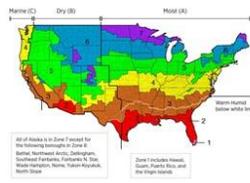


2020

Association of Idaho Cities Building Code Adoption Toolkit



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EXECUTIVE SUMMARY

Safely constructed buildings are instrumental in preventing fire, protecting interior building air quality, and ensuring overall regional resiliency in the event of natural and man-made emergencies. Idaho building codes provide essential tools that protect public health and safety through important safeguards from hazards associated with the built environment. The adoption and implementation of Idaho Building Codes reflects a city's commitment to the creation of a development friendly environment which allows for the use of the most modern technologies, and local governments promise to insure that the buildings in which our citizens live, work, worship and recreate are safe.

Cities and counties are authorized, but not required to, adopt, and enforce building codes as stated in Idaho Code 39-4103. Even so over 156 Idaho cities, representing over 99% of all Idaho city residents that live in cities, have adopted Idaho Building Codes. These Idaho cities understand that there are compelling reasons for the adoption and implementation of building codes.

Examples of how the adoption of the building codes, including the Idaho Energy Conservation Code, is important for the State of Idaho include how building codes:

- are necessary for government-backed loans for Idaho's military veterans and low-income citizens;
- help make home ownership more affordable by reducing heating and cooling costs; and
- improve community members' abilities to successfully 'shelter in place' during emergencies.

The Idaho Building Code Board made recommendation for adoption, and the Idaho Legislature approved adoption for, the Idaho Building Codes during the 2020 Legislative Session.¹

Idaho cities that have chosen to adopt Idaho Building Codes previously are now required to adopt the updated Idaho Building Codes by January 1, 2021.

The purpose of this Toolkit is to assist local Idaho governments in carrying out their responsibilities as they pertain to the adoption and implementation of building codes. This Toolkit is not a substitute for a thorough understanding of the law and all local officials should be aware of the laws governing code adoptions, permitting and oversight of building construction and renovation. For example, even when contracting with state or county entities for local building inspections and plan reviews, cities must still plan and budget to administer and enforce their issued building permits. If you have any questions on building code adoption issues, please contact AIC at (208) 344-8594.

¹ Building codes revised and adopted in 2020 include the 2018 International Building Code for commercial buildings, the 2020 Idaho Residential Code (the 2018 International Residential Code with amendments), the 2020 Idaho Energy Conservation Code (the 2018 International Energy Conservation Code with amendments), and the 2018 International Existing Building Code. Together these are referred to in this Toolkit as the "Idaho Building Codes."

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CHAPTER 1: INTRODUCTION

Idahoans are privileged to enjoy a quality of life that is envied by the rest of the country. We have unparalleled natural resources, our neighborhoods are safe and clean, and all Idahoans enjoy the inviting small-town atmosphere of our communities. Each year, tens of thousands of new residents come to Idaho seeking a new way of life. This growth brings opportunities for economic growth and development; however, it also results in increased citizen demands for services and infrastructure.

Safely constructed buildings are instrumental in preventing fire, protecting interior building air quality, and ensuring overall regional resiliency in the event of natural and man-made emergencies. The Idaho Building Codes² provide essential tools that protect public health and safety through important safeguards from hazards associated with the built environment. The adoption and implementation of the Idaho Building Codes reflects a city's or county's commitment to the creation of a development friendly environment which allows for the use of the most modern technologies, and local governments promise to insure that the buildings in which our citizens live, work, worship and recreate are safe.

- Building codes protect public health and safety by ***ensuring buildings are properly constructed.***

The purpose of this Toolkit is to assist local Idaho governments in carrying out their responsibilities as they pertain to the adoption and implementation of building codes. This Toolkit is not a substitute for a thorough understanding of the law and all local officials should be aware the laws governing code adoptions, permitting and oversight of building construction and renovation. For example, even when contracting with state or county entities for local building inspections and plan reviews, cities must still plan and budget to administer and enforce their issued building permits. If you have any questions on building code adoption issues, please contact AIC at (208) 344-8594.

International Building Codes in Idaho

The International Codes³ are re-released with updates once every three years to ensure the codes reflect the rapidly evolving building industry practices and technologies. Updates also ensure the codes comply with emergency planning requirements for communities such as flood damage prevention, participation with the National Flood Insurance Program (NFIP), and community risk-based insurance ratings that inform property lending and investing decisions.

