional Resources

The National Institute for Occupational Safety and Health (NIOSH) -
<http://www.cdc.gov/niosh/topics/noise/>

[American Tinnitus Association](#) – Information and help for those with tinnitus

[Hear Tomorrow](#) – The Hearing Conservation Workshop

[H.E.A.R.](#) – Hearing Education and Awareness for Rockers

[American Tinnitus Association](#) – for musicians and music lovers

[Turn It to the Left](#) – from the American Academy of Audiology

[Listen to Your Buds](#) – from the American Speech-Language-Hearing Association

[Binge Listening: Is exposure to leisure noise causing hearing loss in young Australians?](#) [pdf] – report from Australian Hearing, National Acoustic Laboratories

[Hearing Aids and Music: Interview with Marshall Chasin, AuD](#) – from the American Academy of Audiology

[Safe Listening Resources](#) – from the National Hearing Conservation Association

[OSHA Noise and Hearing Conservation](#) -

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HAILEY ORDINANCE NO. 1127

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 9.04.030(A) OF THE HAILEY MUNICIPAL CODE BY RESTRICTING OUTDOOR AMPLIFIED SOUND IN CITY PARKS, THE BUSINESS ZONING DISTRICT AND THE HAILEY MULTI-PURPOSE ARENA; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to make the City of Hailey an event friendly place while maintaining public safety;

WHEREAS, the City Council wishes to reduce time and costs associated with planning and permitting events in Hailey's business district and at Hailey's multi-purpose arena; and

WHEREAS, the Special Event Chapter of the Municipal Code exempts events fully contained on private property within the business zoning district, a school or recreational district sporting event held on a school or recreational district property and government events, but does not exempt them from amplified sound restrictions;

WHEREAS, the Special Event Chapter of the Municipal Code provides for events that obtain a Special Event Permit to be subject to amplified sound regulations; and

WHEREAS, the Mayor and City Council find that such an amendment to the amplified sound permit regulations 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 9.04.030(A) of the Hailey Municipal Code is amended by the addition of the underlined language as follows:

9.04.030(A) Noise.

A. Except as otherwise provided herein, it is unlawful for any person to make, create, continue or cause to be made, created or continued, any loud or unnecessary noise, which noise disturbs or injures others within the limits of the city, or which adversely affects the comfort, health, peace or safety of others within the limits of the city.

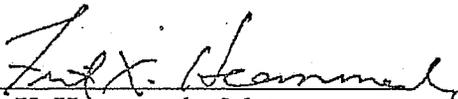
1. Outdoor amplified sound may be permitted with an approved Special Events permit, an approved park reservation or an approved amplified sound permit. Permitted outdoor amplified sound shall be limited to the hours between 10:00 a.m. and 10:00 p.m. in City Parks as defined by Section 12.14.020 of the Hailey Municipal Code, between 10:00 a.m. and 11:30 p.m. in the Business (B) zoning district, and between 10:00 a.m. and midnight at Hailey's multi-purpose arena.

Section 2. 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.

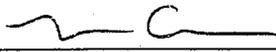
Section 3. Repealer Clause. All ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

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 15th day of July, 2013.


Fritz X. Haemmerle, Mayor
City of Hailey

ATTEST:


Mary Cone, City Clerk

Publish: Idaho Mountain Express July 24th 2013



RECEIVED

JUL 29 2013

July 28, 2013

FILE Mayor, CC, HD, VG
BY: ~~STW~~
CC to: ~~Isis, Julie~~

To the Mayor and Hailey City Council,

The airport alarm went off early this morning. The full throttle take off north over Hailey is a message from the pilot; your sleep period is over.

It would be only six and half-hours since the amplified music from the commercial zone will have stopped at 11:30 PM the night before.

It's not graduation or the 4th of July. It's Wednesday, every Wednesday and other nights as well. There are weeks when there are amplified events night after night followed by the full throttle airport alarm the next morning.

A good time is fine. We want people to enjoy themselves. It comes with noise. We understand that. It is late night amplified noise that crosses every property zone unmitigated and comes to us whether we like it or not, that is affecting us. We have no choice but to hear it.

Nine PM; the sound can be everywhere inside and outside the house. We would like to escape it other than we can't.

Ten PM; a reasonable time to prepare for sleep but the amplified music is everywhere around us and closing the windows hot as it is, is no resolution. The sound comes through the walls.

Eleven PM; stress from waiting for quiet, wanting to sleep is making us angry.

Eleven-thirty PM; will the noise this ordinance has allowed end?

Six AM; the airport alarm goes off.

The Hailey City Council has allowed by ordinance, late night amplified music in the commercial zone. We assume the idea sounded good in theory. We would, however, like to invite the Mayor and Council members to our house to hear the effect of late night amplified music and how it sounds half a block east of the commercial zone, in the residential zone, where you will experience late night amplified music as we experience it, in reality.

Sincerely,

Ben Schepys *Idem Stone*

314 1st Ave. N. Hailey, Idaho 83333

Subject: Noise Ordinance Issues

Aug. 2, 2013

To: Each and every person of the City of Hailey Staff, City Council Members, Mayor Haemmerle, and the Hailey Police Department

From: Ken and Ginna Lagergren, 215 E. Myrtle St., Hailey, ID

We are requesting a "Motion to Reconsider" the recent changes voted on for the City's Noise Ordinance provisions.

