

ORDINANCE NUMBER 905

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE OF THE INTERNATIONAL CODE COUNCIL, 2000 EDITION AND INTERNATIONAL RESIDENTIAL CODE, 2000 EDITION, PARTS I THROUGH VI AND PART IX WITH APPENDIX A, B, C AND G, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS THE OFFICIAL BUILDING CODE FOR SAID CITY REGULATING ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT USE, AREA AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES IN THE CITY OF KETCHUM, IDAHO, PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES; AMENDING SAID CODE BY AMENDING SECTION 105 BY DELETING IN THEIR ENTIRETY SUBSECTIONS 105.1, 105.2 AND 105.5 AND BY ADOPTING A NEW SUBSECTION 105.1.1 LENGTH OF BUILDING PERMIT; AMENDING SAID CODE BY AMENDING SECTION 108 BY DELETING SUBSECTION 108.2 IN ITS ENTIRETY AND BY ADOPTING A NEW SUBSECTION 108.2 PERMIT FEES, AS PUBLISHED IN THE 1997 UNIFORM BUILDING CODE AS MODIFIED BY THE CITY OF KETCHUM; BY ADOPTING A NEW SUBSECTION 108.3.1 PLAN REVIEW FEES; BY ADOPTING A NEW SUBSECTION 108.3.2 PAYMENT OF FEES; BY ADOPTING A NEW SUBSECTION 108.3.3 FIRE DEPARTMENT REVIEW, INSPECTION AND FEES; BY ADOPTING A NEW SUBSECTION 108.3.4 PLANNING DEPARTMENT REVIEW, INSPECTION AND FEES; BY ADOPTING A NEW SUBSECTION 108.3.5 WAIVER OF FEES; BY AMENDING SECTION 202 OF SAID CODE BY ADDING THERETO THE DEFINITION OF COMMENCEMENT OF BUILDING OR WORK AUTHORIZED; BY AMENDING SECTION 302.1.1 OF SAID CODE BY DELETING THE EXCEPTION AND BY ADOPTING A NEW PARAGRAPH F; BY AMENDING SECTION 1607 BY ADDING NEW SUBSECTIONS 1607.2.1 AND 1607.2.2; BY AMENDING TABLE 1607.1, USE OR OCCUPANCY CATEGORY, LINES 5 AND 6, AND LINE AT COLUMN 2, PROVIDING UNIFORM LOAD; BY AMENDING CHAPTER 18 OF SAID CODE BY DELETING TABLE NO. 1805.4.2, AND ADOPTING A NEW TABLE 1805.5.2, FOUNDATIONS FOR STUD BEARING WALLS; BY AMENDING SUBSECTION 2111.16.1 OF SAID CODE BY ADDING A NEW SUBSECTION 2111.16.1.1 REQUIREMENTS FOR FACTORY BUILT CHIMNEYS; BY ADOPTING NEW CHAPTERS 3601, 3602 AND 3603 REGULATING THE DEMOLITION AND MOVING OF BUILDINGS AND STRUCTURES AND A NEW CHAPER 3701 REGULATING SIDEWALKS, CURB AND GUTTER; ADOPTING BY REFERENCE THE INTERNATIONAL MECHANICAL CODE, 2000 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; ADOPTING BY REFERENCE THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO.

SECTION 1. That the following five International Codes are adopted by reference by the City of Ketchum, Idaho:

- (a) The International Building Code, 2000 edition except Sections 101.4.1, 101.4.2, 101.4.4, 101.4.5 and 101.4.6;
- (b) The International Mechanical Code, 2000 edition, published by the International Code Council;
- (c) The Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, published by the International Code Council as if fully set out in this Ordinance;
- (d) International Residential Code, Parts I through VI and Parts IX with Appendix A, B, C and G; and,
- (e) International Energy Conservation Code.

