



- (c) Section 1612.3            Insert: [June 5, 1978]
- (d) Section 3410.2           Insert: [January 1, 1975]
- (e) Section 105 of said Code is amended by deleting Subsections 105.1.1, 105.1.2 and 105.5 in their entirety and adding a new Section 105.1 as follows:

**105.1 Permits required for landscaping.** Any owner or authorized agent who intends to construct, enlarge, alter or demolish any hardscape, or to cause such work to be done, shall first make application to the building official and obtain the proper permit.

- (f) Section 105.5 of said Code is amended as follows:

**105.5 Expiration.** Building permits shall be valid for twenty-four (24) months from the date of such permit after which it shall automatically terminate and become null and void. If the building or work authorized by the permit has not been completed during the said twenty-four (24) months, then before work can proceed, a new permit shall be first obtained to do so. The applicant shall resubmit and apply for a new permit and shall pay all new fees accordingly, and if applicable, shall obtain Design Review approval. The Building Official and/or the City Council may extend the time of completion of the building or work for a period not exceeding one hundred eighty (180) days upon written request of the permittee showing circumstances, beyond the control of the permittee, have prevented completion within the original twenty-four (24) month period. In addition, the City Council may, by passage of an appropriate resolution, grant one or more extensions for not more than one hundred eighty (180) days each. The holder of a permit must submit a request, in writing, to the building official for each extension and must appear before the City Council to request each extension.

- (g) Section 106.1 of said Code is amended by changing the Section to read:

**Section 106.1 Submittal documents.** Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The Construction documents shall be signed and sealed by an Idaho licensed architect for the scope of architecture and by a licensed engineer for the scope of engineering as determined by the Building Official. Where special conditions exist, the Building Official is authorized to waive the requirements for prepared and sealed plans or to require additional Construction documents to be prepared by a registered design professional.

- (h) Section 108 of said Code is amended by deleting Section 108 in its entirety and adding a new Section 108 to read as follows:

### **SECTION 108 - FEES**

**108.1 General.** Fees shall be assessed in accordance with the provisions of this Section or shall be as set forth in the fee schedule adopted by the jurisdiction.

**108.2 Permit Fees.** The fee for each permit shall be as set forth in Table 1-A. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment. 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 to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

A full building permit fee and a ten (10) percent plan check fee for all re-roofing shall be required. No Fire Department plan check fee and no Planning Department plan check fee shall be required for re-roofing however when a re-roof includes new elements that change the look of the roof the Planning Department shall review the plans and a Planning Department plan check fee shall be assessed.

Repairs of all elements for which a building permit is not specifically excluded shall require a permit. Fees for repair work shall be the full building permit fee based on the cost of the repair work and a ten (10) percent plan check fee. No Fire Department plan check fee and no Planning Department plan check fee shall be required for repairs.

**108.3 Plan Review Fees.** When submittal documents are required by Section 106.1, a plan review fee shall be paid at the time of submitting the documents for plan review. Said plan review fee shall be sixty-five (65) percent of the building permit fee as shown in Table 1-A.

The plan review fees specified in this Section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A.

**108.4 Mechanical & Fuel Gas Fees.** A separate mechanical and fuel gas fee shall be twenty-five (25) percent of the plan review fee for new construction or for individual installation, upgrades and replacement the fee will be as shown in Table 2-A.

**108.5 Planning Department Review, Inspection and Fees.** Planning Department approval shall be obtained prior to application for building permit. Planning Department fee for plan check for building construction shall be seventy (70) percent of the Building Department plan review fee and shall be assessed and collected by the Building Department at the time of application for a permit.

**108.6 Fire Department Review.** Fire Department approval shall be obtained prior to application for building permit. A plan check fee for the Fire Department review shall be in accordance with the Fire Department fee schedule as enacted by separate resolutions and ordinances but shall be assessed and collected by the Building Department at the time of application for a permit.

**108.7 Payment of Fees.** Full payment of building permit, plan check, Fire Department plan check and Planning Department plan check fees are required at the time of and as a part of the application for a building permit.

