

Chapter 4-02

BOISE CITY BUILDING CODE

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Section 4-02-01 PURPOSE

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

(6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002; 6085, Amended, 08/21/2001; 5982, Amended, 05/02/2000; 5971, Added, 02/29/2000; 5968, Amended, 02/08/2000; 5860, Renumbered, 09/01/1998;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

Section 4-02-02 CODE ADOPTED

All the rules, regulations and ordinances of a general and permanent character relating and applying to and regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures as said rules, regulations and ordinances are printed and contained in code book form designated and entitled “2009 International Building Code” (IBC), the “2009 International Residential Code” parts I through IV and IX, .Appendix G, Swimming Pools, Spas and Hot Tubs and the “1997 Uniform Building Code” Appendix Chapter 33 on excavation and grading provisions be and the same hereby are ratified and adopted as the *Building Code* of Boise City and as ratified and adopted shall be the rules and regulations and ordinances governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures at and within the City. A copy of the said *Building Code* is now on file in the office of the Clerk for inspection, and it shall be unlawful to erect, construct, enlarge, alter, repair, move, remove, convert, demolish and maintain buildings or structures in violation of, or without complying with the rules, regulations and ordinances as contained in said *Building Code* hereby adopted and ratified and as the said rules, regulations and ordinances of said code are changed, altered and amended by this Chapter. All provisions in this chapter shall be effective as of January 1, 2011.

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

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

101.1 Title. These regulations shall be known as the *Building Code* of Boise City, hereinafter referred to as “this code”.

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

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

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

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

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

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

Section 4-02- 06 IBC BUILDING CODE AMENDMENT, SECTION 101.4.7, ABATEMENT OF DANGEROUS BUILDINGS CODE

101.4.7 Abatement. The provisions of the Abatement of Dangerous Building Code as adopted by Boise City shall provide a just, equitable and practicable method to abate buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants.

Section 4-02-07 IBC BUILDING CODE AMENDMENT, SECTION 101.4.8, APPLICABLE ELECTRICAL CODE

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

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

Section 102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

Section 4-02-09 IBC BUILDING CODE AMENDMENT, SECTION 103, DIVISION OF BUILDING SAFETY

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

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

103.3 Authorized Agents of the Director.

103.4 The Planning and Development Services Director shall have the authority to appoint a Building Official, the related technical officers, plans examiners, inspectors and other employees. Such employees shall have such powers as delegated by the Director.

103.5 The Planning and Development Services Director shall have the authority to appoint a Division Manager to head the Building Division. The Building Official, inspectors, plans examiners and other employees located in the Building Division shall administratively report to this position.

103.6 The Planning and Development Services Director shall have the authority to appoint the related technical officers, plans examiners, inspectors, individuals and other representatives from supporting jurisdictions to implement a disaster mitigation program in the event of calamitous events either natural or man made. Such employees shall have such powers as delegated by the Director and protections as afforded by Section 104.8.

(6789, Amended, 11/09/2010; 6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-10 IBC BUILDING CODE AMENDMENT, SECTION 105.1.1, ANNUAL PERMIT

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

Section 4-02-11 IBC BUILDING CODE AMENDMENT, SECTION 105.1.3, FACILITIES PERMITTING

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

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

Section 4-02-12 IBC BUILDING CODE AMENDMENT, SECTION 105.2, WORK EXEMPT FROM PERMIT

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

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 925L) and the ration of height to diameter or width does not exceed 2 to 1.

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

(6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6504, Amended, 09/26/2006; 6489, Amended, 08/08/2006; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-13 IBC BUILDING CODE AMENDMENT, SECTION 105.2, DELETING SUBSECTIONS ON ELECTRICAL, GAS, MECHANICAL AND PLUMBING

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

Section 4-02-14 IBC BUILDING CODE AMENDMENT, SECTION 105.2.1, EMERGENCY REPAIRS

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

(6789, Added, 11/09/2010)

Section 4-02-15 IBC BUILDING CODE AMENDMENT, SECTION 105.2.2, REPAIRS

105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the

removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.

Section 4-02-16 IBC BUILDING CODE AMENDMENT, SECTION 105.3, APPLICATION FOR PERMITS

105.3 Application for permit.

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

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

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

Section 4-02-17 IBC BUILDING CODE AMENDMENT, SECTION 105.3.2, TIME LIMITATION OF APPLICATION

105.3.2 Time Limitation of Application. Applications for which no permit is issued within 180 days following the date of receipt of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

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

Section 4-02-18 IBC BUILDING CODE AMENDMENT, SECTION 105.5, PERMIT EXPIRATION

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

The timeframe by which a project shall be deemed to be suspended or abandoned if no inspection has been requested shall be measured from the date of the last required inspection or if no inspection has been

required then a project shall be deemed to be suspended one calendar year from the date the permit was issued. Boise City required inspections include: footing/foundation inspection, concrete slab or under-floor inspection, lowest floor elevation inspection, framing inspection, lath or gypsum board inspection, fire resistant penetration inspection, energy efficiency inspection, any required special inspections, final inspections and any other inspections, other than conference inspections required by the building official. However, the building official may extend a permit when a good faith effort toward code compliant work has been performed and that significant progress has occurred towards the next stage of inspection.

