

Chapter 4-02

BUILDING CODE OF BOISE CITY

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(Ord -44-17, Amended, 12/19/17; Ord-49-14, Amended, 12/16/2014)

Section 4-02-01 PURPOSE

The purpose of this Chapter is to provide certain minimum standards and requirements to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, erection, alteration, moving, demolition, quality of materials, use, occupancy, location and maintenance of all buildings and structures in the city.

(Ord-49-14, Amended, 12/16/2014)6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002; 6085, Amended, 08/21/2001; 5982, Amended, 05/02/2000; 5971, Added, 02/29/2000; 5968, Amended, 02/08/2000; 5860, Renumbered, 09/01/1998; 5860, Amended, 09/01/1998; 5830, Amended, 01/20/1998; 5782, Amended, 02/18/1997; 5733, Added, 06/11/1996; 5647, Amended, 07/25/1995; 5528, Added, 03/15/1994; 5449, Amended, 05/04/1993; 5433, Amended, 01/26/1993; 5376, Amended, 03/10/1992; 5149, Added, 03/07/1989; 5052, Added, 12/08/1987; 4977, Renumbered, 01/13/1987,4991, Renumbered, 02/24/1987,4905, Added, 03/04/1986)

Section 4-02-02 CODES ADOPTED

All the rules, regulations and ordinances of a general and permanent character relating and applying to the regulation the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures as said rules, regulations and ordinances are printed and contained in code book form designated and entitled the “2015 International Building Code” (IBC) including Appendix H (Signs) and Appendix J (Grading), and the “2012 International Residential Code” (IRC) which is hereby amended to delete Chapters 1-11 and Chapter 44 and replacing those Chapters with the corresponding Chapters of the “2015 International Residential Code” parts I through IV and IX, including Appendix S, (Strawbale Construction) and adding Appendix V (Tiny Homes), be and the same hereby are adopted as the *Building Code* of Boise City as amended shall be the rules, regulations, and ordinances governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures at and within the City. A copy of the *Building Code* of Boise City shall be on file in the office of the Clerk for inspection. It shall be unlawful to erect, construct, enlarge, alter, repair, move, remove, convert, demolish or maintain buildings or structures in violation of, or without complying with the rules, regulations, and ordinances set forth by the *Building Code* of Boise City as adopted and may be changed, altered, or amended by the *Building Code* of Boise City. All provisions in this chapter shall be effective January 1, 2018.

(Ord-49-14, Amended 12/16/2014; Ord- 45-13 Amended, 11/19/2013; 6789 Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-03 IBC BUILDING CODE AMENDMENT, SECTION 101.1, TITLE

101.1 Title. Boise City Code Title 4, Chapter 2 shall be known as the *Building Code* of Boise City, and hereinafter may be referred to as “the code”.

(6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-04 IBC BUILDING CODE AMENDMENT, SECTION 101.4.3, APPLICABLE PLUMBING CODE

101.4.3 Plumbing. The provisions of the plumbing code as adopted and amended by the city of Boise City shall apply to the installation, alteration, repair, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The number of required plumbing fixtures shall be determined by using IBC Table 2902.1 and as per the *International Plumbing Code* as referenced in the table.

(6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-05 IBC BUILDING CODE AMENDMENT, SECTION 101.4.4, PROPERTY MAINTENANCE CODE DELETED

(Ord-49-14, Amended, 12/16/2014; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-06 IBC BUILDING CODE AMENDMENT, ADD SECTION 101.4.8, ABATEMENT OF DANGEROUS BUILDINGS CODE

101.4.8 Abatement. The provisions of the Uniform Code for the Abatement of Dangerous Buildings Code as adopted and amended by the city of Boise and known as the Boise City Dangerous Buildings Code shall provide a just, equitable and practicable method to abate buildings or structures that may endanger the life, limb, health, morals, property, safety or welfare of the general public or occupants.

Section 4-02-07 IBC BUILDING CODE AMENDMENT, ADD SECTION 101.4.9, APPLICABLE ELECTRICAL CODE

101.4.9 Electrical. The provisions of the electrical code as adopted and amended by the city of Boise City shall apply to the installation of electrical systems, including alterations, repair, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 4-02-08 IBC BUILDING CODE AMENDMENT, SECTION 102.6, EXISTING STRUCTURES

102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided for by this code, the *International Existing Building Code*, or the *International Fire Code*.

Section 4-02-09 IBC BUILDING CODE AMENDMENT, SECTION 102.6.2, BUILDINGS PREVIOUSLY OCCUPIED

102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided for by this code, the *International Fire Code*, the *Boise City Dangerous Buildings Code* or as is deemed necessary by the building official in order to protect the general safety and welfare of the occupants or the public.

Section 4-02-10 IBC BUILDING CODE AMENDMENT, SECTION 103, DIVISION OF

BUILDING SAFETY

SECTION 103 DIVISION OF BUILDING SAFETY

103.1 Creation of Enforcement Agency. The Division of Building Safety is hereby created and the official in charge thereof shall be known as the Planning and Development Services Director.

103.2 Director. The Planning and Development Services Director shall be appointed by the Mayor with the consent of the Boise City Council.

103.3 Agents. Authorized Agents of the Planning and Development Services Director shall be designated by the Planning and Development Services Director.

103.4 Designations. The Planning and Development Services Director shall have the authority to designate the related technical officers, assistant building officials, inspection and plan review supervisors, plans examiners, inspectors, and other employees. Such employees shall have such powers and authority as delegated by the Director.

103.5 Division Manager, Building Official. The Planning and Development Services Director shall have the authority to appoint a Division Manager to head the Building Division, which shall be also known as the building official. The assistant building officials, inspection and plan review supervisors, inspectors, plans examiners, and other employees located in the Building Division shall report to the building official.

103.6 Building Damage Assessment and Reconstruction Plan. The Planning and Development Services Director shall have the authority to appoint the related technical officers, plans examiners, inspectors, individuals, and other representatives from supporting jurisdictions to implement a building damage assessment and reconstruction plan in the event of calamitous events either natural or man-made. Such employees shall have such powers as delegated by the Director and protections as afforded by Section 104.8.

(Ord-49-14, Amended, 12/16/2014; Ord- 45-13 Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-11 IBC BUILDING CODE AMENDMENT, SECTION 104.10.1, FLOOD HAZARD AREAS

104.10.1 Flood hazard areas. The Floodplain Administrator shall not grant modifications to any provision required by section 1612.3 unless that modification conforms to the Variances and Appeals section in the Flood Hazard regulations of the Boise Development Code.

Section 4-02-12 IBC BUILDING CODE AMENDMENT, SECTION 105.1.1, ANNUAL PERMIT

105.1.1 Annual permit. In lieu of an individual building permit to construct, enlarge, alter, repair, or change the occupancy of a building or structure (facility) that has previously received a Certificate of Occupancy, or for alterations to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application to any person, firm or corporation regularly employing one or more qualified tradeperson(s) in the building, structure or on the premises owned or operated by the applicant for the permit.

Section 4-02-13 IBC BUILDING CODE AMENDMENT, ADD SECTION 105.1.3, FACILITY PERMITTING

105.1.3 Facility Permitting. Building owners shall be eligible to enroll facilities and buildings in the Facility Permitting Program (FPP) of the Planning and Development Services Department upon approval of the Building Official and/or their designee. Building permits and other trade permit applications related to projects being reviewed and inspected under this program shall be submitted to the Planning and Development Services Department in the customary manner.

The Building Official or designee shall complete a preliminary review of the construction drawings that have been submitted as part of the permit application and/or inspect the future job site prior to commencement of work on the project. A limited amount of work prior to the issuance of the building permit may be authorized at the discretion of the Building Official or designee. Failure to stay within the limited scope of work authorized by the Building Official or designee will result in the issuance of a stop work order and assessment of a special investigation fee equivalent to two times the actual plan review and permit fees.

Section 4-02-14 IBC BUILDING CODE AMENDMENT, SECTION 105.2, WORK EXEMPT FROM PERMIT

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11.m2).
2. Fences not over 7 feet (2134 mm) high.
3. Oil derricks.

4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 Liters) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings and other outdoor playground equipment.
12. Window awnings in Group R-3 and U occupancies supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Non fixed and movable fixtures, cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height and storage racks 8 feet or less in height.
14. Work with a total value of five hundred dollars (\$500.00) or less.
15. Utility poles when supported on grade.
16. Un-manned public transit centers, 120 square feet or less and not exceeding 15 feet in height, open on at least one side for the entire length of the structure, only when located in rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads and retaining walls, or when located in public alleys.
17. Below grade, non-occupied vault utilized in the maintenance of a public or private entity, only when located in rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads and retaining walls, or when located in public alleys.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6504, Amended, 09/26/2006; 6489, Amended, 08/08/2006; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-15 IBC BUILDING CODE AMENDMENT, SECTION 105.2, DELETING SUBSECTIONS ON ELECTRICAL, GAS, MECHANICAL AND PLUMBING

((Ord-49-14, Amended, 12/16/2014; Ord-45-13 Amended, 11/1/-2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-16 IBC BUILDING CODE AMENDMENT, SECTION 105.2.1, EMERGENCY REPAIRS

105.2.1 Emergency Repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted the next working business day or at a time as required by the Building Official.

(Ord-45-13 Amended, 11/18/2013; 6789, Added, 11/09/2010)

Section 4-02-17 IBC BUILDING CODE AMENDMENT, SECTION 105.2.2, REPAIRS

105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.

Section 4-02-18 IBC BUILDING CODE AMENDMENT, SECTION 105.3, APPLICATION FOR PERMIT

105.3 Application for permit. To obtain a permit, the applicant shall first file an application on a form furnished by the division of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by parcel number, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Contain the applicant or the applicant's authorized agent's signature.
7. Give such other data and information as required by the Building Official.

(Ord-45-13 Amended, 11/18/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-19 IBC BUILDING CODE AMENDMENT, SECTION 105.3.2, TIME LIMITATION OF APPLICATION

105.3.2 Time Limitation of Application. Applications for which no permit is issued within 180 days following the date of receipt of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official or designee. The building official may extend the time for action by the

applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(Ord-45-13 Amended, 11/18/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-20 IBC BUILDING CODE AMENDMENT, SECTION 105.5, EXPIRATION

105.5 Expiration. Every permit issued by the building official or designee under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one calendar year from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 calendar days.

The timeframe by which a project shall be deemed to be suspended or abandoned if no inspection has been requested shall be measured from the date of the last required inspection or if no inspection has been required then a project shall be deemed to be suspended one calendar year from the date the permit was issued. Required inspections include: footing/foundation inspection, concrete slab or under-floor inspection, lowest floor elevation inspection, framing inspection, lath or gypsum board inspection, fire resistant penetration inspection, energy efficiency inspection, any required special inspections, final inspections and any other inspections, other than conference inspections required by the building official. However, the building official may extend a permit when a good faith effort toward code compliant work has been performed and that significant progress has occurred towards the next stage of inspection.

- a. **New Permit Required After Expiration.** Before work on the site can be recommenced after expiration, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit provided no changes have been made or will be made in the original plans and specifications for such work, that the work is still possible given current conditions, and that work has not been suspended or abandoned for more than one year from the last required, recorded inspection. In such cases, a new permit shall not be issued after expiration when the original review was performed using a previously adopted code.

Exception: For all construction or structures governed only by the International Residential Code an exception exists allowing the permit to be re-issued if requested in writing. This exception applies until the City has adopted a new version of the IRC building code, then the applicant shall apply for a new permit and the plans will be subject to a new plan review process and related permit fees.

The Building Official shall have the authority to deny the new permit which utilizes the requirements of the expired permit unless the permittee made a effort to complete the project and reasons beyond their control, related to the project, resulted in suspension or abandonment of the project. The permittee must provide a written report on the current status of construction which will include a request for an extension and a timeframe for completion in order for the Building Official to renew the permit. The Building Official may also require documentation from a third party be provided by the permit applicant regarding the current state of the construction prior to issuance of a new permit.