The Idaho Building Code Board reviews and amends the International Codes and updates the Idaho building codes on an on-going basis, and according to the process outlined by the Idaho statutes. The Board's code adoption recommendation must then be approved and adopted by the Idaho Legislature.

The Idaho Building Code Board recommended for adoption, and the Idaho Legislature approved and adopted, the Idaho Building Codes during the 2020 Legislative Session. Idaho cities and counties that have previously adopted Idaho Building Codes are now required to adopt the updated Idaho Building

² The International Building Codes reviewed by the Idaho Building Code Board include the following: International Building Code (IBC): Commercial; International Residential Code (IRC): Residential; International Existing Building Code (IEBC): Residential & Commercial; and International Energy Conservation Code (IECC): Residential & Commercial. Code coordination is also needed between these codes and the International Fire Code, Electrical Code, Plumbing Code, Fuel Gas Code, and Mechanical Code (i.e., HVAC).

³ A complete list of current Idaho Building Codes can be found at: <https://www.iccsafe.org/advocacy/adoptions-map/idaho/>, accessed 10/2020.

Codes by January 1, 2021. Please note that the updated Idaho Building Codes encompass the 2018 International Building Code for commercial buildings, the 2020 Idaho Residential Code (the 2018 International Residential Code with amendments), the 2020 Idaho Energy Conservation Code (the 2018 International Energy Conservation Code with amendments), and the 2018 International Existing Building Code.

Common Goals for Idaho

The adoption of Idaho Building Codes is supported by a united coalition of diverse stakeholders. Stakeholders supportive of building code adoption, as amended for Idaho, include the Idaho Associated General Contractors (AGC), Idaho Building Contractors Association (IBCA), Association of Idaho Cities (AIC), Idaho Association of Counties (IAC), Idaho Association of Building Officials (IDABO), American Institute of Architects (AIA) Idaho Chapter, Building Owners and Managers Association of Idaho (BOMA Idaho), and others. Their support stems from how the 2020 Idaho Residential Codes and 2020 Idaho Energy Conservation Codes reflect additional flexibility for code compliance, and will provide uniform, statewide minimum building codes that are generally already being achieved by Idaho's building construction industry.

AIC and other Idaho stakeholders have identified common goals regarding Idaho's adoption of Idaho Building Codes. These include:

- Uniformity of minimum building code requirements among diverse jurisdictions.
- Ensure Idaho's building codes keep up with rapidly evolving building construction industry and technologies.
- Protect Idaho communities' compliance with emergency planning requirements, support voluntary participation in the National Flood Insurance Program (NFIP), and to provide for favorable community risk-based ratings for lending and investing decisions.

Ensuring these codes are aligned and consistent with current building industry practices, and where flexible compliance pathways are provided for, are also critical for keeping new and remodeled buildings construction costs low.

Building Codes: Public Safety and Keeping up with Current Industry Practices

Building codes fall into the public 'safety' arena because of how the implementation and construction standards used to comply with these codes affect the buildings' safety; that is, the codes are established to ensure proper construction of safe buildings that reflect current industry standards. This applies to energy conservation codes as well.

The adoption of updated building codes ensures Idaho's buildings are safe. As for the impact to the Idaho building industry that may result from the 2020 Idaho Building Codes, compliance research for Idaho conducted in 2018 demonstrates that the Idaho building construction industry is mostly building homes at or above the adopted energy conservation codes.⁴

⁴ See the Idaho Residential Energy Code Field Study and supporting Memo: https://cdn.ymaws.com/idahocities.org/resource/resmgr/energy_efficiency/idaho_field_study_state_repo.pdf, https://cdn.ymaws.com/idahocities.org/resource/resmgr/energy_efficiency/idaho_residential_field_stud.pdf.

Community Insurance and Ratings

Communities that adopt and implement current building codes may benefit from lower property insurance rates. There is generally a 5-year update cycle for Idaho Department of Insurance community rating assessments.⁵ This suggests that the Idaho Building Codes should be reviewed, amended, and adopted every 3 to 4 years. If future International Building Codes are not adopted, or if the adoption is substantially delayed, there is a very real risk that home and commercial building insurance rates will increase. AIC supports the adoption of new building codes every 3 to 4 years to avoid these and other negative impacts to our members' community ratings and building stock.