**108.8 Expiration of Plan Review.** Applications for which no permit is issued within one hundred eighty (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 one hundred eighty (180) 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 once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**108.9 Investigation Fees: Work without a Permit.**

**108.9.1 Investigation.** Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**108.9.2 Fee.** 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 1-A. 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.

**108.10 Re-inspection Fees.** A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready.

Before a re-inspection is performed the appropriate fee in accordance with Table 1-A shall be paid.

**108.11 Deferred Submittal Fee.** Deferred submittals will be subjected to a fee in accordance with Table 1-A.

**108.12 Fee Refunds.** The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

The Building Official may authorize refunding of not more than eighty (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 refunding of any fee paid except on written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

(i) Said Code is amended by adding new Sections 116, 117, and 118 as follows:

**SECTION 116 - INDEMNITY.** Every person, firm or corporation to whom permission has been granted under the terms of this Code and the general ordinances to utilize public property for the demolition work or the moving of any building, structure or utility, shall at all times assume full responsibility for such demolition or moving. Such permission shall be further conditioned for the use of public property to at all times release, hold harmless and indemnify the City of Ketchum and all of its agents and employees from any and all responsibility, liability, loss or damage resulting to any persons or property or caused by or incidental to the demolition or moving work.

**SECTION 117 - INSURANCE.** Any person, firm or corporation, demolishing or moving any building, structure or utility, shall deposit with the Building Official a certificate of insurance showing the City of Ketchum as a named insured on the insurance policy. The certificate of insurance shall evidence that the liability insurance policy covers the policy holder and the City of Ketchum as a named insured. Such insurance shall be valid at all times during demolition or moving operations. Said liability insurance coverage shall be in the amount of at least \$1,000,000 for bodily or personal injury, death, or property damage or loss as the result of any one (1) occurrence or accident, regardless of the number of persons injured or the number of claimants. The purpose of the insurance required herein is specified in Section 3601 of this Chapter.

**SECTION 118 - DAMAGE TO PUBLIC PROPERTY.** As a condition of obtaining a permit to wreck, remove or move any building, structure or utility, the permittee assumes liability for any damage to public property occasioned by such moving, demolition or removal operations.

(j) Section 202 of said Code is amended by adding the following definitions:

Commencement of Building or Work Authorized – any excavation including the removal of top soil or any removal of trees or brush preparatory to excavation shall be defined as the commencement of work.

Hardscape – any non-living landscape element including but not limited to paving stones or bricks, site walls, gates or gateposts, sculpture, fountain or other permanently installed feature.

(k) Sections 406.1.4 Item 1 is amended to read:

**406.1.4 Separation. Separations shall comply with the following:**

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 5/8-inch Type X gypsum board applied to the garage side of all walls and ceilings forming part of the separation. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb steel doors not less than 1 3/8-inches thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching.

(l) Sections 416.5 and 416.5.1 are added to read:

**416.5 Finish application during construction.** Sections 416.3 and 416.4 shall apply to combustible finishes applied in all buildings. Proper ventilation must be provided and an automatic sprinkler system installed and operational prior to application of combustible finishes. In addition, prior to spraying of combustible finishes, noncombustible spray curtains shall be installed to restrict the spread of flammable vapors.

**416.5.1 Application of finishes in occupied buildings.** Application of combustible or toxic finishes in any space in an occupied building shall require prior approval of the building official and the fire chief. Proper ventilation must be provided to prevent vapors from accumulating in the occupied space.

(m) Section 505.3.1 is added to read:

**505.3.1 Egress Group R.** Where a mezzanine is contained completely within a dwelling unit it shall be provided with at least one emergency escape and rescue opening complying with Section 1026.

(n) Section 506.3 is revised to read:

**Section 506.3 Automatic sprinkler system increase.** Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1, the area limitation in Table 503 is permitted to be increased by the following additional amounts:

1. Type I and Type II construction: an additional 200 percent ( $I_s = 200$  percent) for multistory buildings and an additional 300 percent ( $I_s = 300$  percent) for single story buildings.
2. For Type III, Type IV, and Type V construction: an additional 100 percent ( $I_s = 100$  percent) for multistory buildings and an additional 200 percent ( $I_s = 200$  percent) for single story buildings.

