

**ORDINANCE # 2018-1**  
**CITY OF BOVILL BUILDING CODE ORDINANCE**

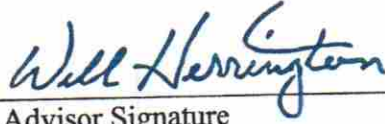
**AN ORDINANCE OF THE CITY OF BOVILL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; REPEALING PRIOR ORDINANCES AND AMENDMENTS PERTAINING TO BUILDING CODES; PROVIDING FOR FILING OF THE ADOPTED CODES IN THE CITY OF BOVILL; ADOPTING THE 2015 INTERNATIONAL BUILDING CODE, THE 2012 INTERNATIONAL RESIDENTIAL CODE, , THE 2012 INTERNATIONAL MECHANICAL CODE, THE 2012 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, IDAPA 07.03.01 AND 07.07.01, ALL AS THE CITY OF BOVILL BUILDING CODE; PROVIDING FOR AMENDMENT OF CERTAIN SECTIONS OF SAID CODES; PROVIDING A SECTION ON MANUFACTURED HOUSING AND BUILDINGS; PROVIDING FOR VOIDING PERMITS CONTRARY TO LAW; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A FEE SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Section 1 repeals prior ordinances and codes; Section 2 provides that the adopted codes be on file at the County Building Department, at the Latah County Courthouse, Moscow, Idaho; Section 3 adopts the following codes: the International Building Code, 2015 edition; the International Residential Code, 2012 edition, Parts I through VI and IX; the International Mechanical Code, 2012 edition; the International Fuel Gas Code, 2012 Edition; the International Energy Conservation Code, 2015 edition; the International Existing Building Code, 2015 edition; the International Property Maintenance Code, 2012; edition IDAPA 07.03.01 and 07.07.01; excluding all appendices thereto except as herein enumerated, and provides that these shall be the City of Bovill Building Code; Section 4 provides amendments to the International Building Code, 2015 Edition, the International Residential Code, 2012 Edition, and the International Existing Building Code, 2015 Edition; Section 5 regulates manufactured housing and buildings; Section 6 adopts amendments to the International Mechanical Code, 2012 Edition, and the International Fuel Gas Code, 2012 edition; section 7 provides that permits issued for any use contrary to law be void; Section 8 provides for enforcement using injunctions, provides that the violations shall be infractions punishable by a fine of up to three hundred dollars and that separate violation is deemed to have occurred with respect to each building or structure not in compliance, that each day such violation continues constitutes a separate offense, for the use of civil actions, withholding of permits and non-compliance; Section 9 provides for severability; Section 10 adopts the Appendix for fees and provides that this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law. Ordinance was passed by the City Council the 1st Day of October, 2018. A full text of this Ordinance is available at the Bovill Support Center, 306 Pine, Bovill, ID, Tuesday & Thursday from 10AM-2PM



  
Clerk of the City of Bovill

I, William L. Herrington, City Attorney for the City of  
Bovill, hereby certify that the above Summary of City of Bovill Ordinance #2018-1 is true and  
complete and provides adequate notice to the public.




Legal Advisor Signature

Date: October 1, 2018

**ORDINANCE # 2018-1**  
**CITY OF BOVILL BUILDING CODE ORDINANCE**

**AN ORDINANCE OF THE CITY OF BOVILL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; REPEALING PRIOR ORDINANCES AND AMENDMENTS PERTAINING TO BUILDING CODES; PROVIDING FOR FILING OF THE ADOPTED CODES IN THE CITY OF BOVILL; ADOPTING THE 2015 INTERNATIONAL BUILDING CODE, THE 2012 INTERNATIONAL RESIDENTIAL CODE, , THE 2012 INTERNATIONAL MECHANICAL CODE, THE 2012 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, IDAPA 07.03.01 AND 07.07.01, ALL AS THE CITY OF BOVILL BUILDING CODE; PROVIDING FOR AMENDMENT OF CERTAIN SECTIONS OF SAID CODES; PROVIDING A SECTION ON MANUFACTURED HOUSING AND BUILDINGS; PROVIDING FOR VOIDING PERMITS CONTRARY TO LAW; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A FEE SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Section 1 repeals prior ordinances and codes; Section 2 provides that the adopted codes be on file at the County Building Department, at the Latah County Courthouse, Moscow, Idaho; Section 3 adopts the following codes: the International Building Code, 2015 edition; the International Residential Code, 2012 edition, Parts I through VI and IX; the International Mechanical Code, 2012 edition; the International Fuel Gas Code, 2012 Edition; the International Energy Conservation Code, 2015 edition; the International Existing Building Code, 2015 edition; the International Property Maintenance Code, 2012; edition IDAPA 07.03.01 and 07.07.01; excluding all appendices thereto except as herein enumerated, and provides that these shall be the City of Bovill Building Code; Section 4 provides amendments to the International Building Code, 2015 Edition, the International Residential Code, 2012 Edition, and the International Existing Building Code, 2015 Edition; Section 5 regulates manufactured housing and buildings; Section 6 adopts amendments to the International Mechanical Code, 2012 Edition, and the International Fuel Gas Code, 2012 edition; section 7 provides that permits issued for any use contrary to law be void; Section 8 provides for enforcement using injunctions, provides that the violations shall be infractions punishable by a fine of up to three hundred dollars and that separate violation is deemed to have occurred with respect to each building or structure not in compliance, that each day such violation continues constitutes a separate offense, for the use of civil actions, withholding of permits and non-compliance; Section 9 provides for severability; Section 10 adopts the Appendix for fees and provides that this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law. Ordinance was passed by the City Council the 1<sup>st</sup> Day of October, 2018. A full text of this Ordinance is available at the Bovill Support Center, 306 Pine, Bovill, ID, Tuesday & Thursday from 10AM-2PM