A Brief History of Idaho Building Codes

Starting in 2003, the 2000 International Building Codes (i.e., International Building Code for commercial buildings, International Residential Code for residential buildings, International Energy Conservation Code, and International Existing Building Code for existing buildings, were adopted and approved for the State of Idaho. These minimum building codes have generally been reviewed, amended, and updated every three years, except for the International Residential Code and International Energy Conservation Code between 2009/12 and 2015.⁶

Prior to 2009, local jurisdictions could amend those codes if the amendments established at least an equivalent level of protection. In 2009, the Legislature took steps to eliminate inconsistencies between local jurisdictions. Idaho Code 39-4116 was amended to provide the following:

- Local jurisdictions are to adopt the same version of the international codes that are adopted by the Idaho Building Code Board, including amendments made through the negotiated rule making process.
- Adoption by Local jurisdictions shall be by January 1 of the year following the Board adoption.
- Local jurisdictions may make further amendments so long as those amendments were not expressly rejected by the Board, they don't amend the accessibility provisions as stated in Idaho Code 39-4109, the local governing body makes a finding that the amendments are reasonably necessary, and the local jurisdiction holds a public hearing per Idaho Code 39-4116 and following the notice procedures set out in Idaho Code 39-4109.

The Legislature placed an additional constraint to local jurisdiction adoption of energy conservation codes for residential buildings during the 2018 legislative session to only allow the adoption of those energy conservation codes adopted and approved by the State of Idaho. This additional constraint now applies to local jurisdictions with building codes. These cities and counties are now required to adopt the Idaho Building Codes as adopted in 2020 by January 1, 2021.

⁵ See <https://www.verisk.com/siteassets/media/downloads/underwriting/location/2019-bcegs-schedule.pdf>.

⁶ The IECC adopted code in Idaho was amended to reflect 2009 requirements in both the 2012 and 2015 for Idaho, and the IRC Idaho-adopted code was the 2012 version from 2012 through 2018. These have now been updated to the 2018 Idaho Building Codes.

CHAPTER 2: IDAHO BUILDING CODE ACT

The Idaho Building Code Act, Title 39, Chapter 41 establishes the intent of the Legislature.⁷ The principles established by the Legislature and legislative intent can be useful in understanding and interpreting the law. The Idaho Building Code Act's legislative intent can be summarized as follows:

- Establish uniformity of building codes
- Promote the health, safety, and welfare of the occupants of homes and buildings
- Provide minimum performance/construction standards in terms of engineering, fire safety, life safety, mechanical equipment installations, and accessibility for those with disabilities
- Establish the building codes to be used by those jurisdictions choosing to enforce building codes.
The codes will establish minimum requirements in terms of:
 - Performance
 - Energy efficiency
 - Effect upon construction costs
 - Consistency with nationally accepted standards
- Allow for the use of modern technical innovations in materials and techniques
- Establish the roles of state and local jurisdictions

Stakeholder Input - The Role of the Idaho Building Code Board

The Idaho Building Code Board serves as a board of appeals for the Idaho Division of Building Safety (DBS) as a rulemaking board and as the body that recommends which building codes to be adopted by state and local governments. The Board consists of ten members representing various interests. The positions on the board⁸ include:

- A local fire official
- A registered engineer
- A licensed architect
- A county building official
- A city building official
- A residential contractor
- A commercial contractor
- A representative of the modular building industry
- An individual with a disability from an organization that represents people with all types of disabilities
- A member of the public

Updating the International Building Codes

The International Code Council usually updates building codes every three years. The Idaho Building Code Board and the Idaho Legislature have the authority to review and adopt the new editions of the codes. For the rules adopted by the Board to be in effect, the rules must be approved by the Legislature. It is through this process that the "International Building Codes" become the "Idaho Building Codes." Starting in 2017 DBS commissioned the production of an Idaho Residential Code so

⁷ See <https://legislature.idaho.gov/statutesrules/idstat/title39/t39ch41>, accessed 10/2002.

⁸ The DBS website lists the current representatives: <https://dbs.idaho.gov/boards/idaho-building-code-board/>.

that the amendments could be integrated into the main documents. A similar approach was applied to the International Energy Conservation Code, which became the 2017 Idaho Energy Conservation Code. Copies of this and other codes in effect for Idaho can be found at <https://up.codes/codes/idaho>.