These increases are permitted in addition to the height and story increases in accordance with Section 504.2.

**Exceptions:**

1. The automatic sprinkler system increase shall not apply to buildings with an occupancy in Group H-1.
2. The automatic sprinkler system increase shall not apply to the floor area of an occupancy in Use Group H-2 or H-3. For mixed use buildings containing such occupancies, the allowable area shall be calculated in accordance with Section 508.3.3.2, with the sprinkler increase applicable

only to the portions of the building not classified as Use Group H-2 or H-3.

3. Fire-resistance rating substitution in accordance with Table 601, Note e.

- (o) Section 507.2 of said code is deleted in its entirety.
- (p) Section 508.2 of said Code is amended by deleting the exception and adding the following paragraph as follows:

Boilers, central heating plants or mechanical rooms shall be completely protected on the mechanical side by a minimum of 5/8 inch gypsum wallboard or equivalent and the walls shall be effectively draft stopped.

- (q) The exception to Section 508.3.2.3 is deleted and the following added:

**Exceptions:**

1. Group H-2, H-3, H-4 or H-5 occupancies shall be separated from all other occupancies in accordance with Section 508.3.3.
2. Group R occupancies shall be separated from all other occupancies by a minimum 1-hour separation unless a separation of greater than 1-hour is required by other sections of this code.

- (r) Section 704.1.1 is added to read:

**704.1.1 Recessed openings in exterior walls.** Any recess in the exterior wall of a building not open to the atmosphere above constitutes an opening in the exterior wall and shall comply with Section 704.8. Said recesses shall include, but not be limited to, windows recessed in alcoves and decks that are covered by roofs or floors above.

- (s) Section 714.2.1 is amended to read:

**714.2.1 Individual protection.** All columns that are required to have a fire-resistance rating and all girders, trusses, beams, lintels or other structural members that are required to have a fire-resistance rating and support more than two floors or one floor and a roof, or support a load bearing wall or a non-load bearing wall more than two stories high shall be individually protected on all sides for the full length with in approved and listed manner. Other horizontal structural members required to have a fire-resistance rating shall be protected by individual encasement, by a membrane or ceiling protection as specified in Section 711 or by a combination of both. Where required to have a fire-resistance rating, columns shall be individually protected regardless of the number of



supported stories except as noted in Section 714.2.1.1. Columns shall also comply with Section 714.2.2.

- (t) Section 903.2 is amended to add the following sentences and exceptions:

All buildings of 6000 square feet or greater shall have an approved automatic sprinkler system installed. When an addition to an existing building increases the area of the building to 6000 square feet or more, the entire building including the existing portion shall have an approved automatic sprinkler system.

**Exceptions:**

1. When approved by both the Fire Chief and Building Official a fire wall complying with Section 705 may be installed to separate the addition from the existing building.
2. When the extent of the addition is less than 10 percent of the existing building with the approval of the Fire Chief and Building Official.

- (u) Section 1505.2.1 is added to read:

**1505.2.1 Class A Roof Assemblies Required.** Class A roof assemblies are required on all new buildings and for all re-roofs over 3,000 square feet. Class A is not required when less than twenty-five (25) percent of the roof area is being repaired and additional areas are not subsequently repaired within five (5) years. Additions to buildings over 3,000 square feet and additions that increase a building area to over 3,000 square feet require a Class A roof for the addition.

- (v) Section 1605 of said code is amended as follows:

In **1605.2.1 Basic load combinations.** Coefficient  $f_2$  is amended as:

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

$f_2 = 0.42$  for other roofs

In 1605.3.1 Exception 2 is amended to read:

3. Thirty-five (35) percent of the flat roof snow load shall be combined with seismic loads.

In 1605.3.2 Exception 2 is amended to read:

2. Thirty-five (35) percent of the flat roof snow load shall be combined with seismic loads.

(w) Section 1608 of said Code is amended by changing Section 1608.2 to read:

**1608.2 Ground snow loads.** Ground snow load,  $p_g$ , for Ketchum is determined to be site specific (CS) and shall be taken as 120 psf.

