

Ordinance No. 372

AN ORDINANCE OF MADISON COUNTY, ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE INCLUDING APPENDIX E AND APPENDIX J, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE AND THE INTERNATIONAL ENERGY CONSRVATION CODE; REGULATING AND GOVERNING THE CONDITIONS AND MAINTENACEOF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATIONAL USE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE NO. 258 OF MADISON COUNTY NAMELY THE 2003 INTERNATIONAL BUILDING CODE AND ALL OTHER ORDIANCES AND PARTS OF THE ORDIANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY, IDAHO AS FOLLOWS:

1. Madison County, Idaho hereby adopts:

Section 1. That certain documents are on file in the office of Building Department of Madison County, Idaho being designated as the International Building Code, 2009 Edition, the International Residential Code 2009 Edition, the International Mechanical Code 2009 Edition, The international Fuel Gas Code 2009 Edition and the International Energy Conservation Code 2009 Edition, all published by the International Code Council, the NEPA 70 National Electrical Code as currently required by the State of Idaho and the Uniform Plumbing Code as currently required by the State of Idaho and published by the International Association of Plumbing and Mechanical Officials **are hereby adopted as the Building Code of Madison County**, in the State of Idaho for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use. Providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of the Madison County Building Department are hereby referred to be adopted and made a part hereof as it fully set out in this ordinance, with the additions, insertions and deletions and changes, if any prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

1. For the 2009 *International Residential Code*, the following sections are revised:

Section 101.1 Insert: Madison County, Idaho

Section 101.4.3 Replace the language “International Plumbing Code” with the following: Uniform Plumbing Code or edition as currently required by the State of Idaho as published by the International Association of Plumbing and Mechanical Officials AND the current edition of the Pacific Northwest Section of the American Water Works

Association (AWWA) Manual. Section 903.2.8 Insert the following section. Exception: One or two unit dwellings are not required to be sprinklered as per the State of Idaho revisions of the *2009 International Building Code*.

Section 1612.3 Insert: Madison County, Idaho

Section 1612.3 Insert: Unincorporated Madison County; Flood Hazard date June 3, 1991.

2. For the *2009 International Residential Code*, the following sections are hereby revised:
Section 101.1. Insert: Madison County, Idaho

Table R 301.2 (1) Insert: Ground snow: 50 lb, wind speed; 90 mph, Topographic effects, No, Seismic Design Category: D-1, Weathering, Severe, Frost line depth: 36", termite: slight, Winter Design Temp: -5°, Ice Shield Underlayment required: Flood Hazards: Firm Map dated 6/3/1991, Air Freezing Index: 2000, Mean Annual Temperature: 42°.

Delete Chapters 25 thru 43. The governing Electrical Code and Plumbing Code shall be that as most currently adopted by the State of Idaho Division of Building Safety.

Section 3. *2009 International Mechanical Code*, the following sections are hereby revised:

Section 101.1. Insert: Madison County, Idaho

Section 106.5.2. Insert the following:

The Mechanical Fee Schedule shall be as per State of Idaho Statutes, Title 54, Chapter 50, Installation of Heating, Ventilation and Air Conditioning Systems- § 54-5017.

Permits – Application – Fees, or as the same may from time to time be modified. A copy of which shall be kept in the Building Department of Madison County.

Section 106.5.3. Insert: 50% in both locations.

Section 108.4. Insert: Misdemeanor punishment by fine of Three Hundred Dollars (\$300) per day and up to thirty (30) days in jail.

Section 4. *2009 International Fuel Gas Code*, the following sections are hereby revised:

Section 101.1. Insert: Madison County, Idaho.

Section 106.5.2 Change Section to read: Fees are covered elsewhere. See Section 106.5.2 of the *2006 International Mechanical Code*.

Section 106.5.3. Insert: 505 at both locations.

Section 108.4. Insert: Misdemeanor punishable by fines of Three Hundred Dollars (\$300) per day and up to thirty (30) days in jail.

Section 5. *2009 International Energy Conservation Code*, the following section is hereby revised:

Section 101.1. Insert Madison County, Idaho.

Section 6. *Current Uniform Plumbing Code*, insert the following : The Plumbing Fee Schedule shall be as per the Idaho Statutes, Title 54, Chapter 26, Plumbing and Plumbers §54-2619. A copy of which shall be kept at the Building Department for Madison County.

Section 7. That building permit fees and other inspection fees not identified in section 2 shall be collected at time of building permit issuance and shall be as identified by in Appendix L of the *2009 International Residential Code*.

Section 8. Non-inhabitable agricultural buildings are hereby exempted from the requirement of the Codes set out herein, from the Codes set in the Idaho Building Code Act, and from the rules promulgated by the Idaho Building Codes Board, all as set out in the Idaho Code § 39-4116 and any amendments thereto.

Section 9. That this ordinance of Madison County entitled the adoption of the *2009 International Building Code edition, the 2009 International Residential Code edition, the 2009 International Mechanical Code edition, the 2009 International Fuel Code edition, the 2009 International Energy Conservation Code edition, National Electrical Code edition, and the Uniform Plumbing Code edition* as currently required by the State of Idaho and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. Madison County hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 11. That nothing, in this ordinance or in the Building code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character lost, impaired or affected by this ordinance.

Section 10. Any person, firm, or corporation violating any provision of the Building Code as described in Section 1 of this document, shall upon conviction thereof, be guilty of a general misdemeanor, which shall be punishable by a fine not to exceed Three Hundred Dollars (\$300) or by imprisonment for not more than Six (6) months, or by both said fine and imprisonment for any single violation, in addition to any penalty for any sanction provided for in the adopted Building Code as described in Section 1 of this document. Each day of violation shall constitute a separate offense.

This ordinance shall go into full force and effect upon its passage, approval and publication, all as provided by law on this 28th day of February, 2011.

Signed:

Board of Madison County Commissioners

Kimber O. Ricks, Chairman

Jon O. Weber, Commissioner

Todd Smith, Commissioner

ATTEST:

Kim H. Muir, County Clerk