- b. **Permit Extensions.** Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit, when the permittee is unable to commence work within the time required by this section. The building official may extend the time for action by the permittee for a period not exceeding 180 calendar days on written request by the permittee with written evidence provided demonstrating that a good faith effort to complete the project has been made and that reasons beyond the control of the permittee have resulted in a delay. Under no condition shall a permit be extended more than three times, for a total maximum time of three 180 day extensions. Each 180 day extension must be approved individually by the Building Official.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13 Amended, 11/18/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-21 IBC BUILDING CODE AMENDMENT, PERMIT TRANSFER

105.8 Permit transfer. A building permit shall be transferable to another party if such party can provide a document signed by the original permit holder consenting to the transfer itself and all agreements and conditions incorporated into the original permit approval. A permit may also be transferred back to the property owner or owner's designated legal agent in cases where the property owner has terminated their legal relationship with their contractor or owner's designated legal agent. An administrative fee for the transfer of the permit will be assessed for the work performed by city staff to facilitate the transfer.

(Ord-45-13 Amended, 11/18/2013; 6621, Repealed & Replaced, 12/11/2007; 6417, Amended, 09/20/2005; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-22 IBC BUILDING CODE AMENDMENT, SECTION 107.1 AND THE EXCEPTIONS, SUBMITTAL DOCUMENTS

107.1 Submittal documents. Construction documents, special inspection and structural observation programs, and other data as required by Boise City submittal checklists shall be submitted with each application for a permit. These plans and specifications shall be prepared, signed and sealed by an architect licensed by the State of Idaho under Section 54-309, Idaho Code, as amended.

Exceptions: Nothing contained above shall be held or construed to have any application to or prevent or affect the following:

1. Groups B, F1, F2, M, S1 and S2 occupancies not exceeding two (2) stories and 6,000 square feet total area may be prepared, signed and sealed by a professional engineer licensed by the State of Idaho.
2. Buildings which are multiple living units not to exceed three (3) units.
3. Farm buildings, out buildings or auxiliary buildings in connection with residential or farm premises.
4. Groups R-3 and U occupancies not exceeding three (3) stories in height above grade.
5. Existing interior tenant improvements, where no change of use or occupancy is occurring, not exceeding a total for the entire tenant space of 1,500 square feet for existing A, B, E, F1, F2, M, S1, and S2 occupancies.
6. Interior nonbearing partitions not exceeding sixty (60) lineal feet.
7. Minor work at discretion of the building official.

For buildings or structures, not principally architectural, the design of which involves principally engineering considerations, the plans and specifications may be prepared, signed and sealed by a professional engineer licensed by the State of Idaho and qualified in the engineering specialty involved.

Section 4-02-23 IBC BUILDING CODE AMENDMENT, ADD SECTION 107.2.1.1, FOOD-PRODUCTS PREPARATION OR SALES

107.2.1.1 Food-Products preparations or sales. Plans and specifications to construct, build, repair or alter a building or structure wherein foods, food products or beverages are prepared, manufactured, concocted or stored for either sale at retail or wholesale shall be submitted to and approved by Central District Health prior to applying for a building permit for paper submittal.

For the purpose of this subsection the term foods, food products or beverages shall mean and include all articles used for food, drink, confectionery or condiment, whether simple, mixed or compound, and all substance or ingredients used in the preparation thereof for human consumption.

(6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2005; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-24 IBC BUILDING CODE AMENDMENT, SECTION 107.2.5.1, DESIGN FLOOD ELEVATIONS

107.2.5.1 Design Flood Elevations. All construction within flood hazard areas shall be

designed and constructed in accordance with the Flood Hazard regulations of the Boise Development Code in addition to this code. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/2013; 6789, Added, 11/09/2010)

Section 4-02-25 IBC BUILDING CODE AMENDMENT, ADD SECTION 107.3.3.1, EARLY START APPROVALS

107.3.3.1 Early start approvals. The building official may issue an early start permit for construction within an existing building before construction documents for the entire structure have been reviewed for compliance this code. The building official may only issue an early start permit for projects where the work being performed in existing buildings and involving nonstructural interior framing for retail, office or warehouse uses with the storage of non-hazardous materials. The building official may issue an early start permit for other occupancies and uses when he/she deems such work to be appropriate and necessary to maintain building safety requirements while expediting construction schedules.

An early start permit authorizes the permit holder to proceed with construction within a limited scope of work as defined by the building official or his/her designee. The early start permit shall be issued in addition to the building permit which authorizes the whole remodel, alteration or repair. Fees shall be collected for this permit based on the hourly plan review administrative activities fee found within the fee schedule in Table No. 1-A contained in this code and pursuant to policies set by the Planning and Development Services Department.

Section 4-02-26 IBC BUILDING CODE AMENDMENT, SECTION 108, TEMPORARY STRUCTURES AND TEMPORARY USES IN STRUCTURES INCLUDING SECTIONS 108.1 THROUGH 108.6

108.1 Uses in temporary structures. Temporary structures with uses for 180 calendar days or less in duration shall be regulated by the fire code official and the Planning Director or his/her designee.

108.2 Temporary uses in permanent structures. The building official is authorized to issue a temporary use permit for temporary uses in permanent structures when the duration of the use will extend beyond 30 calendar days but is less than or equal to 180 calendar days. Permanent structures having temporary uses of 30 calendar days or less in duration shall be subject to approval and permit by the fire code official.

108.3 Regulation of permanent and temporary structures with overnight sleeping areas utilized for less than 180 calendar days. The building official is authorized, in conjunction with the fire code official, to issue permits for uses in temporary and permanent structures with overnight sleeping areas when such uses have a limited duration of 180 calendar days or less. The building official is authorized to grant permit extensions for good cause. A temporary use

permit shall not be issued when the building code official determines that the potential hazards of the use cannot be mitigated.

108.4 Conformance. Temporary structures and uses shall conform to the structural strength, fire, safety, means of egress, accessibility, light ventilation, and sanitary requirements of this code as necessary to ensure public health safety and general welfare. The building code official is authorized to approve alternative temporary methods of achieving minimum code compliance when evaluating temporary uses in temporary and permanent structures.

108.5 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat, or power in NFPA 70.

108.6 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-27 IBC BUILDING CODE AMENDMENT, SECTION 109.2, SCHEDULE OF PERMIT FEES, TABLE NO. 1-A, BUILDING PERMIT FEE SCHEDULE

109.2 Schedule of permit fees. The following table is set forth by the City to establish building permit fees:

TABLE NO. 1-A BUILDING PERMIT FEE SCHEDULE

TOTAL VALUATION	FEE
\$501.00 to \$2,000.00	\$26.37 for the first \$500.00 plus \$2.95 for each additional \$100.00 or fraction thereof, to and including \$2,000.00,
\$2,001.00 to \$25,000.00	\$70.76 for the first \$2,000.00 plus \$12.71 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00,
\$25,001.00 to \$50,000.00	\$362.80 for the first \$25,000.00 plus \$9.30 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00,
\$50,001.00 to \$100,000.00	\$595.30 for the first \$50,000.00 plus \$6.35 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00,

\$100,001.00 and up \$913.09 for the first \$100,000.00 plus \$5.17 for each additional \$1,000.00 or fraction thereof.

OTHER INSPECTIONS AND FEES:

1. Inspections outside of normal business hours: \$46.31 per hour
2. Special investigation fees assessed under provisions of Section 109.4: \$46.31 per hour
3. Inspections for which no fee is specifically indicated: \$46.31 per hour
4. Additional plan review required by changes, additions or revisions to plans, or other administrative activities including but not limited to reactivation of expired residential building permits, review and processing of plan modifications, review and processing of upgrade agreements, courtesy inspections, and miscellaneous inspections: \$46.31 per hour
5. Energy Code Inspection Fee \$27.56
6. Commercial building plan review fees will be charged at 65% of the building permit fee.
7. Residential plan review fees for one and two family dwellings, townhouses (not exceeding 2 attached units), and their accessory structures will be charged at 20% of the building permit fee.
8. A fee of \$157.50 will be charged in cases where plan review and inspection services are performed to establish a certificate of occupancy, and where there is no construction other than minor electrical, plumbing or mechanical work being performed under separate trade permits.

(Ord- 45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6417, Amended, 09/20/2005; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-28 IBC BUILDING CODE AMENDMENT, SECTION 109.4, WORK COMMENCING BEFORE PERMIT ISSUANCE

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation that shall be made before a permit may be issued for such work.

A special investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The special investigation fee shall be equal to the amount of the permit fee required by this code. The minimum special investigation fee shall be the same as the minimum fee set forth in accordance with the fee schedule in Table No. 1-A contained in this code. The payment of such special investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-29 IBC BUILDING CODE AMENDMENT, ADD SECTION 109.5.1, BONDS

109.5.1 Bonds. The building official may require bonds in such forms and amounts as he/she deems necessary to ensure the mitigation of hazardous conditions resulting from abandoned excavation occurring in conjunction with the construction of large new structures, beneath large structures or on projects having unique site conditions. The building official shall cash the bond and the proceeds from the posted bond shall be used to correct or eliminate hazardous conditions on the site when the permit applicant fails to complete work in accordance with approved plans, specifications and permits.

In lieu of a surety bond, the building official may allow the applicant to post a cash bond or instrument of credit with the building official in an amount equal to that which would be required in the surety bond. The bond shall ensure that sufficient funds are available to repay the city of Boise City for any expenditure incurred by the City for the protection or removal of property, both real and personal. The bond shall further ensure the property is in a proper and safe condition, that all combustible and non-combustible materials are removed and that any remaining excavation is filled.

Section 4-02-30 IBC BUILDING CODE AMENDMENT, SECTION 109.6, FEE REFUNDS

109.6 Fee Refunds. The building official may authorize a refund of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize a refund of 100 percent of the permit fee less any administrative activity fees, paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize a refund of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize a refund of any fee paid except on written application filed by the original permittee or owner's representative not later than 180 days after the date of fee payment.

(Ord- 45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2005; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-31 IBC BUILDING CODE AMENDMENT, SECTION 110.3.3, LOWEST FLOOR ELEVATION

110.3.3 Lowest Floor Elevation. In addition to the initial elevation certificate required at time of permit application in flood hazard areas, upon placement of the lowest floor, including the basement, a second elevation certification required in the Flood Hazard regulations of the Boise

Development Code and Section 1612.5 shall be submitted to the building official or designee prior to the request for a framing inspection.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/2013; 6789, Added, 11/09/2010)

Section 4-02-32 IBC BUILDING CODE AMENDMENT, SECTION 110.6, INSPECTION APPROVAL REQUIRED

110.6 Approval required. Work shall not be performed beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or agent of the permit holder where the work fails to comply with this code. Any work or portion thereof that does not comply shall be corrected and shall not be covered or concealed until authorized by the building official. A final inspection and approval is required upon completion and prior to occupancy and use of all building and structures.

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-33 IBC BUILDING CODE AMENDMENT, SECTION 111.1, USE AND OCCUPANCY, EXCEPTION DELETED

Exception is deleted.

(Ord-45-14, Amended, 11/19/2013; 6789, Amended, 11/09/2010)

Section 4-02-34 IBC BUILDING CODE AMENDMENT, ADD SECTION 111.1.1, COMMERCIAL OCCUPANCY EVALUATION REQUEST

111.1.1 Commercial occupancy evaluation request. Where no work requiring a building permit is occurring and a commercial tenant lacks a certificate of occupancy, desires to obtain a certificate of occupancy or is required to obtain a certificate of occupancy from a department of the City, the Division of Building Safety shall create a permit application with a review and inspection process in order to issue a new certificate of occupancy. A fee shall be charged in accordance with the fee schedule in Table No. 1-A of this code for services to establish a certificate of occupancy.