RECEIVED
AUG 2 2013

FILE Mayor, CC, HP, TH, NW, JG,
of ~~the~~ rest
of ~~the~~ left
heads.

Below are solutions that we feel will better serve the citizen's of Hailey that live in the impact zone of downtown Hailey where "noise" from events can be heard at outside our residences, whether we wish to hear it or not. Noise is a subjective term. Everyone in Hailey loves music and that's why they should have the right to listen to the music they prefer, without having someone else's music forced upon them. They should be able to go to bed at normal "working people's hours" without having to put in ear plugs. So for the purpose of the Noise Ordinance, the following discussion will simply address "noise impact".

We believe that laws for excessive "noise impact" for Hailey should include the following points:

1. Limit any regularly scheduled event (on both week days and weekends) so that "noise impacts" must be stopped by 10 PM, no later, no drift of time.
2. Impose a substantial fine for negligence if the "noise impact" goes past the specified "cease and desist time". In the manner of the city's watering rules fine, 1st offense would be a warning, followed by a very stiff fine.
3. For every event that is a special one-time or once-a-year event, an application must be reviewed and approved by the City for a special extension to the "cease and desist time" which in no case may be later than 11:30 PM.
4. In all public or private events amplified speakers must be directed inward toward the center of the event and measures must be taken to avoid broadcasting of sound out toward other parts of town.
5. In all public or private events the City should be proactive to reduce hearing damage and not be a party to encouraging destructive practices. Noise levels should not be amplified to greater than 85 dB(A) at any location where a person may hear the noise, to avoid permanent hearing loss from damage to eardrums, especially to the fragile eardrums of our youth, who don't realize the dangers of hearing loss due to excessive sound volume. (**For more info, Google "noise induced hearing loss"**). **Digital Sound Level Meters** can be **purchased for less than \$100**. Sound meter Apps are available for smart phones, but are not accurate enough for this use.

At least one Digital Sound Level Meter should be owned by the City, perhaps kept at the Police headquarters office, and would be brought out for use if a complaint is called in. It could be instrumental during initial concert set-up sound checks to inform concert technicians of what the acceptable 85 dB(A) level sounds like.

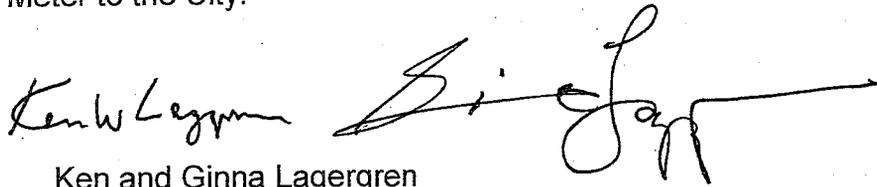
6. Every Public Event, (whether regular or special one-time), must sign an agreement to comply with the City's rules applicable to their event, and agree that they will be responsible to pay the required *substantial* fine, if they do not comply with the rules for noise abatement.

7. All private citizens of Hailey must comply with the same "noise impact" criteria as regularly scheduled public events, and shall be informed as best as possible through the City's monthly news letter, in addition to a focused effort to publicize thru all available media the Noise Ordinance rules for events on private property within the Hailey City Limits.

Please consider all the above points and make compromises to the City's Noise Ordinance. Especially, please give due process of Public Hearings to review the changes, unlike the way recent changes were railroaded into law without more public input, all for the sake of one special interest concert.

We will appreciate your help to make sense of this important issue. And we will add, that if the City will make meaningful adjustments to the Noise Ordinance Law, and *promise enforcement of it*, then we will be glad to contribute the Digital Sound Level Meter to the City.

Sincerely,

Handwritten signatures of Ken W. Lagergren and Ginna Lagergren. The signature for Ken W. Lagergren is on the left, and the signature for Ginna Lagergren is on the right, written in a cursive style.

Ken and Ginna Lagergren

RECEIVED
JUL 30 2013

Heather -

I'd like to make my opinion known about outside bars playing music until midnight. I'm against it.

The S.V. Brewery leaves their doors open and the music comes to my house (and many others in the River Street / Hailey park townhomes area) loud and clear.

Please make my opinion known to the city council. Again, against this new rule. If the noise stayed inside the business (i.e., doors closed) that is a different matter.

Timothy Marsano
220 Galena Drive, Hailey
(208) 407-8838
tdmarsano@outlook.com

Heather Dawson

From: tim marsano <tdmarsano@hotmail.com>
Sent: Tuesday, November 26, 2013 8:10 AM
To: Heather Dawson
Subject: RE: Reconsideration of Hailey Noise Ordinance

Thanks Heather.

