

HAILEY ORDINANCE NO. 997

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTIONS 15.08.010 AND 15.08.020 OF THE HAILEY MUNICIPAL CODE BY ADOPTING THE 2006 INTERNATIONAL BUILDING CODE, THE 2006 INTERNATIONAL RESIDENTIAL CODE AND THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE ALONG WITH AMENDMENTS THERETO RELATIVE TO LOCAL CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Idaho Code §§ 39-4109 and 39-4116 require the City of Hailey to adopt 2006 International Building Code ("2006 IBC"), the 2006 International Residential Code ("2006 IRC") and the 2006 International Energy Conservation Code ("2006 IECC"), excluding certain provisions and appendices;

WHEREAS, Idaho Code § 30-4116 allows the City of Hailey to amend the 2006 IBC, 2006 IRC and 2006 IECC to reflect local conditions, provided the amendments provide an equivalent level of protection;

WHEREAS, it is found appropriate to update the 2006 IBC, 2006 IRC and 2006 IECC 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 2006 IBC, 2006 IRC and 2006 IECC 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 2006 IBC, 2006 IRC and 2006 IECC effective January 1, 2008; and

WHEREAS, the City Council finds that enactment of this ordinance is required immediately to ensure the enforcement of this ordinance by January 1, 2008.

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

SECTION 1. Sections 15.08.010 and 15.08.020 of the Hailey Municipal Code are amended by the deletion of the stricken language and addition of the underlined language, as follows:

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

2003~~6~~ International Building Code (“2003~~6~~ 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; and

2003~~6~~ International Residential Code (“2003~~6~~ IRC”), parts I-IV and IX, including Appendix F: Radon Control Methods;

2003~~6~~ International Energy Conservation Code (“2003~~6~~ IECC”);

1997 Uniform Code for the Abatement of Dangerous Buildings;

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

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

15.08.020 Amendment of codes. Pursuant to Idaho Code Section 39-4116(3), the following codes adopted pursuant to Section 15.08.010 herein or provisions thereof are added to, amended, altered and/or modified as follows:

A. Required Permits: Required building permit applications shall be made on forms furnished by the city of Hailey, and approval shall be in accordance with Section 105 of the 2003~~6~~ IRC and Section 105, Permits, of 2003~~6~~ IBC., and as amended by the addition of new Sections 105.1.3, 105.1.4, and 105.1.5 to the 2003 IBC as follows:

1. Excavation. Section 105.1 of the 2006 IRC and 2006 IBC require a permit from the building official for the start of construction. For the purposes of this section, the start of construction is defined as the excavation or trenching for the installation of forms for footings, or where no forms are used, start of construction is excavation or trenching.

2. Section 105.1.3 Moved Structures. The 2006 IRC is amended to add the following Section 105.1.1 and the 2006 IBC is amended to add the following 105.1.3: Moved Structures. Applications for permits for moved structures shall include but are not limited to the following information provided by an Idaho licensed structural engineer: appropriate foundation designed to meet the City of Hailey structural forces: proof that existing headers of the largest window and/or garage door opening is structurally adequate; where practical, an analysis of the existing roof system including trusses or rafters and roof sheathing materials, wall and floor systems for conformity to structural forces criteria for the new occupancy and new location.

3. Section 105.1.4 Manufactured Homes. The 2006 IRC is amended to add the following Section 105.1.2 and the 2006 IBC is amended to add the following 105.1.4:

Manufactured Homes. Permits are required for manufactured homes pursuant to this code.

