



CITY OF CAREY ORDINANCE NUMBER, 2024 -01

AN ORDINANCE OF CITY OF CAREY, IDAHO, AMENDING CITY OF CAREY BUILDING CODE ORDINANCE, BY DELETING IT IN ITS ENTIRETY AND ADOPTING A NEW BUILDING CODE, BY WHICH THE 2018 INTERNATIONAL BUILDING CODE(IBC);; THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC);THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC), RESIDENTIAL PROVISIONS; AND THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC), COMMERCIAL PROVISIONS; ALONG WITH AMENDMENTS AND ADDITIONS TO REFLECT LOCAL CONCERNS ARE ADOPTED PURSUANT TO IDAHO CODE, TITLE 39, CHAPTER 41, IDAHO BUILDING CODE ACT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS City of Carey seeks to protect the public health, safety, and welfare of the citizens of and visitors to the City of Carey.

WHEREAS City of Carey, pursuant to Idaho Code §39-4116(2) and as a local government building permits and performs building code enforcement activities, shall adopt the following codes as published by the International Code Council and amended by the Idaho building code board through the negotiated rulemaking process:

- (a) 2018 International Building Code, including all rules promulgated by the Idaho building code board to provide equivalency with the provisions of the Americans with Disabilities Act accessibility guidelines and the Federal Fair Housing Act accessibility guidelines.
- (b) 2018 International Residential Code, Parts I-IV and IX
- (C) International Energy Conservation Code, Excluding amendments by the Idaho Building Code Board
- ;
- (d) 2018 International Existing Building Code, as amended by the Idaho Building Code Board.

WHEREAS, on March 25th, 2022, State of Idaho, House of Representatives, Business Committee passed House Bill 660. The intent of HB660 is to limit the authority of local jurisdictions to amend the International Residential Code and the residential provisions of the International Energy Conservation Code. HB660has a non-retroactive clause, which allows jurisdictions to keep above-code energy programs in place. The 2012 International Energy Conservation Code, residential provisions, without State of Idaho amendments the, will continue to be the energy code for residential construction in the City of Carey.

WHEREAS, City of Carey, pursuant to Idaho Code §39-4116(4), may amend the adopted codes or provisions of the above referenced codes to reflect local concerns, if such amendments establish at least an equivalent level of protection. §39-4116(4)(e), local jurisdictions may amend the remainder of Part III of the International Residential Code if they find that good cause for building or life safety exists for an amendment and is reasonably necessary.

WHEREAS, City of Carey, pursuant to Idaho Code §31-714 “. . . may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, peace and good order, comfort and convenience of the City and the inhabitants thereof, and for the protection of property therein...”

WHEREAS Areas of City of Carey require increased roof snow load standards due to elevation, topography and climate will require construction in accordance with the 2018 International Building Code and snow loads established in part based on “Ground and Roof Snow Loads for Idaho” by Ronald L. Sack and Azim Sheikh-Taheri, © 1986 by the Department of Civil Engineering, University of Idaho, Moscow, Idaho 83843.

WHEREAS, while City of Carey supports the salvage of existing structures for building material conservation as well as relocated residences, it is appropriate to require that moved residential and commercial structures meet the same energy conservation, structural, life safety and other code requirements as new structures.

WHEREAS natural grade is site specific to establish overall building height and therefore is necessary to preserve and document natural grade to show compliance.

WHEREAS notice for the _____ hearing on this ordinance satisfies Idaho law and City of Carey Code.

NOW THEREFORE BE IT ORDAINED BY THE CAREY CITY COUNCIL OF CAREY, IDAHO, AS FOLLOWS:

SECTION 1. Carey Idaho, Building Code, is hereby repealed in its entirety and a new City of Carey , Building Code is adopted as a supplemental amendment to the, 2018 edition of the International Building Code; 2018 edition of the International Existing Building Code; 2018 edition of the International Residential Code; 2018 edition of the International Energy Conservation Code, commercial provisions; the 2012 edition of the International Energy Conservation Code, residential provisions;. The following text reflects amendments, changes, and alterations to the 2018 supplemental amendments to the 2018 International Building Code; the 2018 International Residential Code; the 2018 International Existing Building Code; 2012 residential provisions and 2018 commercial provisions of the International Energy Conservation Code.

