

CHAPTER 1  
**BUILDING CODE**

## SECTION:

- 11-1-1: Code
- 11-1-2: Adopted Amendments
- 11-1-3: Copies On File
- 11-1-4: Permits Required; Exceptions
- 11-1-5: Powers and Duties
- 11-1-6: Penalty

11-1-1: **CODE ADOPTED:** County of Cassia, Idaho adopts and elects to enforce the provisions of the 2009 Edition of the International Building Code (IBC), including appendices E, H, and I excepting certain sections and providing certain amendments for local adoption; adopting Idaho Manufactured Home Installation Current Standard; Adopting the 2009 edition of International Residential Code (IRC), excluding parts VII and VIII, and including appendices H and J, as specifically provided herein and providing certain amendments for local adoption; adopting the 2009 Edition of the International Energy Conservation Code (IECC) as specifically provided herein and providing certain amendments for local adoption; adopting International Fire Code 2009; repealing the prior editions of the corresponding International or Uniform Codes. (99-7-1, 7-26-1999, Ord. 2008-03-01, Ord. 2011-01-01)

11-1-2: **AMENDMENTS:** The International Building Code, 2009 edition, and Appendices E,H, and I, published by the International Code Council; as herein amended:

Amending sections as follows:

- (2) Amend IBC Section 101.1 inserting "Cassia County" in place of "[NAME OF JURISDICTION]",
- (3) Delete IBC Sections 2701.1 for referenced standard for electrical installation provisions, and any reference to codes and standards dealing with electrical installations, which shall be governed by the codes and standards as established by Idaho Code 54-1001.
- (4) Delete IBC Sections 101.4.3 and 2901.1 for referenced standard for plumbing installation provisions, and any reference to codes and standards dealing with plumbing installations which shall be governed by the codes and standards as established by Idaho Code 54-2601,

- (5) Amend IBC Section 903.2.7 by adding the following exception: Exception: automatic sprinkler systems are not required in 3-or 4-unit Group R buildings.
- (6) Amend IBC Section 1612.3 inserting "Cassia County" in place of "[NAME OF JURISDICTION]", and "August 15, 1983" in place of "[DATE OF ISSUANCE]",
- (7) Amend IBC Section 3410.2 insert January 17,1995 in place of [DATE TO BE INSERTED BY THE JURISDICTION]

- 1. Idaho Manufactured Home Installation Standard current edition published by State of Idaho Division of Building Safety, Manufactured Housing Section.
- 2. The International Residential Code, 2009 edition, excluding parts VII and VIII and including appendices H and J, published by the International Code Council

Amending sections as follows:

- a. Amend IRC Section R101.1 inserting "Cassia County" in place of "[NAME OF JURISDICTION]",
- b. Amend IRC Table R301.2 (1) Climatic and Geographic Design Criteria as established by the Building Official to include the following language:

For the purpose of enforcement and administration of this code the office of the Cassia County Zoning Administrator and/or Building Inspector or Building Official shall enforce all provisions of this ordinance, report all violations of this ordinance to the Board of Commissioners and refer all violations to the County Attorney.

- c. Amend IRC Table R301.2 (I) Climatic and Geographic Design Criteria as follows:

GROUND SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY
As per Cassia County Ground Snow Load Map	90 mph	C

SUBJECT TO DAMAGE FROM			
Weathering	Frost line depth	Termite	Decay
Severe	24 inches	Slight to Moderate	None to Slight

WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
+2 Degrees	NO	Firm map # H-01-58	1200	49.6

- d. 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. (3-29-10)

- e. 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:

<b>Minimum Fire Separation Distance</b>
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

- f. 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.
- g. Delete IRC section R313.2.
- h. Delete IRC section R322.1.10.
- i. Delete IRC section R322.2.2 paragraph 2.2, and replace with the following:

The total net area of all openings shall be at least one (1) square inch (645 mm<sup>2</sup>) for each square foot (0.093 m<sup>2</sup>) of enclosed area, or the opening shall be designed and the construction documents shall include a statement that the design and installation of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. (3-29-10)

All single family homes and multiple family dwellings up to two (2) units are exempted from the provisions of the International Fire Code, the International Building Code and the International

Residential Code that require such dwellings to have automatic fire sprinkler systems installed. Nothing prevents any person from voluntarily installing an automatic fire sprinkler system in any residential dwelling. [Idaho Code § 39-4116(3)]

- D. The International Energy Conservation Code, 2009 edition, published by the International Code Council, as herein amended;  
Amending sections as follows:
1. Amend IECC Section 101.1 inserting "Cassia County" in place of "[NAME OF JURISDICTION]",
- E. The International Fire Code (IFC), 2009 Edition, published by the International Code Council, and appendices B, as amended herein; Amending sections as follows:
1. Amend IFC Section 101.1 inserting Cassia County in place of [NAME OF JURISDICTION].
  2. Amend IFC Section 103.2 to read as follows: The code official shall be appointed by the chief appointing authority of the jurisdiction.
  3. Further amend IFC as amended and adopted by the Idaho State Fire Marshal of the Idaho Department of Insurance as set forth in IDAPA 18 Title 01 Chapter 50 Subsections 010052.
- F. The codes mentioned in Section one (1) through five (5) of this Ordinance are adopted by reference pursuant to Section 31-715 of the Idaho Code. The County Clerk is directed to maintain at the County Offices the number of copies of the International Codes adopted herein as required by law
- G. Additionally, it is further required that all construction within Cassia County shall be required to have hurricane straps to be placed on every roof truss, alternating ends, so as each truss has one (1) hurricane strap and shall be attached to the top plate. Straps and installation shall require approval of the building inspector.