4. ~~Section 105.1.5~~ Demolition Permits: The 2006 IRC is amended to add the following Section 105.1.3 and the 2006 IBC is amended to add the following 105.1.5:

a. General Requirements. Demolition shall include moving a structure from one site to another and destruction/demolition of a structure for disposal. Permit applications shall be provided by the City of Hailey and shall include owner, address, property descriptions, phone number, description of the scope of the demolition and a time frame. The person or entity submitting an application for a demolition permit for a Historic Structure must be the owner of record or the authorized agent of the owner(s). Acknowledgement of the demolition by utility companies serving the property, the Blaine County Assessor's office and the jurisdiction's Building Official if other than the City of Hailey shall be required. Permits shall be valid for 90 days.

b. Historic Structures. Prior to issuance of a "Demolition" permit for buildings and structures built wholly or in part prior to 1941 ("Historic Structure"), regardless whether the Historic Structure was constructed on or relocated to the property, the Hailey Building Official shall submit the application to the Hailey Planning Department, Hailey Fire Department and Hailey Historic Preservation Commission. The applicant shall demonstrate the age of a building or structure by reliable records, including but not limited to records of the Blaine County Assessor.

1. A one hundred twenty (120) day review period shall run from the date of transmittal of copies of the application to the departments, agencies, commissions and organizations. The date of transmittal shall be documented in the application file and shall commence the comment period. Within seven (7) calendar days of the Building Official certifying that the application is complete, the Building Official shall, at the applicant's expense, publish a Notice of Intent to Demolish a Historic Structure in the official newspaper of the City of Hailey, post on the subject property a Notice of Intent to Demolish a Historic Structure, and mail Notice of Intent to Demolish a Historic Structure to property owners within three hundred (300) feet of the subject property.

2. During the review period, the city, the Hailey Historic Preservation Commission or any other commission, organization or individual may negotiate with the owner and with any other parties in an effort to find a means of preserving the structure or building for the acquisition by gift, purchase, or exchange of the property or any interest therein.

3. The one hundred twenty (120) day review period may be reduced if the Building Official or his/her designee finds that a) the owner has reasonably demonstrated that rehabilitation of the Historic Structure would not be economically feasible, b) the Historic Structure shall be preserved by relocation of the building or structure to another appropriate site in Hailey, c) the Historic Structure is deemed a

“dangerous” building as defined in Chapter 3, Section 3.02 of the 1997 Uniform Code for the Abatement of Dangerous Buildings, or d) the Hailey Historic Preservation Commission has recommended the one hundred twenty (120) day review period be reduced because the Historic Structure does not maintain the historic architectural qualities, historic associations or archeological values of other Historic Structures within Hailey.

4. At the end of the review period, if the application for a “Demolition” permit has not been withdrawn, the Building Official shall process the application according to the 2003~~6~~ IBC and the municipal code. Any demolition permit for Historic Structure shall be conditioned so that prior to demolition, the applicant shall provide the Hailey Historic Preservation Commission with all available historic information about the Historic Structure, including a) color photographs measuring at least four inches (4”) by six inches (6”) of at least two (2) elevations of the building at the time of permit submittal (if the building faces one or more public streets, the two (2) elevations shall be of the street facing sides), b) height, square footage, and current use of building, and c) historical photograph, black and white or color, of the building, if feasible.

c. Revegetation. Following demolition of a building or structure, any foundation and basement and all debris shall be removed, clean fill shall be placed in any excavated portion of the property, the grade of the property shall be leveled, and the property shall be planted or re-seeded with drought resistant grasses and/or shrubs that are as minimally as possible irrigated to ensure successful revegetation within one (1) month of the permitted work. The revegetation shall include noxious weed abatement and continued maintenance until new construction commences.

B. Permit Expiration: Section 105.5 of the 2003~~6~~ IBC is deleted in its entirety and replaced by the following:

105.5 Expiration. Every permit issued by the Building Official under the provisions of this code shall expire and become null and void if the building or work authorized by such permit is not completed within 548 days after its issuance ~~from the commencement of said building or work~~. Permits that expire under this provision may be extended for a period not to exceed 180 days by an application for extension filed with the City Council by the permittee 30 days prior to permit expiration. An application fee of \$75.00 must be paid at the time of filing.