Section 4-02-35 IBC BUILDING CODE AMENDMENT, ADD SECTION 111.2.1, CERTIFICATE OF COMPLETION

111.2.1 Certificate of Completion. A Certificate of Completion may be issued in lieu of a Certificate of Occupancy when the scope of work of a permit does not affect, alter or change the occupant load, occupancy group or occupancy use classification of a tenant space, structure or portion of a structure. The work described within the scope of work of a permit is deemed to be

complete and in substantial compliance by the Planning and Development Services Department with adopted building codes when a final inspection has occurred and a Certificate of Completion has been issued.

(Ord-45-13, Amended, 11/18/2013; 6789, Added, 11/09/2010)

Section 4-02-36 IBC BUILDING CODE AMENDMENT, SECTION 111.3, TEMPORARY OCCUPANCY

111.3 Temporary occupancy. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. A temporary occupancy shall be for 90 days. Multiple time extensions of a maximum of 90 days each may be granted when requested in writing to the building official when a good faith effort is demonstrated by the permit holder. In no case shall a temporary occupancy extend beyond two (2) years, unless the building official finds extenuating circumstances.

(Ord-45-13, Amended, 11/18/2013; (6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/12/2002)

Section 4-02-37 IBC BUILDING CODE AMENDMENT, SECTION 112.1, CONNECTION OF SERVICE UTILITIES

112.1 Connection of service utilities. Final inspection and approval is required upon completion of work and prior to occupancy or use of all buildings and structures for connection of service utilities. Lack of building official approval may result in the termination of utility services to said building or structure and prosecution under IBC Section 114.3.

(Ord-45-13, Amended, 11/19/2013; 6789, amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-38 IBC BUILDING CODE AMENDMENT, ADD SECTION 112.4, AUTHORITY TO DISCONNECT UTILITIES FOR OCCUPANCY VIOLATIONS

112.4 Authority to disconnect utilities for occupancy violations. Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code or other laws which are enforced by the city of Boise City, the building official may order such use discontinued and the structure, or portion thereof, vacated and the utility services disconnected by notice served on any person causing such use to be continued. Such person shall discontinue the use or make the structure or portion thereof comply with the requirements of this code or other laws which are enforced by the city of Boise City, within thirty (30) days of receipt of such notice or as required by the building official.

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-39 IBC BUILDING CODE AMENDMENT, SECTION 113.1, BUILDING CODE BOARD OF APPEALS, ADD SECTION 113.4 APPEALS TO THE BUILDING CODE BOARD OF APPEALS AND ADD SECTION 113.5 APPEAL PROCEDURE

113.1 Building code board of appeals. In order to hear and decide appeals of orders, decisions or determinations made by the building official with respect to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals consisting of ten (10) members including: three (3) Idaho registered engineers; three (3) Idaho licensed architects; three (3) building contractors and one (1) person who owns or operates a fire sprinklers business, and are qualified by experience and training to pass upon matters pertaining to building construction; all of whom shall not be employees of the city of Boise City. At least five (5) of the members shall be residents of Boise City. Members not residing in the city of Boise City must reside in Ada County and transact business in Boise City. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote upon any matter before the board. The Board of Appeals shall be appointed for a term of four (4) years by the governing body and shall hold office at the pleasure of the Mayor and Boise City Council. The board may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

(Ord 16 13 06/04/2013)

113.4 APPEALS TO THE BUILDING CODE BOARD OF APPEALS

A. APPLICATION FOR APPEAL

Any applicant for a permit, whose application has been rejected by the City, or any person who has been ordered by the City to modify, alter, remove or install any building code provisions as required by this code may within ten (10) calendar days thereafter, request an appeal by filing notice in writing with the building official. The building official or designee shall deliver such notice to the Board. The hearing shall be held within thirty (30) calendar days of receipt of the notice of appeal or as otherwise agreed upon by parties to the appeal. At the hearing the Board may, by a majority vote, affirm, annul or modify the action of the City. If the actions of the City are modified or annulled, a permit shall be issued in accordance with the determination of the board.

B. APPEAL FEE

Any person appealing a decision of the City shall include payment of fee in the amount of one hundred fifty dollars (\$150.00). In the event that the appellant prevails, then the fee shall be refunded to the appellant.

C. APPEAL TO CITY COUNCIL

Any order, decision or ruling of the Board may be appealed, by filing notice in writing to the Boise City Council within ten (10) calendar days of such order, decision or ruling.

113.5 APPEAL PROCEDURE

The Building Code Board of Appeals may receive all evidence on appeal, in accordance with the following procedure:

- A. The Building Official or designee shall present background information on the project in question, including relevant code sections and their interpretation. The Board may ask questions during or after each presentation.
- B. Applicant shall be allowed to present any information or applicable code sections to support a reversal of the Building Official's decision. The appellant shall have up to twenty (20) minutes to present evidence.
- C. The Chair shall open the hearing to receive public testimony. Each person wishing to provide public testimony shall be given up to five (5) minutes to do so.
- D. Following the close of public testimony, the Building Official or designee shall be allowed up to ten (10) minutes for rebuttal.
- E. The appellant shall have up to ten (10) minutes for rebuttal and any final comments.
- F. The Chairman of the board may allocate equivalent additional time to the applicant and the Building Official or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.
- G. Following the hearing, the Board may deliberate and render a final decision by a roll call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make or render a final decision. The final decision shall be in writing and a copy provided to the appellant and any parties of record. The decision by the Board may be appealed to the Boise City Council within ten (10) calendar days following the date of issuance of a written decision.

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-40 IBC BUILDING CODE AMENDMENT, SECTION 114.4, CRIMINAL PENALTIES

114.4 Criminal Penalties. Any person, firm or corporation violating the provisions of this code shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a

fine of not more than one thousand dollars (\$1,000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

- A. In the discretion of the building official, the City may charge the offender with an infraction in lieu of a misdemeanor. The infraction shall be payable by a fine of three hundred dollars (\$300.00). There shall be no right to a trial by jury for an infraction citation or complaint.
- B. For purposes of trial by court or jury, the infraction described within this section shall not constitute a lesser included offense for any misdemeanor citation or complaint.
- C. A prosecuting attorney may reduce a misdemeanor charge under this chapter to an infraction as described herein, payable by a \$300 fine, if the defendant engages in corrective actions resulting in fully completed and permitted work.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6565, Amended, 05/15/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-41 IBC BUILDING CODE AMENDMENT, SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT, SECTION 116.1, CONDITIONS

116.1 Conditions. Structures or existing equipment deemed unsafe shall be taken down and removed or made safe in accordance with provisions of the *Uniform Code for the Abatement of Dangerous Buildings* as adopted by the *Dangerous Buildings Code* of Boise City. Notwithstanding any other provision of this code, whenever, in the opinion of the *code official*, there is an imminent danger due to an unsafe condition, the *code official* shall have the authority to summarily order temporary safeguard work to be performed in order to render the structure temporarily safe or to warn the public of the dangerous condition. The temporary safeguard work required may include, but shall not be limited to placement of placards or signage, erecting barrier tape, barricades, or fencing, securing openings, or other means as the *code official* deems necessary to address such emergency.

Section 4-02-42 IBC BUILDING CODE AMENDMENT, SECTIONS 116.2 THROUGH 116.5

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010)

Section 4-02-43 IBC BUILDING CODE AMENDMENT, ADD SECTION 117, UPGRADE AGREEMENTS

117 Upgrade Agreements. The Building Official and Fire Code Official shall have the discretion to enter into building upgrade agreements on behalf of the City in order to achieve code compliance. Building upgrade agreements shall be in writing and signed and notarized by the building owner(s). Any upgrade agreements that exceed one year in length shall be recorded with the Ada County Assessor's Office.

The Building Official shall make the determination as to whether a bond shall be required. The amount of this bond shall be determined by the City in the amount needed to accomplish the work as described in the upgrade agreement. An upgrade agreement shall not extend beyond three years in duration.

All upgrade agreements shall include the following items:

- a. The remaining scope of work that shall be completed to fulfill the terms of the upgrade agreement;
- b. The applicable building permit number;
- c. An expiration date or date of completion of the agreement;
- d. The parcel number(s) and address;
- e. A description of the type and expiration of any bonding instrument (where applicable);
- f. Other methods for assuring completion of the scope of work;
- g. Signature of the owner(s), Building Official and/or Fire Code Official all contained on the original notarized agreement (no copies);
- h. A statement acknowledging the following possible consequences for failure of the tenant and building owner to complete the terms of the upgrade agreement within the time frame found in the agreement;
 - i. Revocation of the occupancy certificate of the tenant(s) in said structure;
 - ii Utilization of the bond originally posted by the permit applicant by the City to complete the remaining work outlined in the upgrade agreement;
 - iii Assessment of penalties and or issuance of misdemeanor citations by the City for failure to complete the work described within the agreement by the expiration date of the agreement; and the institution of a fire watch or any other appropriate method deemed necessary by the City to complete the work outlined in the upgrade agreement.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-44 IBC BUILDING CODE AMENDMENT, SECTION 202 DEFINITION FOR TOWNHOUSE

TOWNHOUSE A single-family dwelling unit constructed in a row of attached units separated by property lines and with open space on at least two sides.

(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-45 IBC BUILDING CODE AMENDMENT, SECTION 305.2.3, TWELVE OR FEWER CHILDREN IN A DWELLING UNIT

305.2.3 Twelve or fewer children in a dwelling unit. A facility such as the above within a *dwelling unit* and having twelve or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.

Section 4-02-46 IBC BUILDING CODE AMENDMENT, SECTION 308.6.4, PERSONS RECEIVING CARE IN A DWELLING UNIT

308.6.4 Persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having twelve or fewer children receiving day care or having five or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.

Section 4-02-47 IBC BUILDING CODE AMENDMENT, SECTION 310.5, RESIDENTIAL GROUP R-3

310.5 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, E or I, including:

Buildings that do not contain more than two *dwelling units*;
Boarding houses (non-transient) with 16 or fewer occupants;
Boarding houses (transient) with 10 or fewer occupants;
Care facilities that provide accommodations for five or fewer persons receiving care;
Congregate living facilities (non-transient) with 16 or fewer occupants;
Congregate living facilities (transient) with 10 or fewer occupants;
Dwelling units providing day care for twelve or fewer children;
Lodging houses with five or fewer guest rooms.

Section 4-02-48 IBC BUILDING CODE AMENDMENT, SECTION 310.5.1, CARE FACILITIES WITHIN A DWELLING

310.5.1 Care facilities within a dwelling. Care facilities for twelve or fewer children receiving day care or for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the *International Residential Code*.

Section 4-02-49 IBC BUILDING CODE AMENDMENT, SECTION 1503.1, GENERAL ROOF COVERING

1503.1 General. Roof decks shall be covered with approved roof coverings secured to the building or structure in accordance with the provisions of this chapter. Roof coverings shall be designed, installed and maintained in accordance with this code and the approved manufacturer's

installation instructions such that the roof covering shall serve to protect the building or structure. Roof covering requirements for hillside and Wildland Urban Interface areas shall be regulated by the Fire Prevention Code of the Boise City Municipal Code.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-50 IBC BUILDING CODE AMENDMENT, SECTION 1605.2, LOAD COMBINATIONS USING STRENGTH DESIGN OR LOAD AND RESISTANCE FACTOR DESIGN, ADD EXCEPTION 3.

3. In Equation 16-3, the snow load S shall be calculated using p_m as defined in Section 1608.1. For other load combinations involving snow loads, S shall be calculated using flat roof snow load (p_f) or sloped roof snow load (p_s) as defined in ASCE 7.