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

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

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

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

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

Section 4-02-19 IBC BUILDING CODE AMENDMENT, SECTION 105.7, PERMIT TRANSFER

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

(6621, Repealed & Replaced, 12/11/2007; 6417, Amended, 09/20/2005; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-20 IBC BUILDING CODE AMENDMENT, SECTION 105.7 TO BE RENUMBERED SECTION 105.8, PLACEMENT OF PERMIT

105.8 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project.

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

Section 4-02-21 IBC BUILDING CODE AMENDMENT, SECTION 107.1 AND THE EXCEPTION, PLAN SUBMITTAL DOCUMENTS

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

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

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

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

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

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

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

Section 4-02-22 IBC BUILDING CODE AMENDMENT, SECTION 107.2.5.1, DESIGN FLOOD ELEVATIONS

Section 107.2.5.1 Design Flood Elevations. All construction within flood hazard areas shall be designed and constructed in accordance with the Boise City Floodplain Ordinance.

6789, Added, 11/09/2010)

Section 4-02-23 IBC BUILDING CODE AMENDMENT, SECTION 108.1, TEMPORARY STRUCTURES

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

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

Section 4-02-24 IBC BUILDING CODE AMENDMENT, TABLE 1-A, PERMIT FEE SCHEDULE

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

TABLE NO. 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$501.00 to \$2,000.00	\$26.37 for the first \$500.00 plus \$2.95 for each additional \$100.00 or fraction thereof, to and including \$2,000.00,

\$2,001.00 to \$25,000.00 \$70.76 for the first \$2,000.00 plus \$12.71 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00,

\$25,001.00 to \$50,000.00 \$362.80 for the first \$25,000.00 plus \$9.30 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00,

\$50,001.00 to \$100,000.00 \$595.30 for the first \$50,000.00 plus \$6.35 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00,

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

OTHER INSPECTIONS AND FEES:

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

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

Section 4-02-25 IBC BUILDING CODE AMENDMENT, SECTION 109.4, WORK PRIOR TO PERMIT

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

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 found in section 4-02-24. 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.

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

Repealed & Replaced, 12/10/2002)

Section 4-02-26 IBC BUILDING CODE AMENDMENT, SECTION 109.6, FEE REFUNDS

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

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

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

The building official shall not authorize a refund of any fee paid except on written application filed by the original permittee or owner's representative not later than 180 days after the date of fee payment.
(6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2005; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-27 IBC BUILDING CODE AMENDMENT, SECTION 110.3.3, LOWEST FLOOR ELEVATION

110.3.3 Lowest Floor Elevation. In addition to the initial elevation certificate required at time of permit application in flood hazard areas, upon placement of the lowest floor, including the basement, a second elevation certification required in Section 1612.5 shall be submitted to the building official prior to the request for a framing inspection.

(6789, Added, 11/09/2010)

Section 4-02-28 IBC BUILDING CODE AMENDMENT, SECTION 110.6, INSPECTION APPROVAL REQUIRED

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

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

Section 4-02-29 IBC BUILDING CODE AMENDMENT, SECTION 111.1, USE AND OCCUPANCY, EXCEPTION

Exception is deleted.

(6789, Amended, 11/09/2010)

Section 4-02-30 IBC BUILDING CODE AMENDMENT, SECTION 111.2.1, CERTIFICATE OF COMPLETION

Section 111.2.1 Certificate of Completion. A Certificate of Completion may be issued in lieu of a Certificate of Occupancy when the scope of work of a permit does not affect, alter or change the occupant load, occupancy group or occupancy use classification of a tenant space, structure or portion of a structure. The work described within the scope of work of a permit is deemed to be complete and in substantial compliance by the Planning and Development Services Department with adopted building codes when a final inspection has occurred and a Certificate of Completion has been issued.

(6789, Added, 11/09/2010)

Section 4-02-31 IBC BUILDING CODE AMENDMENT, SECTION 111.3, TEMPORARY OCCUPANCY

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

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

Section 4-02-32 IBC BUILDING CODE AMENDMENT, SECTION 112.1, CONNECTION OF UTILITIES

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

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

Section 4-02-33 IBC BUILDING CODE AMENDMENT, SECTIONS 112.4, DISCONNECT UTILITIES FOR OCCUPANCY VIOLATIONS

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

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

Section 4-02-34 IBC BUILDING CODE AMENDMENT, SECTION 113.1, BUILDING CODE BOARD, SECTION 113.4 APPEALS TO THE BOARD AND SECTION 113.5 APPEAL PROCEDURE

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

113.4 APPEALS TO THE BUILDING CODE BOARD OF APPEALS

A. APPLICATION FOR APPEAL

Any applicant for a permit, whose application has been rejected by the City, or any person who has been ordered by the City to modify, alter, remove or install any building code provisions as defined in this Boise City Code may within ten (10) calendar days thereafter, request an appeal by filing notice in writing with the City. The City shall deliver such notice, to the Board, who shall fix and establish a time, date and place of hearing within fifteen (15) calendar days from the date of the receipt of notice and cause a copy of the notice of hearing to be mailed to the appealing parties. At the hearing the Board may, by a majority vote, affirm, annul or modify the action of the City. If the actions of the City are modified or annulled, a permit shall be issued accordingly.