  
\_\_\_\_\_  
Clerk of the City of Bovill

I, William L. Herrington, City Attorney for the City of Bovill, hereby certify that the above Summary of City of Bovill Ordinance #2018-1 is true and complete and provides adequate notice to the public.



Legal Advisor Signature

Date: October 1, 2018

**ORDINANCE # 2018-1  
CITY OF BOVILL BUILDING CODE ORDINANCE**

**AN ORDINANCE OF THE CITY OF BOVILL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; REPEALING PRIOR ORDINANCES AND AMENDMENTS PERTAINING TO BUILDING CODES; PROVIDING FOR FILING OF THE ADOPTED CODES IN THE CITY OF BOVILL; ADOPTING THE 2015 INTERNATIONAL BUILDING CODE, THE 2012 INTERNATIONAL RESIDENTIAL CODE, , THE 2012 INTERNATIONAL MECHANICAL CODE, THE 2012 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, IDAPA 07.03.01 AND 07.07.01, ALL AS THE CITY OF BOVILL BUILDING CODE; PROVIDING FOR AMENDMENT OF CERTAIN SECTIONS OF SAID CODES; PROVIDING A SECTION ON MANUFACTURED HOUSING AND BUILDINGS; PROVIDING FOR VOIDING PERMITS CONTRARY TO LAW; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City finds that the application of the adopted building standards and regulations within the incorporated portion of the City of Bovill is in the best interest of and will further the health, safety, and welfare of the public and the citizens of the City of Bovill; and

**WHEREAS**, per Idaho Code § 39-4116(4)(e), the City finds that the sections of Part III of the “Idaho residential code” amended by this Ordinance need amended, that good cause for building and life safety exists for such amendments, and that such amendments are reasonably necessary; and

**WHEREAS**, no new fees or fee increases are included; and

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

**WHEREAS**, the notification and hearing requirements, as set forth in Idaho Code, have been fully complied with;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Bovill, Idaho:

**SECTION 1. REPEAL OF PRIOR CODES.** That City of Bovill Ordinance No. 0-20133 and all subsequent amendments passed by the City Council are hereby repealed; except with respect to those portions repealing prior ordinances.

**SECTION 2. FILING OF CODE.** That the codes as adopted in this Ordinance shall be designated as the City of Bovill Building Code, one copy of each Code shall be available for inspection at the County Building Department, at the Latah County Courthouse, Moscow, Idaho.

**SECTION 3. CODES ADOPTED.** That the International Building Code, 2015 edition; the International Residential Code, 2012 edition, Parts I through VI and IX; the International Mechanical Code, 2012 edition; the International Fuel Gas Code, 2012 Edition; the International Energy Conservation Code, 2015 edition; the International Existing Building Code, 2015 edition; the International Property Maintenance Code, 2012; edition IDAPA 07.03.01 and 07.07.01; excluding all appendices thereto except as herein enumerated, are hereby adopted by the City of Bovill for the regulation of the erection, construction, enlargement, alteration, repair, moving, conversion, occupancy, use, height, area and maintenance of all buildings and structures in the City of Bovill, including installation of manufactured homes in accordance with the provisions of the Title 44, Chapter 22 Idaho Code. These Codes and regulations are hereby adopted by reference and shall be the City of Bovill Building Code.