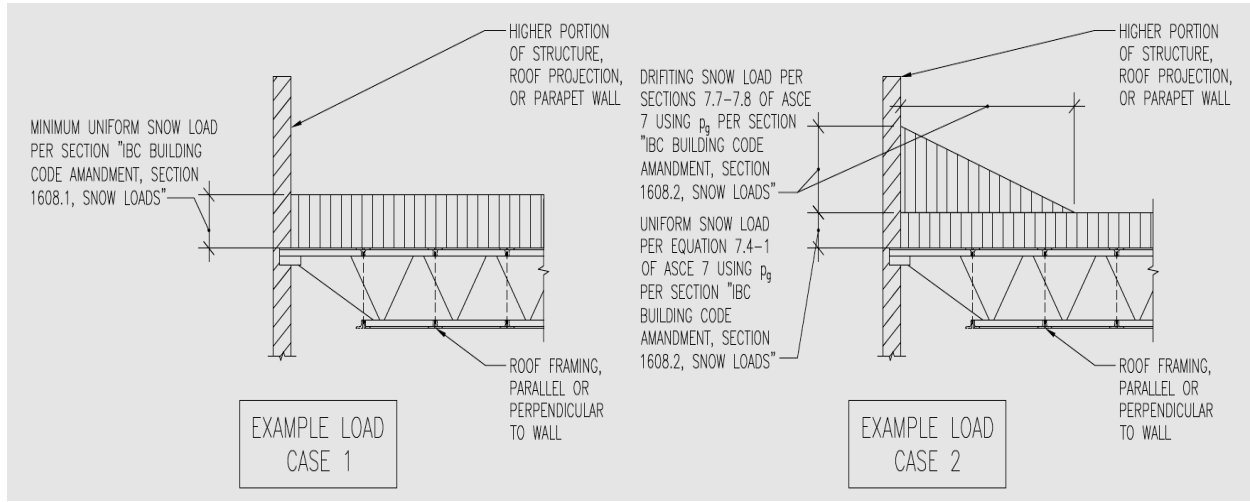
Section 4-02-51 IBC BUILDING CODE AMENDMENT, SECTION 1605.3.1, BASIC LOAD COMBINATIONS, ADD EXCEPTION 6

- 6 In Equation 16-10, the snow load S shall be calculated using p_m as defined in Section 1608.1. For other load combinations involving snow loads, S shall be calculated using flat roof snow load (p_f) or sloped roof snow load (p_s) as defined in ASCE 7.

Section 4-02-52 IBC BUILDING CODE AMENDMENT, SECTION 1608.1, SNOW LOADS

1608.1 General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load, regardless of roof slope, shall not be less than a uniform snow load of $p_m = 25$ psf. This minimum roof snow load is a separate load case. It need not be used in determining or in combination with drift, sliding, unbalanced, rain-on-snow surcharge, or partial loads. These loads shall be considered as required by ASCE 7 and IBC section 1608.2 as amended. See Figure A showing two examples of required load cases.

FIGURE A



(Ord-45-13, Amended, 11/19/2013; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-53 IBC BUILDING CODE AMENDMENT, SECTION 1608.2, GROUND SNOW LOADS

1608.2 Ground snow loads. The ground snow load shall be $p_g = 20\text{psf}$

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-54 IBC BUILDING CODE AMENDMENT, SECTIONS 1612, FLOOD LOADS

1612.3 Establishment of flood hazard areas. All construction within flood hazard areas as defined by the Flood Hazard regulations of the Boise Development Code shall be designed and constructed in accordance with that ordinance in addition to this code. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Boise" with date of issuance, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. First Floodplain Ordinance for the City of Boise became effective December 12, 1983. Flood Insurance Study (FIS) February 19, 2003. Panel numbers (all with a date of 2/19/2003) are: 0160 H, 0161 H, 0162 H, 0166 H, 0167 H, 0169 H, 0178 H, 0186 H, 0187 H, 0188 H, 0189 H, 0193 H, 0254 H, 0258 H, 0259 H, 0265 H, 0267 H, 0270 H, 0276 H, 0277 H, 0281 H, 0282 H, 0283 H, 0284 H, 0286 H, 0287 H, 0291 H, 0295 H, 0305 H, 0315 H. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/10/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-55 IBC BUILDING CODE AMENDMENT, SECTION 1804.6, COMPACTED FILL MATERIAL

1804.6 Compacted fill material. Where foundations will bear on compacted fill material, the compacted fill shall comply with the provisions of an approved geotechnical report, as set forth in Section 1803.

Exception: Compacted fill material 12 inches in depth or less need not comply with an approved report, provided the in-place dry density is not less than 95 percent of the maximum dry density at optimum moisture content determined in accordance with ASTM D 1557. The compaction shall be verified by special inspection in accordance with Section 1705.6.

Section 4-02-56 IBC BUILDING CODE AMENDMENT, SECTION 1805.1.2.1, FLOOD HAZARD AREAS

1805.1.2.1 Flood hazard areas. All construction within flood hazard areas as defined by Flood Hazard regulations of the Boise Development Code shall be designed and constructed in accordance with that ordinance in addition to this code. For buildings and structures in flood hazard areas as established in Section 1612.3, the finished ground level of an under-floor space such as a crawl space shall be equal to or higher than the outside finished ground level on at least one side.

Exception: Under-floor spaces of Group R-3 buildings that meet the requirements of FEMA TB 11.

Section 4-02-57 IBC BUILDING CODE AMENDMENT, SECTION 1809.5, FROST PROTECTION

1. Extending below or equal to the frost line of 24 inches below finished grade;

Section 4-02-58 IBC BUILDING CODE AMENDMENT, SECTION 2107.2.1, LAP SPLICES

The last paragraph of Section 2107.2.1 Lap splices, shall read as follows:

In regions of moment where the design tensile stresses in the reinforcement are greater than 80 percent of the allowable steel tension stress, F_s , the lap length of splices shall be increased not

less than 50 percent of the minimum required length, but need not be greater than 72 db. Other equivalent means of stress transfer to accomplish the same 50 percent increase shall be permitted. Where epoxy coated bars are used, lap length shall be increased by 50 percent.

Section 4-02-59 IBC BUILDING CODE AMENDMENT, TABLE 2902.1, FOOTNOTE F

Add footnote (f) in the header row of the table column labeled “Drinking Fountains” of Table 2902.1 Minimum Number of Required Plumbing Fixtures, and add footnote (f) under Table 2902.1 to state the following:

f. Drinking fountains are not required for an occupant load of thirty (30) or fewer.

Section 4-02-60 IBC BUILDING CODE AMENDMENT, TABLE 2902.1 FOOTNOTE E

e. For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required.

Section 4-02-61 IBC BUILDING CODE AMENDMENT, SECTION 3103.1, TEMPORARY STRUCTURES, GENERAL

3103.1 General. Temporary structures with uses for 180 calendar days or less in duration shall be regulated by the fire code official and the Planning Director of the Planning and Development Services Department. Those erected for a longer period of time shall comply with the applicable sections of this code.

Section 4-02-62 IBC BUILDING CODE AMENDMENT, SECTIONS 3103.1.1 THROUGH 3103.4,

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-63 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H101.2, SIGNS EXEMPT FROM PERMITS

H101.2 Signs exempt from permits. The following signs are exempt from the requirements to obtain a building permit before erection:

1. The changing of the advertising copy on a painted or printed sign, theater marquees and similar signs specifically designed for the use of replaceable copy.
2. Signs painted on buildings, fences or walls shall be exempted from obtaining a building permit.
3. Permanent signs supported by the building or structure that are less than or equal to 32 square feet which are non-illuminated and project less than or equal to three (3) feet from the building or structure face.

4. Permanent pole or ground signs that are less than seven feet to the top edge of the sign.
5. Temporary signs. Temporary signs must comply with Boise Development Code.
6. Any sign less than four (4) square feet.
7. Signs erected by transportation authorities.

These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this code or any other law or ordinance regulating the same.

Section 4-02-64 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H102.1, DEFINITIONS

The following definitions shall be amended as follows:

DISPLAY SIGN. The area made available by the sign structure for the purpose of displaying the advertising message. Defined as “Sign Area” in the Boise Development Code.

GROUND SIGN. A billboard or similar type of sign which is supported by one or more uprights, poles or braces in or upon the ground other than a combination sign or pole sign, as defined by this code. Regulated as a “Poster Panel and Bulletin Panel Off-Premise Signs” in the Boise Development Code.

POLE SIGN. A sign wholly supported by a sign structure in the ground. Defined as “Free Standing Sign” in the Boise Development Code.

Section 4-02-65 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H103.1, LOCATION RESTRICTIONS

H103.1 Location restrictions. Signs shall not be erected, constructed or maintained so as to obstruct any fire escape, any window, door or opening required or used as a means of egress which would prevent free passage from one part of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for ventilation. All sign locations must comply with the Boise Development Code.

Section 4-02-66 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H104, IDENTIFICATION IS DELETED IN ITS ENTIRETY

Section 4-02-67 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H105.1, GENERAL REQUIREMENTS, ADD EXCEPTION

H105.1 General Requirements. Signs shall be designed and constructed to comply with the

provisions of this code for use of materials, loads and stresses.

Exception: Where Chapter 17 Special Inspections and Tests requires periodic special inspections for all post-installed concrete anchors, installation of signs utilizing these types of anchors will be considered minor in nature and not require periodic special inspection when acting primarily in shear and utilizing less than 50% of the allowable loading when tested in accordance with ACI 318.

Section 4-02-68 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H105.2, PERMITS, DRAWINGS AND SPECIFICATIONS

H105.2 Permits, drawings, and specifications. Where a permit is required, as provided in Chapter 1, construction documents shall be required. These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors. Plans and documents shall be submitted and include information as required by the applicable Boise City submittal checklist.

Section 4-02-69 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS ADD SECTION H105.2.1, ENGINEERING

H105.2.1 Engineering. Submittal documents must include structural drawings and structural calculations stamped and signed by an Idaho licensed engineer.

Exception: Engineering is not required for wall signs mounted flush against the wall with anchorage that can easily be verified as adequate.

Section 4-02-70 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H106.1, ILLUMINATION

H106.1 Illumination. A sign shall not be illuminated by other than electrical means, and electrical devices and wiring shall be installed in accordance with the requirements of NFPA 70, National Electrical Code, and the International Energy Conservation Code. Any open spark or flame shall not be used for display purposes unless specifically approved by the building official and/or fire code official.

Exception: Replaced signs on existing branch circuits do not need to comply with the controls of the Energy Conservation Code of Boise City when approved by the Electrical Inspection Supervisor or designee.

Section 4-02-71 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H106.2, ELECTRICAL SERVICE

H106.2 Electrical service. Signs that require electrical service shall comply with NFPA 70,

National Electric Code, and the International Energy Conservation Code.

Exception: Replaced signs on existing branch circuits do not need to comply with the controls of the Energy Conservation Code of Boise City when approved by the Electrical Inspection Supervisor or designee.

Section 4-02-72 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H107.1.2,

Section 4-02-73 IBC BUILDING CODE AMENDMENT,

Section 4-02-74 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H109.1, HEIGHT RESTRICTIONS

H109.1 Height restrictions. The structural frame of ground signs shall not be erected of combustible materials to a height of more than 40 feet above the ground. Ground signs constructed entirely of noncombustible material shall not be erected to a height of greater than 100 feet above the ground. Greater heights are permitted where approved and located so as not to create a hazard or danger to the public.

Section 4-02-75 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H109.3, WOOD ANCHORS AND SUPPORTS

H109.3 Wood anchors and supports. Where wood anchors or supports are embedded in the soil, the wood shall be pressure treated with an approved preservative and shall have approved corrosion resistant steel or galvanized mechanical connectors.

Section 4-02-76 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H112.4, HEIGHT LIMITATION IS DELETED

Section 4-02-77 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H113.4, HEIGHT LIMITATION IS DELETED

Section 4-02-78 IBC BUILDING CODE AMENDMENT, APPENDIX H SIGNS SECTION H114, PORTABLE SIGNS IS DELETED IN ITS ENTIRETY INCLUDING TABLE 4-A AND TABLE 4-B

Section 4-02-79 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J101.1, SCOPE

J101.1 Scope. The purpose of this chapter is to safeguard life, safety, property, or the public welfare by regulating grading, excavation and earthwork construction, including fills and embankments on private and public property. Where conflicts occur between the technical

requirements of this chapter and the geotechnical report, the geotechnical report shall govern.

