

ORDINANCE NO. 214

AN ORDINANCE OF THE CITY OF DALTON GARDENS MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING 4-1-2 AND 4-1-3 OF THE DALTON GARDENS MUNICIPAL CODE; 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; PROVIDING SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

IT IS ORDAINED by the mayor and city council of the City of Dalton Gardens, Kootenai County, Idaho as follows:

Section 1. That Title 4, Chapter 1, Section 2 (4-1-2) and Title 4, Chapter 1, Section 3 (4-1-3) of the Dalton Gardens Municipal Code are repealed.

Section 2. That the following new international building codes are adopted:

INTERNATIONAL CODES ADOPTED:

The following nationally recognized codes are adopted as the official building codes of the city of Dalton Gardens:

- A. International Building Code: The international building code, 2009 edition, prepared by the International Code Council, Inc., 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, is adopted.
- B. International Residential Code: The international residential code, 2009 edition, prepared by the International Code Council, Inc., 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, is adopted.
- C. International Energy Conservation Code: The international energy conservation code, 2009 edition, prepared by the International Code Council, Inc., together with any amendments or revisions to the international building code made by the Idaho building code board through the negotiated rulemaking process, is adopted.

The adopted versions of the foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted or approved by the state of Idaho effective on the date any such codes are made effective.

Section 3. Severability.

The 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.

Section 4. Repeal of Conflicting Provisions.

All other provisions of the current Dalton Gardens City Code or ordinances of the city of Dalton Gardens which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.


Section 5. Effective Date.

This ordinance shall be effective upon passage and publication as provided by law.

Enacted by the city council as an ordinance of the city of Dalton Gardens on the 15th day of February, 2011.

Approved by the Mayor on the 15th day of February, 2011.

CITY OF DALTON GARDENS


Daniel Franklin, Mayor

ATTEST:


Marcia Wingfield, City Clerk

AFFIDAVIT OF PUBLICATIO

SUMMARY OF CITY OF DALTON GARDENS, IDAHO ORDINANCE NO. 214 AN ORDINANCE ADOPTING 2009 INTERNATIONAL BUILDING, RESIDENTIAL & ENERGY CODES

In accordance with Idaho Code §50-901A, the following is a Summary of Ordinance 214 of the City of Dalton Gardens, Idaho:

1. An Ordinance of the City of Dalton Gardens municipal corporation of the State of Idaho, repealing 4-1-2, and 4-1-3 of the Dalton Gardens municipal code; 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; providing severability; providing repeal of conflicting ordinances; and providing an effective date.

2. The ordinance takes effect upon publication of this summary in one (1) issue of the Coeur d'Alene Press.

3. A full text of Ordinance 214 is available at the Dalton Gardens City Hall.

DATED this 15th day of February, 2011.

Daniel Franklin, Mayor
ATTEST:

Marcia Wingfield, Clerk
Legal 2114
February 18, 2011

STATE OF IDAHO,
County of Kootenai,

ss.
Mylene Farmer

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 Voice*

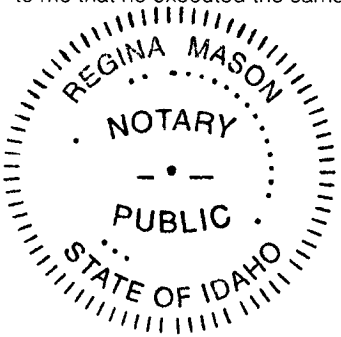
of which the annexed is a printed copy, was published in the regular *Friday* issue of said newspaper for *1* consecutive *day* commencing on the *18* day of *February*, 20*11*, and ending on the *18* day of *February*, 20*11*, and such publication was made as often during said period as said *Friday* 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.

On this *18* day of *February* in the year of *2011*, before me, a Notary Public, personally appeared *Mylene Farmer*, 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.

MY COMMISSION EXPIRES 6/18/15



DOLAN & JACOBSEN
ATTORNEYS AT LAW
LIBERTY BUILDING
118 N. 7TH ST. - P.O. BOX 1116
COEUR D'ALENE, IDAHO 83816-1116

February 15, 2011

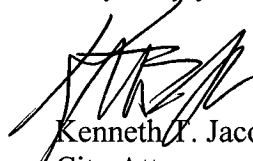
City of Dalton Gardens
Attn: Marcia Wingfield, City Clerk
6360 N.4th Street
Dalton Gardens, ID 83815

RE: Ordinance 214

Dear Marcia:

Pursuant to Idaho Code § 50-901A, this letter is to certify that the summary of Dalton Gardens Ordinance No. 214, Adopting 2009 International Building, Residential and Energy Codes, is true and complete and provides adequate notice to the Public of the contents of said Ordinance.

Very truly yours,


Kenneth T. Jacobsen
City Attorney

KTJ/rs