The following appendices to the International Building Code, 2015 edition, are specifically adopted: Appendix C, Agricultural Buildings; Appendix E, Supplementary Accessibility Requirements; Appendix F, Rodent Proofing; Appendix G, Flood Resistant Construction; Appendix H, Signs; Appendix I, Patio Covers; and Appendix J, Grading.

The following appendices to the International Residential Code, 2012 edition, are specifically adopted: Appendix A, Sizing and Capacities of Fuel Gas Piping; Appendix B, Sizing of Venting Systems Serving Appliances with Draft Hoods, Category I Appliances, and Appliances listed for use and Type B Vents; Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems; Appendix D, Recommended Procedure for Safety Inspection of an Existing Appliance Installation; Appendix G, Swimming Pools, Spas and Hot Tubs; Appendix J, Existing Buildings and Structures; Appendix M, Home Day Care-R-3 Occupancy.

The following appendices to the International Existing Building Code, 2015 edition, are specifically adopted: Appendix A-1, Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings; Appendix A-2, Earthquake Hazard Reduction in Existing Reinforced Concrete and Reinforced Masonry Wall Buildings with Flexible Diaphragms; Appendix B, Supplementary Accessibility Requirements for Existing Buildings and Facilities; and Resource A, Guideline on Fire Ratings of Archaic Materials and Assemblies.

**SECTION 4. AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, 2015 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, AND THE INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION.**

That Section [A]105.2 of the International Building Code, 2015 Edition, Section R105.2 of the International Residential Code, 2012 Edition, and Section 105.2 of the International Existing Building Code, 2015 Edition, are hereby amended as follows:

**105.2 Work exempt from permit [R105.2] [105.2]**

15. [12.] [8.] Freestanding solar collectors not greater than 200 square feet and no higher than 10 feet above grade.

16. [13.] [9.] Commercially available membrane structures erected according to the manufacturer's instructions intended to provide weather protection for automobiles and recreational vehicles.

That Section 105.3 of the International Building Code, 2015 edition, and Section R105.3 of the International Residential Code, 2012 edition, are hereby amended as follows:

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

6. Be signed by the applicant/owner. When allowed by office policy, the applicant's authorized agent or contractor may sign the application with permission of the property owner.
8. For structures that have electrical, the electrical permit number. For structures that have plumbing, the plumbing permit number, when available. If not available at the time of application, these numbers shall be provided to the City as soon as they are acquired.

That Section 105.5 of the International Building Code, 2015 edition, and Section R105.5 of the International Residential Code, 2012 edition, are hereby amended as follows:

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

**Renewal.** When a permit has expired or is going to expire, a renewal permit must be obtained. No work can be recommenced on an expired project until the time a renewal permit has been issued. The fees for such renewal permits are specified in Appendix A of this Ordinance. All subsequent work, which was not previously approved, shall adhere to the most current adopted code.

That Section 109 of the International Building Code, 2015 edition, and Section R108 of the International Residential Code, 2012 edition, are hereby amended as follows:

**109.3 [R108.3] Building permit valuations.** Valuations are set in Appendix A of this Ordinance. When valuation data for certain projects is not available in Appendix A, the Building Official shall determine a valuation in accordance with the policy established in Appendix A. The corresponding fee shall be paid.

**109.6.1 [R108.5.1] Plan Review Fees.** When submittal documents are required by Section 107 [R106], a plan review fee shall be paid. Said plan review fee shall be as shown in Appendix A, of this Ordinance. A non-refundable fee deposit, in an amount set forth in

Appendix A, for commencement of the plan review shall be paid for projects exceeding \$30,000 in valuation.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 109 [R108] and are in addition to the permit fees. Any balance after deducting the plan review fee from the deposit shall be credited to the amount due for the permit fee, or any amount owing after the deduction of the deposit from the full plan review fee shall be added to the amount due for the permit fee. Regardless of circumstance, plan review fees shall not be reduced or waived.

**109.4 [R108.6] Work commencing before permit issuance.** Any person who commences work requiring a permit on a building, structure, gas or mechanical system before obtaining the necessary permits, where any enforcement action has begun, shall be subject to a fee, as set forth in Appendix A of this Ordinance, that shall be in addition to the required permit fees.