1-1 SHORT TITLE: This ordinance shall be known as the Building Code.

1-2 ADOPTION OF CODES: Pursuant to Idaho Code 39-4116(2), the following Codes as published by the International Code Council are hereby adopted by reference:

01: 2018 International Building Code (IBC) as amended by The Idaho Building Code Board.

1. Including all rules promulgated by the Idaho Building Code Board to provide equivalency with the provisions of the Americans with Disabilities Act accessibility guidelines and the Federal Fair Housing Act accessibility guidelines.

02: 2018 International Residential Code (IRC) including parts I, II, III, and IX as amended by Idaho Building Code Board.

1. Including Appendix F: Radon Control Methods

03: 2018 International Energy Conservation Code (IECC), commercial provisions, as amended by Idaho Building Code Board.

04: 2012 International Energy Conservation Code (IECC), residential provisions as published by the International Code Council, including a specific reference to the ASHRAE/IESNA 90.1 and 90.2 standard (2013 edition).

05: 2018 International Existing Building Code as amended by Idaho Building Code Board.

1-3 AMENDMENT OF CODES: Pursuant to Idaho Code 39-4116(4), the Codes adopted in Section 1-2 are added to, or amended to read as follows:

01: International Building Code, 2018 Edition with the following amendments.

A. Title:

Section 101.1 *Title:* These regulations shall be known as the *Building Code* of Carey, ID hereinafter referred to as “this code.”

B. Referenced Code:

Section 101.4.3 *Plumbing:* The provisions of the Idaho State Plumbing Code (ISPC) as adopted and incorporated by reference with amendments as prescribed by the Idaho Plumbing Board shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and were 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.

Section 101.4.8 *Electrical*: The provisions of the National Electrical Code (NEC), 2017 edition as adopted by the state of Idaho shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

C. Required Permits: Required building permit applications shall be made on forms furnished by City of Carey and approval shall be in accordance City of Carey Zoning Regulations, Permits, of 2018 IBC, and as amended by the following additional Sections:

Section 105.1.3 *Moved Structures*: Permit applications for moved structures shall be specific to the proposed new location within City of Carey. Moved structures shall meet the requirements set forth in the 2018 International Existing Building Code.

Section 105.1.4 *Manufactured Homes*: Set down permit is required for manufactured homes being placed outside of mobile home parks in City of Carey, pursuant to I.C. 44-2202 and this code.

Section 105.1.5 *Demolition Permits*: Permit applications for demolitions shall be specific to the location from which a structure is being deconstructed, moved, or destroyed. Demolition shall include moving a structure from one site to another and destruction/demolition of a structure for disposal. Permit applications shall include owner, address, property descriptions, phone number, description of the scope of the demolition and a timeframe. Written acknowledgement that the utility companies serving the property, the Blaine County Assessor's office, and the jurisdiction's Building Official, if other than City of Carey, have been notified. Permits shall be valid for 90 days.

Section 105.1.6 *Re-roofing Permits*: Permit applications for re-roofs shall include identification of the existing structural roof system, e.g., roof rafters, size, spacing, and span, or truss system as constructed. Older, existing residential structures that have not been built to current City snow load standards shall be required to maintain, at the minimum, the existing structural integrity of the roof system. This exception to the snow load standards contained in this code shall be limited to one- and two-family dwellings and shall not apply to new residential construction or any commercial structures. Owners of pre-existing residential structures exempted from the snow load requirements under this provision shall be responsible for maintaining the roof, e.g., shoveling snow therefrom.

Section 105.1.7 *Agricultural Building Setback Permits*: Pursuant to Idaho Code 39-4116(5), agricultural buildings as defined in 7-1-3 (I), and located within the zoning districts, shall qualify for an agricultural setback permit. To protect the public health, safety, and welfare, applications for setback permits shall include approval by the applicable fire district for, but not limited to, required fire protection, water supply, and access.

