

CITY OF DALTON GARDENS

ORDINANCE NO. 174

**AMENDMENTS TO TITLE 4, CHAPTER 1 OF THE DALTON
GARDENS MUNICIPAL CODE**

**AN ORDINANCE OF DALTON GARDENS, IDAHO, A POLITICAL
SUBDIVISION OF THE STATE OF IDAHO, TO AMEND THE BUILDING
CODES CHAPTER TO ADOPT THE CURRENT INTERNATIONAL BUILDING
CODES AS ADOPTED BY THE STATE LEGISLATURE.**

BE IT ORDAINED by the mayor and city Council of Dalton Gardens, Idaho:

Section 1: Title
Section 2: Authority
Section 3: Purpose
Section 4: Amendments
Section 5: Severability
Section 6: Conflicting Ordinance Provisions
Section 7: Effective Date

SECTION 1: TITLE

This Ordinance shall be known as the AMENDMENTS TO TITLE 4, CHAPTER 1 OF THE DALTON GARDENS MUNICIPAL CODE IN REGARD TO BUILDING CODES.

SECTION 2: AUTHORITY

This Ordinance is authorized under the provisions of Idaho Code Section 39-4116

SECTION 3: PURPOSE

The purpose of the ordinance is to provide for adoption of International Building Codes and revisions thereto.

SECTION 4: AMENDMENTS

4-1-2: ADOPTION OF CONSTRUCTION CODES:

Dalton Gardens hereby adopts the following construction codes and standards and shall

enforce them with regard to all construction and development in the incorporated areas of Dalton Gardens.

A. The ~~i~~International ~~b~~Building ~~e~~Code 2000 ~~edition~~, as published by the International Code Council, including appendix ~~C~~ E, excluding any reference to flood requirements which shall be governed by Dalton Gardens ~~flood damage prevention ordinance~~ Site Disturbance Ordinance.

B. The ~~i~~International ~~r~~Residential ~~e~~Code 2000 ~~edition~~, Parts 1 through 4 and 9 as published by the International Code Council, including appendices E, G, J, K, excluding any reference to flood requirements which shall be governed by the Dalton Gardens ~~flood damage prevention ordinance~~ Site Disturbance Ordinance.

C. The ~~i~~ International ~~m~~Mechanical ~~e~~Code 2000 ~~edition~~, as published by the International Code Council.

D. National Fire Protection Association ~~e~~Codes numbered 501A-2000 and 1194-2002 and the accepted engineering practice standards contained therein for compliance by the manufactured home and recreational vehicle industry.

E. The ~~i~~International ~~e~~Energy ~~e~~Conservation ~~e~~Code 2000 ~~edition~~, as published by the International Code Council, excluding any reference to the international residential code which will be governed by the northwest energy code.

F. The ~~i~~International ~~p~~Property ~~m~~Maintenance ~~e~~Code ~~2000 edition~~, as published by the International Code Council.

G. The ~~i~~International ~~f~~Fire ~~e~~Code 2000 ~~edition~~, as published by the International Code Council.

H. The ~~i~~International ~~f~~ Fuel ~~g~~ Gas ~~e~~Code 2000 ~~edition~~, as published by the International Code Council.

I. The ~~2001 and 2002~~ accumulative supplement to the international codes, as published by the International Code Council.

J. Life safety NFPA 101, ~~2000 edition~~, as published by the National Fire Protection Association.

The adopted versions of the foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted or approved by the state of Idaho effective on the date any such codes are made effective.

4-1-3: AMENDMENTS TO INTERNATIONAL CODES:

The following terms, conditions, and provisions shall be incorporated into the codes identified in section 4-1-2 of this chapter and shall be enforced as part of said codes:

- A. The minimum roof design snow load shall be forty (40) pounds per square foot.
- B. No building or structure shall be used or occupied until the Building Official has issued a Certificate of Occupancy.
- C. A one-story detached accessory structure used as a tool and storage shed, playhouse, and similar uses shall not require a building permit so long as it is less than two hundred (200) square feet measured from outside eave to outside eave and is located not less than twenty (20) feet from any structure on the same lot or parcel. Said accessory structure shall conform to minimum placement standards established by the Dalton Gardens Municipal Code.
- D. Remodeling of occupancies described as Group R Division 3 and Group U Division 1, will not require a building permit for the purpose of:
 - 1. General maintenance.
 - 2. Work done that does not include anything structural.
 - 3. Any alteration that would not affect the structural integrity of the building.
 - 4. Any alteration that would not affect any life safety requirements.
- E. Minimum reinforcement for foundation walls which do not exceed 4 feet in height (measured from the bottom of the footing), may be 4 feet on center for vertical reinforcement and 2 feet on center for horizontal reinforcement, unless closer spacing is specified for design or engineering requirements. All conventional footings will be required to install two #4 horizontal rebar in the footing. Walls constructed for basements, eight feet or less in height, may utilize a prescriptive method of rebar placement: eighteen inches (18") on center, horizontal and vertical, #4 bar, grade 40.
- F. The minimum depth for frost protection purposes, from ground surface to the bottom of a footing, shall be twenty-four (24) inches.
- G. If the slope in the immediate vicinity of the construction site is greater than 6% for residential and all commercial sites, the Building Official may require a detailed site plan and/or a foundation plan be prepared by an Idaho-licensed design professional. These plans may be in addition to any storm water management or erosion control plans required by other ordinances or code requirements.
- H. The Building Official may require a soil test on the site and may additionally require that the foundation design for any proposed structure be approved by an Idaho licensed design professional. If the soil type is not included in the Soil Survey of Kootenai, Idaho,

the soil type shall be determined by an Idaho licensed professional engineer.