SECTION 2. The International Building Code, 2000 edition, is hereby amended as follows:

(a) Section 105 of said Code is amended by deleting Subsections 105.1, 105.2 and 105.5 in their entirety and adding a new Subsection 105.1.1 as follows:

105.1.1 Length of Building Permit. Building permit shall be valid for eighteen (18) 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 eighteen (18) 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 eighteen (18) month period.

(b) Section 108 of said Code is amended by deleting Subsection 108.2, Permit Fees, in its entirety and adding a new Subsection 108.2, Permit Fees, as follows:

108.2 Permit Fees. The fee for each permit shall be as per Table No. 1-A, as published in the 1997 Uniform Building Code as modified by the City of Ketchum, hereinbelow. 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. A full Building Permit Fee and a ten percent (10%) Plan Check Fee for all reroofing shall be required. No Fire Department Plan Check Fee and no Planning Department Plan Check Fee shall be required for reroofing.

TABLE NO. 108.2 - BUILDING PERMIT FEES  
(1997 Building Code Fee Schedule as modified by the City of Ketchum)

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof

(c) Subsection 107.3, Plan Review Fees, of said Code is amended by deleting Subsection 107.3,

Plan Review Fees, in its entirety and adding a new Subsection 108.3.1, Plan Review Fees, as follows:

108.3.1 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 sixty-five (65) percent of the building permit fee as shown in Table 1-A hereinabove. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee may be charged at the rate shown.

(d) Section 108 of said Code is amended by adding new Subsections 108.3.2, 108.3.3, 108.3.4 and 108.3.5 as follows:

**108.3.2 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.

**108.3.3 Fire Department Review, Inspection and Fees.** A separate Fire Department Plan Check Fee shall be paid by the applicant at the time of payment of the Building Permit fee. Fire Department review shall normally be completed within fourteen (14) calendar days from the date the application for building permit is submitted. Exceptions to the fourteen (14) calendar day review may be made where in the opinion of the Fire Chief the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval of the Fire Department has been obtained. Approval for occupancy must also be obtained from the Fire Department after completion of construction, which approval shall not be given until all "on-site" requirements have been met and inspected and tested for operation.

Fire Department Fee for initial plan check for building construction shall be seventy (70) percent of the Building Department Plan Check Fee.

**108.3.4 Planning Department Review, Inspection and Fees.** One (1) copy of all plans and specifications for a building permit shall be submitted to the Planning Department for review thereof.

A separate Planning Department Plan Check Fee shall be paid by the applicant at the time of payment of the Building Permit fee. Planning Department review shall normally be completed within fourteen (14) calendar days from the date the application for building permit is submitted. Exceptions to the fourteen (14) calendar day review may be made where in the opinion of the Planning and Zoning Administrator, the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval of the Planning Department has been obtained. Approval for occupancy must also be obtained from the Planning Department after completion of construction. Approval shall not be given until all "on-site" requirements have been met and/or bonded for and inspected for compliance.

Planning Department Fee for initial plan check for building construction shall be seventy (70) percent of the Building Department Plan Check Fee.

108.3.5 Waiver of Fees. The building official may waive fees upon direction from the City Council in the case of non-profit organizations, other governmental agencies or for employee or low-cost housing where the Council determines it is in the public interest to waive said fees.

(e) Section 202 of said Code is amended by adding the following definition:

Commencement of Building or Work Authorized - the excavation, complete trenching and installation of forms for footings. Where no forms are used, it is excavation and complete trenching.

(f) Section 302.1.1 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 are effectively draftstopped.

(g) Section 1607 is amended by adding new Subsections 1607.2.1 and 1607.2.2 as follows:

1607.2.1 Roofs shall sustain, within the stress limitations of this Code, all "dead Loads" plus unit "snow loads" of at least one hundred (100) pounds per square foot. The snow loads shall be assumed to act vertically upon the area projected upon a horizontal plane.

Where uniform roof loads are involved in the design of structural members arranged so as to create continuity, consideration may be limited to full dead loads on all spans in combination with full live loads on adjacent spans and on alternate spans.