Section 4-02-80 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J101.2, FLOOD HAZARD AREAS

J101.2 Flood hazard areas. The provisions of this chapter shall not apply to grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas established in the Flood Hazard regulations of the Boise Development Code or section 1612.3 of this code.

Section 4-02-81 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J101.3 HAZARDS. Whenever the building official determines that an existing excavation or embankment or fill on private property has become a safety hazard or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of written notice from the building official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and bring the subject property into conformance with any applicable codes.

Section 4-02-82 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J103.2, EXEMPTIONS

J103.2 Exemptions. A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stress upon the soil of adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional.

8. Fills not intended to support structures.

9. Fills less than 1 foot in depth.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other law or ordinance of this jurisdiction.

Section 4-02-83 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J103.3 Fees. Fees shall be assessed in accordance with the provisions of this section and shall be as set forth in the fee schedules outlined in Table J103.3.1 and Table J103.3.2 contained in this ordinance.

Section 4-02-84 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J103.3.1 Grading Plan Review Fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in the fee schedule outlined in Table J103.3.1 contained in this ordinance. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For excavation and fill on the same site, the fee shall be based on the volume of the excavation or fill, whichever is greater.

Section 4-02-85 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

TABLE J103.3.1-GRADING PLAN REVIEW FEES

50 Cubic yards (38.2 m ³) or less.....	No fee
51 to 100 cubic yards (40 m ³ to 76.5m ³)	\$23.50
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³)	\$37.00
1,001 to 10,000 cubic yards (765.3 m ³ to 7645.5 m ³)	\$49.25
10,001 to 100,000 cubic yards (7646.3 m ³ to 76 455 m ³) \$49.25 for the first 10,000 cubic yards (76 455m ³), plus \$24.50 for each additional 10,000 cubic yards (7645.5m ³) or fraction thereof.	
100,001 to 200,000 cubic yards (76456.3 m ³ to 152 911 m ³) \$269.75 for the first 100,000 cubic yards (76 455m ³), plus \$13.25 for each additional 10,000 cubic yards (7645.5m ³) or fraction thereof.	
200,001 cubic yards (152 912 m ³) or more	\$402.25 for the first 200,000 cubic yards (152 911

m ³), plus \$7.25 for each additional 10,000 cubic yards (7645.5m ³) or fraction thereof.
Other Fees: Additional plan review required by changes, additions or revisions to approved plans.....\$50.50 per hour* (minimum charge - one hour)

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Section 4-02-86 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J103.3.2 Grading Permit Fees. A fee for each grading permit shall be paid as set forth in the fee schedule outlined in Table J103.3.2 contained in this ordinance. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

Section 4-02-87 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

TABLE J103.3.2--GRADING PERMIT FEES¹

50 cubic yards (38.2 m ³) or less.....	\$23.50
51 to 100 cubic yards (40 m ³ to 76.5 m ³)	\$37.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³) \$37.00 for the first 100 cubic yards (76.5m ³) plus \$17.50 for each additional 100 cubic yards (76.5 m ³) or fraction thereof.	
1,001 to 10,000 cubic yards (765.3 m ³ to 7645.5 m ³) \$194.50 for the first 1,000 cubic yards (764.6 m ³) plus \$14.50 for each additional 1,000 cubic yards (764.6 m ³) or fraction thereof.	
10,001 to 100,000 cubic yards (7645.3 m ³ to 76 455m ³) \$325.00 for the first 10,000 cubic yards (7645.5 m ³), plus \$66.00 for each additional 10,000 cubic yards (7645.5 m ³) or fraction thereof.	
100,001 cubic yards (76 455 m ³) or more \$919.00 for the first 100,000 cubic yards (76 455 m ³), plus \$36.50 for each additional 10,000 cubic yards (7645.5 m ³) or fraction thereof.	
Other Inspections and Fees: 1. Inspections outside of normal business hours.....	\$50.50 per hour ² (minimum charge - two hours) 2.
Reinspection fees.....	\$50.50 per hour ² 3.
Inspections for which no fee is specifically indicated.....	\$50.50 per hour ² (minimum charge - one hour)

¹The fee for a grading permit authorizing additional work to that under a valid building permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

²Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Section 4-02-88 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J103.4 Bonds. The building official may require bonds in such form and amounts as deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate adverse conditions.

In lieu of a surety bond, the building official may allow the applicant to post a cash bond or instrument of credit with the building official in an amount equal to that which would be required in the surety bond.

Section 4-02-89 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J105.1, GENERAL

J105.1 General. Grading operations for which a permit is required shall be subject to inspection by the building official or designee as governed by Section 110 of this code and in accordance with sections J105.1.1 through J105.3.1. Professional inspection of grading operations shall be provided by the registered design professional retained to provide such services for engineered grading and as required by the building official for regular grading.

Section 4-02-91 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J105.1.1 Registered Design Professional. The registered design professional shall provide professional inspection within his or her technical specialty, which shall consist of observation and review as to the establishment of line, grade, surface drainage of the development area, observation during grading and testing for required compaction, and professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the applicable requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the building official and the registered design professional. If revised plans are required during the course of the work they shall be prepared by the registered design professional.

Section 4-02-91 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J105.1.2 Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the building official. In the event of changed conditions, the permittee shall be responsible for informing the building official of any such change and shall provide revised plans for approval.

Section 4-02-92 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J105.1.3 Building Official. The building official, or designee, shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.

Section 4-02-93 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J105.1.4 Notification of noncompliance. If, in the course of fulfilling their respective duties under this chapter, the registered design professional finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the building official.

Section 4-02-94 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J105.1.5 Transfer of responsibility. If the registered design professional of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the building official in writing of such change prior to the recommencement of such grading.

Section 4-02-95 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J105.2, SPECIAL INSPECTIONS

J105.2 Special inspections. The special inspection requirements of Section 1705.6 shall apply to work performed under a grading permit where required by the building official.

Section 4-02-96 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING

J105.3 Final Reports. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is performed for regular grading, as applicable.

1. An as-built grading plan prepared by the registered design professional retained to provide such services showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the registered design professional. Registered design professionals shall state that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan.
2. A report prepared by the registered design professional retained to provide such services, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during final grading and their effect on the recommendations made in the approved soils engineering investigation report. Registered design professionals shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter.
3. A report prepared by the registered design professional retained to provide such services, including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. Registered design professionals shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geology report and applicable provisions of this chapter.
4. The grading contractor shall submit in a form prescribed by the building official a statement of conformance with the as-built plan and the specifications.

Section 4-02-97 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J105.3.1, NOTIFICATION OF COMPLETION

J105.3.1 Notification of completion. The permittee shall notify the building official or designee when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted.

Section 4-02-98 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J107.5, COMPACTION

J107.5 Compaction. All fill material shall be compacted to 95 percent of maximum density as determined by ASTM D 1557, Modified Proctor, in lifts not exceeding 12 inches in depth.

Section 4-02-99 IBC BUILDING CODE AMENDMENT, APPENDIX J GRADING SECTION J109.1, GENERAL

J109.1 General. Unless otherwise recommended by a registered design professional, drainage facilities shall be provided in accordance with the requirements of this section. Terracing in accordance with the requirements of this section shall be provided when recommended by the registered design professional.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

Section 4-02-100 IRC BUILDING CODE AMENDMENT, SECTION R101.1, TITLE R101.1 Title. These provisions shall be known as the *Residential Code for One-and Two-Family Dwellings* of Boise City, and may be referred to hereunder as such or as this “code” hereunder.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-101 IRC BUILDING CODE AMENDMENT, SECTION R101.2, SCOPE,

Exception: Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the Residential Code for One-and Two-family Dwellings of Boise City.

Section 4-02-102 IRC BUILDING CODE AMENDMENT, SECTION R102.7, EXISTING STRUCTURES

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, Uniform Housing Code or as is deemed necessary by the building official for the general safety and welfare of the occupants or the public.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-103 IRC BUILDING CODE AMENDMENT, SECTION R103, DIVISION OF BUILDING SAFETY

**SECTION R103
DIVISION OF BUILDING SAFETY**

R103.1 Creation of Enforcement Agency. The Division of Building Safety is hereby created and the official in charge thereof shall be known as the Planning and Development Services Director.

R103.2 Director. The Planning and Development Services Director shall be appointed by the Mayor with the consent of the Boise City Council.

R103.3 Agents. Authorized Agents of the Planning and Development Services Director shall be designated by the Planning and Development Services Director.

R103.4 Designations. The Planning and Development Services Director shall have the authority to designate the related technical officers, assistant building officials, inspection and plan review supervisors, plans examiners, inspectors and other employees. Such employees shall have such powers and authority as delegated by the Director.

R103.5 Division Manager, Building Official. The Planning and Development Services Director shall have the authority to appoint a Division Manager to head the Building Division, which shall be also known as the building official. The assistant building officials, inspection and plan review supervisors, inspectors, plans examiners and other employees located in the Building Division shall report to the Building Official.

R103.6 Building Damage Assessment and Reconstruction Plan. The Planning and Development Services Director shall have the authority to appoint the related technical officers, plans examiners, inspectors, individuals and other representatives from supporting jurisdictions to implement a building damage assessment and reconstruction plan in the event of calamitous events either natural or man-made. Such employees shall have such powers as delegated by the Director and protections as afforded by Section R104.8.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-104 IRC BUILDING CODE AMENDMENT, SECTION R104.10.1, FLOOD HAZARD AREAS

R104.10.1 Flood hazard areas. The Floodplain Administrator shall not grant modifications to any provision related to flood hazard areas established by Table R301.2(1) unless said modification conforms to the Variances and Appeals section in the Flood Hazard regulations of the Boise Development Code.

(Ord-49-14, Amended, 12/16/14; Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-105 IRC BUILDING CODE AMENDMENT, SECTION R105.2, WORK EXEMPT FROM PERMIT

R105.2 Work exempt from permit. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58 square meters).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are not greater than four (4) feet (1219 mm) deep.
8. Swings and other playground equipment accessory to a one- or two-family dwelling.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Work with a total value of five hundred dollars (\$500.00) or less.
11. Decks that are not more than 12 inches above grade at any point and do not serve the exit door required by Section R311.4.
12. Flag Poles

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-106 IRC BUILDING CODE AMENDMENT, SECTION R105.2.1 EMERGENCY REPAIRS

R105.2.1 Emergency Repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day or as at a time as required by the Building Official.

(Ord-45-13, Amended, 11/19/13; 6789, Added, 11/09/2010)

Section 4-02-107 IRC BUILDING CODE AMENDMENT, SECTION R105.2.2, REPAIRS

R105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alter of, replacement or relocation of any, gas piping, combustion vent, electric wiring or mechanical or other work affecting public health or general safety.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-108 IRC BUILDING CODE AMENDMENT, SECTION R105.3.1.1, DETERMINATION OF SUBSTANTIALLY IMPROVED OR SUBSTANTIALLY DAMAGED EXISTING BUILDINGS IN FLOOD HAZARD AREAS

The first paragraph of Section R105.3.1.1, determination of substantially improved or substantially damaged existing buildings in flood hazard areas, shall be amended to read as follows:

R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), the Boise City Floodplain Administrator or designee shall examine or cause to be examined the construction documents for the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damage condition. If the Floodplain Administrator or designee finds that the value of the building or structure before the damage has occurred or the improvement is started, the proposed work is a substantial improvement or restoration of substantial damage and shall require existing portions of the entire building or structure to meet the requirements of R322. All substantially improved or reconstruction of existing structures shall be made in accordance with the Flood Hazard regulations of the Boise Development Code in addition to this code.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-109 IRC BUILDING CODE AMENDMENT, SECTION R105.3.2, TIME LIMITATION OF APPLICATION

R105.3.2 Time limitation of application. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data

submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-110 IRC BUILDING CODE AMENDMENT, SECTION R105.5, EXPIRATION

R105.5 Expiration. Every permit issued by the building official or designee under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one calendar year from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 calendar days.