I stand by my letter of last summer, and would like to see a 10 p.m. "hard cutoff" for music in the downtown business core. The regular blasting of outdoor music in the downtown core past 10 p.m. has a detrimental impact on my ability to sleep, and I know I speak for others in my neighborhood when I say that. My job will take me out of town on Monday, Dec. 2 so I won't be able to attend the City Council meeting, but please feel free to let the Mayor and Council Members know about this email.
Kind regards, Tim Marsano

From: heather.dawson@haileycityhall.org
To: tdmarsano@outlook.com
Date: Mon, 25 Nov 2013 17:28:06 -0700
Subject: FW: Reconsideration of Hailey Noise Ordinance

Dear Tim Marsano –

You made comment last summer on Hailey's Noise Ordinance. The City Council will hold the full reconsideration discussion of that matter on Monday, December 2, 2013. Attached for your convenience are the documents we've prepared for that discussion.

Happy Thanksgiving.

Heather Dawson
City Administrator
City of Hailey
208-788-4221 x18

***all email correspondence is public record**

Heather Dawson

From: Kristin Fletcher
Sent: Monday, August 05, 2013 7:23 AM
To: Heather Dawson
Subject: Re: FW: Noise Ordinance - Reconsideration

Hi Heather,

Thanks for the update. I'm in Michigan on vacation and unfortunately won't be able to attend tonight's meeting. And in the rush to tidy up loose ends and leave last week I didn't get that letter written. Perhaps you can share the following comments.

I am so grateful the Council is willing to reconsider it's decision. To briefly summarize my concerns...

- The Council's decision to extend the hours from 10:00 pm to 11:30 pm is a huge experiment in sound pollution undertaken without public input. As it currently stands, the public is invited to comment on this decision in a year. Bah! The opposite process by which the government should operate.
- The public deserves to have significant opportunities to comment and shape this decision.
- Consider the lives of workers who must arise early, the elderly, the ill, parents with children and those of us who live in Hailey because of the peace and quiet.
- I live near Hailey Elementary, less than 3 blocks from the arena and 6-8 blocks from Wicked Spud. Spud music is so loud that I can hear every note and word clearly and loudly and am grateful each time it ends at 10 or so.
- Consider the cumulative invasion of quiet from the current string of events which fill our summer: the 4th of July rodeo, bull riders event, Northern Rockies Music Festival, every Wednesday at the Spud, Sun Valley Brewery and the Hope Garden events. And then consider the increase that the council appears to be inviting
- I am not opposed to occasional extensions on a case by case basis; however, 11:30 is simply too late and not compatible with Hailey's outstanding quality of life.

Thanks for the opportunity to comment on this important community issue which affects each and every resident.

Take care,
Kristin

On Fri, Aug 2, 2013 at 10:58 AM, Heather Dawson <heather.dawson@haileycityhall.org> wrote:

Hello Kristen Fletcher –

Thanks for taking the time to call city hall to talk about the effects of Hailey's noise ordinance in old Hailey. The attached agenda shows that the council will consider a Motion for Reconsideration of their decision to extend hours of amplified sound in Hailey.

Heather Dawson

Heather Dawson

From: Mike & Irene Healy <
Sent: Friday, August 02, 2013 4:58 PM
To: Heather Dawson
Subject: Re: Noise Ordinance - Reconsideration

Thanks for this notice, Heather. And thanks for remembering my panicked concern. (Funny, I haven't heard much loud music since we talked--just a little on Wednesday nights from the Spud.)

It would be interesting to attend the council meeting, but it's the night of Elgar's cello concerto at the Summer Symphony, something I've been looking forward to for week's.

I'm glad, though, that the city is reconsidering that earlier decision and hope they will come down on the side of moderation--and civic sanity.

Thanks again for the notice.

Mike

On Aug 2, 2013, at 8:47 AM, Heather Dawson wrote:

Hello Mike Healy -

Thanks for coming in to city hall to talk about the effects of Hailey's noise ordinance in west Hailey. The attached agenda shows that the council will consider a Motion for Reconsideration of their decision to extend hours of amplified sound in Hailey.

Heather Dawson
City Administrator
City of Hailey
208-788-4221 x18

***all email correspondence is public record**

<080513 City Council Agenda.pdf>

Expanded Minutes of PH 293, August 5, 2013

PH 293 Motion for Reconsideration of Municipal Code Chapter 9.03 Noise Ordinance Amendment adopted on July 15, 2013 with Ordinance Number 1127

6:40:59 PM Brown, who had voted in the majority on Municipal Code Amendment to Chapter 9.03, Noise Ordinance at the last City Council meeting, makes a motion to reconsider, seconded by Burke, roll call vote showed all in favor. Following a suggestion by the chair to set discussion of this matter to a future date uncertain, Brown moved to schedule the reconsideration to a date uncertain. Cooley seconded, motion passed with roll call vote, motion to table to date uncertain. Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.

6:42:33 PM Tony Evans asks a question, why council is reconsidering this adopted Ordinance 1127. Brown explained the process of reconsideration by council. Common complaints have been fielded by staff and council since the adoption of Ord. no. 1127, which generally oppose regular and frequently waiver of music events in the downtown core. Keirn added that there had been low turn-out of the public at the previous meeting. Brown explained that complaints had not been received regarding the Northern Rockies Music Festival one-time event or the one-time rodeo event; it was more the frequent noise from the Wicked Spud, the Brewery, and the like. There are thoughtful letters in the packet. Burke said some of the suggestions in the correspondence have great merit, so we will have the opportunity to take public comment and look thoroughly at the decision. Keirn said we have a long downtown core, without a transition between the commercial and residential areas, and the impact of that noise has a large effect.