(x) Section 1608.3 is added:

**1608.3 Flat roof snow loads.** The snow load,  $p_f$  in  $\text{lb}/\text{ft}^2$ , on a roof with a slope equal to or less than  $5^\circ$  shall be the greater of 100 psf or the value calculated using the following formula:

$$p_f = 0.7C_e C_t I p_g$$

(y) Section 1613.7 is added to read:

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

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

(z) Section 1704 of said Code is amended by changing Exception 3 to 1704.1 to read:

3. Special inspection requirements for occupancies in Group R3 as applicable in Section 101.2 and occupancies in Group U accessory to a residential occupancy may be waived by the building official.

(aa) Section 2410 is added to read as follows:

**2410 Operable Windows.** Operable windows less than twenty-four (24) inches from the finished floor and more than thirty (30) inches from finished grade will be permanently prevented from having openings such that a four (4) inch diameter sphere cannot pass through up to a height of thirty-six (36) inches.

(ab) Change to Section B101.2.2 to read:

**Section B101.2.2 Qualifications.** The board of appeals shall consist of five individuals, from the following professional disciplines:

1. Registered design professional with architectural experience.

2. Registered design professional with architectural experience or a builder or superintendent of building with at least ten years' experience, five of which shall have been in responsible charge of work
3. Registered design professional with structural engineering experience.
4. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
5. Registered design professional with electrical engineering experience or an electrical contractor with ten years' experience, five of which shall have been in responsible charge of work.

(ac) Section G201.2 of said code is amended by adding the following definition:

Height above BFE. Height shall be one foot to bottom of floor framing above BFE or to the bottom of slab on grade.

(ad) Section J103.2 Exemption number 8 is added to read as follows:

8. Grading, excavation, earthwork, fills or embankments less than fifty (50) yards, and that do not create an increased elevation for buildings or building sites above natural existing grade and do not adversely affect adjoining properties.

**Section 3. The International Residential Code, 2006 edition, (denoted by R before the Section number) is hereby amended as follows:**

- (a) Section R101.1 Insert: [City of Ketchum, Idaho]
- (b) Section R105.5.1 is added to read as Section 105.1.1 in Section 1 of this Ordinance.
- (c) Section R106.1 is amended to read as follows:

**R106.1 Submittal documents.** Construction documents, special inspection and structural observation programs and other data shall be submitted in one or more sets as required by the building official with each application for a building permit. The construction documents shall be signed and sealed by an engineer registered to practice in the state of Idaho for the scope of engineering. The load combinations for structural design shall be per Section 1605.2.1, 1605.3.1 or 1605.3.2 of the 2006 International Building Code as amended in Section 2 of this ordinance. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

- (d) Section R108 is amended in its entirety to be identical to Section 108 of the International building Code as amended in SECTION 2 of this ordinance.

- (e) Table R301.2.(1) Insert:

ROOF SNOW LOAD	WIND	SEISMIC DESIGN CATEGORY <sup>f,g</sup>	SUBJECT TO DAMAGE FROM			
	Speed <sup>e</sup> (mph)		Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>	Decay <sup>d</sup>
100 Psf	90 Mph	D1 or per IBC Chap. 16	Severe	2 Feet	Slight to Moderate	None to Slight
WINTER DESIGN TEMP <sup>f</sup>	ICE SHIELD UNDERLAYMENT REQUIRED <sup>i</sup>	FLOOD HAZARDS <sup>h</sup>	AIR FREEZING INDEX <sup>h</sup>	MEAN ANNUAL TEMP <sup>k</sup>		
	Yes, 24" inside wall line	6/5/1978	2000	40° F		

1. This Table also applies to IBC

- (f) Section R301.2.2 is amended by eliminating the exception in its entirety.
- (g) Section R301.2.2.3.4 is added as follows:

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

- (h) Section R309.1 is amended to read as follows:

**R309.2 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and the residence shall be equipped with either solid wood doors or solid or honeycomb steel doors not less than 1 3/8-inches thick, or 20-minute fire rated doors. Doors shall be self-closing and self-latching.