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

That Section 113 of the International Building Code, 2015 edition, and Section R112 of the International Residential Code, 2012 edition, and Section 112 of the International Existing Building Code, 2015 Edition, and Section C109 of the International Energy Conservation Code, 2015 Edition, are hereby amended as follows; and that all of the subsections of Section 111-Means of Appeal in the International Property Maintenance Code, 2012 Edition are hereby deleted and replaced as follows:

**113.1 [R112.1] [112.1] [111.1] [C109.1] General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Building Official shall be an ex-officio member of said board but shall have no vote on any matter before the board. This board shall have three members, not including the Building Official. The Board of Appeals shall be appointed by the City Council of the City of Bovill and shall hold office at its pleasure. A member of the Board of Appeals shall act as Secretary and shall take minutes of the proceedings. The Board of Appeals shall conform to the City of Bovill Hearing Procedures Ordinance, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

**113.2 [R112.2] [112.2] [111.2] [C109.2] Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed.



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

The Board of Appeals shall have no authority to waive any requirement of this code.

**111.3 [C109.3] Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and property maintenance and are not employees of the jurisdiction.

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

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

That Section 112.4 Failure to comply, of the International Property Maintenance Code, 2012 Edition, shall be amended as follows:

**112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$300 for each day the work continues.

That Section R202 Definitions, of the International Residential Code, 2012 edition, shall be amended as follows:

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

That Table R301.2(1), Climatic and Geographic Design Criteria, of the International Residential Code, 2012 edition, shall be completed as follows:

**Ground Snow Load:** 115 PSF, **Roof Snow Load:** 80 PSF

**Wind Speed:** 90 mph IRC; IBC 115 mph or design using 1609IBC or Chapter 26-30 ASCE 7

**Seismic Design Category:** B

**Subject to Damage from weathering:** Severe

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

**Subject to damage from termite:** Slight to moderate

**Subject to damage from decay:** None to slight

**Winter Design Temp:** 10 Degrees F.

**Ice Shield Underlayment Required:** Yes

**Flood Hazards:** Date of entry into the National Flood Insurance Program, 12-1979

Date of current Flood Insurance Rate Map Index: 12-18-1979 Panel #1602020001A

**Air Freezing Index:** 1500 or less

**Mean Annual Temperature:** 47.3 Degrees F.

That Section R302 of the International Residential Code, 2012 edition, shall be amended as follows:

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

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

That Section R303.3 of the International Residential Code, 2012 edition, shall be amended as follows:

**R303.3 Bathrooms and Kitchens.** Bathrooms and kitchens shall be provided with mechanical exhaust and shall be designed to exhaust the minimum air flow rate as set forth in Table M1507.4

That Section R304 of the International Residential Code, 2012 Edition, shall be amended as follows:

**R304.5 Minimum area of a dwelling unit.** A dwelling unit shall have a living room area of not less than 220 square feet of floor area. An additional 100 square feet shall be provided for each occupant of such unit in excess of two. The units shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower with a minimum floor area of 35 square feet. Regardless of square footage, all dwelling units less than 400 square feet shall be placed on a permanent foundation and meet the requirements of the relevant code standards to be considered permanent. If small dwellings are not considered permanent, they are considered temporary and are subject to Section 5.04 of this Ordinance.

That Section R403 of the International Residential Code, 2012 edition, shall be amended as follows:

**R403.1.1 Minimum size.** Minimum sizes for concrete and masonry footings shall be as set forth in Table 403.1 and Figure R403.1 (1). The footing width, *W*, for light frame construction shall be 16" for 1- and 2-story with soil bearing value of 1500 psf, and 23" for 3-story with soil bearing value of 1500 psf. Spread footings shall be a minimum of 8 inches (200 mm) in

thickness, or thicker where required by design loads. Footing projections, *P*, shall be at least 2 inches (51 mm), and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1 (2) and 403.1(3).

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

That Section R404.1.1 of the International Residential Code, 2012 edition, shall be amended as follows:

**R404.1.1 Masonry foundation walls.** Minimum width shall be 8 inches. Masonry basement walls shall be grouted solid below grade and at rebar above grade. Masonry foundation walls shall be constructed as follows: Walls up to 48 inches in height from the top of the footing, shall have a horizontal bond beam of # 4 rebar placed at the top course of block. A vertical #4 rebar shall be required at each corner and a maximum of 4 foot intervals. Walls over 48 inches in height shall have one (1) horizontal # 4 rebar placed at a maximum of 4 foot intervals and one (1) horizontal #4 rebar placed at top course. A vertical # 4 rebar shall be required at each corner and a maximum of 32 inch intervals. A horizontal # 4 rebar shall also be required at any course securing anchor bolts which fasten rim joists or beams to wall. Masonry over openings shall be supported in accordance with the details set forth in Section R606.10. Foundation walls in excess of 10 feet in height or retaining walls in excess of 8 feet of unbalanced backfill shall be engineered.