B. APPEAL FEE

Any person appealing from the decision of the City shall attach to the written request for appeal a certified check for One hundred fifty dollars (\$150.00) made out in favor of Boise City. In the event the appeal is granted, the appeal fee shall be returned to the appellant.

C. APPEAL TO CITY COUNCIL

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

113.5 APPEAL PROCEDURE

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

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

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

Section 4-02-35 IBC BUILDING CODE AMENDMENT, SECTION 114.3, CRIMINAL PENALTIES, SECTION 114.3.1 CIVIL PENALTIES, SECTION 114.3.1 CIVIL PENALTIES APPEAL PROCEDURE AND DELETE SECTION 114.4

114.3 Criminal Penalties. Any person, firm or corporation violating the provisions of this Code shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1,000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

114.3.1 CIVIL PENALTIES: Any person or its agent violating any provision of this Code may have civil penalties assessed against them. Notice of said penalties shall be served upon the violator personally by a City Code Enforcement officer. If personal service is not made, service may be effectuated by

Certified Mail to the last known business address or residential address of the violator. A new violation may be filed for each day the violation continues. The violation will have a date by which the civil penalty shall be paid and if it is not paid by that date, the City may pursue collections through court and ask the court to reimburse for all costs and fees associated with collecting the penalty.

Civil penalties shall be issued pursuant to the following guidelines: If the violation does not create a serious life safety hazard, the City shall warn the person violating the code. If the violation continues or a subsequent violation is discovered, the City may issue a civil penalty. If the violation creates a serious life safety hazard, then a civil penalty may be imposed even though a prior warning was not given.

114.3.2 CIVIL PENALTIES APPEAL PROCEDURE

1. Upon receipt of written notice of a civil penalty, the violator shall within ten (10) calendar days pay the penalty or file a written request for a hearing with the Boise City Building Code Board of Appeals hereafter referred to as “the Board”. Such written notice shall be accompanied by a check for One hundred fifty dollars (\$150.00) made payable to Boise City. If the civil penalty imposed against the applicant is overturned by the Board, the review fee shall be returned. Notice of the public hearing for the review hearing shall be given by the Department mailing the notice to the last know address provided by the applicant. Upon issuance of the decision, Applicant shall have fourteen (14) calendar days within which to pay the civil penalty.
2. When determining if a civil penalty is warranted, the Board shall consider the following:
 - (a) If the violation does not create a serious life safety hazard, did the City warn the person or his agent violating the code prior to issuing a civil penalty;
 - (b) Did the violation continue or was a subsequent violation discovered, that warranted the City to issue a civil penalty;
 - (c) Did the violation create a serious life safety hazard, so that the City was warranted in issuing a civil penalty even though a prior warning was not given;
 - (d) Did the person or his agent regularly take out permits, and thus should have had knowledge of what the code required;
 - (e) Did the person or his agent receive adequate warning notice of the code violation or a similar code violation.
 - (f) Does the person or his agent regularly violate the code.
3. The decision by the Building Code Board of Appeals may be appealed to the City Council within ten calendar (10) days following the date of issuance of a written decision. If the City Council renders a final decision imposing the civil penalty against the Appellant, the Appellant shall have fourteen (14) calendar days from such decision within which to pay the civil penalty.

Section 114.4 is deleted.

(6789, Amended, 11/09/2010; 6621, Repealed & Replaced, 12/11/2007; 6565, Amended, 05/15/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-36 IBC BUILDING CODE AMENDMENT, SECTIONS 116.1 THROUGH 116.5, DELETE SECTIONS ON UNSAFE STRUCTURES AND EQUIPMENT

(6789, Amended, 11/09/2010)

Section 4-02-37 IBC BUILDING CODE AMENDMENT, SECTION 117, UPGRADE AGREEMENTS

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

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

All upgrade agreements shall include the following items:

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

(6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-38 IBC BUILDING CODE AMENDMENT, SECTION 202 DEFINITION FOR TOWNHOUSE

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

(6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-39 IBC BUILDING CODE AMENDMENT, SECTION 305.2, DAY CARE

305.2 Day Care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than twelve children older than 2-1/2 years of age, shall be classified as a

Group E occupancy. This provision shall be exempt for child care and daycare services provided for 12 or fewer children of any age in residential buildings governed by the International Residential Code, as set forth in IBC Section 101.2.

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

Section 4-02-40 IBC BUILDING CODE AMENDMENT, SECTION 308.5.2, CHILD CARE FACILITY

308.5.2 Child Care Facility. A facility, that provides supervision and personal care on less than a 24-hour basis for more than twelve children, 2-1/2 years of age or less, shall be classified as a Group I-4. This provision shall be exempt for child care and daycare services provided for 12 or fewer children of any age in residential buildings governed by the International Residential Code, as set forth in IBC Section 101.2.