I. The private garage shall be separated from the residence and its attic area by ~~means of minimum $\frac{5}{8}$ inch type X gypsum board~~ not less than installation of one-hour fire-resistive construction applied to the garage side. Door openings between the garage and the residence shall be equipped with either self-closing, tight-fitting solid wood doors not less than $\frac{13}{8}$ inches (35 mm) thick, self-closing solid or honeycomb core steel doors not less than $\frac{13}{8}$ inches (35 mm) thick, or self-closing one-hour fire-rated doors. Openings from a private garage direction into a room used for sleeping purposes shall not be permitted.

J. The garage shall be separated from its residence and its attic area by not less than ~~$\frac{5}{8}$ inch type X gypsum board~~ installation of one-hour fire-resistive construction applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than ~~$\frac{5}{8}$ inch type X gypsum board~~ or equivalent the installation of one-hour fire-resistive construction on the garage side.

K. Continuous handrails will be required without any interruptions by newel posts for the entire run of the stairway in all R-3 structures.

L. In all residential structures (R-3), the minimum floor live loads shall be 40 pounds per square foot.

M. Residential structures (R-3) shall have a minimum ceiling height of seven feet (7') including projections, basements and bathrooms, excluding stairways which shall have a minimum height of six feet eight inches (6'-8").

N. All mechanical gas pipe installations will be tested at a pressure of 10 lbs psi for a duration of 15 minutes, except gas welded pipe.

O. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with one hour fire resistant construction.

4-1-9: MANUFACTURED HOME SETTING PERMITS; ADDITIONAL REQUIREMENTS:

When the manufacturer requires footings to be installed according to their direction, such information shall be provided to the building department and a footing inspection prior to the placement of concrete will be required.

Manufactured homes and mobile homes that are to be converted to real property shall comply with section 44-2201(2) of the Idaho state code. When the manufacturer's direction for footings do not meet the minimum requirements of the Idaho state code 44-2201(2) for converting manufactured homes and mobile homes to real property, then Idaho state code 44-2201(2) will have precedence.

All other footings for manufactured homes and mobile homes that are not required to be set according to manufacturer's instructions, or that are not to be converted to real property, will comply with the National Fire Protection Association (NFPA) 501.A., ~~2000 edition~~.

SECTION 5: SEVERABILITY

Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, it shall not affect the validity of the remaining portions of this Ordinance.

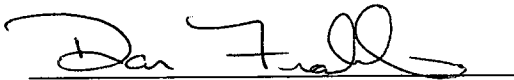
SECTION 6: CONFLICTING ORDINANCE PROVISIONS

If any conflict occurs between this ordinance and provisions of the other City Ordinances, the more restrictive Ordinance shall take precedence.

SECTION 7: EFFECTIVE DATE


This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the Coeur d'Alene Press.

ADOPTED THIS 7th day of April, 2005



Dan Franklin, Mayor

Attest:



Marcia Wingfield, Clerk

**City of Dalton Gardens
Notice of Adoption
Current Building Codes Ordinance Number 174
April 7, 2005**

The Dalton Gardens City Council, at a duly notice public hearing held on April 7, 2005, adopted the Dalton Gardens Ordinance Number 174, which adopts the statutorily mandated 2003 International Building Codes. The City also adopted additional fire wall requirements beyond those contained within the International Building Codes. The ordinance will take effect upon the first publication which is scheduled for April 20, 2005. The full text of the ~~Special Use Permit Decision Process~~ Ordinance is available at the Dalton Gardens City Hall, 6360 N. 4th Street during regular office hours.

Building Codes

Attest: Marcia Wingfield, City Clerk/Treasurer

Publish: April 20, 2005
Coeur d'Alene, Press

and provide
for later
adopted versions
of these codes.

with change to
complies w/ summarization
statute



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

Kattie Hoy

..... being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Wednesday issue of said newspaper for one consecutive day commencing on the 20 day of April 2005, and ending on the 20 day of April 2005, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Kattie Hoy. On this 20 day of April in the year of 2005, before me, a Notary Public, personally appeared Kattie Hoy, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

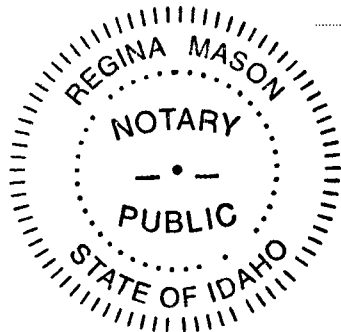
Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

City of Dalton Gardens Notice of Adoption Current Building Codes Ordinance Number 174 April 7, 2005

The Dalton Gardens City Council, at a duly notice public hearing held on April 7, 2005, adopted the Dalton Gardens Building Codes Ordinance Number 174, which adopts the statutorily mandated 2003 International Building Codes and provide for later adopted versions of these Codes. The City also adopted additional fire wall requirements beyond those contained within the International Building Codes. The ordinance will take effect upon the first publication which is scheduled for April 20, 2005.

The full text of the Building Codes Ordinance is available at the Dalton Gardens City Hall, 6360 N. 4th Street during regular office hours.

Attest: Marcia Wingfield, City Clerk/Treasurer
Legal 7067
April 20, 2005



MY COMMISSION EXPIRES 6/18/09