That Section R404.1.2 of the International Residential Code, 2012 Edition, shall be amended as follows:

**R404.1.2 Concrete foundation walls.** Concrete foundation walls shall be constructed as follows: For walls less than 48 inches in height from the top of the footing, horizontal rebar, #4, shall be spaced at intervals of a maximum of 18 inches and vertical rebar, #4, shall be spaced at intervals of a maximum of 48 inches. For walls more than 48 inches in height from the top of the footing, horizontal and vertical rebar, #4, shall be spaced at intervals of a maximum of 18 inches. The horizontal rebar shall be placed not greater than 9 inches from the top of the wall. Openings up to 6 feet in concrete walls shall have a lintel above with two #5 rebar or equivalent on the top and bottom, extending 2 feet past the opening on either side and within 1.5 to 3 inches of the opening. Openings greater than 6 feet shall be engineered. The minimum thickness shall be 8 inches for walls which support 2 or 3 stories above grade and all basement walls. Foundation walls in excess of 10 feet in height or retaining walls in excess of 8 feet of unbalanced backfill shall be engineered.

That Section R405.1 of the International Residential Code, 2012 edition, shall be amended as follows:

**R405.1 Concrete or masonry foundations.** Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or accessible spaces located below grade.

That Section G2402 (201) of the International Residential Code, 2012 Edition, is hereby amended as follows:

**G2402 (201.4) Alternate allowable installation.** Property owners shall be allowed to install gas piping provided the gas piping design and sizing is provided by a licensed plumbing or electrical contractor or a licensed plumbing or mechanical journeyman prior to permit issuance.

That Section G2427.4.1 of the International Residential Code, 2012 Edition, shall be amended as follows:

**G2427.4.1.1 (1).** All plastic pipe located within a structure used for venting flue gases shall be tested at five (5) psi for fifteen (15) minutes duration.

## **SECTION 5. MANUFACTURED HOUSING & BUILDINGS**

**SECTION 5.01 Installation Permits.** In order for any manufactured building as defined by Idaho Code to be installed, (including manufactured housing, as regulated by this Ordinance) within the incorporated areas of the City of Bovill, a valid installation permit must be issued by the City for the specific building and site. All applications for installation permits shall be issued by the Building Official upon compliance by the applicant with the provisions of this Ordinance and any regulation adopted pursuant thereto, any other state or local regulation pursuant thereto, and any other applicable legal requirements.

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

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

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

- A. A building site which meets all applicable requirements of this Ordinance and the criteria set forth in all City of Bovill Ordinances shall be designated.
- B. All setback, height, and lot size requirements of the zone and all criteria set forth in all City of Bovill Ordinances shall be met. If the building site is an approved space within a manufactured housing development, the manufactured home park development plans for setbacks shall prevail along with the setback and separation distances for structures contained in the building codes referenced in this Ordinance.
- C. Permits shall be issued only for those manufactured housing units meeting all of the specifications and minimum health and safety standards for plumbing, heating, electrical,

and frame and body design established pursuant to Title 39, Chapters 40 and 41 of the Idaho Code. Furthermore, all manufactured housing units shall meet state installation standards in Title 44, Chapter 22 of the Idaho Code. All manufactured housing units shall bear an insignia of approval of the state in which the manufactured home was built.

- D. Exterior electrical and plumbing connections shall be approved by the agency having jurisdiction.

**SECTION 5.03 Application.** Applications for installation permits shall be in writing, signed by the applicant, and shall contain the following:

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

**SECTION 5.04 Permanent Living Quarters.** Nothing within this Ordinance shall be construed to allow a camping trailer, licensed vehicle or trailer, tent, yurt, recreational vehicle (including park models), or any other vehicle, accessory structure, or item as a permanent dwelling.

**SECTION 5.05 Fee.** The installation permit application shall be accompanied by such fee as indicated in Appendix A.

**SECTION 5.06 General Installation Provisions.**

- A. **Building Inspection Requirements.** Prior to the occupancy of any manufactured housing unit in the City of Bovill, the Building Official shall inspect such manufactured housing unit and certify that its occupancy for permanent living quarters will not violate any laws,

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

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

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

**SECTION 5.08 Remodels Or Changes To Interior Of Manufactured Buildings.** A building permit is required and must be obtained for any remodel or change to the interior of a manufactured building before any changes can be made.

## **SECTION 6. AMENDMENTS TO THE 2012 INTERNATIONAL MECHANICAL CODE AND THE 2012 INTERNATIONAL FUEL GAS CODE.**

That Section 106.5.2 of the International Mechanical Code, 2012 Edition, and 106.6.2 of the International Fuel Gas Code, 2012 edition, are hereby amended as follows:

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

### **106.5.3 [106.6.3 IFGC] Fee refunds.**

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

canceled before any plan review effort has been expended.