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

Section 4-02-41 IBC BUILDING CODE AMENDMENT, SECTION 310.1, GROUP R-3 OCCUPANCIES

310.1 Residential Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, or I and where buildings do not contain more than two dwelling units, or adult care facilities that provide accommodations for five or fewer persons, for less than 24 hours. This provision shall be exempt for daycare services provided for 12 or fewer children of any age in residential buildings governed by the International Residential Code, as set forth in IBC Section 101.2.

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

Section 4-02-42 IBC BUILDING CODE AMENDMENT, SECTION 1503.1, GENERAL ROOF COVERING

1503.1 General. Roof decks shall be covered with approved roof coverings secured to the building or structure in accordance with the provisions of this chapter. Roof coverings shall be designed, installed and maintained in accordance with this code and the approved manufacturer's installation instructions such that the roof covering shall serve to protect the building or structure. Roof covering requirements for hillside and Wildland Urban Interface areas are to be as regulated by the Fire Prevention Code as adopted by Title 7, of the Boise City Municipal Code.

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

CSSB = Cedar Shake and Shingle Bureau.

TFS = Forest Products Laboratory of the Texas Forest Services.

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

Section 4-02-35 IBC BUILDING CODE AMENDMENT, TABLE 1507.9.7, WOOD SHAKE EXPOSURE

(6789, Amended, 11/07/2010; 6621, Added, 12/11/2007)

Section 4-02-43 IBC BUILDING CODE AMENDMENT, SECTION 1608.1, SNOW LOAD DESIGN

1608.1 General. Design snow loads shall be determined in accordance with Section 7 of ASCE 7, but the design roof load shall not be less than a uniform snow load of 25 psf.

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

Section 4-02-44 IBC BUILDING CODE AMENDMENT, SECTION 1608.2, GROUND SNOW LOAD DESIGN

1608.2 Ground snow loads. The ground snow load to be used in determining the design snow loads for Boise City shall be 20 psf (*pg*).

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

Section 4-02-45 IBC BUILDING CODE AMENDMENT, SECTIONS 1612 and 1805.1.2.1, FLOOD HAZARD DESIGN

All construction within flood hazard areas as defined by the Boise City Floodplain Ordinance shall be designed and constructed in accordance with that ordinance.

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

Section 4-02-46 IBC BUILDING CODE AMENDMENT, SECTION 1809.5, FROST PROTECTION

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

Section 4-02-47 IBC BUILDING CODE AMENDMENT, SECTION 3401.5, ALTERNATE

Section 3401.5 Alternate. Work performed in accordance with the *International Existing Building Code* shall be deemed to comply with the provisions of this chapter. Where life safety issues are not specifically addressed by the IEBC the provisions of the IBC shall apply at the discretion of the building official.

Section 4-02-48 IBC BUILDING CODE AMENDMENT, SECTIONS 3403.2, 3404.2, 3405.5 AND 3409.2 FLOOD HAZARD AREAS

Sections 3403.2, 3404.2, 3405.5 and 3409.2 Flood Hazard Areas. All construction within flood hazard areas shall be designed and constructed in accordance with the Boise City Floodplain Ordinance.

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

Section 4-02-49 IRC BUILDING CODE AMENDMENT, SECTION R101.1, TITLE

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

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

Section 4-02-50 IRC BUILDING CODE AMENDMENT, SECTION R102.7, EXISTING STRUCTURES

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

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

Section 4-02-51 IRC BUILDING CODE AMENDMENT, SECTION R103, DIVISION OF BUILDING SAFETY

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

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

103.3 Authorized Agents of the Director.

103.4 The Planning and Development Services Director shall have the authority to appoint a Building Official, the related technical officers, plans examiners, inspectors and other employees. Such employees shall have such powers as delegated by the Director.

103.5 The Planning and Development Services Director shall have the authority to appoint a Division Manager to head the Building Division. The Building Official, inspectors, plans examiners and other employees located in the Building Division shall administratively report to this position.

103.6 The Planning and Development Services Director shall have the authority to appoint the related technical officers, plans examiners, inspectors, individuals and other representatives from supporting jurisdictions to implement a disaster mitigation program in the event of calamitous events either natural or

man made. Such employees shall have such powers as delegated by the Director and protections as afforded by Section R104.8.

(6789, Amended, 11/09/2010; 6621, Added, 12/11/2007)

Section 4-02-52 IRC BUILDING CODE AMENDMENT, SECTION R104.10.1, FLOOD AREA CONSTRUCTION

R104.10.1 Areas prone to flooding. The Building Official shall not grant modifications to any provision related to areas prone to floodings established by Table R301.2(1) without the review and express written approval by the Boise City Floodplain Administrator.