The timeframe by which a project shall be deemed to be suspended or abandoned if no inspection has been requested shall be measured from the date of the last required inspection or if no inspection has been required then a project shall be deemed to be suspended one calendar year from the date of issuance the permit was issued.

Required inspections include: footing/foundation inspection, concrete slab or under-floor inspection, lowest floor elevation inspection, framing inspection, lath or gypsum board inspection, fire resistant penetration inspection, energy efficiency inspection, any required special inspections final inspection and any other inspections, other than conference inspections required by the Building Official. However, the building official may extend a permit when a good faith effort toward code compliant work has been performed and that significant progress has occurred towards the next stage of inspection.

- a. **New Permit Required After Expiration.** Before work on the site can be recommenced after expiration, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit provided no changes have been made or will be made in the original plans and specifications for such work, that the work is still possible given current conditions, and that work has not been suspended or abandoned for more than one year from the last required, recorded inspection. In such cases, a new permit shall not be issued after expiration when the original review was performed using a previously adopted code.

Exception: For all construction or structures governed only by the code, an exception exists allowing the permit to be re-issued if requested in writing. This

exception applies until the City adopts a new version of the IRC building code, then the applicant must apply for a new permit and the plans will be subject to a new plan review process and related permit fees.

The Building Official shall have the authority to deny the new permit which utilizes the requirements of the expired permit unless the permittee made a effort to complete the project and reasons beyond their control, related to the project, resulted in suspension or abandonment of the project. The permittee must provide a written report on current status of construction which will include a request for an extension and a timeframe for completion in order for the building official to renew the permit. The Building Official may also require documentation from a third party be provided by the permit applicant regarding the current state of the construction prior to issuance of a new permit.

- b. Permit Extensions. Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit, when the permittee is unable to commence work within the time required by this section. The building official may extend the time for action by the permittee for a period not exceeding 180 calendar days on written request by the permittee with written evidence provided demonstrating that a good faith effort to complete the project has been made and that reasons beyond the control of the permittee have resulted in a delay. Under no condition shall a permit be extended more than three times, for a total maximum time of three 180 day extensions. Each 180 day extension must be approved individually by the Building Official.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-111 IRC BUILDING CODE AMENDMENT,

R105.10 Permit transfer. A building permit shall be transferable to another party if that party can provide a document signed by the original permit holder consenting to the transfer and that all agreements and conditions are incorporated into the original permit approval. A permit may also be transferred back to the property owner or owner's designated legal agent in cases where the property owner has terminated their legal relationship with their contractor or owner's designated legal agent. An administrative fee for the transfer of the permit will be assessed for the work performed by staff to facilitate the transfer.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6373, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-112 IRC BUILDING CODE AMENDMENT, SECTION R106.1, SUBMITTAL DOCUMENTS

R106.1 Submittal documents. Two (2) sets of construction plans, special inspection and structural observation programs, and other data as required by Boise City submittal checklists shall be submitted with each application for a permit. Plans for all townhouse construction with four (4) or more units attached shall be prepared, signed and sealed by an architect licensed by the State of Idaho under Section 54-309, Idaho Code, as amended.

Dwelling and townhouse units constructed in areas under the purview of the Hillside and Foothills Development Standards of the Boise Development Code, shall have foundation designs signed and sealed by a professional engineer licensed by the State of Idaho, and qualified in the engineering specialty involved.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-113 IRC BUILDING CODE AMENDMENT, SECTION R107.1, TEMPORARY STRUCTURES

R107.1 Temporary structures - General. The building official is authorized to issue a permit for temporary structures with temporary uses having an overnight stay. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause. Approvals for other temporary structures and uses of not more than 180 days that do not involve an overnight stay shall be regulated by the Boise Development Code and Fire Department.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-114 IRC BUILDING CODE AMENDMENT, SECTION R107.3, TEMPORARY POWER

R107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such that installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the electrical code as adopted by the city of Boise City.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-115 IRC BUILDING CODE AMENDMENT, SECTION R108.2, SCHEDULE OF PERMIT FEES

R108.2 Schedule of permit fees. Permit fees are to be charged in accordance with the fee schedule in Table No.1-A contained in this ordinance.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed &

Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-116 IRC BUILDING CODE AMENDMENT, SECTION R108.3, BUILDING PERMIT VALUATIONS

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as building, electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates which meets the approval of the building official. The final building permit valuation shall be set by the building official.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-117 IRC BUILDING CODE AMENDMENT, SECTION R108.5, FEE REFUNDS

R108.5 Fee Refunds. The Building Official may authorize a refund of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize a refund of 100 percent of the permit fee, less any administrative activity fees, paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize a refund of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize a refund of any fee paid except on written application filed by the original permittee or owner's representative not later than 180 days after the date of fee payment.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-118 IRC BUILDING CODE AMENDMENT, SECTION R108.6, WORK COMMENCING BEFORE PERMIT ISSUANCE

R108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation that shall be made before a permit may be issued for such work.

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table No. 1-A contained in this ordinance. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 4-02-119 IRC BUILDING CODE AMENDMENT, SECTION 109.1.3, FLOODPLAIN INSPECTIONS

R109.1.3 Floodplain Inspections. For construction in flood hazard areas as established by Table R301.2 (1), in addition to the initial elevation certificate required at time of permit application, upon placement of the lowest floor, including basement, the building official or designee shall require submission of documentation, prepared by persons as specified in the Flood Hazard regulations of the Boise Development Code, of the elevation of the lowest floor, including basement, required in Section R322 prior to the request for a framing inspection.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-120 IRC BUILDING CODE AMENDMENT, SECTION R109.4, APPROVAL REQUIRED

R109.4 Approval required. Work shall not be performed beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. A final inspection and approval is required upon completion and prior to occupancy and use of all building and structures.

Section 4-02-121 IRC BUILDING CODE AMENDMENT, ADD SECTION R110.1.1, CERTIFICATE OF COMPLETION

R112.1 Building Code Board of Appeals. In order to hear and decide appeals of orders, decisions, or determinations made by the building official with respect to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals consisting of ten (10) members including: three (3) Idaho registered engineers; three (3) Idaho licensed architects; three (3) building contractors and one (1) person who owns or operates a fire sprinklers business, and are qualified by experience and training to pass upon matters pertaining to building construction, all of whom shall not be employees of the city of Boise City. At least five (5) of the members shall be residents of Boise City. Members not residing in the city of Boise City must reside in Ada County and transact business in Boise City. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote

upon any matter before the board. The Board of Appeals shall be appointed for a term of four (4) years by the governing body and shall hold office at the pleasure of the Mayor and Boise City Council. The board may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

(Ord-49-14, Amended, 12/16/2014; Ord-45-13, Amended, 11/19/13; Ord 16 13 06/04/2013)

R112.1.1 APPEALS TO THE BUILDING CODE BOARD OF APPEALS

A. APPLICATION FOR APPEAL

Any applicant for a permit, whose application has been rejected by the City, or any person who has been ordered by the City to modify, alter, remove, or install any building code provisions a required by this code may within ten (10) calendar days thereafter, request an appeal by filing notice in writing with the building official. The building official or designee shall deliver such notice; to the board. The hearing shall be held within thirty (30) calendar days of receipt of the notice of appeal or as otherwise agreed upon by parties to the appeal. At the hearing the board may, by a majority vote, affirm, annul or modify the action of the City. If the actions of the City are modified or annulled, a permit shall be issued in accordance with the determination of the board.

B. APPEAL FEE

Any person appealing a decision of the City shall include payment of a-fee in the amount of one hundred fifty dollars (\$150.00). In the event that the appellant prevails, then the fee shall be refunded to the appellant.

C. APPEAL TO CITY COUNCIL

Any order, decision, or ruling of the board may be appealed, by filing notice in writing to the Boise City Council within ten (10) calendar days of such order, decision, or ruling.

R112.1.2 APPEAL PROCEDURE

The Building Code Board of Appeals may receive all evidence on appeal; in accordance with the following procedure:

- A. The building official or designee shall present background information on the project in question, including relevant code sections and their interpretation. The board may ask questions during or after each presentation.
- B. Applicant shall be allowed to present any information or applicable code sections to support a reversal of the building official's decision. The appellant shall have up to twenty (20) minutes to present evidence.

- C. The chair shall open the hearing to receive public testimony. Each person wishing to provide public testimony shall be given up to five (5) minutes to do so.
- D. Following the close of public testimony, the building official or designee shall be allowed up to ten (10) minutes for rebuttal.
- E. The appellant shall then have up to ten (10) minutes for rebuttal and any final comments.
- F. The Chairman of the board may allocate equivalent additional time to the applicant and the Building Official or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.
- G. Following the hearing, the board may deliberate and render a final decision by a roll call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make or render a final decision. The final decision shall be in writing and a copy provided to the appellant and any parties of record. The decision by the board may be appealed to the Boise City Council within ten (10) calendar days following the date of issuance of a written decision.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-125 IRC BUILDING CODE AMENDMENT, SECTION R113.4

R113.4 Criminal Penalties. Any person, firm or corporation violating the provisions of this Code shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

- A. In the discretion of the building official, the City may charge the offender with an infraction in lieu of a misdemeanor. The infraction shall be payable by a fine of three hundred dollars (\$300.00). There shall be no right to a trial by jury for an infraction citation or complaint.
- B. For purposes of trial by court or jury, the infraction described within this section shall not constitute a lesser included offense for any misdemeanor citation or complaint.
- C. A prosecuting attorney may reduce a misdemeanor charge under this chapter to an infraction as described herein, payable by a \$300 fine, if the defendant engages in

corrective actions resulting in fully completed and permitted work.

(Ord-49-14 Amended, 12/16/2014; Ord-45-13, Amended, 11/19/13; 6789, amended, 11/09/2010; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-126 IRC BUILDING CODE AMENDMENT, SECTION R114, STOP WORK ORDER

R114.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order.

R114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the work in question will be permitted to resume.

R114.3 Unlawful continuance. Any person that continues any work after having been served with a stop work order, except such work as that person is directed to perform to remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-127 IRC BUILDING CODE AMENDMENT,

R115.1 Conditions. Structures or existing equipment deemed unsafe shall be taken down and removed or made safe in accordance with provisions of the *Uniform Code for the Abatement of Dangerous Buildings* as adopted under the *Dangerous Buildings Code* of Boise City.

Notwithstanding other provisions of this code, whenever, in the opinion of the *building official*, there is an imminent danger due to an unsafe condition, the *building official* shall have authority to summarily order temporary safeguard work to be performed in order to render the structure temporarily safe or to warn the public of the dangerous condition. The temporary safeguard work required may include, but shall not be limited to placement of placards or signage, erecting barrier tape, barricades, or fencing, securing openings, or other means as the *code official* deems necessary to address such emergency.

Section 4-02-128 IRC BUILDING CODE AMENDMENT, SECTION R202 DEFINITION FOR TOWNHOUSE

TOWNHOUSE A single-family dwelling unit constructed in a row of attached units separated by property lines and with open space on at least two sides.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-129 IRC BUILDING CODE AMENDMENT, TABLE R301.2 (1), CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

**TABLE R301.2 (1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD: 20PSF. Design roof load shall not be less than a uniform snow load of 25 psf.)

WIND DESIGN SPEED (mph): 90

Wind speed from the basic wind speed map [Figure R301.2 (4)_A]. Wind exposure category shall be determined in accordance with Section R301.2.1.4

WIND DESIGN TOPOGRAPHIC EFFECTS: NO

In accordance with Section R301.2.1.5

SEISMIC DESIGN CATEGORY: C

In accordance with Section R301.2.2.1

WEATHERING: Severe

As determined from the Weathering Probability Map [Figure R301.2 (3)]. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.