C. Submittal Documents: Section 106.1 of the 2003~~6~~ IBC and 2006 IRC is deleted in its entirety and replaced by ~~shall be amended by the addition of the following underlined language:~~

Section 106.1 Submittal documents. Construction documents, statement of special inspections, other structural observation programs and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the

jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. For purpose of this section, the design professional shall be an Idaho State Licensed Architect and/or Idaho State Licensed Structural Engineer.

D. Deferred Submittal: Section 106.3.4.2 of the 2003~~6~~ IBC shall be amended by the addition of the following underlined language at the end of Section 106.3.4.2:

Section 106.3.4.2 ... Furthermore, the deferred submittal may be charged a plan review fee in addition to any and all other related building permit fees in the amount of 100% of the first plan review related to that building permit, except when manufactured trusses are used in an R3 and/or U+ occupancy, truss specification may be submitted when available from the approved manufacturer without deferred submittal plan check fee.

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.

2. Plan Review Fee: Building Department review will be 65% of the building permit fee.

3. Fire Review Fee: Fire Department review for commercial or multi-family projects shall be 35% of the building plan review fee.

4. Deferred Submittal Fee: An additional 100% of the original plan review fee may be charged for all deferred submittals, as set forth in Section 106.3.4.2 of the 2003 IBC, as amended by this chapter.

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.

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 square feet. Fees shall be based on Table 1-A of the 97 UBC.

11. Deposit for Final Inspection: In addition to the building permit fees as stated above, a deposit shall be collected when the building permit is issued, to ensure final inspection. A deposit shall be 25% of the total building permit fee or \$100 whichever is greater.

F. 108.12 Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of one hundred percent (100%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than one hundred percent (100%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

FG. Required Inspections: Section 109 of the 2003~~6~~ IBC shall be amended by the addition of a new section 109.3.8.1:

Section 109.3.8.1 Manufactured Homes: Inspections are required for manufactured homes placed in the City of Hailey.

GH. Board of Appeals: Section 112 of the 2003~~6~~ IBC and 2006 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.

HI. Start of Construction: Section 202 and Section 1612.2 of the 20036 IBC shall be amended, to add the following definition:

Start of Construction: The excavation or trenching for the installation of forms for footings, or where no forms are used, start of construction is excavation or trenching.

IJ. Building Height: Section 502.1 of the 20036 IBC shall be amended by deleting ~~Section 502 the definition of "Height, Building"~~ in its entirety and replacing it with the definition of building height contained in Chapter 2 of the Hailey Zoning Ordinance, as follows:

Height of Building: The greatest vertical distance measured from the lowest point of record grade within any portion of the building footprint to the highest point of the roof surface thereof, exclusive of cupolas, chimneys up to ten (10) feet above the highest point of the roof surface, steeples, and spires.

JK. Fire-Resistance Rating Requirements: Table 602 of the 20036 IBC shall be amended as follows:

1. All walls of buildings that are closer than five (5) feet to a property line shall be constructed of four (4) hour firewall materials including a parapet wall as defined in the International Building Code.

Exception: Walls may be constructed of two hour firewall materials if an approved, monitored sprinkler system is installed within the building.

2. Walls that run parallel to a public highway, street or alley, as those terms are defined in the 20036 IBC, when said public way, street or alley is greater than twenty (20) feet wide, shall be constructed specifically in accordance with the 20036 IBC. Walls described in this Subsection 2 shall not be subject to the requirements of Subsection 1.

3. There shall be no openings or penetrations allowed in the required firewalls of buildings that are closer than five (5) feet to a property line.

4. The requirements as stated in Subsections 1, 2 and 3 above shall apply to all zones and all types of building construction in the city of Hailey except General Residential and Limited Residential Zones 1 and 2.