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

Section 4-02-53 IRC BUILDING CODE AMENDMENT, SECTION R105.2, WORK EXEMPT FROM PERMIT

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

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58 square meters).
2. Fences not over 6 feet (1,829 mm) high.
3. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment accessory to a one- or two-family dwelling.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Work with a total value of five hundred dollars (\$500.00) or less.
11. Solar photovoltaic panels installed per manufacture's specifications.
12. Decks that are not more than 12 inches above grade at any point and do not serve the exit door required by Section R311.4.

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

Section 4-02-54 IRC BUILDING CODE AMENDMENT, SECTION R105.2.1 EMERGENCY REPAIRS

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

(6789, Added, 11/09/2010)

Section 4-02-55 IRC BUILDING CODE AMENDMENT, SECTION R105.2.2, REPAIRS

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

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

Section 4-02-56 IRC BUILDING CODE AMENDMENT, SECTION R105.3.1.1, EXISTING STRUCTURES IN FLOOD HAZARD AREAS

R105.3.1.1 Substantially improved or substantially damaged existing buildings and structures. For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), the Boise City Floodplain Administrator shall examine or cause to be examined the construction documents for the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damage condition. All substantially improved or reconstruction of existing structures shall be made in accordance with the Boise City Floodplain Ordinance.

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

Section 4-02-57 IRC BUILDING CODE AMENDMENT, SECTION R105.3.2, TIME LIMITATION OF APPLICATION

R105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

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

Section 4-02-58 IRC BUILDING CODE AMENDMENT, SECTION R105.5, PERMIT EXPIRATION

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

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

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

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

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

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

- b. Permit Extensions. Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit, when the permittee is unable to commence work within the time required by this section. The building official may extend the time for action by the permittee for a period not exceeding 180 calendar days on written request by the permittee with written evidence provided demonstrating that a good faith effort to complete the project has been made

and that reasons beyond the control of the permittee have resulted in a delay. Under no condition shall a permit be extended more than three times, for a total maximum time of three 180 day extensions. Each 180 day extension must be approved individually by the Building Official.

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

Section 4-02-59 IRC BUILDING CODE AMENDMENT, SECTION R105.10, PERMIT TRANSFER

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

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

Section 4-02-60 IRC BUILDING CODE AMENDMENT, SECTION R106.1, PLAN SUBMITTAL DOCUMENTS

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

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

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

Section 4-02-61 IRC BUILDING CODE AMENDMENT, SECTION R107.1, TEMPORARY STRUCTURES

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

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

Section 4-02-62 IRC BUILDING CODE AMENDMENT, SECTION R107.3, TEMPORARY POWER

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

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

Section 4-02-63 IRC BUILDING CODE AMENDMENT, SECTION R108.2, PERMIT FEE SCHEDULE

IRC Section R108.2 Permit fees are to be charged in accordance with Table 1-A found in Boise City Code Section 4-02-24.

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

Section 4-02-64 IRC BUILDING CODE AMENDMENT, SECTION R108.3, PERMIT VALUATIONS

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

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

Section 4-02-65 IRC BUILDING CODE AMENDMENT, SECTION R108.5, FEE REFUNDS

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

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

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

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

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

Section 4-02-66 IRC BUILDING CODE AMENDMENT, NEW SECTION R108.6, WORK PRIOR TO PERMIT

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

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1-A referenced in section 4-02-24. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 4-02-67 IRC BUILDING CODE AMENDMENT, SECTION 109.1.3, FLOODPLAIN INSPECTION

Section R109.1.3 Floodplain Inspections. For construction in areas prone to flooding as established by Table R301.2 (1), in addition to the initial elevation certificate required at time of permit application, upon placement of the lowest floor, including basement, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Section R324 prior to the request for a framing inspection.

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

Section 4-02-68 IRC BUILDING CODE AMENDMENT, SECTION R109.4, INSPECTION APPROVAL REQUIRED

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

Section 4-02-69 IRC BUILDING CODE AMENDMENT, SECTION R110.1.1, CERTIFICATE OF COMPLETION

Section R110.1.1 Certificate of Completion. A Certificate of Completion may be issued in lieu of a Certificate of Occupancy when the scope of work of a permit does not affect, alter or change the occupant load, occupancy group or occupancy use classification of a tenant space, structure or portion of a structure. The work described within the scope of work of a permit is deemed to be complete and in substantial compliance by the Planning and Development Services Department with adopted building codes when a final inspection has occurred and a Certificate of Completion has been issued.

(6789, Amended, 11/9/2010; 6621, Repealed & Replaced, 12/11/2007; 6371, Repealed & Replaced, 12/22/2004; 6197, Repealed & Replaced, 12/10/2002)

Section 4-02-70 IRC BUILDING CODE AMENDMENT, SECTION R111.1, CONNECTION OF UTILITIES

R111.1 Connection of service utilities. A final inspection and approval is required upon completion and prior to occupancy and use of all buildings and structures for connection of service utilities. Lack of building official approval may result in the termination of utility services to said building or structure and prosecution under the penalty provisions of this code.