6:45:42 PM Geoffrey Moore 406 1st Ave South asks what will happen. He asked if the ordinance previously adopted has just been eliminated. Brown explains the options to Moore, saying revisions may be suggested, or it could be approved as is, or we may vote it down.

6:46:54 PM Dawson explains further that the ordinance had been fully adopted at the last meeting, and subsequently published, and is currently in effect. She explained that noise is currently not allowed unless it is allowed through a special event permit. That permit can allow noise under the parameters of MC Chapter 9.03. All special event permits for this summer have previously been issued to 10:00 p.m. under the old ordinance. We only have one special event permit pending for a September 7 skatepark event. That, and any new applications would be subject to the special event permit where we could, but don't have to, issue the permit beyond 10:00 p.m. Burke felt satisfied that with staff discretion, no further complaints would be generated until the council is able to reconsider the ordinance fully.

Brown explained, following a question by Evans, that the complaints the city has received are about the ordinance.

PH 293 Motion for Reconsideration of Municipal Code Chapter 9.03 Noise Ordinance Amendment adopted on July 15, 2013 with Ordinance Number 1127

6:40:59 PM Brown makes a motion to reconsider, seconded by Cooley, motion passed with roll call vote, motion to table to date uncertain. Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.

6:42:33 PM Tony Evans asks a question, why council is reconsidering this adopted ordinance 1127. Brown explained the process of reconsideration by council. Common complaints have been fielded by staff and council since the adoption of ord. no. 1127, which generally oppose regular and frequently waiver of music events in the downtown core.

6:45:42 PM Geoffrey Moore 406 1st Ave South asks what will happen. Brown explains the options to Moore.

6:46:54 PM Dawson explains further.

NEW BUSINESS:

NB 294 Introduction of Municipal Code Chapter 13 housekeeping amendment, to clarify that Hailey's water regulations apply only to the use of water from City of Hailey's water system, not all water used within the city limits of Hailey

6:49:05 PM Dawson explains and Tom Hellen adds clarification that we do not have authority to enforce water time/day restrictions on surface water. This ordinance clarifies this point.

STAFF REPORTS:

6:54:10 PM Tom Hellen reported on the testing of the biosolids project.

6:54:52 PM URA Town Hall meeting next Tuesday Aug. 13th, at 5:30 to introduce the gateway district, in the council chambers. Micah Austin reports to council. Aug. 19th Planning and Zoning meeting, a beekeeping ordinance will be proposed in the city.

6:56:23 PM Dawson reported that Bob MacLeod and Mary Cone are going to Boise for the kick off meeting for the Smithsonian traveling exhibit, awarded to Hailey and will be here July 26th, 2014.

Dawson reported receipt of many fire chief applications from all over the country. No meeting Sept. 3, as it is Labor Day Holiday.

With no further business to discuss, Don Keirn concluded the meeting at 6:57 P.M.

Minutes of Hailey City Council Meeting Aug 5, 2013

The Sample electronic sign is in place at Rodeo Grounds for 7 days. If you have a comment call 788-9815 x 20 for comments regarding this sign. It is running 3 messages = the next 3 events right now. We are looking for comments on this sign.

5:52:32 PM public comment 1021 Foxmoor Ramona Duke likes the idea but should have standards in place

5:52:56 PM Peter Lobb 403 E. Carbonate– he is confused what is the scope of the sign. Micah Austin answered Lobbs question. The major difference is that the sign would be a monument style sign not on a trailer.

5:55:47 PM Jane Drussel comments regarding the proposed sign ordinance. Ned Williamson responds to Jane's comment.

5:57:27 PM Martha Burke recounts her memory of discussions and the intent of the council thoughts in the past. Mayor and council asked City Attorney and staff to come up with a resolution that fits their vision.

PH 270 Consideration of amendment to amplified sound regulations under Hailey Municipal Code 9.04 Noise, to allow amplified sound later than 10:00 p.m. when authorized through special event permits in the business district and at Hailey's multipurpose arena

PH 270 - 6:00:41 PM amplified sound proposed ordinance.

Heather Dawson provided a summary to council as to how we got to a proposed ordinance today. Page 111 in packet. There are no qualifiers that allow for the extension of amplified sound in business district and the arena grounds. This is wri

6:02:48 PM 15 east spruce – Leanne gelsky, speaking as a resident living near the business district. She appreciates the consideration towards a hard cut off.

6:03:41 PM Carol Brown is a fan of having an ordinance backing up what is actually going on. Brown concurs with Gelsky, let's enforce this cutoff time.

6:05:39 PM Burke would like to see this enforced if we adopt this later cut off time. Burke thinks this is a great idea.

6:07:43 PM Brown is good with this and would like to see this in place 6:08:40 PM brown moves to approve to run for 1 year trial period, seconded by keirn, waive the 2 readings conduct 1 reading tonight, council discusses and then leaves motion as stated, motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.