Section 105.1.8 *Excavation or Grading*: Natural grade shall be documented and preserved to establish overall building height prior to excavation. Natural grade shall be site specific and be expressed in feet above mean sea level. Excavation or grading for residential or commercial buildings shall constitute the start of construction. Construction shall not commence

prior to obtaining approvals from the City of Carey Building Department. Approvals for excavating and grading shall be granted by City of Carey.

D. Permit Expiration:

Section 105.5 *Expiration:* All issued Building Permits shall expire after 12 months from the date of payment of permit fees. Building permits may be extended one time for 12 months upon written request for extension to the Building Department. If the project is not completed within the above timeframe including the one-time 12-month extension (24months total), the Building Permit shall expire. Expired Building Permits shall be renewed by paying extension fee according to City of Carey fee schedule. Renewed Building Permits shall be valid for the above stated timeline including the opportunity for an additional one-time 12-month extension. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced.

E. Submittal documents

Section 107.1 *Submittal documents:* Engineered Building plans or City will have the City Engineer approve plans at applicants cost. 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.

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.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

F. Fees

Section 109.4 *Work Commencing before Permit Issuance:* Any person who commences any work on a building including excavation or grading in a wetland or Flood Plain area, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees, which shall be charged as an investigation fee. Investigation fees shall be charged on an hourly basis pursuant to the City of Carey Building Permit Fee Schedule adopted by resolution of the Council and specified as “Other Inspection and fees”. Exception: Structural investigation to determine structural integrity as required by the design professional in charge.

Section 109.6 *Refunds:* Refund requests shall be considered on a case-by-case basis by the Building Department, with approval from the Carey City Council, upon written request by the

applicant stating their case. Refunds shall not exceed 80% of the total of Building Permit fees paid. All refundable deposits will be returned to the payee. Fire District fees are excluded from any refund request to City of Carey. Those refund requests must be directed to their respective agencies accordingly. Refund requests must be received within 180 days from the Building Permit payment date.

Section 109.7.1 *Building Permits*: Refer to Building Permit Fee Schedule

Section 109.7.2 *Moved Structures*: Refer to Building Permit Fee Schedule

Section 109.7.3 *Manufactured Homes*: Fees shall be based on the value of the on-site elements constructed, not the home itself.

Section 109.7.4 *Demolition*: Refer to Building Permit Fee Schedule

Section 109.7.5 *Re-Roof*: Refer to Building Permit Fee Schedule

Section 109.7.6 *Agricultural Building Setback Permit*: Refer to Building Permit Fee Schedule

G. Required Inspections:

Section 110.3.9.1 *Manufactured Homes*: Inspections are required for manufactured homes located in the City of Carey, pursuant to I.C. 44-2202 and this Code.

H. Building Code Board of Appeals:

Section 113.3.1 *Board Membership*: The Carey City Council

Section 113.4 *Appeals to The Building Code Board Of Appeals:*

A. Appeal fee: Any person appealing a decision of the City shall include payment of an appeal fee set forth on the Carey fee schedule.

Section 113.5 *Appeal procedure*: The City Council may receive all evidence on appeal, in accordance with the following procedure:

A. The Building Official shall present background information on the project in question, including relevant code sections and their interpretation. The City Council may ask questions during or after each presentation.

B. Applicant shall present any information or applicable code sections to support a reversal of the Building Official's decision. The applicant shall have up to twenty (20) minutes to present such evidence.

C. The Chair shall open the hearing to receive aggrieved parties' testimony, if any. Each aggrieved party wishing to provide public testimony shall be given up to five (5) minutes to do so.

D. Following the close of aggrieved parties' testimony, the Building Official or designee shall be allowed up to ten (10) minutes for response.

E. The Applicant then shall have up to ten (10) minutes for rebuttal and any final comments.

F. The Chairman of the City Council 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 City Council may deliberate and render a decision, request more information before a decision is made, or take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make their decision. Following a vote, a final written decision shall be prepared, approved, and a copy provided to the Applicant and any parties of record.