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

Section 4-02-71 IRC BUILDING CODE AMENDMENT, SECTION R111.4, DISCONNECT UTILITIES FOR OCCUPANCY VIOLATIONS

R111.4 Authority of disconnect for occupancy violations. Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code and/or other laws which are enforced by Boise City, the building official may order such use discontinued and the structure, or portion thereof, vacated and the utility services disconnected by notice served on any person causing such use to be continued. Such person shall discontinue the use or make the structure or portion thereof, comply with the requirements of this code, and/or other laws which are enforced by Boise City, within a time period of thirty (30) days of receipt of such notice or as designated by the building official.

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

Section 4-02-72 IRC BUILDING CODE AMENDMENT, SECTION R112.1, BUILDING CODE BOARD ADD SECTION R112.1.1 APPEALS TO THE BOARD AND SECTION R112.1.2 APPEAL PROCEDURE

R112.1 Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals consisting of ten (10) members: three (3) Idaho registered engineers; three (3) Idaho licensed architects; three (3) building contractors and one (1) person who owns and/or operates a fire sprinklers business who are qualified by experience and training to pass upon matters pertaining to building construction; all of whom are not employees of the jurisdiction. Boise City residency of at least five (5) of the members is required. Members not residing in Boise City must reside in Ada County and transact business in Boise City. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote upon any matter before the board. The Board of Appeals shall be appointed for a term of five (5) years by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

R112.1.1 APPEALS TO THE BUILDING CODE BOARD OF APPEALS

A. APPLICATION FOR APPEAL

Any applicant for a permit, whose application has been rejected by the City, or any person who has been ordered by the City to modify, alter, remove or install any building code provisions as defined in this Boise City Code may within ten (10) calendar days thereafter, request an appeal by filing notice in writing with the City. The City shall deliver such notice, to the Board, who shall fix and establish a time, date and place of hearing within fifteen (15) calendar days from the date of the receipt of notice and cause a copy of the notice of hearing to be mailed to the appealing parties. At the hearing the Board may, by a majority vote, affirm, annul or modify the action of the City. If the actions of the City are modified or annulled, a permit shall be issued accordingly.

B. APPEAL FEE

Any person appealing from the decision of the City shall attach to the written request for appeal a certified check for One hundred fifty dollars (\$150.00) made out in favor of Boise City. In the event the appeal is granted, the appeal fee shall be returned to the appellant.

C. APPEAL TO CITY COUNCIL

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

R112.1.2 APPEAL PROCEDURE

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

- A. The Building Official or designee shall present background information on the project in question, including relevant code sections and their interpretation. The Board may ask questions during or after each presentation.
- B. Applicant shall be allowed to present any information or applicable code sections to support a reversal of the Building Official's decision. The applicant shall have up to twenty (20) minutes to present such evidence.
- C. The Chair shall open the hearing to receive public testimony. Each person wishing to provide public testimony shall be given up to five (5) minutes to do so.
- D. Following the close of public testimony, the Building Official or designee shall be allowed up to ten (10) minutes for rebuttal.
- E. The Applicant then shall have up to ten (10) minutes for rebuttal and any final comments.
- F. The Chairman of the board may allocate equivalent additional time to the applicant and the Building Official or his designee if the clarity of the issue at hand can be enhanced by receiving additional testimony.

G. Thereafter, the Board may deliberate and render a final decision by a role call vote, may request more information before a final decision is made, or may take the matter under advisement and reconvene at a reasonable time not to exceed fifteen (15) calendar days to make their final decision. The final decision shall be in writing and a copy provided to the Applicant and any parties of record. The decision by the Board may be appealed to the City Council within ten (10) calendar days following the date of issuance of a written decision.

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

Section 4-02-73 IRC BUILDING CODE AMENDMENT, SECTION R112.2.1 AND R112.2.2, FLOODPLAIN CONSTRUCTION

Sections R112.2.1 and R112.2.2 are deleted.

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

Section 4-02-74 IRC BUILDING CODE AMENDMENT, SECTION R113.3 CRIMINAL PENALTIES, ADD SECTION R113.3.1 CIVIL PENALTIES, SECTION R113.3.2 CIVIL PENALTIES APPEAL PROCEEDURE AND DELETE SECTION R113.4, VIOLATION PENALTIES

IRC

R113.3 Criminal Penalties. Any person, firm or corporation violating the provisions of this Code shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

R113.3.1 CIVIL PENALTIES: Any person or its agent violating any provision of this Code may have civil penalties assessed against them. Notice of said penalties shall be served upon the violator personally by a City Code Enforcement officer. If personal service is not made, service may be effectuated by Certified Mail to the last known business address or residential address of the violator. A new violation may be filed for each day the violation continues. The violation will have a date by which the civil penalty shall be paid and if it is not paid by that date, the City may pursue collections through court and ask the court to reimburse for all costs and fees associated with collecting the penalty. Civil penalties shall be issued pursuant to the following guidelines: If the violation does not create a serious life safety hazard, the City shall warn the person violating the code. If the violation continues or a subsequent violation is discovered, the City may issue a civil penalty. If the violation creates a serious life safety hazard, then a civil penalty may be imposed even though a prior warning was not given.