Building Code Review, Amendments, and Adoption

During 2018 and 2019 the Idaho Building Code Board reviewed and recommended adoption of the 2018 International Building Codes, with certain Idaho-specific amendments. The Idaho Legislature approved and adopted the Idaho Building Codes during the 2020 Legislative Session. The Board facilitated special work sessions to ensure robust engagement and vetting by Idaho's diverse building construction industry representatives, local governments, and trade organizations. A summary of Idaho amendments to the International Building Codes is provided through the Idaho Association of Building Code Officials at <http://www.idabo.org/code-updates>. AIC actively participated in the review and amendments to the Idaho Building Codes to ensure the codes are aligned and consistent with current building industry practices, while providing flexible compliance pathways.

Building Code Decision Appeals to the Idaho Building Code Board

Idaho code 39-4107 and 39-4120 outline the Powers and Duties of the Idaho Building Code Board and appeals to the Board.⁹ These powers and duties include how the Board shall continuously study the operation of adopted codes, standards, and rules relating to the construction of buildings or facilities under the jurisdiction of DBS. The Board's duties also include how the Board shall function as a Board of Appeals for DBS and may not waive any requirements of the adopted Idaho Building Codes. Please note that the Idaho Building Code Board does not perform as a board of appeals for local governments, nor does it set permit fees for local governments.

The Role of State Government – Division of Building Safety

According to the Idaho Building Code Act, all state-owned buildings, including buildings constructed for use by state agencies, must comply with the building codes in Idaho Code 39-4109.¹⁰ DBS is the agency charged with the enforcement of building codes for state buildings.

Schools

DBS is charged with reviewing and approving all school plans, but it does not perform building inspections for schools (except under contract with local government jurisdictions). However, local governments are also allowed to perform and charge for plan reviews and building inspections for public schools located within their jurisdiction.

Manufactured Homes & Modular Buildings

DBS has sole jurisdiction for in-plant inspections of manufactured homes and modular buildings (including commercial coaches) in addition to establishing statewide installation standards for manufactured or mobile homes.

Contracts between the Idaho Division of Building Safety & Local Governments

Several Idaho cities contract with either their county or DBS to perform plan reviews and building inspections when the city does not have properly certified staff or does not contract with a private party to perform those services. A few counties also contract with DBS for plan review and inspection

⁹ <https://legislature.idaho.gov/statutesrules/idstat/title39/t39ch41/sect39-4107/>, accessed 11/2020.

¹⁰ See <https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH41/SECT39-4109/>, accessed 10/2020.

services. Importantly, any local jurisdiction that contracts for plan review and building inspections must still administer and enforce their codes. To explore these and other options for your city please reach out to AIC at (208) 344-8594.

The Role of Local Governments

Cities and counties are authorized, but not required to, adopt, and enforce building codes as stated in Idaho Code 39-4103. However, counties and cities that have adopted building codes are required to adopt, implement, and enforce building codes in compliance with Idaho Code 39-4116.¹¹ All local governments that have adopted building codes are now required to adopt the updated Idaho Building Codes by January 1, 2021.

Any code previously adopted by a city or county, in keeping with the state law, is in effect until the January 1st deadline. At that point it is superseded by the codes adopted in 2020. Alternatively, if a local jurisdiction does not adopt the codes as adopted in 2020, the prior codes become unenforceable. Local governments that have building codes shall also establish a permit and inspection process for the inspections of all mobile/manufactured home installations and provide for the inspection of all work in accordance with the current Idaho adopted edition of the "Idaho Manufactured Home Installation Standard" and local zoning ordinances. Copies of the currently adopted installation standard can be viewed and downloaded by accessing DBS home page.¹² Idaho Code 44, Chapter 25 also requires local code adopters to withhold issuance of installation permits for pre-HUD mobile homes (manufactured prior to June 15, 1976) until they receive a certificate of rehabilitation compliance issued by DBS for the particular home to be installed.¹³

Adopting the Idaho Building Codes

Idaho cities and counties that have adopted previous versions of building codes are required to adopt the updated Idaho Building Codes by January 1, 2021 for enforceable codes. Part IX contains the appendices available for local jurisdictions as guidelines. If a local jurisdiction wishes to make an appendix mandatory, that specific appendix must be expressly adopted by ordinance.

AIC is providing two model ordinances and example Public Hearing notices in preparation for Idaho cities' adoption of the updated Idaho Building Codes. The model ordinance in Appendix A addresses when a public hearing is necessary, Appendixes B and C provide example Public Hearing notices (newspaper and receiving entity respectively), Appendix D is a model ordinance for when a public hearing IS NOT required, and Appendix E provides a sample 'fee resolution' for use when a city or county adopts or revises current building permit and inspection fees.