I. Definitions:

Section 202 *Agricultural Building:* A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

Section 202 *Building Height:* The vertical distance measured from the highest point of the roof directly to natural grade. Parapet walls required by code shall not be included in the measurement of height. This provision does not apply to accessory fixtures such as flag poles, lightning rods, weathervanes, antennas (not including satellite dishes), chimneys, air conditioners, or solar collectors. Buildings located in the floodplain shall be measured from the Intermediate Regional Flood elevation, where base flood elevations are available. (see also Title 9, Chapter 2)

Section 202 *Build Smart: 2012 International Energy Code (IECC) Amendments:* These above-code energy amendments pertaining to residential construction, Chapter 4 of the 2012 IECC, are set out in Title 7, Chapter 6.

J. Vertical Openings:

Section 712.1.8 *Masonry chimney*: Approved vertical openings for masonry chimneys shall be permitted where the annular space is fire-blocked at each floor level in accordance with Section 718.2.5. All chimneys shall have approved spark arrestors installed at the point of termination.

Section 712.1.17 *Factory-built solid fuel burning appliance chimney chase*: If a factory-built solid fuel burning appliance is enclosed within a shaft or chase, it 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.

K. Seismic Dead Load Calculations:

Section 1605.3.1 *Basic load combinations*: Exception 2. Flat roof snow loads of 30 psf or less and roof live loads of 30 psf or less need not be combined with seismic loads. Where flat roof snow loads exceed 30 psf 35% shall be combined with seismic loads. Stamped engineering design calculations may be requested by the Building Official. Refer to section *M.* of this code for site specific roof live snow loads.

L. Live Load Requirements for Balconies and Decks 30" or greater above grade:

Table 1607.1, Occupancy or Use Item 5, Exterior Balconies and Decks: Uniform Load (psf) shall be equal to the roof live snow load when exposed to snow loading or table 1607.1 whichever is greater.

M. Roof Live Snow Load Requirements:

Section 1608.2.1 *Special roof loads*. Roof live snow load requirements for all structures, including newly sited manufactured homes, in City of Carey are site specific and shall not be reduced without approval from the Building Official and shall be as follows:

- Carey Valley including south and East of Carey: 50 pounds roof live load per square foot.

Exception #1: A manufactured home or mobile home need not meet the roof snow load requirement if supplied with an approved, engineered Ramada roof, which conforms to the required roof live snow load. New manufactured homes in an established mobile home park must meet minimum 50pound per square foot roof live snow load. Used manufactured homes newly placed within an established mobile home park that do not meet the snow load requirement must present a signed and notarized lease agreement between the park owner and the tenant which provides for continuous snow removal from the roof structure.

N. Snow Hooks:

Section 1608.4 *Snow hooks*: Snow hooks are structural elements that are required on roof structures to protect pedestrians at all exits and similar areas and to protect glazed roof structures from snow and ice sliding from a roof overhead.

O. Foundations:

Section 1809.5 *Frost protection.* Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of 24” below finished grade.

Exception: Plans stamped with a seal by an Idaho licensed engineer may differ from this

2. Constructing in accordance with ASCE 32.

3. Erecting on solid rock.

Exception: Free-standing buildings meeting all the following conditions shall not be required to be protected:

1. Assigned to *Risk Category I.*

2. Area of 600 square feet (56 m²) or less for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction.

3. Eave height of 10 feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

02: International Residential Code, 2018 Edition with the following amendments.

A. Title:

Section R101.1 *Title:* These provisions shall be known as the Residential Code for One- and Two-family Dwellings of City of Carey and shall be cited as such and will be referred to herein as “this code.”

B. Required Permits: Required building permit applications shall be made on forms furnished by City of Carey and approval shall be in accordance with City of Carey (Zoning Regulations). Permits, of 2018 IRC, and as amended by the following additional Sections:

Section R105.1.~~13~~ *Moved Structures:* Permit applications for moved structures shall be specific to the proposed new location within the City of Carey. Moved structures shall meet the requirements set forth in the 2015 International Existing Building Code.

Section R105.1.~~24~~ *Manufactured Homes:* Permits are required for manufactured homes being placed outside of mobile home parks in the City of Carey, pursuant to I.C. 44-2202 and this code.