- (i) Section R309.2 is amended to read as follows:

**R309.2 Separation required.** The garage shall be separated from the residence and its attic area by means of a minimum 5/8-inch Type X gypsum board applied to the garage side of all walls and ceilings forming part of the separation. Where the separation is a floor/ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8-inch Type X gypsum board or equivalent. Garages located less than 3-feet from a dwelling unit on the same lot shall be protected with not less than 5/8-inch Type X gypsum board applied to the interior side of exterior walls that are within this area. Openings in these walls shall be regulated by Section R309.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling wall unit.

- (j) Section R324 is added to read as follows:

**Section R324 Shaft enclosures.** Elevator, dumbwaiter and similar shafts shall be enclosed on the interior side with 5/8 type X sheetrock or fire retardant treated plywood.

- (k) Section R325 is added to read as follows:

**R325 Automatic sprinkler systems.** All buildings of 6000 square feet or greater shall have an approved automatic sprinkler system installed per Chapter 9 of the International Building Code, 2006 Edition. Additions to one and two family dwellings are exempt from this requirement. Additions to buildings with 3 or more townhouses that currently are not protected with an automatic sprinkler system shall be retrofitted with an approved automatic sprinkler system per Chapter 9 of the International Building Code unless an approved fire wall without openings is installed and the addition only is protected with an approved sprinkler system.

- (l) Section R326 is added to read as follows:

**R326 Class A Roof Assemblies Required.** Class A roof assemblies are required on all new buildings and for all re-roofs over 3,000 square feet. Class A is not required when less than twenty-five (25) percent of the roof area is being repaired and additional areas are not subsequently repaired within five (5) years. Additions to buildings over 3,000 square feet and additions that increase a building area to over 3,000 square feet require a Class A roof for the addition.

- (m) Section R502.12 is changed by adding to the end of the paragraph the sentence:

All attic areas shall be draftstopped so that the concealed space does not exceed 3,000 square feet and shall divide the concealed space into

approximately equal areas.

- (n) Section R611.1 is amended to read:

**R611.1 General.** Insulating Concrete Form (ICF) walls shall be designed and constructed in accordance with the provisions of this section or ACI318.

- (o) Section R1002.7 is added to read as Section M805.7 in Section 4 of this Ordinance.

**Section 4.** The International Mechanical Code, 2006 edition, (denoted by M before the Section number) is hereby amended as follows:

- (a) Section M202 is revised as follows:

**DIRECT-VENT APPLIANCES.** Appliances that are constructed and installed so that all air for combustion is derived from the outdoor atmosphere and all flue gasses are discharged to the outdoor atmosphere unaided by any fan or other mechanical device.

**PULSE-COMBUSTION APPLIANCES.** Appliances that are constructed and installed in such a manner that flue gasses are discharged to the atmosphere by means of a pressure built up in the combustion system.

- (b) Section M804.2.1 is revised to read as follows:

**804.2.1 Terminal clearances.** Appliances designed for natural draft venting and incorporating integral venting means shall be so located that a minimum clearance of 9 inches (229 mm) is maintained between vent terminals and from any openings through which combustion products enter the building. Appliances using forced draft venting shall comply with Section 804.3 Mechanical draft systems.

- (c) Section M804.3 is revised to read as follows:

**804.3 Mechanical draft systems.** Mechanical draft systems of either forced or induced draft design, including direct-vent appliances which utilize fans, or pulse-combustion systems shall comply with Sections 804.3.1 through 804.3.7.

- (c) Section M804.3.3 is revised to read as follows:

**804.3.3 Termination.** The termination of chimneys or vents equipped with power exhausters shall be located a minimum of 20 feet from the adjacent lot line or from adjacent buildings. The exhaust shall be directed away from the building. Vent terminations that front on a public way shall be permitted to measure the 20 foot separation distance to the neighboring lot line on the opposite side of the public way.