PLEASE CONSULT WITH YOUR CITY ATTORNEY PRIOR TO USING THE MODEL ORDINANCE(S) AND SAMPLE FEE RESOLUTION.

Amending the Code Adopted by the Idaho Building Code Board

Local governments may amend the codes to reflect local concerns including administrative (e.g., fees, employment, etc.), definitions, design criteria for local weather conditions, and Part IX Appendices. These amendments are allowed if they establish at least an equivalent level of protection to that of the

¹¹ See <https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH41/SECT39-4116/>, accessed 10/2020.

¹² See <https://dbs.idaho.gov/>, accessed 10/2020.

¹³ See <https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH25/>, accessed 10/2020.

adopted codes. However, a county or city does not have the authority to amend any accessibility or adopt energy conservation code provisions that have not been adopted or that have been expressly rejected or exempted from adoption in Idaho by the Idaho Building Code Board (See Idaho Code 39-4116¹⁴). AIC recommends cities and counties review the current constraints to amending the Idaho Building Codes by local governments in detail.¹⁵

When a city or county makes any other amendments to the codes adopted by the Idaho Building Code Board, a hearing must be held, a notice must be published in a newspaper, and written notice (can be delivered via e-mail) to the following: Associated General Contractors of America (AGC), Associated Builders and Contractors, Association of Idaho Cities (AIC), Idaho Association of Building Officials, Idaho Association of Counties (IAC), Idaho Association of REALTORS®, Idaho Building Contractors Association (IBCA), American Institute of Architects (AIA) Idaho chapter, Idaho Fire Chiefs Association, Idaho Society of Professional Engineers (ISPE), Idaho State Independent Living Council, Southwest Idaho Building Trades, Idaho Building Trades, and any other party that has provided to the local jurisdiction written request for notice.

Building Code Decision Appeals to Local Jurisdictions

Adopting the Idaho Building Codes by a local jurisdiction necessitates the creation of a Board of Appeals.¹⁶ The Board of Appeals hears and decides appeals of orders, decisions or determinations made by the building official. The Board of Appeals adopts rules of procedure for conducting its business and may not waive any requirements of the adopted Idaho Building Codes. In some situations, some cities may appoint as their board the same board established by a neighboring city or by their county.

Agricultural Building Exemptions

Local governments must exempt agricultural buildings from the requirements of the codes. However, a permit to assure compliance with road setbacks, utility easements, and zoning regulations may be required, provided that the cost for the permits does not exceed the actual cost to the city or county issuing the permits.

Chapter 3: Elements of a Successful Building Department

Successful building departments have some basic elements in common. AIC suggests Idaho cities and counties that have adopted building codes check to see how many of the following your building department has:

- A streamlined system for processing permits and performing inspections
- A good working relationship with local architects, engineers, and building contractors
- Certified building inspectors
- Certified plans examiners
- Self-supporting fee structures
- A board of appeals

¹⁴ See <https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH41/SECT39-4116/>, accessed 10/2020.

¹⁵ See https://cdn.ymaws.com/idahocities.org/resource/resmgr/publications/2020/constraints_on_code_amendmen.pdf, accessed 10/2020

¹⁶ See <https://codes.iccsafe.org/content/IBC2018P4/chapter-1-scope-and-administration>, accessed 11/2020.

- Support from the city council or board of county commission
- Administrative support
- Continuing education for staff
- Enough current code books
- REScheck and COMcheck energy code compliance software

Additional resources can be obtained by reaching out to the following:

- American Institute of Architects Idaho Chapter (annafoster@aiaidaho.com)
- Associated General Contractors of America (whammond@idahoagc.org)
- Associated Builders & Contractors (sschmidt@abcipc.org)
- Association of Idaho Cities (jbelle@idahocities.org)
- Idaho Association of Counties (sgrigg@idcounties.org)
- Idaho Association of Building Officials (tottens@amsidaho.com)
- Idaho Association of Realtors (jar@idahorealtors.com)
- Idaho Building Contractors Association (ralmanza@heritagewifi.com)
- Idaho Fire Chiefs Association (admin@idahofirechiefs.org)
- Idaho Society of Professional Engineers (ispe@idahosp.org)
- Idaho State Independent Living Council (mel.leviton@silc.idaho.gov)
- Idaho/Southwest Building Trades (jrf@smw55.org)
- NIBCA (info@nibca.com)

Chapter 4: Training and Technical Assistance

Certification of Building Inspectors

As of the early 2000s state and local building inspectors must hold or be able to acquire within a 6 month period, a valid certification as a building inspector or building plans examiner issued by the International Code Council (ICC).¹⁷ The full text of these requirements can be found at Idaho Code 39-4108.¹⁸

Idaho Building Codes Ordinance & Amendments Assistance

AIC will assist any city with the process of drafting and passing an ordinance to adopt the Idaho Building Codes. This assistance includes help with drafting local amendments to the codes.