EXCEPTION: Alternate span loading need not be considered where the uniform roof load is twenty (20) pounds per square foot or more and the provisions of Subsection 1605.3 are met.

1607.2.2 Snow Loads for Roof Construction with Parapet Walls. All roof structures with more than eighty percent (80%) of the roof perimeter constructed with a parapet wall or walls exceeding 12" in height shall be constructed to hold a snow load factor twenty-five percent (25%) greater than the snow load requirements set forth in Subsection 1605.7 hereinabove.

(h) Table 1607.1 is amended by changing Use or Occupancy Category, lines 5 and 6 (balconies and decks) and line 8 (cornices) at column 2 (Uniform Load) to read: "125"

(i) Table No. 1805.4.2., Foundations for Stud Bearing Walls Minimum Requirements is amended by deleting Table No. 1805.4.2 in its entirety and adding a new Table No. 1805.4.2, Foundations for Stud Bearing Walls Minimum Requirements, reading as follows:

TABLE NO. 1805.4.2 FOUNDATIONS FOR STUD BEARING WALLS MINIMUM REQUIREMENTS

NUMBER OF STORIES	THICKNESS OF FOUNDATION WALL (inches)		WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING (inches)	DEPTH OF FOUNDATION BELOW NATURAL SURFACE OF GROUND OR FINISH GRADE (inches)
	CONCRETE	MASONRY			
1	6	6	12	6	24
2	8	8	15	7	24
3	10	10	18	8	24

(j) Subsection 2111.16.1 is amended by adding a new Subsection 2111.16.1.1 as follows:

2111.16.1.1 Factory-built 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.

The point of termination of a factory-built chimney shall be two (2) feet above vertically of any part of building within ten (10) feet away.

(k) Said Code is amended by adding new Chapters 3601, 3602 and 3603 as follows:

3601 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 time 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.

3602 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 is 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 is 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.

3603 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.

No person shall do or cause any grading or fill without having first obtained a grading permit from the building official, except for the following:

- (a) An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure.
  - (b) Cemetery Graves.
  - (c) Where upon application duly made, the building official finds that the grading or fill to be done is located outside the floodplain or slopes with a grade of less than twenty-five percent (25%) and is an isolated self-contained area with no apparent danger to private or public property therefrom, and the grading or fill will not result in any significant soil displacement or erosion, and where no use of explosives will be required.
- (l) Chapter 37:

#### Section 3701. Sidewalks, Curb and Gutters.

This Chapter shall apply to the construction of all sidewalks, curbs, gutters, drainage and all paving of streets, alleys and appropriate easements within the City of Ketchum. No person shall construct a curb, sidewalk, gutter, alley or pave any street, alley or easement without first having submitted plans thereof certified by a Civil Engineer and approved by the building official designed for safe and adequate construction, grade, drainage and/or paving in accordance with the standards set forth in this and all other applicable Ordinances and Resolutions of the City of Ketchum.

**SECTION 3. CRIMINAL VIOLATION AND PENALTY AND CIVIL ENFORCEMENT.**

(a) Any person, firm, association, or corporation that fails to comply with or violates any of these regulations 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 compel compliance herewith, or to prevent illegal construction or occupancy of any buildings, structures, or premises in violation of this Ordinance together with appropriate damages therefore. These remedies shall be cumulative and in addition to all other legal remedies and penalties provided by law.


**SECTION 4. SAVINGS AND SEVERABILITY.** Where any word, phrase, clause, sentence, paragraph, section, or other part of these regulations or the application thereof is held invalid by a Court of competent jurisdiction, such judgement shall affect only that part so held invalid or the application thereof, and the remaining parts of this Ordinance or their application shall remain in full force and effect.

**SECTION 5. REPEALER CLAUSE.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and due publication according to law.

PASSED BY THE KETCHUM CITY COUNCIL and approved by the Mayor this 4th day of November, 2002.



  
Edward Simon, Mayor



ATTEST:

  
Sandra E. Cady  
City Clerk

Publish: November 20, 2002  
Idaho Mountain Express