Section R105.1.~~35~~ *Demolition Permits:* Permit applications for demolitions shall be specific to the location from which a structure is being deconstructed, moved, or destroyed. Demolition shall include moving a structure from one site to another and destruction/demolition of a structure for disposal. Permit applications shall include owner, address, property descriptions, phone number, description of the scope of the demolition and a timeframe. Written acknowledgement that the utility companies serving the property, the Blaine County Assessor’s office, and the jurisdiction’s Building Official, if other than City of Carey, have been notified. Permits shall be valid for 90 days.

Section R105.1. *Re-roofing Permits*: Permit applications for re-roofs shall include identification of the existing structural roof system, e.g., roof rafters, size, spacing, and span, or truss system as constructed. Older, existing residential structures that have not been built to current City of Carey snow load standards shall be required to maintain, at the minimum, the existing structural integrity of the roof system. This exception to the snow load standards contained in this code shall be limited to one- and two-family dwellings and shall not apply to new residential construction or any commercial structures. Owners of pre-existing residential structures exempted from the snow load requirements under this provision shall be responsible for maintaining the roof, e.g., shoveling snow therefrom.

Section R105.1.5 *Agricultural Building Setback Permits*: Pursuant to Idaho Code 39-4116(5), agricultural buildings as defined in 7-1-3 (I), and located within the zoning districts set forth in 9-3-5(B) of this code, shall qualify for an agricultural setback permit. To protect the public health, safety, and welfare, applications for setback permits shall include approval by the applicable fire district for, but not limited to, required fire protection, water supply, and access.

Section R105.1.6 *Excavation or Grading*: Natural grade shall be documented and preserved to establish overall building height prior to excavation. Natural grade shall be site specific and be expressed in feet above mean sea level. Excavation or grading for residential or commercial buildings shall constitute the start of construction. Construction shall not commence prior to obtaining approvals from City of Carey Building Services. Applicants shall provide architectural elevation and topo-graphic contours, state ownership, and site description. Approvals for excavating and grading shall be granted by City of Carey.

C. *Work exempts from permit*:

Section R105.2 *Work exempt from permit*: Exemption 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 the provisions of this code or any other laws or ordinances of permits shall not be required for the following:

Building:

2. One-story detached *accessory structures* used as tool and storage sheds, playhouses, and similar uses, provided that the floor area does not exceed 200square feet.
2. Fences: Refer to Carey Zoning Ordinance
3. 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.
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.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finished work.
7. Prefabricated swimming pools that are less than 48 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.
10. Flag Poles

D. Permit Expiration:

Section R105.5 *Expiration:* All issued Building Permits shall expire after 12 months from the date of payment of permit fees. Building permits may be extended one time for 12 months upon written request for extension to the Building Department. If the project is not completed within the above timeframe including the one-time 12-month extension (24 months total), the Building Permit shall expire. Expired Building Permits shall be renewed by paying Extension fee accordance to City of Carey Fee schedule Renewed Building Permits shall be valid for the above stated timeline including the opportunity for an additional one time 12-month extension. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced.

E. Submittal documents

R106.1 *Submittal documents:* Engineered Building plans or City Engineer will approve plans at applicants cost. 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.

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.

Exception: The building official is authorized to waive the submission of *construction documents* and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

F. Fees:

Section R108.5 *Refunds:* Refund requests shall be considered on a case-by-case basis by the City of Carey Building Department, with approval from the Carey City Council, upon written request by the applicant stating their case. Refunds shall not exceed 80% of the total of Building

Permit fees paid. All refundable deposits will be returned to the payee. Fire District fees are excluded from any refund request to City of Carey. Those refund requests must be directed to their respective agencies accordingly. Refund requests must be received within 180 days from the Building Permit payment date.

Section R108.6 *Work Commencing Before Permit Issuance*: Any person who commences any work on a building including excavation or grading in a wetland or flood plain area, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees which shall be charged as an investigation fee. Investigation fees shall be charged on an hourly basis pursuant to the City of Carey Building Permit Fees Schedule adopted by resolution of the Council and specified as “Other Inspection and fees”. Exception: Structural investigation to determine structural integrity as required by the design professional in charge.