AIC hosts a listserv for the Idaho Building Code Collaborative for notifications on training and other code-related events. This listserv allows members to write one email message which is sent to every member on the listserv. Responses to the email message also will be sent automatically to all members. To join the Building Code Collaborative Listserv, send an email to jbelle@idahocities.org. In the body of the message, type “subscribe to the Idaho Building Code Collaborative” and your name and organization. All Idaho cities and counties that have adopted building codes are encouraged to subscribe to this service.

¹⁷ See <https://www.iccsafe.org/> and accessed 10/2020

¹⁸ See <https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH41/SECT39-4108/>, accessed 10/2020.

Idaho Building Code Training & Energy Plan Review Opportunities

There are plenty of opportunities for building inspectors, contractors, architects, and engineers to learn about the new building codes. The Idaho Association of Building Officials (IDABO) has 6 chapters in Idaho and can be reached through their website: www.idabo.org. For training and resources that support energy conservation code and plan review, please go to www.IdahoEnergyCode.com.

Appendix A: Model Ordinance Adopting the International Codes – With a Public Hearing

ORDINANCE NO. __

AN ORDINANCE OF THE (CITY OF _____ OR COUNTY OF _____), A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REPEALING (Insert ordinance number or code section); ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, 2020 IDAHO RESIDENTIAL CODE, 2020 IDAHO ENERGY CONSERVATION CODE, AND 2018 INTERNATIONAL EXISTING BUILDING CODE, ADOPTED BY THE IDAHO BUILDING CODE BOARD, TOGETHER WITH ANY AMENDMENTS OR REVISIONS TO THE CODES MADE BY THE IDAHO BUILDING CODE BOARD THROUGH THE NEGOTIATED RULEMAKING PROCESS; PROVIDING FOR AMENDMENTS OR ADDITIONS TO THE ADOPTED CODES; PROVIDING FOR EXEMPTIONS; PROVIDING SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 20__.

WHEREAS, pursuant to Idaho code sections 39-4116(4)(e), a public hearing on the amendments to the International Building Code, Idaho Residential Code and the International Energy Conservation Code herein and proposed by the Building Official was conducted on _____, 20__, following Notice of the proposed amendments being published in the _____ newspaper on _____, 20__, with the time and date for the hearing, and written notice provided on _____, 20__ to Associated General Contractors of America, Associated Builders and Contractors, Association of Idaho Cities, Idaho Association of Building Officials, Idaho Association of Counties, Idaho Association of REALTORS®, Idaho Building Contractors Association, American Institute of Architects Idaho chapter, Idaho Fire Chiefs Association, Idaho Society of Professional Engineers, Idaho State Independent Living Council, Southwest Idaho Building Trades, Idaho Building Trades; and

WHEREAS, the (City Council OR County Commissioners) hereby finds that good cause exists for the amendments to the codes adopted herein; and

WHEREAS, the (City Council OR County Commissioners) hereby finds that the amendments herein do establish at least an equivalent level of protection to that of the 2018 International Building Code, 2020 Idaho Residential Code, the 2020 International Energy Conservation Code, and 2018 International Existing Building Code as adopted by the Idaho Building Code Board and approved by the Idaho Legislature.

NOW THEREFORE, IT IS ORDAINED by the (mayor and city council of the City of _____, _____ County, Idaho OR _____ County Commissioners) as follows:

Section 1. That (Insert ordinance number or code section(s)) of the (city of _____ or _____ County) is/are repealed.

Section 2. That the following nationally recognized codes are adopted as the official building codes of the (city of _____ OR _____ County):

- A. International Building Code: The international building code, 2018 edition, prepared by the International Code Council, Inc., as adopted by the state of Idaho or the Idaho building code board, together with any amendments or revisions to the International Building Code made by the Idaho Building Code Board through the negotiated rulemaking process, is adopted with the following amendments or additions:

(List the sections or rules being amended and how they are being amended)

- B. Idaho Residential Code: The Idaho residential code, 2020 edition, as adopted by the state of Idaho or the Idaho building code board, consisting of the 2018 International Residential Code prepared by the International Code Council, Inc. and amended by the Idaho building code board through the negotiated rulemaking process, is adopted.