FROST LINE DEPTH: 24 inches

TERMITE: Slight to Moderate

Based on history of local subterranean termite damage.

WINTER DESIGN TEMP: 10 degrees F

The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½ percent values for winter from Appendix D of the International Plumbing Code or as determined by the Building Official.

ICE BARRIER UNDER LAYMENT REQUIRED: NO

In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming.

FLOOD HAZARDS: First Floodplain Ordinance effective December 12, 1983. Flood Insurance Study (FIS) February 19, 2003. Panel numbers (all with a date of 2/19/2003) are: 0160 H, 0161 H, 0162 H, 0166 H, 0167 H, 0169 H, 0178 H, 0186 H, 0187 H, 0188 H, 0189 H, 0193 H, 0254 H, 0258 H, 0259 H, 0265 H, 0267 H, 0270 H, 0276 H, 0277 H, 0281 H, 0282 H, 0283 H, 0284 H, 0286 H, 0287 H, 0291 H, 0295 H, 0305 H, 0315 H.

AIR FREEZING INDEX: 894

Based on the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32° Fahrenheit)” at www.ncdc.noaa.gov/fpsf.html.

MEAN ANNUAL TEMP: 51.1 degrees F

Based on the mean annual temperature from the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32°F)” at www.ncdc.noaa.gov/fpsf.html.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-130 IRC BUILDING CODE AMENDMENT, TABLE, R302.1(1), EXTERIOR WALLS

Table R302.1(1) shall be amended as follows:

**TABLE R302.1(1)
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet
Projections	Fire-resistance rated	1 hour on the underside ^{a,b}	≥ 2 feet to < 3 feet
	Not fire-resistance	0 hours	≥ 3 feet

	rated		
Openings in walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	≥ 3 feet to < 5 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	≥ 3 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

- a. Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
- b. Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided that gable vent openings are not installed.

(Ord-45-13, Amended, 11/19/13)

Section 4-02-131 IRC BUILDING CODE AMENDMENT, SECTION R302.2, TOWNHOUSES EXCEPTIONS

The Exception to Section R302.2 shall be deleted and replaced with two exceptions as follows:

Exceptions:

1. When provided with an automatic fire sprinkler system pursuant to section R313.1, a common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts, or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be constructed in accordance with Section R302.4.
2. Two (2) 1-hour fire-resistance rated wall assemblies (as specified in Section R302.1) or a common 2-hour fire-resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263 are permitted for townhouses. If two (2) 1-hour fire-resistance rated walls are used, plumbing and electrical installations within the wall cavity shall conform to fire-resistance penetration requirements in accordance with section R302.4 through R302.4.2 for each of the two (2) 1-hour rated walls penetrated. The 2-hour fire-resistance

rated common wall shall not contain plumbing or mechanical equipment, ducts or vents within its wall cavity. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be constructed in accordance with section R302.4.

Section 4-02-132 IRC BUILDING CODE AMENDMENT, SECTION R303.4, MECHANICAL VENTILATION

R303.4 Mechanical ventilation. Dwelling units shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

Section 4-02-133 IRC BUILDING CODE AMENDMENT, SECTION R309.3 FLOOD HAZARD AREAS

R309.3 Flood Hazard Areas. All construction within flood hazard areas shall be designed and constructed in accordance with the Flood Hazard regulations of the Boise Development Code in addition to this code. For buildings located in flood hazard areas as established by Table R301.2(1), garage floors shall be:

1. Elevated to or above the design flood elevation as determined in accordance with Section R322; or
2. Located below the design flood elevation provided that the floors are at or above grade on not less than one side, are used solely for parking, building access or storage, meet the requirements of Section R322 and are otherwise constructed in accordance with this code.

Section 4-02-134 IRC BUILDING CODE AMENDMENT, SECTION R313.1, TOWNHOUSE AUTOMATIC FIRE SPRINKLER SYSTEMS EXCEPTION

The Exception to Section R313.1 shall be modified as follows:

Exception. Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) 1-hour fire resistance walls or a common two-hour fire-resistance rated wall, as specified in Exception 2 of Section R302.2, is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

Section 4-02-135 IRC BUILDING CODE AMENDMENT, SECTION R313.2, ONE-AND TWO-FAMILY DWELLINGS AUTOMATIC FIRE SYSTEMS

(Ord-45-13, Amended, 11/19/13; 6789, Added, 11/09/2010)

Section 4-02-136 IRC BUILDING CODE AMENDMENT, SECTION R315.2, ALTERATIONS, REPAIRS AND ADDITIONS, EXCEPTION 2

Repeal Exception 2 of Section R315.2.2 Alterations, repairs and additions, and replace as follows:

2. Installation, alteration or repairs of electrical, plumbing, or mechanical systems are exempt from the requirements of this section.

Section 4-02-137 IRC BUILDING CODE AMENDMENT, SECTION R322.1 FLOOD-RESISTANT CONSTRUCTION, GENERAL

R322.1 Flood-Resistant Construction, General. All construction within flood hazard areas shall be designed and constructed in accordance with the Flood Hazard regulations of the Boise Development Code in addition to this code. Buildings and structures constructed in whole or in part in flood hazard areas, including A or V Zones and Coastal A Zones, as set forth in Table R301.2(1), and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section. Buildings or structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area. Buildings or structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24, where or if allowed by the Flood Hazard regulations of the Boise Development Code.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Added, 12/22/2004)

Section 4-02-138 IRC BUILDING CODE AMENDMENT, TABLE R602.7.5, MINIMUM NUMBER OF FULL HEIGHT STUDS AT EACH END OF HEADERS IN EXTERIOR WALLS

**TABLE R602.7.5
MINIMUM NUMBER OF FULL HEIGHT STUDS
AT EACH END OF HEADERS IN EXTERIOR WALLS^a**

MAXIMUM HEADER SPAN (in feet)	ULTIMATE DESIGN WIND SPEED AND EXPOSURE CATEGORY	
	< 140 MPH, Exposure B or <130 MPH, Exposure C	< 115 MPH Exposure B^b

4	1	1
6	2	1
8	2	1
10	3	2
12	3	2
14	3	2
16	4	2
18	4	2

- a. For header spans in between those values given in the Table, use the minimum number of full height studs associated with the next highest span value.
- b. The tabulated minimum number of full height studs is applicable where jack studs are provided to support the header at each end in accordance with Table R602.7.(1). Where a framing anchor is used to support the header in lieu of a jack stud in accordance with footnote d of Table R602.7(1), the minimum number of full height studs at each end of the header shall be in accordance with requirements for wind speed < 140 MPH, Exposure B.

Section 4-02-139 IRC BUILDING CODE AMENDMENT, SECTION R602.10, WALL BRACING

R602.10 Wall bracing. Buildings shall be braced in accordance with this section or, when applicable, Section R602.12 or the most current version of APA System Report SR-102 at the time of application for a permit as an alternate method. Where a building, or portion thereof, does not comply with one or more of the bracing requirements in this section, those portions shall be designed and constructed in accordance with Section R301.1.

Section 4-02-140 IRC BUILDING CODE AMENDMENT, SECTION R903.1, GENERAL ROOF COVERING

R903.1 General. Roof decks shall be covered with approved roof coverings secured to the building or structure in accordance with the provisions of this chapter. Roof coverings shall be designed, installed and maintained in accordance with this code and the approved manufacturer's installation instructions such that the roof covering shall serve to protect the building or structure. Roof covering requirements for hillside and Wildland Urban Interface areas are to be as regulated by the Fire Prevention Code, of the Boise City Municipal Code.

(6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Added, 12/22/2004)

Section 4-02-141 IRC BUILDING CODE AMENDMENT, TABLE N1102.1.1, INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT,

Add footnote j to the title of Table N1102.1.2 - Insulation and Fenestration Requirements by Component. Add footnote j underneath Table N1102.1.2 after footnote i to read as follows:

j. For residential log home building thermal envelope construction requirements see section N1102.6.

Add footnote k to the Ceiling R-Value header of Table N1102.1.2, and below Table N1102.1.2 to read as follows:

k. The Ceiling R-Value in Climate Zone 5 may be reduced to R-38 when the Wood Frame Wall R-Value is increased to R-21 and the Fenestration U-Factor is reduced to 0.31.

Section 4-02-142 IRC BUILDING CODE AMENDMENT, TABLE N1102.4.1.1, AIR BARRIER AND INSULATION INSTALLATION

TABLE N1102.4.1.1 (R402.4.1.1) AIR BARRIER AND INSULATION INSTALLATION

COMPONENT	CRITERIA ^a
Fireplace	An air barrier shall be installed on fireplace walls.

Section 4-02-143 IRC BUILDING CODE AMENDMENT, SECTION N1102.4.1.2, TESTING

N1102.4.1.2 (R402.4.1.2) Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour in Climate Zones 1 and 2, and four air changes per hour in Climate Zones 3 through 8. Testing shall be conducted in accordance with ANSI/RESNET/ICC 380 and reported at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *building official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *building official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

Section 4-02-144 IRC BUILDING CODE AMENDMENT, ADD SECTION N1102.6, RESIDENTIAL LOG HOME THERMAL ENVELOPE

N1102.6 Residential Log Home Thermal Envelope. Residential log home construction shall comply with sections N1101 (General), N1102.4 (Air Leakage), N1102.5 (Maximum

Fenestration U-Factor and SHGC), N1103.1 (Controls), N1103.3.2 (Sealing), N1103.3.5 (Building Cavities), sections N1103.4 through N1103.11 (referred to as the mandatory provisions), Section N1104 (Electrical Power and Lighting Systems), and either subsection i., ii., or iii. as follows:

- i. Sections N1102.2 through N1102.3, N1103.3.1, N1104.1 and Table N1102.6;
- ii. Section N1105 Simulated Performance Alternative (Performance); or
- iii. REScheck (U.S. Department of Energy Building Codes Program).

Section 4-02-145 IRC BUILDING CODE AMENDMENT, ADD TABLE N1102.6, LOG HOME PRESCRIPTIVE THERMAL ENVELOPE REQUIREMENTS BY COMPONENT

**TABLE N1102.6
LOG HOME PRESCRIPTIVE THERMAL ENVELOPE REQUIREMENTS BY
COMPONENT**

CLIMATE ZONE	FENESTRATION U-FACTOR ^a	SKYLIGHT U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	Min. Average LOG Size in Inches	FLOOR R-VALUE	BASEMENT WALL R-VALUE ^d	SLAB R-VALUE & DEPTH ^b	CRAWL SPACE WALL R-VALUE ^d
5, 6 - High efficiency equipment path ^c	0.32	0.60	NR	49	5	30	15/19	10, 4 ft.	10/13
5	0.32	0.60	NR	49	8	30	10/13	10, 2 ft.	10/13

For SI: 1 foot= 304.8 mm

- a. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- b. R-5 shall be added to the required slab edge R-values for heated slabs.
- c. 90% AFUE natural gas or propane, 84% AFUE oil, or 15 SEER heat pump heating equipment (zonal electric resistance heating equipment such as electric base board electric resistance heating equipment as the sole source for heating is considered compliant with the high efficiency equipment path).
- d. “15/19” means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. “15/19” shall be permitted to be met with R-13 cavity insulation on the interior of the

basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

Section 4-02-146 IRC BUILDING CODE AMENDMENT, SECTION N1103.3.3, DUCT TESTING (MANDATORY)

N1103.3.3 (R403.3.3) Duct testing (Mandatory). Ducts shall be pressure tested in accordance with ANSI/RESNET/ICC 380 to determine air leakage by one of the following methods:

1. Rough-in test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure if installed at the time of the test. All registers shall be taped or otherwise sealed during the test.
2. Postconstruction test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. Registers shall be taped or otherwise sealed during the test.

Exception: A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.

A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official*.

Section 4-02-147 IRC BUILDING CODE AMENDMENT, SECTION N1106.3, ENERGY RATING INDEX

N1106.3 (R406.3) Energy rating index. The Energy Rating Index (ERI) shall be determined in accordance with ANSI/RESNET/ICC 301.