KL. Live Snow Load Requirements: Section 1603.1.3 of the 20036 IBC shall be amended by adding a new subsection 1603.1.3.1 as follows:

Section 1603.1.3.1 All roofs shall sustain within the stress limitations of this Code, all "dead loads" plus unit "snow loads" of at least one hundred (100) pounds per square foot. The snow loads shall be assumed to act vertically upon the area projected upon a horizontal plane.

~~Exception: One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 170 square feet, may be constructed with a "snow load" of not less than eighty (80) pounds per square foot.~~

~~LM. Live Load Requirements for Balconies or Second Floor Decks: Table 1607.1 of the 2003~~6~~ IBC, Items 5 and 6 pertaining to balconies and decks, shall be amended to show a 100 p.s.f. snow load for all balconies and decks regardless of occupancy or size.~~

~~M. Foundations: Section 1805.2 of the 2003 IBC shall be amended by changing the minimum depth from twelve inches to twenty four inches. Table 1805.4.2 of the 2003 IBC shall be amended by changing the Depth of Footing Below Undisturbed Ground Surface to 24" for all occupancies. Exception: Plans stamped with a seal by an Idaho licensed structural engineer may differ from this table provided all other city of Hailey design specifications have been met.~~

~~Section R404 of the 2003 IRC shall be amended by changing the minimum foundation requirements for stud bearing walls in a residence to the following:~~

NUMBER OF STORIES	THICKNESS OF WALL	WIDTH OF FOOTING	THICKNESS OF FOOTING
1 Story	6 inches	12 inches	6 inches
2 Story	8 inches	15 inches	7 inches
3 Story	10 inches	18 inches	8 inches

~~Notes:~~

~~Where unusual conditions or frost conditions are found, footings and foundations shall be as required in Section 1806.1 of the 2003 IBC.~~

~~The ground under the floor may be excavated to the elevation of the top of the footing.~~

~~N. Section R301.2.2.3 of the 2006 IRC is amended by the addition of the following subsection R301.2.2.3.4, as follows:~~

~~R301.2.2.3.4 Engineering design for seismic resisting system. All structures including detached one and two family structures in Seismic Design Category C or greater shall have a lateral force resisting system designed in accordance with accepted engineering practice by the Engineer of Record. The effective seismic weight for such buildings shall include 35% of the flat roof uniform design snow load.~~

~~NO. Snow Loads: Section R301.2.3 of the 2003~~6~~ IRC shall be amended by the deletion of Section 301.2.3 in its entirety and replaced with the following language:~~

~~Section R301.2.3 Snow loads. All roofs shall sustain within the stress limitations of this Code, all "dead loads" plus unit "snow loads" of at least one hundred~~

(100) pounds per square foot. The snow loads shall be assumed to act vertically upon the area projected upon a horizontal plane.

~~Exception: One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 170 square feet, may be constructed with a "snow load" of not less than eighty (80) pounds per square foot.~~

~~OP. Climate Zone: Figure 902.1(13) in the 2003~~6~~ IECC represents that the city of Hailey is in climate zone 16, the most extreme climate zone in Idaho. Said figure 902.1(13) shall supersede the climate zone for the city of Hailey referenced in the 2003~~6~~ IRC Table N 1101.2 for all construction.~~

~~P. Factory Built Chimneys: Section 505 of the 2000 International Fuel and Gas Code shall be amended by adding the following four paragraphs at the conclusion of said section:~~

~~—(1) Factory built Class A chimneys shall be enclosed with a shaft or chase protected on the interior (flue) side or sides adjacent to any usable building space or attic as required for one-hour fire-resistive construction.~~

~~—(2) The point of termination of a factory built chimney shall not be within ten inches in a vertical line to the point of termination of any adjacent chimney which is within twenty-four inches thereof.~~

~~—(3) An access shall be provided into any chase with at least one side exposed to the exterior.~~

~~—(4) The installation of factory built fireplaces shall be inspected using the terms of their listing, the manufacturer's instructions or NFPA 211. A fee of \$20.00 shall be charged for these inspections.~~

~~Q. Separation Required: Amending Section R309.2 of the 2003 IRC and Section 406.1.4 of the 2003 IBC, Separation Required, to require 5/8" Type X gypsum board between dwelling units and private garages.~~

Q. Section R309.1 of the 2006 IRC shall be amended by the deletion of Section 309.1 in its entirety and replaced with the following language:

R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and the residence shall be equipped with either solid wood doors or solid or honeycomb steel doors not less than 1 3/8-inches thick, or 20-minute fire rated doors. Doors shall be self-closing and self-latching.