(List the sections or rules being amended and how they are being amended)

- C. Idaho Energy Conservation Code: The Idaho energy conservation code, 2020 edition, as adopted by the state of Idaho building code board, consisting of the 2018 International Energy Conservation Code prepared by the International Code Council, Inc. and amended by the Idaho Building Code Board through the negotiated rulemaking process, is adopted.

- D. Idaho Existing Building Code: The Idaho existing building code, 2018 edition, as adopted by the state of Idaho building code board, consisting of the 2018 International Existing Building Code prepared by the International Code Council, Inc. and amended by the Idaho building code board through the negotiated rulemaking process, is adopted.

(List the sections or rules being amended and how they are being amended)

Section 3. Exemptions. Agricultural Buildings, as defined by the International Building Code, are exempt from the building codes adopted herein but shall remain subject to placement requirements and permits established by zoning regulations.

Section 4. Severability.

The ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 5. Repeal of Conflicting Provisions.

All other provisions of the current (_____ City Code OR _____ County Code) or ordinances of the (city of _____ OR _____ County) which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This ordinance shall be effective January 1, 20__, upon passage and publication as provided by law.

Enacted by the (city council OR County Commissioners) as an ordinance of the (city of _____ OR _____ County) on the ___ day of _____, 20__.

Approved by the Mayor on the ___ day of _____, 2010.

(CITY OR COUNTY) OF _____

(Mayor OR Board of County Commissioners)

ATTEST:

(City Clerk OR County Clerk)

Appendix B: Example Notice of Public Hearing (Newspaper)

NOTICE OF PUBLIC HEARING

On _____ at _____, at the _____, the _____ City Council/_____ County Commissioners will hold a public hearing on the proposed adoption of the _____ International Building Code, Idaho Residential Code, Idaho Energy Code, and International Existing Building Code as adopted or amended by the Idaho Building Code Board with additional amendments to:

Sections _____ of the 2018 International Building Code and add a Section _____ to such code.

Sections _____ of the 2020 Idaho Residential Code and to adopt parts _____ and appendix _____.

Sections 101.2, of the 2020 Idaho Energy Code.

Sections _____ of the 2018 International Existing Building Code and add a Section _____ to such code.

A copy of the proposed ordinance language is available in the office of the _____ at _____ for public inspection.

For more information please call the _____, at (208) _____.

_____ is an ADA accessible building. Persons with disabilities requesting special accommodations should make such request to the office of the _____ at least twenty-four (24) hours prior to commencement of the public hearing. The phone number for the _____ is (208)_____.

Publish on the following dated: _____ and _____.

Appendix C: Example Notice of Public Hearing (Recipient)

NOTICE OF PUBLIC HEARING

On _____ at _____, at the _____, the _____ City Council/_____ County Commissioners will hold a public hearing on the proposed adoption of the _____ International Building Code, Idaho Residential Code, Idaho Energy Code, and International Existing Building Code as adopted or amended by the Idaho Building Code Board with additional amendments to:

Sections _____ of the 2018 International Building Code and add a Section _____ to such code.

Sections _____ of the 2020 Idaho Residential Code and to adopt parts _____ and appendix _____.

Sections 101.2, of the 2020 Idaho Energy Code.

Sections _____ of the 2018 International Existing Building Code and to adopt parts _____ and appendix _____.

A copy of the proposed ordinance language is attached hereto.

For more information please call the _____, at (208) _____.

_____ is an ADA accessible building. Persons with disabilities requesting special accommodations should make such request to the office of the _____ at least twenty-four (24) hours prior to commencement of the public hearing. The phone number for the _____ is (208) _____.

Appendix D: Model Ordinance Adopting the International Codes –
Without a Public Hearing

ORDINANCE NO. ____

AN ORDINANCE OF THE (CITY OF _____ OR COUNTY OF _____), A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REPEALING (Insert ordinance number or code section); ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, 2020 IDAHO RESIDENTIAL CODE, 2020 IDAHO ENERGY CONSERVATION CODE, AND 2018 INTERNATIONAL EXISTING BUILDING CODE ADOPTED BY THE IDAHO BUILDING CODE BOARD, TOGETHER WITH ANY AMENDMENTS OR REVISIONS TO THE CODES MADE BY THE IDAHO BUILDING CODE BOARD THROUGH THE NEGOTIATED RULEMAKING PROCESS; PROVIDING FOR EXEMPTIONS; PROVIDING SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 20____.