Mayor Haemmerle read ord no. 1127 by title only.

Minutes of Hailey City Council July 15, 2013

AGENDA ITEM SUMMARY

DATE: 07/15/2013

DEPT.: Administration

DEPT. HEAD SIGNATURE: HD

SUBJECT:

Consideration of amendment to Hailey Municipal Code 9.04., which governs noise, to allow amplified sound authorized through special event permits and amplified sound permits until 11:30 p.m. in the downtown business district, and until midnight at Hailey's multi-purpose arena.

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code Hailey MC 9.04.030
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Hailey Municipal Code Section 9.04.030 provides that:

1. Outdoor amplified sound may be permitted with an approved Special Events permit, an approved park reservation or an approved amplified sound permit. Permitted outdoor amplified sound shall be limited to the hours between 10:00 a.m and 10:00 p.m.

The Hailey City Council recently authorized a waiver of this rule to allow amplified sound until 11:30 p.m. at an arena event. However, there is no authority under HMC 9.04.030 for such a waiver. In addition, the practice of "soft endings" at 10:00 p.m. has led to music events running well past 11:00 p.m. in Hailey's downtown business venues.

We have prepared a municipal code amendment which retains the 10:00 p.m. restriction on amplified sound in city parks, as they are surrounded by neighborhoods. It allows, however, amplified sound until 11:30 p.m. in the business district, and until midnight at the arena. If the council chooses to enact this amendment, city staff would enforce with a "hard cut-off".

An alternative to the ordinance as prepared would be to allow amplified sound only until 10:00 p.m. in city parks, except Hop Porter Park, which could be assigned its own "hard cut-off" time.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: none.

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:

Options: 1) Motion to approve Hailey Municipal Code amendment as presented. 2) Motion to approve with modifications. 3) Motion to deny Hailey Municipal Code amendment.

ACTION OF THE CITY COUNCIL:

Date _____
City Clerk _____

FOLLOW-UP:

*Ord./Res./Agmt./Order Originals: _____ *Additional/Exceptional Originals to: _____
Copies (all info.): _____ Copies

RESOLUTION NO. 2011 - 19

A RESOLUTION OF THE HAILEY CITY COUNCIL ENACTED PURSUANT TO HAILEY MUNICIPAL CODE CHAPTER 9.04; ESTABLISHING A FEE FOR AN OUTDOOR AMPLIFIED SOUND PERMIT FOR EVENTS EXEMPTED FROM PROHIBITION OF NOISE UNDER SECTION 12.14.030 OF THE HAILEY MUNICIPAL CODE

WHEREAS, the City of Hailey has adopted Chapter 9.04 of the Hailey Municipal Code which restricts noise within the city, including noise generated by outdoor amplified sound.

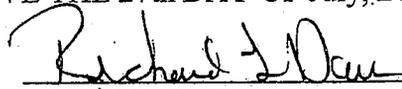
WHEREAS, the City of Hailey has adopted Chapter 12.14 of the Hailey Municipal Code sets out procedures and requirements for special events held in the City of Hailey;

WHEREAS, Section 12.14.030 of the Hailey Municipal Code exempts certain special events from the noise restrictions of Section 9.04, and provides for an amplified sound permit to be obtained from the City of Hailey, and provides that a fee may be charged as established by resolution of the Hailey City Council.

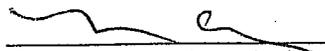
WHEREAS, the Hailey City Council seeks to cover its direct costs for services, and seeks to encourage activity which generates economic activity;

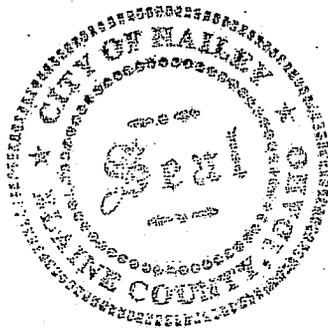
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hailey, Idaho that no fee shall be collected with an outdoor amplified sound permit application submitted to the City of Hailey. The administrative review of the application and one (1) site-visit from the Hailey Police Department to assist in establishing appropriate decibel levels will be considered part of the no-fee application administration. Further trips to the site required by Hailey Police Department to adjust or enforce the decibel settings will each incur a \$25.00 trip fee.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THE 25th DAY OF July, 2011 AND EFFECTIVE THE 27th DAY OF July, 2011.


Richard L. Davis
Mayor City of Hailey

ATTEST:


Mary Cone, City Clerk



AGENDA ITEM SUMMARY

DATE: 12/2/2013

DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: _____

SUBJECT:

Adoption of 2012 International Building Code and miscellaneous amendments (Ordinance No. ____)

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

I am enclosing a proposed ordinance which will adopt the 2012 International Building Code. Normally, we adopt all of the 2012 building codes at the same time. I am told, however, that the State has not received approval on the 2012 International Residential Code (IRC) or the 2012 International Energy Conservation Code (IECC). Once those codes are ready for adoption, I believe we will be forwarding them to you for adoption. In the meantime the 2009 versions of the IRC and IECC will remain in effect. Please note that there are several Build Better amendments proposed in this ordinance.