R. Section R309.2 of the 2006 IRC shall be amended by the deletion of Section 309.2 in its entirety and replaced with the following language:

R309.2 Separation required. The garage shall be separated from the residence and its attic area by means of a minimum 5/8-inch Type X gypsum board applied to the garage side of all walls and ceilings forming part of the separation. Where the separation

is a floor/ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8-inch Type X gypsum board or equivalent. Garages located less than 3-feet from a dwelling unit on the same lot shall be protected with not less than 5/8-inch Type X gypsum board applied to the interior side of exterior walls that are within this area. Openings in these walls shall be regulated by Section R309.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling wall unit.

R. Seismic Loading: Amending Section 1617.5.1 of the 2003 IBC, Seismic Base Shear, Equation 16-56: 35 percent (35%) of flat roof snow load where flat snow load exceeds 30 pounds per square foot. (Ord. 964 §1, 2006; Ord. 893 §2, 2004; Ord. 830 §1 (part), 2002)

S. Section 1605.2.1 of the 2006 IBC is amended by deleting the equations for coefficient f_2 and replacing the coefficient f_2 as follows:

$f_2 = 0.70$ for roof configurations that do not shed snow off the structure, and
 $f_2 = 0.42$ for other roofs

T. Exception 2 of Section 1605.3.1 of the 2006 IBC is amended by deleting Exception 2 and replacing Exception 2 as follows:

2. Flat roof snow loads of 30 psf (1.44kN/m²) or less need not be combined with seismic loads. Where flat roof snow loads exceed 30 psf (1.44kN/m²), thirty five percent (35% shall be combined with seismic loads.

U. Exception 2 of Section 1605.3.2 of the 2006 IBC is amended by deleting Exception 2 and replacing Exception 2 as follows:

3. Flat roof snow loads of 30 psf (1.44kN/m²) or less need not be combined with seismic loads. Where flat roof snow loads exceed 30 psf (1.44kN/m²), thirty five percent (35% shall be combined with seismic loads.

V. Section 1608.02 of the 2006 IBC shall be amended to designate the ground snow load, p_g , for Hailey as determined on a site specific (CS) basis to be 120 psf.

W. Section 1608 of the 2006 IBC is amended by the addition of a new Subsection 1608.3, as follows:

1608.3 Flat roof snow loads. The snow load, p_f in lb/ft², on a roof with a slope equal to or less than 5° shall be the greater of 100 psf or the value calculated using the following formula:

$$p_f = 0.7C_e C_t I_p g$$

X. Section 1613 of the 2006 IBC is amended by the addition of new Subsection 1613.7, as follows:

1613.7 Effective seismic weight. The effective seismic weight in Section 12.7.2 and Section 12.14.8.1 of ASCE7-05 shall be amended as follows:

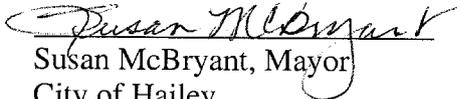
4. For all roofs regardless of roof slope 35% of the uniform design snow load shall be included in the effective seismic weight (W).

SECTION 2. 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. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its proclamation, passage and approval and posting in at least five (5) public places in the City of Hailey.

ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR this 10th day of December, 2007.


Susan McBryant, Mayor
City of Hailey

ATTEST:


Heather Dawson
Hailey City Clerk

Publish: Wood River Journal Dec 19, 2007