Section R108.7.1 *Building Permits*: Refer to Building Permit Fee Schedule

Section R108.7.2 *Moved Structures*: Refer to Building Permit Fee Schedule

Section R108.7.3 *Manufactured Homes*: Fees shall be based on the value of the on-site elements constructed, not the home itself.

Section R108.7.4 *Demolition*: Refer to Building Permit Fee Schedule and shall be due at the time the application is submitted to City of Carey.

Section R108.7.5 *Re-Roof*: Refer to Building Permit Fee Schedule Valuation shall be based on scope of the work and materials.

Section R108.7.6 *Agricultural Building Setback Permit*: Refer to Building Permit Fee Schedule and shall be due at the time the application is submitted to City of Carey.

G. Required Inspections:

Section R109.1.7 *Manufactured Homes*: Inspections are required for manufactured homes located in the City of Carey, pursuant to I.C. 44-2202 and this Code.

H. Building Code Board of Appeals:

Section R112.3.1 *Board Membership*:

Section R113.5 *Appeals to The City Council*:

A. Appeal fee: Any person appealing a decision of the City shall include payment of an appeal fee set forth on the Carey fee schedule.

Section 113.5 *Appeal procedure*: The City Council may receive all evidence on appeal, in accordance with the following procedure:

A. The Building Official shall present background information on the project in question, including relevant code sections and their interpretation. The City Council may ask questions during or after each presentation.

B. Applicant shall present any information or applicable code sections to support a reversal of the Building Official's decision. The applicant shall have up to twenty (20) minutes to present such evidence.

C. The Chair shall open the hearing to receive aggrieved parties' testimony, if any. Each aggrieved party wishing to provide public testimony shall be given up to five (5) minutes to do so.

D. Following the close of aggrieved parties' testimony, the Building Official or designee shall be allowed up to ten (10) minutes for response.

E. The Applicant then shall have up to ten (10) minutes for rebuttal and any final comments.

F. The Chairman of the City Council 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 City Council may deliberate and render a decision, request more information before a decision is made, or take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make their decision. Following a vote, a final written decision shall be prepared, approved, and a copy provided to the Applicant and any parties of record.

I. Definitions:

Section 202 Agricultural Building: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

Section 202 Building Height: The vertical distance measured from the highest point of the roof directly to natural grade. Parapet walls required by code shall not be included in the measurement of height. This provision does not apply to accessory fixtures such as flag poles, lightning rods, weathervanes, antennas (not including satellite dishes), chimneys, air conditioners,

or solar collectors. Buildings located in the floodplain shall be measured from the Intermediate Regional Flood elevation, where base flood elevations are available. (see also Title 9, Chapter 2)

Section 202 *Build Smart*: 2012 International Energy Code (IECC) Amendments: These above-code energy amendments pertaining to residential construction Chapter 4 of the 2012 IECC.

J. Table R301.2 (1) Climatic and Geographic Design Criteria

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA						
GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f D or per IBC Chapter 16	SUBJECT TO DAMAGE FROM
	Speed ^d (mph)	Topographic Effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a
Site Specific Refer to 7-1-3, (01),M Section 1608.2.1 of this code	90 MPH	No	No	No		Severe

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA						
SUBJECT TO DAMAGE FROM		WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g (a) 05/14/1971 (b) 11/26/2010 (c) 11/26/2010	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ⁱ
Frost line depth ^b	Termite ^c					
24"	Slight to Moderate	-20	Yes, 24" inside of warm side of exterior wall line		2000	40° F

MANUAL J DESIGN CRITERIA ⁿ			
Elevation	Latitude	Winter Heating	Summer Cooling
4780'-9000'	44°N	70°F	75°F
Cooling temperature difference	Wind velocity heating	Wind velocity Cooling	Coincident wet bulb
25°F	15 mph	7.5 mph	61

MANUAL J DESIGN CRITERIA ⁿ			
Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
0.92	72° F	75° F	90° F

Daily range H	Winter humidity 30%	Summer humidity 30%	
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K. Chimney clearances.

Section R1005.3.1, *Factory-built solid fuel burning appliance chimney chase*: If a factory-built solid fuel burning appliance is enclosed within a shaft or chase, it 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.

03: International Energy Conservation Code, 2018 Edition, commercial provisions, with the following amendments.