That Section 108 of the International Mechanical Code, 2012 edition, and the International Fuel Gas Code, 2012 edition, are hereby amended as follows:

**108.4 Violation penalties.** Any person who willfully violates any provision of this chapter or who willfully violates any provisions of the codes enumerated in this chapter or rules promulgated by the administrator or the board pursuant to this chapter or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, is guilty of a misdemeanor, and upon conviction, shall be fined not more than three hundred dollars (\$300), or imprisoned for not more than ninety (90) days or by both fine and imprisonment. Violations of this chapter shall be tried in any court of competent jurisdiction within the state of Idaho. A separate violation is deemed to have occurred with respect to each item not in compliance with this chapter. Each day such violation continues constitutes a separate offense.

That section 109 of the International Mechanical Code, 2012 edition and the International Fuel Gas Code, 2012 edition, are hereby amended as follows:

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

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

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

#### **109.2 Membership of board. DELETED**

**109.2.1 Qualifications.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Building Official shall be an ex-officio member of said board but shall have no vote on any matter before the board. This board shall have three members, not including the Building Official. The Board of Appeals shall be appointed by the City Council of the City of Bovill and shall hold office

at its pleasure. A member of the Board of Appeals shall act as Secretary and shall take minutes of the proceedings. The Board of Appeals shall conform to the City of Bovill Hearing Procedures Ordinance, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

109.2.2 **Alternate members.** DELETED

109.2.3 **Chairman.** DELETED

109.2.5 **Secretary.** DELETED

109.3 **Notice of meeting.** DELETED

109.4.1 **Procedure.** DELETED

109.5 **Postponed hearing.** DELETED

109.6 **Board decision.** DELETED

109.6.1 **Resolution.** DELETED

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

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

- A. **Injunction.** The City of Bovill may obtain from a district court having jurisdiction, an injunction enjoining the construction or installation of buildings or structures on any building site upon affidavit of the City that such building or structure does not conform to the requirements of this Ordinance. The affidavit must set forth such violations in detail. The injunction may be made permanent, at the discretion of the court.
- B. **Criminal Action.** Any person who willfully violates or fails to comply with any provisions of this Ordinance or any provisions of the codes enumerated in this Ordinance or rules promulgated by the administrator of this Ordinance or the board pursuant to this Ordinance or the codes enumerated in this Ordinance, or who, having obtained a permit hereunder, shall willfully fail to continue to comply with the conditions as set forth herein, is guilty of a misdemeanor, and upon conviction, shall be fined not more than three hundred dollars (\$300.00), or imprisoned for not more than ninety (90) days, or by both fine and imprisonment. A separate violation is deemed to have occurred with respect to each building or structure not in compliance with this Ordinance. Further, each day



such violation continues constitutes a separate offense.

- C. **Civil Action.** Notwithstanding any other remedies available, any person, damaged as a result of a violation of this Ordinance or the codes enumerated herein or promulgated pursuant to this Ordinance has a cause of action in any court of competent jurisdiction against the person who committed the violation, and if such damaged person prevails, they shall be entitled to a reasonable attorney's fees to be determined by the court, together with court costs.
- D. **Withholding Of Permits.** The City may withhold permits, including building permits and certificates of occupancy, on lots or parcels of land where a violation of any provision of this code or other City regulation exists, unless the permit being requested is to resolve the violation(s). The City may also suspend issuance of permits, including building permits and certificates of occupancy to applicants who have demonstrated a record of unresolved noncompliance with provisions of this code. If a permit is withheld, the City shall refer to the notice and order that details the violations or any letter sent regarding the land use ordinance. If a notice and order or letter of violation has not been issued, the Building Official, within 30 days of the denial of a permit, shall issue a notice and order in accordance with section F below; or in the case of a violation of a different City code, the City shall issue a letter detailing the violations in accordance with the procedures set out in said code.
- E. **Recordation of Noncompliance.** Notwithstanding any other remedies available, the City, through the Building Official, may, to ensure that future owners of properties are put on notice of noncompliance, record with the Latah County Auditor any letter, document, or item that describes the matter of noncompliance on a property. This may be done anytime after the issue of noncompliance is discovered.
- F. **Notice of Noncompliant Building or Structure or Other Code Violation.**
1. **Commencement of Proceedings.** When the Building Official has inspected or caused to be inspected any building or structure or property and has found that such building or structure or property is noncompliant, or the Building Official is unable to verify compliance because required inspections have not been requested and performed, the Building Official shall commence proceedings to cause the repair or inspection of the building or structure.
  2. **Notice and Order, and Appeal Process.** The Building Official shall issue a notice and order directed to the record owner of the building or structure. The notice and order shall contain:
    - a. The street address, if issued, and/or a legal description or Assessor's parcel number sufficient for identification of the premises upon which the building or structure is located.
    - b. A statement that the Building Official has found the building or structure to be noncompliant with a brief and concise description of the conditions found to render the building or structure noncompliant under the

applicable provisions of the applicable code.