R113.3.2 CIVIL PENALTIES APPEAL PROCEDURE

1. Upon receipt of written notice of a civil penalty, the violator shall within ten (10) calendar days pay the penalty or file a written request for a hearing with the Boise City Building Code Board of Appeals hereafter referred to as “the Board”. Such written notice shall be accompanied by a check for One hundred fifty dollars (\$150.00) made payable to Boise City. If the civil penalty imposed against the applicant is overturned by the Board, the review fee shall be returned. Notice of the public hearing for the review hearing shall be given by the Department mailing the notice to the last know address provided by the applicant. Upon issuance of the decision, Applicant shall have fourteen (14) calendar days within which to pay the civil penalty.
2. When determining if a civil penalty is warranted, the Board shall consider the following:
 - (a) If the violation does not create a serious life safety hazard, did the City warn the person or his agent violating the code prior to issuing a civil penalty;
 - (b) Did the violation continue or was a subsequent violation discovered, that warranted the City to issue a civil penalty;
 - (c) Did the violation create a serious life safety hazard, so that the City was warranted in issuing a civil penalty even though a prior warning was not given;
 - (d) Did the person or his agent regularly take out permits, and thus should have had knowledge of what the code required;
 - (e) Did the person or his agent receive adequate warning notice of the code violation or a similar code violation;
 - (f) Does the person or his agent regularly violate the code.

The decision by the Building Code Board of Appeals may be appealed to the City Council, in writing, within ten calendar (10) days following the date of issuance of a written decision. If the City Council renders a final decision imposing the civil penalty against the Appellant, the Appellant shall have fourteen (14) calendar days from such decision within which to pay the civil penalty.

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

Section 4-02-75 IRC BUILDING CODE AMENDMENT, SECTION R114, STOP WORK ORDER

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

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

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

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

Section 4-02-76 IRC BUILDING CODE AMENDMENT, SECTION R202 DEFINITION FOR TOWNHOUSE

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

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

Section 4-02-77 IRC BUILDING CODE AMENDMENT, TABLE R301.2(1), DESIGN CRITERIA

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

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

WIND SPEED (mph): 90

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

TOPOGRAPHIC EFFECTS: NO

In accordance with Section R301.2.1.5

SEISMIC DESIGN CATEGORY: C

In accordance with Section R301.2.2.1

WEATHERING: Severe

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

FROST LINE DEPTH: 24 inches

TERMITE: Slight to Moderate

Based on history of local subterranean termite damage.

WINTER DESIGN TEMP: 10 degrees F

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

ICE SHIELD UNDER LAYMENT REQUIRED: NO

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

FLOOD HAZARDS: Floodplain Ordinance effective December 12, 1983. Flood Insurance Study (FIS) February 19, 2003. Panel numbers (all with a date of 2/19/2003) are: 1060 H, 0161 H, 0162 H, 0166 H, 0167 H, 0169 H, 1078 H, 0186 H, 0187 H, 0188 H, 0189 H, 0193 H, 0254 H, 0258 H, 0259 H, 0265 H, 0267 H, 0270 H, 0276 H, 0277 H, 0281 H, 0282 H, 0283 H, 0284 H, 0286 H, 0287 H, 0291 H, 0295 H, 0305 H, 0315 H.

AIR FREEZING INDEX: 894

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

MEAN ANNUAL TEMP: 51.1 degrees F

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

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

Section 4-02-78 IRC BUILDING CODE AMENDMENT, TABLE, R302.1, EXTERIOR WALLS

TABLE R302.1 EXTERIOR WALLS

Minimum Fire Separation Distance

Walls (fire-resistance rated) < Three (3) Feet

Walls (not fire-resistance rated) ≥ Three (3) Feet

Projections (fire-resistance rated) < Three (3) Feet

Projections(not fire-resistance rated) ≥ Three (3) Feet

Section 4-02-79 IRC BUILDING CODE AMENDMENT, SECTION R302.2, TOWNHOUSE EXCEPTION

R302.2 Exception. A common one-hour or two-hour fire resistance rated wall assembly tested in accordance with the ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

Section 4-02-80 IRC BUILDING CODE AMENDMENT, SECTION R313.1, TOWNHOUSE AUTOMATIC FIRE SPRINKLER SYSTEMS EXCEPTION

R313.1 Exception. Automatic residential fire sprinkler systems shall not be required in townhouses where a two-hour fire-resistance rated wall is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

Section 4-02-81 IRC BUILDING CODE AMENDMENT, SECTION R313.2, ONE-AND TWO-FAMILY DWELLINGS AUTOMATIC FIRE SYSTEMS

R313.2 is deleted.

(6789, Added, 11/09/2010)

Section 4-02-82 IRC BUILDING CODE AMENDMENT, SECTION R3222, FLOODPLAIN CONSTRUCTION AND SECTION R309-3 FLOOD HAZARD AREAS

Section R322 Flood-Resistant Construction and R309.3 Flood Hazard Areas. All construction within flood hazard areas shall be designed and constructed in accordance with the Boise City Floodplain Ordinance.