A. Title: Section C101.1 *Title:* This code shall be known as the *International Energy Conservation Code* of City of Carey and shall be cited as such. It is referred to herein as “this code.”

04: International Energy Conservation Code, 2012 Edition, residential provisions, with the following amendments.

A. Title: Section R101.1 *Title:* This code shall be known as the *International Energy Conservation Code* of City of Carey and shall be cited as such. It is referred to herein as “this code.”

B. Build smart:

Section R102.1.1.1 *Build Smart*: 2012 International Energy Conservation Code (IECC) Amendments: These above-code amendments pertaining to residential construction, Chapter 4 of the 2012 IECC, are set forth in Title 7, Chapter 6 of this Code.

06: International Existing Building Code, 2018 Edition with the following amendments.

A. Title: Section 101.1 *Title:* These regulations shall be known as the *Existing Building Code* of City of Carey, hereinafter referred to as “this code.”

§7-1-4 ADDITIONAL REQUIREMENTS: The following regulations shall apply in addition to those contained in the Codes adopted in section 7-1-2.

A. Manufactured Homes: Blaine County hereby adopts by reference the “Idaho Manufactured Home Installation Standard” as published by the State Of Idaho, January 1, 2004, compiled jointly with the Manufactured Housing Industry and as may be amended or updated from time to time. Said “Standard” shall be known as the “Manufactured Housing Code for City of Carey”.

B. Special Natural Hazards: Understanding that certain natural hazards exist in City of Carey including, but not limited to avalanche areas, debris flows, earthquake, floodplain, snow loads, wildfires, and soil qualities, site specific surveys and related engineering may be required as deemed appropriate by the authority of the jurisdiction at the expense of the applicant.

C. Salvaged Building Materials: The use of salvaged building materials may be approved by the Building Official upon receipt of a complete list of those materials accompanied with written approval of such materials by an Idaho Licensed Engineer. Said materials shall be capable of meeting design criteria for the proposed project.

D. Hours of Construction: Construction under a valid City of Carey building permit shall be limited to 7:00 a.m. to 9:00 p.m. In the RH Zoning District.

E. Wellhead Protection Area: The building official may require that the applicant solicit and document the request for written agency comment from Idaho Department of Environmental Quality (IDEQ), or other appropriate agencies, including, but not limited to, owners of public water systems for projects located in the Commercial Zoning District, Light Industrial Zoning District, and Heavy Industrial Zoning District prior to issuing a building permit for projects located within a wellhead protection area that may involve potential contaminant sources or potential contaminants listed in Appendix A of this title adopted by the Carey City Council by resolution. Construction and operation of uses within a wellhead protection area shall conform to best management practices for those potential contaminant source activities. The building official may attach conditions to the issuance of a building permit that ensures the recommendations from IDEQ will be adhered to. Refer to Wellhead Protection Ordinance.

F. Residential Fire Separation: Providing for the construction of fire walls or fire barriers when approved by the authority having jurisdiction and protected openings in accordance with the most currently adopted version of the International Building Code. Fire separation to be a minimum two hour rated assembly as a means to reduce and limit the spread of fire in residential 1 & 2 family dwellings greater than 4000 square feet or as approved by the fire code official of the district. There shall be no prohibition of voluntary installation of an approved residential fire sprinkler system. See the City of Carey Fire Code, for fire district requirements based on square footage, fire district capabilities, and approved water supplies as approved by the fire code official.

PENALTIES: A violation of any provision of the Building Code may be prosecuted as a infraction, punishable as provided in the City of Carey. Each day that such a violation occurs or continues, shall constitute a separate fine.

SECTION 2.SEVERABILITY CLAUSE: The provisions of the Building Code are severable and the invalidity of any part of the Building Code Ordinance shall not affect the validity of the remainder of the ordinance.

SECTION 3.EFFECTIVE DATE: The Building Code Ordinance shall be in full force and effect from and after its passage, approval, and publication.

REGULARLY PASSED, APPROVED, AND ADOPTED this day of 2024.

CAREY CITY COUNCIL,

Sara Mecham, Mayor

ATTEST: _____
Tess Cenarrusa, City of Carey