- c. A statement of the action required to be taken as determined by the Building Official and that any person having any record title or legal interest in the building or structure may appeal from the notice and order or any action of the Building Official to the Board of Appeals, in accordance with Section 113 of the International Building Code, 2015 edition, and Section R112 of the International Residential Code, 2012 edition; and (2) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

3. **Service of Notice and Order.** The notice and order shall be mailed by regular mail, or by any other method of service or delivery at the discretion of the Building Official, to the owner of the property as shown on the tax record of the property. The failure of the Building Official to serve any person having an interest in the property that is not shown on the tax records of the County shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this Section. The failure of any person to receive notice as set out in Paragraph 3 of this Section shall not affect the validity of any proceedings taken under this Section. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section.

4. **Proof of Service.** The City and the Building Official shall keep a copy of the notice and order sent with the records of the noncompliance for the property

5. **Recordation of noncompliance.** If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Building Official shall file in the office of the County Recorder a certificate describing the property and certifying (i) that the building or structure is noncompliant and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists on the property described in the certificate, the Building Official shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer noncompliant, whichever is appropriate.

G. **Referral for Further Action.** The Building Official shall notify the City Attorney's office of completion of any of the above sections and, when the City Attorney hasn't already taken action, refer the matter to the City Attorney's office for a determination of any further action.

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

**SECTION 10. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED by the City Council of the City of Bovill, this 9<sup>th</sup> Day of October, 2018.

Sam Wally  
Mayor

Tracy A. Owen  
Attest, Clerk of the City of Bovill



**“APPENDIX A”  
BUILDING VALUATION AND FEES**

**VALUATIONS**

All valuations are as stated in the ICC Building Valuations as published in the February 2013 issue of the Building Safety Journal with the following additions:	
Foundations (new construction not incl. installation is exempt from foundation valuation):	
Crawlspace (Headroom < 7 feet)	\$20.50/sq. ft.
Unfinished basement	50% of the value of finished residential space
Moved Building	\$30.00/sq. ft.
Decks	\$12.50/sq. ft.
Porch Cover/Deck Cover	\$12.50/sq. ft.
Pole Buildings	\$20.00/sq. ft.
Foundation repair / retaining wall	\$50.00 per lineal foot up to 4 ft. in height plus \$10.00 per lineal foot for each additional foot in height

**TABLE 1-A – BUILDING PERMIT FEES**

TOTAL VALUATION	BASE FEE	ADDITIONAL UNITS/ FRACTIONS THEREOF
\$1.00 to \$500.00	\$50.00	
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00	\$1.30 for each additional \$100.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus	\$14.00 for each additional \$1,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00	\$10.10 for each additional \$1,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00	\$7.00 for each additional \$1,000.00
\$100,001.00 and up	\$993.75 for the first \$100,000.00	\$7.00 for each additional \$1,000.00

## GENERAL FEES

Plan Review All structures requiring a plan review shall be charged an additional 65% of the permit fee for such	65% of permit fee
Non-refundable fee deposit for commencement of the plan review for projects exceeding \$30,000 in valuation	\$700.00
Re-Roof	\$50.00
Siding	\$50.00
Window Replacement (No Change in Size)	\$50.00
Manufactured/Modular Home Installation	
Single wide	\$100.00
Double wide	\$150.00
Triple wide/Modular	\$200.00
Conversion to a U occupancy	\$50.00
Residential Wind & Telecommunication Towers	\$2.00 per ft. in elevation above ground level measured to the highest point of any part of the tower including the blades of any wind turbine \$100.00 minimum
Commercial Telecommunication Towers & Electric Generating Wind Turbines	\$11.00 per ft. in elevation above ground level measured to the highest point of any part of the tower including the blades of any wind turbine. \$100.00 minimum
Solar System Installation	\$50.00
Detached Pre-Manufactured Accessory Structures (Not pre-built)	\$50.00 (10' walls up to 400sq.ft.)
Wood stove/Pellet Stove Inspections	\$50.00
Signs: If a permit is required:	\$50.00
Residential Fences (Over 6 ft.)	\$50.00
Permit extension– Maximum (4) - 1st is free	\$25.00
Permit renewal – prior to expiration	25% of the original permit fee; \$100 minimum
Permit renewal expired to 5 years	50% of the original permit fee; \$100 minimum
Permit renewal expired > 5 years	Full permit fee
Work commencing without a permit	25% of the permit fee
Appeals	\$150.00
Alterations/Remodels Level 1	10% of full permit fee based on square footage
Alterations/Remodels Level 2	45% of full permit fee based on square footage
Alterations/Remodels Level 3	90% of full permit fee based on square footage
Additions, alterations, or other items not specified in the fee schedule where square footage on building valuation data sheets cannot be used, shall be valued at the bona fide contractual price or by doubling material costs to account for labor costs.	