(c) Section M804.3.4 is revised by adding Item 7 to read as follows:

7. The vent termination shall be located a minimum of 20 feet from adjacent lot lines or adjacent buildings. The exhaust shall be directed away from the building. Vent terminations that front on a public way shall be permitted to measure the 20 foot separation distance to the neighboring lot line on the opposite side of the public way.

(d) Section M805.7 is added to read as follows:

**805.7 Chimney Chases.** Factory-built solid fuel burning appliance chimneys shall be enclosed within a shaft or chase and shall be protected on the interior (flue) side as required for one-hour fire-resistive construction. All factory-built chimneys shall have approved spark arrestors installed at the point of termination.

**Section 5.** The International Fuel Gas Code, 2006 edition, (denoted by IFGC before the Section number) is hereby amended as follows:

(a) Section IFGC 503.2.3 is amended to read as follows:

**503.2.3 Direct-vent appliances.** Listed direct vent appliances that do not utilize fans or other mechanical devices to convey flue gases or combustion air shall be installed in accordance with the manufacturer's instructions and Section 503.8, Item 3. Appliances that use mechanical means to convey flue gases of combustion air shall be installed in accordance with the manufacturer's instructions and Section 503.8, Items 1 and 2.

(a) Section IFGC 503.8 is amended to read as follows:

1. Exception 1. is deleted in its entirety and Exception 2 is renumbered Exception 1.
2. Item 2. is revised to delete the words "excluding direct-vent appliances".

**Section 6.** The International Energy Conservation Code, 2006 edition, (denoted by IECC before the Section number) is hereby amended as follows:

- (a) Section IECC 101.2 is amended by adding a second exception as follows:

**Exception:** Designers may elect to conform to Energy Star Homes Northwest Certification Requirements for Single Family Homes in lieu of the IECC requirements. Residential construction complying with Energy Star Certification Requirements will not be required to demonstrate compliance per IECC 101.4 but must submit the completed Energy Star Certification prior to obtaining a Certificate of Occupancy. If the project is not completed and certified to Energy Star requirements, compliance with the IECC will be required to be demonstrated prior to the issuance of the Certificate of Occupancy.

**Section 7. The International Existing Building Code, 2006 edition, (denoted by IEBC before the Section number) is hereby amended as follows:**

- (a) Section IEBC 307.1 is amended to read as follows:

**307.1 Conformance.** Structures moved into or within the jurisdiction shall be evaluated by a registered engineer and shall comply with the provisions of the *International Building Code* for new structures as amended by the City of Ketchum.

- (b) Section IEBC 1202.3 is amended by deleting Exception 2.

- (c) Section IEBC 1202.4 is amended by revising the section to read as follows and deleting Exception 2.

**1202.4 Seismic loads.** Buildings shall be evaluated by a registered engineer and shall comply with the *International Building Code* or *International Residential Code* seismic provisions as applicable and as amended by the City of Ketchum at the new location.

- (a) Section IEBC 1202.5 is amended to read as follows and the exception to Section IEBC 1202.5 is deleted:

**1202.5 Snow Loads.** Relocated structures shall be evaluated by a registered engineer and shall be certified to be capable of resisting the minimum design snow load for new structures as specified in this ordinance.

**Section 8. CRIMINAL VIOLATION AND PENALTY AND CIVIL ENFORCEMENT.**

- (a) Any person, firm, association, or corporation that fails to comply with or



iolates any of these regulations or adopted codes shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than Three Hundred Dollars (\$300.00) or imprisonment for a period not to exceed six (6) months, or both. Each day that said violation continues shall be considered a separate offense.

(b) Appropriate actions and proceedings at law or in equity may be instituted by the City of Ketchum to restrain or abate violations of this Ordinance or adopted codes, or compel compliance herewith, or to prevent illegal construction or occupancy of any buildings, structures, or premises in violation of this Ordinance or adopted codes together with appropriate damages therefore. These remedies shall be cumulative and in addition to all other legal remedies and penalties provided by law.