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, adopt Ordinance No. ____ and authorize the Mayor to conduct a first reading of the ordinance by title only.

FOLLOW-UP REMARKS:

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING CHAPTER 15.08 OF THE HAILEY MUNICIPAL CODE, BY AMENDING SECTION 15.08.010 TO ADOPT THE 2012 INTERNATIONAL BUILDING CODE ALONG WITH AMENDMENTS THERETO RELATIVE TO LOCAL CONDITIONS; AMENDING SECTION 15.08.120 TO EXEMPT QUALIFYING MODULAR BUILDINGS AND MANUFACTURED HOMES FROM THE PROVISIONS OF THE BUILD BETTER PROGRAM, TO INCREASE THE CONDITIONED SPACE SIZE OF NEW COMMERCIAL CONSTRUCTION FROM 10,000 TO 20,000 SQUARE FEET BEFORE ENERGY EFFICIENCY VERIFICATION IS REQUIRED, TO CLARIFY THE TESTING OF AN EXISTING BUILDING AND TO ALLOW SUSTAINABLE INITIATIVE PRODUCTS TO BE USED AS SUSTAINABLE PRODUCTS; AMENDING SECTION 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 SECTION 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 JANUARY 1, 2014 AS THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Idaho Code §§ 39-4109 and 39-4116 require the City of Hailey to adopt 2012 International Building Code ("IBC"), excluding certain provisions and appendices;

WHEREAS, Idaho Code § 39-4116 allows the City of Hailey to amend the IBC to reflect local conditions, provided the amendments provide an equivalent level of protection;

WHEREAS, it is found appropriate to update the IBC by which the City of Hailey reviews, evaluates and acts upon applications for building permits to be consistent with the current codes adopted by the State of Idaho containing the accepted techniques for safe building construction;

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

WHEREAS, Idaho Code § 39-4109 allows the adoption of the IBC effective January 1, 2014; and

WHEREAS, the City Council finds that enactment of this ordinance is required immediately to ensure the enforcement of this ordinance by January 1, 2014.

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

Section 1. Section 15.08.010 of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and by the addition of the underlined language, as follows:

15.08.010 Adoption of Codes. Pursuant to Idaho Code Section 39-4116(1), the following codes published by the International Code Council are adopted by reference:

A. ~~2009~~2012 International Building Code (“IBC”), ~~including all rules promulgated by the Idaho Building Code Board to provide equivalency with the provisions of the Americans with Disabilities Act accessibility guidelines and the Federal Fair Housing Act accessibility guidelines; and including Appendix E: Supplemental Accessibility Requirements;~~

B. 2009 International Residential Code (“IRC”), parts I-IV and IX including Appendix F: Radon Control Methods;

C. 2009 International Energy Conservation Code (“IECC”);

D. 1997 Uniform Code for the Abatement of Dangerous Buildings; and

E. ~~1997 Uniform Building Code (“97 UBC”) Volume 3, Material, Testing and Installation Standards; and~~

F. 1997 Uniform Building Code, Volume 1, Table 1-A, Building Permit Fees.

Section 2. 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 3. 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 4. 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. Where the air infiltration rate in a dwelling unit is less than five (5) air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403 of the International Energy Code.

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 manufacture's specifications and plan details.

Section 5. 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.

insulation.

(1) Application: R-24 minimum wall cavity

(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

Section 6. 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 or SFI 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 or SFI, 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
1	Exterior Wall	Framing	FSC or SFI 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 7. 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 8. 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 9. 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 10. 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 11. Repealer Clause. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 12. Effective Date. This Ordinance shall be in full force and effect on January 1, 2014 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 December, 2013.

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk

Publish: Idaho Mountain Express _____, 2013

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTIONS 15.12.010 AND 15.08.030 OF THE HAILEY MUNICIPAL CODE BY ADOPTING THE 2012 INTERNATIONAL FIRE CODE, 2012 INTERNATIONAL CODE STANDARDS AND THE 2012 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE ALONG WITH AMENDMENTS THERETO RELATIVE TO LOCAL CONDITIONS; BY PROHIBITING FIRE-RETARDANT-TREATED ROOF COVERINGS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING JANUARY 1, 2014 AS THE EFFECTIVE DATE.

WHEREAS, it is appropriate to update Chapter 15.12 of the Hailey Municipal Code to adopt the current fire code, the 2012 International Fire Code, the 2012 International Fire Code Standards, and 2102 International Wildland-Urban Interface Code;

WHEREAS, it is appropriate to modify certain provisions of the adopted codes and standards, as set forth herein, including but not limited to the requirement of constructing ignition-resistant building materials and the prohibition of fire-retardant-treated roof coverings; and

WHEREAS, the adoption of the fire codes and standards set forth herein will promote the health, safety and general welfare of the citizens of the City of Hailey.