GENERAL FEES, CONT.

Other Inspections and Fees:	
Inspections outside of normal business hours	\$50.00 per hour –minimum charge-two hours
Reinspection fees	\$50.00 per hour
Inspections for which no fee is specifically indicated	\$50.00 per hour -minimum charge-one hour
Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour
Building Department use of outside consultants for plan review, inspection, or both	Actual costs. Actual costs include all actual costs plus administrative and overhead costs

MECHANICAL PERMIT FEES

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

**ICC BUILDING VALUATION DATA**  
**AS PUBLISHED FEBRUARY 2013**  
**BUILDING SAFETY JOURNAL**

Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	218.43	211.06	205.70	197.03	185.03	179.84	190.46	169.17	162.46
A-1 Assembly, theaters, without stage	199.96	192.59	187.22	178.56	166.57	161.38	171.98	150.70	144.00
A-2 Assembly, nightclubs	170.48	165.64	161.01	154.54	145.16	141.23	148.83	131.55	127.83
A-2 Assembly, restaurants, bars, banquet halls	169.48	164.64	159.01	153.54	143.16	140.23	147.83	129.55	126.83
A-3 Assembly, churches	201.93	194.56	189.19	180.53	168.68	163.49	173.95	152.81	146.11
A-3 Assembly, general, community halls, libraries, museums	168.94	161.57	155.21	147.54	134.66	130.47	140.97	118.80	113.09
A-4 Assembly, arenas	198.96	191.59	185.22	177.56	164.57	160.38	170.98	148.70	143.00
B Business	175.94	169.50	163.74	155.73	141.26	135.99	149.30	124.14	118.20
E Educational	183.47	177.15	171.88	164.04	152.79	144.62	158.31	132.93	128.42
F-1 Factory and industrial moderate hazard	105.35	100.40	94.40	90.74	80.87	77.38	86.70	66.73	62.58
F-2 Factory and industrial low hazard	104.35	99.40	94.40	89.74	80.87	76.38	85.70	66.73	61.58
H-1 High Hazard, explosives	98.69	93.74	88.74	84.08	75.41	70.92	80.04	61.27	0.00
H234 High Hazard	98.69	93.74	88.74	84.08	75.41	70.92	80.04	61.27	56.12
H-5 HPM	175.94	169.50	163.74	155.73	141.26	135.99	149.30	124.14	118.20
Institutional, supervised environment	172.59	166.52	161.68	154.82	142.07	138.32	154.51	127.48	123.05
I-2 Institutional, hospitals	298.73	292.30	286.54	278.52	263.00	0.00	272.10	245.87	0.00
I-2 Institutional, nursing homes	206.50	200.06	194.30	186.29	171.80	0.00	179.86	154.67	0.00
I-3 Institutional, restrained	200.40	193.96	188.20	180.19	167.24	160.97	173.76	150.11	142.18
I-4 Institutional, day care facilities	172.59	166.52	161.68	154.82	142.07	138.32	154.51	127.48	123.05
M Mercantile	127.05	122.21	116.58	111.11	101.45	98.53	105.40	87.85	85.12
R-1 Residential, hotels	173.90	167.83	162.99	156.13	143.63	139.89	155.83	129.05	124.61
R-2 Residential, multiple family	145.89	139.82	134.98	128.12	116.31	112.56	127.81	101.72	97.29
R-3 Residential, one- and two-family	137.67	133.88	130.54	127.18	122.21	119.14	124.55	114.28	107.08
R-4 Residential, care/assisted living facilities	172.59	166.52	161.68	154.82	142.07	138.32	154.51	127.48	123.05
S-1 Storage, moderate hazard	97.69	92.74	86.74	83.08	73.41	69.92	79.04	59.27	55.12
S-2 Storage, low hazard	96.69	91.74	86.74	82.08	73.41	68.92	78.04	59.27	54.12
U Utility, miscellaneous	73.21	69.14	64.71	61.11	54.84	51.28	58.17	42.89	40.62