IT IS ORDAINED by the (mayor and city council of the City of _____, _____ County, Idaho OR _____ County Commissioners) as follows:

Section 1. That (Insert ordinance number or code section(s)) of the (city of _____ or _____ County) is/are repealed.

Section 2. That the following new building codes are adopted:

INTERNATIONAL CODES ADOPTED:

The following nationally recognized codes are adopted as the official building codes of the (city of _____ OR _____ County):

- A. International Building Code: The international building code, 2018 edition, prepared by the International Code Council, Inc., as adopted by the state of Idaho or the Idaho building code board, together with any amendments or revisions to the International Building Code made by the Idaho Building Code Board through the negotiated rulemaking process, is adopted.
- B. Idaho Residential Code: The Idaho residential code, 2020 edition, as adopted by the state of Idaho or the Idaho building code board, consisting of the 2018 International Residential Code prepared by the International Code Council, Inc. and amended by the Idaho building code board through the negotiated rulemaking process, is adopted.
- C. Idaho Energy Conservation Code: The Idaho energy conservation code, 2020 edition, as adopted by the state of Idaho Building Code Board, consisting of the 2018 International Energy Conservation Code prepared by the International Code Council, Inc. and amended by the Idaho Building Code Board through the negotiated rulemaking process, is adopted.

D. Idaho Existing Building Code: The Idaho existing building code, 2018 edition, as adopted by the state of Idaho building code board, consisting of the 2018 International Existing Building Code prepared by the International Code Council, Inc. and amended by the Idaho Building Code Board through the negotiated rulemaking process, is adopted.

Section 3. Exemptions. Agricultural Buildings, as defined by the International Building Code, are exempt from the building codes adopted herein but shall remain subject to placement requirements and permits established by zoning regulations.

Section 4. Severability.

The ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 5. Repeal of Conflicting Provisions.

All other provisions of the current _____ City Code OR County) ordinances of the (city of _____ OR _____ County) which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This ordinance shall be effective January 1, 20__, upon passage and publication as provided by law.

Enacted by the (city council OR County Commissioners) as an ordinance of the (city of _____ OR _____ County) on the ___ day of _____, 20__.

Approved by the Mayor on the ___ day of _____, 2010.

(CITY OR COUNTY) OF _____

(Mayor OR Board of County Commissioners)

ATTEST:

(City Clerk OR County Clerk)

Appendix E: Model Building Permit Fee Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE (CITY OF _____ or COUNTY OF _____), A POLITICAL SUBDIVISION OF IDAHO, PROVIDING FOR BUILDING PERMIT FEES AND MANUFACTURED HOME INSTALLATION; PROVIDING THAT THIS RESOLUTION BE IN FULL FORCE AND EFFECT FROM AND AFTER _____.

WHEREAS, the (City of _____ or County of _____) ordinance adopting the international codes relating to building provides for plan check/review fees, and permit fees, to be adopted by resolution.

NOW, THEREFORE, be it resolved by the (Mayor and City Council of the City of _____ or the Board of County Commissioners of _____,) State of Idaho, that the plan review and permit fees shall be as follows:

1. Plan review fee for a one and two-family residential dwelling shall be:
_____.
2. Plan review fee for more than two-family residential and commercial shall be:
_____.
3. Building permit fee for one and two-family residential dwellings and accessory structures: (Insert month and year) valuation data from (Insert name of publication) applied to the ___ UBC Table 1A, plus plan review fee.
4. Building permit fee for more than two-family residential and commercial shall be: (Insert month and year) valuation data from (Insert name of publication) applied to the ___ UBC Table 1A, plus plan review fee.
5. Residential change of use/remodel building permit fee shall be contractor valuation applied to the ___ UBC Table 1A, plus plan review fee.
6. Commercial change of use/remodel Contractor valuation applied to the _____ UBC Table 1A, plus plan review fee.
7. Manufactured Home Installation/permit fee shall be: _____.

PASSED by the (_____ City Council or _____ Board of County Commissioners) this _____ day of _____.

(CITY or COUNTY OF _____)

(Mayor or Board of County Commissioners)

ATTEST:

_____, (City or County Clerk)