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

Section 1. Section 15.12.010 of the Hailey Municipal Code is amended by deleting the stricken language and by adding the underlined language, as follows:

15.12.010 Adoption of International Fire Code, the International Fire Code Standards and the International Urban-Wildland-Urban Interface Code. To establish regulations governing conditions hazardous to life and property from fire and explosion, the city of Hailey adopts certain codes and standards known as the ~~2009~~2012 International Fire Code, including Appendices B, as amended, C, D, as amended, E, and F (hereinafter "International Fire Code"), the ~~2009~~2012 International Fire Code Standards and the ~~2009~~2012 International Wildland-Urban Interface Code, including Appendix Chapters A, B, C, and D as published by the International Fire Code Institute ~~and whole thereof~~, save and except such portions as are hereinafter deleted, modified or amended by Section 15.12.030. Not less than three copies of the codes and standards adopted herein have been and are now filed in the office of the clerk of the city of Hailey, Idaho, and the same are hereby adopted and incorporated as if fully set out at length herein, and from the date on which the ordinance enacting this chapter shall take effect. Such provisions thereof shall be controlling within the limits of the city of Hailey, Idaho.

Section 2. Section 15.12.030 of the Hailey Municipal Code is amended by adding the underlined language, as follows:

15.12.030 Amendments to the International Fire Code and International Wildland-Urban Interface Code.

A. Section ~~3704.2.2.7~~ 6004.2.2.7, International Fire Code, is amended by the addition of the following:

Exception: Emergency response kits recommended by the Chlorine Institute may be used for chlorine gas product leaks in lieu of the treatment system requirements of this section as long as there are adequate and available responders who are trained in their use locally.

B. Appendix B, Section B-105, International Fire Code, is amended to add the following subsections: 283.

5.3 New buildings. Any new building creating a demand fire flow in excess of twenty-five hundred gallons per minute based upon Table B-105.1 is required to have installed and in operating condition, prior to the time the building is occupied, a fire sprinkler system conforming to the requirements of the International Fire Code and the International Building Code as adopted by the City of Hailey.

5.4 Existing buildings. Any addition to, or remodeling of, an existing building creating a demand fire flow within the entire building in excess of twenty-five hundred gallons per minute based on Table B-105.1 shall be required to have installed, and in operating condition, before the time that the new portion of the building is allowed to be occupied, a fire sprinkler system which conforms to the requirements of the International Fire Code and the International Building Code as adopted by the City of Hailey.

C. Appendix D-104 of the International Fire Code is amended to read as follows:
Commercial, Industrial, Non-Residential and Mixed Use Developments

D104.1 Buildings exceeding 30 feet in height. Buildings or facilities exceeding 30 feet (9,144 mm) in height from the lowest point of vehicular fire apparatus access shall have:

D104.1.1 A fire sprinkler system installed throughout the entire building.

D104.1.2 An exterior balcony, terrace, roof-top or other similar feature approved by the fire official to facilitate access to the upper exterior roof levels with fire service "ground" ladders.

D104.1.3 At least three means of fire apparatus access for each structure.

Exception: Buildings or facilities exceeding 30 feet (9,144 mm) but not exceeding 40 feet (12,192 mm) in height from the lowest point of vehicular fire apparatus access may provide two means of fire apparatus access for each structure as approved by the fire official.

D104:2 Buildings exceeding 62,000 square feet in area. Non-Residential buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) and not

exceeding 30 feet (9,144) from the lowest point of vehicular fire apparatus access shall be provided with two separate and approved fire apparatus access roads. 15.12.030 (Hailey 3/11) 284

D104.3 Remoteness. Where two access roads are required, they shall be arranged so that a point on each access lane is a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building to be served, measured in a straight line between accesses. At least one access road shall be on or adjacent to the property where the building is located.

D. Appendix D-106, International Fire Code is amended to read as follows:
Commercial, Industrial and Multi-family Residential Developments

D106.1 Projects having more than 36 dwelling units. Multiple-family residential projects having more than 36 dwelling units shall be equipped throughout with at least two separate and approved fire apparatus access roads.

Exception: Multiple family residential projects having less than 36 units may have a single approved fire apparatus access road not to exceed 150 feet in length.

D106.2 Multi-family residential projects. Multi-family residential projects shall be equipped with two separate and approved fire apparatus access roads.

Exception: Multiple family dwelling projects having less than 36 units may have a single approved fire apparatus access road not to exceed 150 feet in length.

D106.3 Remoteness. Where two access roads are required, they shall be placed at a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the building to be served, measured in a straight line between accesses. At least one access road shall be on or adjacent to the property where the building is located.

Exception: Where the Fire Chief has determined that the topography prohibits the provision of the required separation of multiple fire apparatus access roads, the fire chief may consider other configurations of multiple accesses for approval.

E. Appendix D-107, of the International Fire Code is amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds five (5) shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Appendix D104.3.

Exceptions:

1. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

2. The dwelling units located in an area designated as an “~~Urban~~/Wildland-~~Urban~~ Interface” area, meet all of the requirements of the International Urban/Wildland-~~Urban~~ Interface Code.

D107.2 One or Two Family Dwellings. The following driveway widths shall be required when a fire apparatus access road is needed in order to meet the distance requirements identified in Section 503 for a fire apparatus access road: 12 feet wide for all single-family dwellings, 16 feet wide for all common driveways serving two dwellings.