**Section 9. SAVINGS AND SEVERABILITY CLAUSE.** It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 10. CODIFICATION CLAUSE.** The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

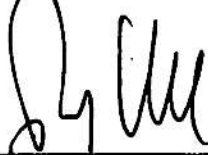
**Section 11. REPEALER CLAUSE.** All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

**Section 12. PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**Section 13. EFFECTIVE DATE.** This Ordinance shall be in full force and effect upon the date of its publication as provided by law which is January 16, 2008.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 7<sup>th</sup> day of January, 2008.

CITY OF KETCHUM, IDAHO

  
\_\_\_\_\_  
Randy Hall, Mayor

ATTEST:

APPROVED AS TO FORM  
AND CONTENT:

*Sandra E. Cady*

Sandra E. Cady, CMC  
City Treasurer/Clerk

*Ben W. Worst*

Benjamin W. Worst,  
City Attorney





EXHIBIT A

PUBLICATION OF SUMMARY OF ORDINANCE NO. 1016  
CITY OF KETCHUM, IDAHO

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, ADOPTING THE 2006 EDITIONS OF THE INTERNATIONAL BUILDING CODE INCLUDING APPENDICES A, B, C, E, G, I AND J, AND SECTION 903 AS MODIFIED BY THE KETCHUM FIRE DEPARTMENT; EXCLUDING SECTIONS 101.4.1 AND 101.4.4; THE INTERNATIONAL RESIDENTIAL CODE, PARTS I THROUGH VI AND PART IX INCLUDING APPENDIX A, B, D, E, F, G, H, J, K, M; THE INTERNATIONAL MECHANICAL CODE; THE INTERNATIONAL ENERGY CONSERVATION CODE; THE INTERNATIONAL FUEL GAS CODE; THE INTERNATIONAL EXISTING BUILDING CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND AMENDMENTS THERETO, AS THE OFFICIAL CODES FOR SAID CITY REGULATING ALL BUILDING, MECHANICAL, ENERGY CONSERVATION, AND FUEL GAS AS DEFINED IN THE SCOPE OF THE CODES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1016 of the City of Ketchum, Blaine County, Idaho, adopted on January 7, 2008, is as follows:

- SECTION 1.** Provides for adoption of the International Codes and a Uniform Code.
- SECTION 2.** Provides for amendments to the International Building Code.
- SECTION 3.** Provides for amendments to the International Residential Code.
- SECTION 4.** Provides for amendments to the International Mechanical Code.
- SECTION 5.** Provides for amendments to the International Fuel Gas Code.
- SECTION 6.** Provides for amendments to the International Energy Conservation Code.
- SECTION 7.** Provides for amendments to the International Existing Building Code.
- SECTION 8.** Provides for Enforcement and Penalties.
- SECTION 9.** Provides a Savings and Severability Clause.
- SECTION 10.** Provides a Codification Clause.

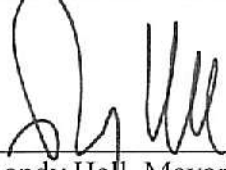
**SECTION 11.** Provides for a Repealer Clause.

**SECTION 12.** Provides for publication of this Ordinance by Summary.


**SECTION 13.** Establishes an effective date of January 16, 2008.

The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

CITY OF KETCHUM, IDAHO

  
\_\_\_\_\_  
Randy Hall, Mayor

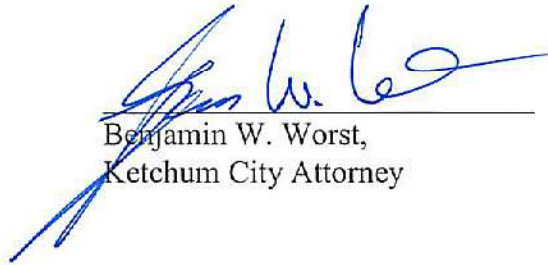
ATTEST:

  
Sandra E. Cady, CMC  
City Treasurer/Clerk

**STATEMENT OF LEGAL ADVISOR**

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 1016 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 7<sup>th</sup> day of January, 2008.



Benjamin W. Worst,  
Ketchum City Attorney

Publish: Idaho Mountain Express  
Date: January 16, 2008