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

Section 4-02-83 IRC BUILDING CODE AMENDMENT, SECTION R903.1, GENERAL ROOF COVERING

R903.1 General. Roof decks shall be covered with approved roof coverings secured to the building or structure in accordance with the provisions of this chapter. Roof coverings shall be designed, installed and maintained in accordance with this code and the approved manufacturer's installation instructions such that the roof covering shall serve to protect the building or structure. Roof covering requirements for hillside and Wildland Urban Interface areas are to be as regulated by the Fire Prevention Code as adopted by Title 7, of the Boise City Municipal Code.

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

Section 4-02-84 IRC BUILDING CODE AMENDMENT, APPENDIX G, SECTIONS AG101.2, AG101.2.1, AG101.2.2 AND AG103.3 POOLS IN FLOOD HAZARD AREAS

Sections AG101.2, AG101.2.1, AG101.2.2 and AG103.3 Pools In Flood Hazard Areas. All construction within flood hazard areas shall be designed and constructed in accordance with the Boise City Floodplain Ordinance.

Section 4-02-85 1997 UNIFORM BUILDING CODE AMENDMENT, APPENDIX CHAPTER 33 EXCAVATION AND GRADING, SECTION 3304, PURPOSE

3304 Purpose. The purpose of this appendix is to safeguard life, limb, property and the public welfare by regulating grading on private and public property.

Section 4-02-86 1997 UNIFORM BUILDING CODE AMENDMENT, APPENDIX CHAPTER 33 EXCAVATION AND GRADING, SECTION 3313.4, COMPACTION

3313.4 Compaction. All fills shall be compacted to a minimum of density as recommended in the applicable soils engineering report.

(6789, Added, 11/09/2010)

Section 4-02-87 ADDITION OF MINIMUM STANDARDS FOR MODULAR NON-HUD STRUCTURES

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

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

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

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

Section 4-02-88 FIRE SPRINKLER AND ALTERNATIVE EXTINGUISHING SYSTEMS PLAN REVIEW/INSPECTION FEES

1. Fire Sprinkler and Alternative Extinguishing Systems plans and associated required submittals shall be permitted and approved by the Planning and Development Services and Fire Departments, before any related work begins.
2. The plan review fees shall be assessed as follows:
 - A. A plan review fee of four dollars and forty-one cents \$4.41 per fire sprinkler head or appliance nozzle, up to a maximum of three thousand three hundred seven dollars and fifty cents (\$3,307.50) but not less than one hundred fifty dollars (\$150.00), shall be assessed for Fire Sprinkler Systems and paid to the Planning Development Services Department. Two sprinkler heads (directly above and below) on an armover shall be considered as one sprinkler head for fee purposes.
 - B. When the installation of sprinkler heads or nozzles are not involved or insignificant due to the type of work being permitted, a plan review fee equivalent to 1.1025% of the total bid price shall be assessed, up to a maximum of three thousand three hundred seven dollars and fifty cents (\$3,307.50) or a minimum of one hundred fifty dollars (\$150.00) (whichever is larger), and paid to the Planning Development Services Department
3. Permits shall be issued for the following work:
 - A. New fire sprinkler and Alternative Extinguishing systems;
 - B. Additions, modifications, and changes to existing fire sprinkler and Alternative Extinguishing systems, underground lines and/or associated equipment.
 - C. All fees shall be paid in full when the permit is issued.
4. The permit fee shall cover the cost of two plan reviews and two field inspections for each inspection category. An additional fee of one hundred ten dollars and twenty five cents (\$110.25) per review shall be assessed, beginning with the third review, on re-submittals

of denied plans and/or calculations. A fee of forty-six dollars and thirty one cents, (\$46.31) shall be charged per hour for each additional field inspection performed because of noncompliance by the owner or the owner's agent.

5. **PLAN MODIFICATIONS**

Plan revisions submitted for approval after a permit and approved plans have been issued, shall be charged the normal permit fee, based on the number of sprinklers or nozzles affected by the modification.

6. All project plans and data submittals shall accompany a completed FIRE SPRINKLER PERMIT APPLICATION PACKAGE, available from Boise City's Planning and Development Services Department.

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

Section 4-02-89 FIRE ALARM SYSTEM PLAN REVIEW FEES AND INSPECTION FEES FOR EXISTING BUILDINGS AND ALARM ALTERATIONS

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

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

3. Permits shall be issued for the following work:

A. New fire alarm systems in existing buildings;

B. Additions, modifications, and changes to existing fire alarm systems, fire suppression connections, related supplies and/or equipment.

4. All fees shall be paid in full when the permit is issued.

5. The permit fee shall cover the cost of two plan reviews and two field inspections for each inspection category. An additional fee of one hundred ten dollars and twenty five cents (\$110.25) per review shall be assessed beginning with the third review, on re-submittals of denied plans and/or calculations. A fee of forty-six dollars and thirty one cents, (\$46.31) shall be charged per hour for each additional field inspection performed because of noncompliance by the owner or the owner's agent.

6. **PLAN MODIFICATIONS**

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

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

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