~~F. Section 906.1 of the International Fire Code is amended to delete the exception listed in Section 906.1.1.~~

~~G.~~ A new Section 105.8.1 of the International Fire Code is added to read, as follows:

105.8.1 Permits Required. A permit, if required by the local jurisdiction, shall be obtained from the fire official prior to engaging in activities requiring a permit within the local jurisdiction.

~~H G.~~ A new section 111.4 of the International Fire Code is added to read, as follows:

111.4 Failure to Comply. Any person, firm or other legal entity who continues any work after having been served with a stop work order except such work as that person, firm or other legal entity is directed to perform to remove a violation or unsafe condition, is subject to the penalties in Section 15.12.050 of the Hailey Municipal Code.

~~I H.~~ Section ~~903.2.7~~ 903.2.8 of the International Fire Code is amended to read as follows:

~~903.2.7~~ 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R1, R2 or R4 fire area. Exception: Automatic sprinkler systems are not required in 3 or 4 unit Group R2 units with a fire flow not exceeding the requirements of Appendix B105 as amended.

~~J K.~~ A new section 907.21 of the International Fire Code is added to read, as follows:

907.21.1 Fire Alarm and Detection Systems Notification Devices. When fire alarm systems not required by the International Fire Code are installed, and are monitored in some method that would cause an automatic fire response by the fire department, the notification devices shall meet the minimum design and installation requirements for the systems that are required by this code.

907.21.2 Water Flow Notification Devices. All fire sprinkler systems shall be provided with an exterior “water flow” electric bell and signage clearly identifying the bell as a “fire sprinkler alarm” bell. 15.12.030
(Hailey 3/11) 286

907.21.3 Partial or limited detection systems allowed. If partial or limited fire detection systems are installed, the area of installation shall meet the requirements of Section 907, and

the areas protected by the system shall be adequately identified as the area of coverage, to the satisfaction of the fire official.

K J. Section 105.2 of the International Fire Code is amended to allow the adoption of fees under the International Fire Code to be established by resolution.

L J. Chapter 45 80 of the International Fire Code is amended by the replacement or addition of the following NFPA Referenced Standards, as follows:

Add NFPA Standards (Edition): 10-~~(2010)~~2013, 11-(2010), 11A-(1999), 12-~~(2005)~~2011, 12A-(2009), 13-~~(2010)~~2013, 13D-~~(2010)~~2013, 13R-~~(2010)~~2013, 14-~~(2010)~~2013, 15-~~(2007)~~2012, 16-~~(2007)~~2011, 17-~~(2009)~~2013, 17A-~~(2009)~~2013, 20-~~(2010)~~2013, 22-~~(2008)~~2013, 24-~~(2010)~~2013, 25-~~(2011)~~2014, 30-~~(2008)~~2012, 30A-~~(2008)~~2012, 30B-(2011), 31-~~(2006)~~2011, 32-~~(2007)~~2011, 33-(2011), 34-(2011), 35-~~(2005)~~2011, 40-(2011), 51-~~(2007)~~2013, 51A-~~(2006)~~2012, 52-~~(2010)~~2013, 58-~~(2011)~~2014, 59A-~~(2009)~~2013, 61-~~(2008)~~2013, 69-(2008), 72-~~(2010)~~2013, 80-~~(2010)~~2013, 85-~~(2007)~~2011, 86-(2011), 99-~~(2005)~~2013, 101-~~(2009)~~2012, 110-~~(2010)~~2013, 111-~~(2010)~~2013, 120-(2010), 160-~~(2010)~~2011, 211-~~(2010)~~2013, 241-~~(2009)~~2013, 260-~~(2009)~~2013, 261-~~(2009)~~2013, 265-~~(2007)~~2011, 286-(2006), 385-(2007), 400-(2010), 407-(2007), 484-(2009), 495-(2010), 498-(2010), 505-(2011), 654-(2006), 655-(2007), 664-(2007), 701-(2010), 703-(2009), 704-~~(2007)~~2012, 750-(2010), 1061-~~(2007)~~2014, 1124-~~(2006)~~2013, 1125-~~(2007)~~2012, 1126-(2011), 1221-~~(2010)~~2013, and 2001-~~(2008)~~2012.

M L. Appendix D-103.2 of the International Fire Code is amended to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed six (6%) percent in grade.

Exceptions: 1. Grades for fire apparatus access roads shall not generally exceed six (6%) percent, but grades may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet, or as approved by the fire chief.

2. Fire apparatus access roads located in an area designated as an "Urban/Wildland Interface" shall meet all of the requirements of the Urban/Wildland Interface Code.

D103.2.1 Intersections and access road turnarounds shall be level, with the exception of crowning for water run-off.

O M. Appendix D-105 of the International Fire Code is amended to read as follows:

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall have the side of the fire lane closest to the building located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

N. Section 503.2(4) of the International ~~Urban~~-Wildland-Urban Interface Code is deleted.

Section 3. 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. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall be in full force and effect on January 1, 2014 and after its passage, approval and publication according to law.

ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE
MAYOR this _____ day of December, 2013.

Fritz X. Haemmerle, Mayor
City of Hailey

ATTEST:

Mary Cone
Hailey City Clerk

Publish: Idaho Mountain Express _____, 2013