Section 4-02-148 IRC BUILDING CODE AMENDMENT, DELETE SECTION N1106.3.1, ERI REFERENCE DESIGN

Section 4-02-149 IRC BUILDING CODE AMENDMENT, TABLE N1106.4, MAXIMUM ENERGY RATING INDEX

The Energy Rating Index value for Climate Zone 5 shall be amended to read as follows:

**TABLE N1106.4 (R406.4)
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
5	61

Section 4-02-150 IRC BUILDING CODE AMENDMENT, SECTION N1106.5, VERIFICATION BY APPROVED AGENCY

N1106.5 Verification by approved agency. Verification of compliance with Section N1106 shall be completed by a third party approved in accordance with ANSI/RESNET/ICC 301.

Section 4-02-151 IRC BUILDING CODE AMENDMENT, SECTION N1106.6, DOCUMENTATION

N1106.6 (R406.6) Documentation. Documentation of the software used to determine the ERI and the parameters for the residential building shall be in accordance with Sections N1106.6.1 through N1106.6.5.

Section 4-02-152 IRC BUILDING CODE AMENDMENT, SECTION N1106.6.1, COMPLIANCE SOFTWARE TOOLS

N1106.6.1 (R406.6.1) Compliance software tools. Software tools used for determining the ERI shall be Approved Software Rating Tools in accordance with ANSI/RESNET/ICC 301.

Section 4-02-153 IRC BUILDING CODE AMENDMENT, ADD SECTION N1106.6.4, SPECIFIC APPROVAL

N1106.6.4 (R406.6.4) Specific approval. Performance analysis tools meeting the applicable sections of Section N1106 shall be *approved*. Documentation demonstrating the approval of performance analysis tools in accordance with Section N1106.6.1 shall be provided to the *code official*.

Section 4-02-154 IRC BUILDING CODE AMENDMENT, ADD SECTION N1106.6.5, INPUT VALUES

N1106.6.5 (R406.6.5) Input values. When calculations require input values not specified by Sections N1102, N1103, N1104 and N1105, those input values shall be taken from ANSI/RESNET/ICC 301.

Section 4-02-155 IRC BUILDING CODE AMENDMENT, DELETE SECTION N1106.7, CALCULATION SOFTWARE TOOLS, INCLUDING SUB-SECTIONS N1106.7.1

MINIMUM CAPABILITIES, N1106.7.2 SPECIFIC APPROVAL AND N1106.7.3 INPUT VALUES

Section 4-02-156 IRC BUILDING CODE AMENDMENT, CHAPTER 44 REFERENCED STANDARDS

The following referenced standards shall be added into Chapter 44 of the code as follows:

ANSI/RESNET/ICC	Residential Energy Services Network, Inc. P.O. Box 4561 Oceanside, CA 92052-4561	International Code Council 500 New Jersey Avenue, NW, 6 th Floor Washington, D.C. 20001
Standard reference number	Title	Referenced in code section number
301-2014	Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index	N1106.3, N1106.5, N1106.6.1, N1106.6.5

ANSI/RESNET/ICC	Residential Energy Services Network, Inc. P.O. Box 4561 Oceanside, CA 92052-4561	International Code Council 500 New Jersey Avenue, NW, 6 th Floor Washington, D.C. 20001
Standard reference number	Title	Referenced in code section number
380-2016	Standard for Testing Airtightness of Building Enclosures, Airtightness of Heating and Cooling Air Distribution Systems, and Airflow of Mechanical Ventilation Systems	N1102.4.1.2, N1103.3.3

Section 4-02-157 IRC BUILDING CODE AMENDMENT, ADD APPENDIX V, TINY HOMES

Add an additional appendix titled *Appendix V Tiny Homes* into the code with sections and provisions as follows:

**SECTION AV101
GENERAL**

AV101.1 Scope. This appendix shall be applicable to tiny houses used as single dwelling units. Tiny houses shall comply with this code except as otherwise stated in this appendix.

**SECTION AV102
DEFINITIONS**

AV102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

Tiny House. A dwelling that is 400 square feet (37 m) or less in floor area excluding lofts.

Escape and Rescue Roof Access Window. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in Section R310.

Landing Platform. A landing provided as the top step of a stairway accessing a loft.

Loft. A floor level located more than 30 inches (762 mm) above the main floor and open to it on at least one side with a ceiling height of less than 6 feet 8 inches (2032 mm), used as a living or sleeping space.

SECTION AV103 CEILING HEIGHT

AV103.1 Minimum Ceiling Height. Habitable space and hallways in tiny houses shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting and other obstructions.

Exception: Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AV104 LOFTS

AV104.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AV104.1.1 through AV104.1.3.

AV104.1.1 Minimum area. Lofts shall have a floor area of not less than 35 square feet (3.25 m).

AV104.1.2 Minimum dimensions. Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AV104.1.3 Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

AV104.2 Loft access. The access to and primary egress from lofts shall be any type described in Sections AR104.3 through AR104.6.

AV104.3. Stairways. Stairways accessing lofts shall comply with this code or with Sections AR104.3.1 through AR104.3.6.

AV104.3.1 Width. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The minimum width below the handrail shall be not less than 20 inches (508 mm).

AV104.3.2 Headroom. The headroom in stairways accessing a loft shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

Exception: The headroom for a landing platform, where stairways access lofts, shall be not less than 4 feet 6 inches (1372 mm).

AV104.3.3 Treads and Risers. Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus $\frac{4}{3}$ of the riser height, or
2. The riser height shall be 15 inches (381 mm) minus $\frac{3}{4}$ of the tread depth.

AV104.3.4 Landing Platforms. The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor.

AV104.3.5 Stairway Handrails. Handrails shall comply with Section R311.7.8.

AV104.3.6 Stairway Guards. Guards at open sides of stairways shall comply with Section R312.1.

AV104.4 Ladders. Ladders accessing lofts shall comply with Sections AV104.4.1 and

AV104.4.2.

AV104.4.1 Ladder Size and capacity. Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm) and 10 inches (254 mm) to 14 inches (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200 pound (75 kg) load on any rung. Rung spacing shall be uniform within 3/8-inch (9.5 mm).

AV104.4.2 Ladder Incline. Ladders shall be installed at 70 to 80 degrees from horizontal.

AV104.5 Alternating tread devices. Alternating tread devices accessing lofts shall comply with section R311.7.11, including the subsections, of this code. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AV104.6. Ships Ladders. Ships ladders accessing lofts shall comply with section R311.7.12, including the subsections, of this code. The clear width at and below handrails shall be not less than 20 inches (508 mm).

AV104.7 Loft Guards. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

SECTION AV105 EMERGENCY ESCAPE AND RESCUE OPENINGS

AV105.1 General. Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: Escape and rescue roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the loft floor, provided the escape and rescue roof access window complies with the minimum opening area requirements of Section R310.

Section 4-02-158 ADDITION OF MINIMUM STANDARDS FOR MODULAR NON-HUD STRUCTURES

Modular non-HUD structures to be occupied within the city of Boise City shall adhere to the following:

All new manufactured (modular) (non-HUD) structures must bear the insignia from the State of Idaho Division of Building Safety and shall only be allowed to be occupied for the use listing on the insignia.

To gain approval for an existing (modular) (non-HUD) structure, the structure must undergo procedures as required by the State of Idaho Division of Building Safety and must bear the insignia prior to being allowed to be occupied for the use listed on the insignia, except for pre-HUD mobile homes constructed prior to June 15, 1976 which shall comply with the Mobile Home Rehabilitation Act, Title 44, Chapter 25, Idaho Code prior to occupancy.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Amended, 12/22/2004)

Section 4-02-159 FIRE SPRINKLER AND ALTERNATIVE EXTINGUISHING SYSTEMS PLAN REVIEW/INSPECTION FEES

1. Fire Sprinkler and Alternative Extinguishing Systems plans and associated required submittals shall be permitted and approved by the Planning and Development Services and Fire Departments, before any related work begins.
2. The plan review fees shall be assessed as follows:
 - A. A plan review fee of four dollars and forty-one cents \$4.41 per fire sprinkler head or appliance nozzle, up to a maximum of three thousand three hundred seven dollars and fifty cents (\$3,307.50) but not less than one hundred fifty dollars (\$150.00), shall be assessed for Fire Sprinkler Systems and paid to the Planning Development Services Department. Two sprinkler heads (directly above and below) on an armover shall be considered as one sprinkler head for fee purposes.
 - B. When the installation of sprinkler heads or nozzles are not involved or insignificant due to the type of work being permitted, a plan review fee equivalent to 1.1025% of the total bid price shall be assessed, up to a maximum of three thousand three hundred seven dollars and fifty cents (\$3,307.50) or a minimum of one hundred fifty dollars (\$150.00) (whichever is larger), and paid to the Planning Development Services Department
3. Permits shall be issued for the following work:
 - A. New fire sprinkler and Alternative Extinguishing systems;
 - B. Additions, modifications, and changes to existing fire sprinkler and Alternative Extinguishing systems, underground lines and/or associated equipment.
 - C. All fees shall be paid in full when the permit is issued.

4. The permit fee shall cover the cost of two plan reviews and two field inspections for each inspection category. An additional fee of one hundred ten dollars and twenty five cents (\$110.25) per review shall be assessed, beginning with the third review, on re-submittals of denied plans and/or calculations. A fee of forty-six dollars and thirty one cents, (\$46.31) shall be charged per hour for each additional field inspection performed because of noncompliance by the owner or the owner's agent.
5. **PLAN MODIFICATIONS**
Plan revisions submitted for approval after a permit and approved plans have been issued, shall be charged the normal permit fee, based on the number of sprinklers or nozzles affected by the modification.
6. All project plans and data submittals shall accompany a completed FIRE SPRINKLER PERMIT APPLICATION PACKAGE, available from Boise City's Planning and Development Services Department.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6417, Amended, 09/20/2005; 6371, Added, 12/22/2004)

Section 4-02-160 FIRE ALARM SYSTEM PLAN REVIEW FEES AND INSPECTION FEES FOR EXISTING BUILDINGS AND ALARM ALTERATIONS

1. Fire Alarm System plans and associated submittals as required by the International Fire Code and alarm system design standard(s) shall be permitted and approved by the Planning and Development Services and Boise City Fire Departments, before any related Fire Alarm System work begins.
2. The plan review fees shall be assessed as follows:

A plan review fee consisting of a base fee of one hundred fifty dollars (\$150.00) with an additional fee of four dollars and twenty cents (\$4.20) per alarm initiating device shall be assessed for Fire Alarm Systems and paid to the Planning Development Services Department.

3. Permits shall be issued for the following work:
 - A. New fire alarm systems in existing buildings;
 - B. Additions, modifications, and changes to existing fire alarm systems, fire suppression connections, related supplies and/or equipment.
 4. All fees shall be paid in full when the permit is issued.
 5. The permit fee shall cover the cost of two plan reviews and two field inspections for each inspection category. An additional fee of one hundred ten dollars and twenty five cents (\$110.25) per review shall be assessed beginning with the third review, on re-submittals of denied plans and/or calculations. A fee of forty-six dollars and

thirty one cents, (\$46.31) shall be charged per hour for each additional field inspection performed because of noncompliance by the owner or the owner's agent.

6. **PLAN MODIFICATIONS**

Plan revisions submitted for approval after a permit and approved plans have been issued, shall be charged the normal permit fee, plus the number of Fire Alarm Initiating Devices affected by the modification.

7. All project plans and data submittals shall accompany a completed FIRE ALARM PERMIT APPLICATION, Package available from Boise City's Planning and Development Services Department Permit Counter.

(Ord-45-13, Amended, 11/19/13; 6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6417, Amended, 09/20/2005; 6371, Added, 12/22/2004)

***Ord-49-14 Amended, 12/16/2014 Title 4 Chapter 2**