

ORDINANCE NO. 2011-02

AN ORDINANCE OF FREMONT COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REPEALING FREMONT COUNTY ORDINANCE 2008-01; ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE AND INTERNATIONAL ENERGY CONSERVATION CODE, AS ADOPTED BY THE STATE OF IDAHO OR THE IDAHO BUILDING CODE BOARD, TOGETHER WITH ANY AMENDMENTS OR REVISIONS TO THE INTERNATIONAL BUILDING CODE MADE BY THE IDAHO BUILDING CODE BOARD THROUGH THE NEGOTIATED RULEMAKING PROCESS, AND PROVIDING AMENDMENTS THERETO; PROVIDING SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 2011.

BE IT ORDAINED BY THE FREMONT COUNTY BOARD OF COMMISSIONERS:

1.01 REPEAL OF PREVIOUS ORDINANCES. Ordinance No. 2008-01 of the County of Fremont is hereby repealed in its entirety

1.02 ADOPTION OF CODES. That the approved editions of the following nationally recognized codes are adopted as the official building codes of the County of Fremont:

1.02.010 2009 International Building Code, except for Sections 103.2 and 103.3

1.02.020 2009 International Residential Code, parts I-IV and IX, except for Sections R103.2 and R103.3

1.02.030 2009 International Energy Conservation Code

1.02.040 2009 International Mechanical Code, except for Sections 103.2

1.02.050 2009 International Fuel Gas Code, except for Sections 103.2

1.03 SUBSEQUENT CODE VERSIONS. That the foregoing 2009 code versions, as adopted, shall be deemed superseded by any successive versions of such 2009 codes as they are adopted or approved by the State of Idaho and made effective in Fremont County on the 1st day of January of the year following the date any such codes are made effective for the State of Idaho, unless a different date is required by state statute.

1.04 AMENDMENTS TO ADOPTED CODES. That the following amendments shall be applicable to the adopted building codes:

1.04.010 To the 2009 International Building Code: None

1.04.020 To the 2009 International Residential Code:

- a. Delete IRC section R109.1.3 and replace with the following: Floodplain inspections. For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, the building official is authorized to require submission of documentation of the elevation of the lowest floor, including basement, required in section R322.
- b. IRC Table R302.1 Exterior Walls -- delete the figures contained in the last column of the table under the heading Minimum Fire Separation Distance, and replace with the following: (3-29-10) **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
- c. Delete table 301.2(1) and replace with the following table:

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^b	FLOOD HAZARDS ^f	AIR FREEZING INDEX ^e	MEAN ANNUAL TEMP ⁱ
	SPEED ^d (mph per 3sec gust)	TOPOGRAPHIC EFFECTS ^b		WEATHERING ^a	FROST LINE DEPTH ^b	TERMITE ^c					
183 IP 128 NF ² 100 NF ¹ 50 SF	90	NO	D-1	Severe	32"	NO		YES	1991	>2000-3000	40F

NF² & NF¹ see Fremont County Snowload Map.

- d. Delete the exception contained under IRC section R302.2 -- Townhouses, and replace with the following: Exception: A common one-hour or two-hour fire resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.
- e. Delete the exception contained under IRC section R313.1 -- Townhouse automatic fire sprinkler systems, and replace with the following: 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.

1.04.030 To the 2009 International Energy Conservation Code: None

1.04.040 To the 2009 International Mechanical Code: None

1.04.050 To the 2009 International Fuel Gas Code:

- a. Section 620.4 Prohibited locations. Unvented room heaters shall not be installed within occupancies in Use Groups A, B, E, I, M, and R. The location of unvented room heaters shall also comply with Section 303.3
- b. Amending Section 108.4 deleting provisions for unnecessary job protection for the Code Official.

1.05 PERMIT FEES. Application fees for each type of permit established by this ordinance shall be established by resolution of the board. Applicants shall pay permit and plan review fees in amounts established by the associated Fremont County resolution. All permits required under this ordinance require fees to be paid prior to a permit being issued, unless specified otherwise herein.

1.06 EXEMPTIONS:

1.06.010 Agricultural Buildings. In accordance with Idaho Code 39-4116, agricultural buildings shall be exempt from the requirements of the codes adopted by this Ordinance, provided they are situated on land actively devoted to agricultural pursuits (as defined by Idaho Code 63-604) and are, at the time of application, being assessed accordingly. An agricultural building is defined as any structure that is used solely for growing, raising or producing plants, animals or crops. While exempt from code requirements as specified in Idaho Code 39-4116, an Agricultural Exemption Permit is still required, and the permit shall be governed by the laws in effect at the time a complete permit application is received. Any building that is found to be permitted under this exemption and is found to be used for uses other than those listed in the definition shall be revoked and a building permit shall be required to be obtained and shall be subject to any fines for an illegal structure.

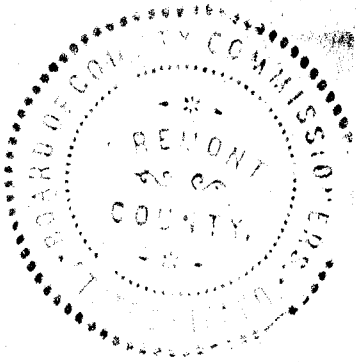
1.07 SEVERABILITY. This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

1.08 CONFLICTING PROVISIONS AND REGULATIONS. Where conflicts occur between this ordinance and other extant ordinances, resolutions, acts, and regulations of Fremont County, the most restrictive rule or regulation shall apply.

1.09 EFFECTIVE DATE. Upon passage by the Board and following its publication as required by law, this ordinance shall become effective January 1, 2011.

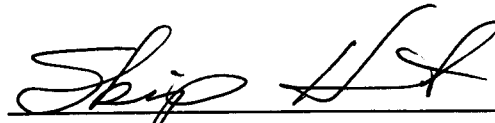
APPROVED and ADOPTED this 6th day of December, 2010.

FREMONT COUNTY BOARD OF COMMISSIONERS





Paul Romrell, Chairman

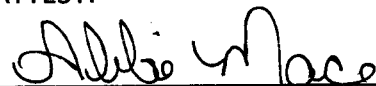


Ronald "Skip" Hurt



LeRoy Miller

ATTEST:



Abbie Mace, County Clerk