11-1-3: **COPIES ON FILE:** One copy of the International Building Code, together with all amendments thereto, shall be kept on file in the office of the county clerk for use and examination of and by the public. (Ord. 99-7-1, 7-26-1999)

11-1-4: **PERMITS REQUIRED; EXCEPTIONS:**

- A. Permit Required; Fee: Any person, firm, or corporation desiring to construct, erect, relocate or remodel a building covered under the terms of the International Building Code as adopted by the county, other than agricultural buildings in the unincorporated territory of the county, or

desiring to place, park or tie down a mobile, modular, or manufactured home or other building in Cassia County, state of Idaho, shall first apply for a permit therefor to the building inspector and shall pay a fee for said permit as adopted by the county. (Ord. 99-1-1, 1-4-1999; amd. 2003 Code; amd. Ord. 2011-08-01, 8-25-2011.)

- B. Plats: All applications for building, tie down, or other permits shall be accompanied by a plat showing the size and location of the existing buildings and buildings to be erected and the layout of water and sewer services and utilities existing on the lot or parcel. The plat shall also show the zone in which a lot or parcel of land is located. (Ord. 2011-08-01, 8-25-2011.)
- C. Violation; Penalty: It shall be unlawful to commence construction of any structure requiring the issuance of a building permit without having first obtained a building permit therefor, or to occupy a mobile, modular, or manufactured home or other building without having obtained a "tie down" or foundation inspection. Failure to procure the proper permit or inspections shall also result in a monetary penalty equal to one hundred percent (100%) of the permit or inspection fee being imposed in addition to the standard fee at the time the permit or inspection is issued or performed. (Ord. 99-1-1, 1-4-1999; Ord. 2011-08-01, 8-25-2011.)

11-1-5: **POWERS AND DUTIES:**

- A. Duties: It shall be the duty of the zoning administrator, building inspector and/or compliance officer or other specified official to inspect the plans of all buildings for which permits are required, and to make sure that the use, area, yards, height, size, lot coverage, and other requirements of this title are complied with. They shall enforce all provisions of this title, report all violations of this title to the board of commissioners and refer all violations to the county attorney, entering actions in the courts when necessary, and their failure to do so shall not legalize any violation of such provisions, nor shall the failure of the county attorney to enter actions in the courts legalize any violation of such provisions. (Ord. 93-6-1, 6-28-1993; amd Ord. 2006-11-01, 11-07-06; Ord. 2011-08-01, 8-25-2011.)
- B. Permit Required: The erection, structural alteration, or moving of any building or structure (except agricultural buildings located more than 100 feet from the owner's property line), or any part thereof, or the installation of a modular or manufactured building, or the tie down, skirting, or connection to utilities of a mobile home, shall not be proceeded with except after the issuance of a written permit for the same

by the building inspector, except when specifically exempted from this requirement by the terms of the applicable ordinance. Failure to purchase a building permit prior to the construction, repair, alteration, moving or installation of a structure pursuant to this subsection shall result in the imposition of a penalty of one hundred percent (100%) of the standard fee adopted by the county in addition to the standard fee. (Ord. 99-1-1, 1-4-1999)

- C. Compliance With Provisions Required: From the time of the effective date hereof, the zoning administrator and/or the building inspector shall not grant a permit for the construction of any building or structure, or for the moving of the building into a lot, or for the change in any use of land, building or structure if such construction, alteration, moving or change in use would be in violation of any of the provisions of this title, nor shall any other officer of the county grant any permit or license for the use of any building or land if such would be in violation of this title. (Ord. 2011-08-01, 8-25-2011.)
- D. Certificate Of Occupancy:
1. Certificate Required: It shall be unlawful to use or permit the use of any building or premises or part thereof hereafter created, erected, altered, changed, or converted wholly or partly in its use or structure until a certificate of occupancy to the effect that the building or premises or the part thereof so created, erected, altered, changed or converted and the proposed use thereof conform to the provisions of this title shall have been issued by the building inspector; provided, however, that no certificate of occupancy shall be required for buildings which are exempt from the provisions of this title. (Ord. 2011-08-01, 8-25-2011.)
  2. Issuance: It shall be the duty of the building inspector to issue a certificate of occupancy within ten (10) days after a request for the same shall have been filed in his office by an owner of a building or premises affected by this title, provided said building or premises or the part thereof so created, erected, altered, changed or converted and the proposed use thereof conform with all the requirements herein set forth, and the terms of other county building regulations. (Ord. 2011-08-01, 8-25-2011.)
- E. Approved Uses Only: Building permits or certificates of occupancy issued on the basis of plans and applications approved by the building inspector authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this title and punishable as provided herein. (Ord. 2011-08-01, 8-25-2011.)

- F. Business Licenses: No business license or permit shall be issued by an officer or employee of Cassia County, state of Idaho, until the application for the permit or license has been first reviewed by the zoning administrator as to conformance with the provisions of this title. A permit or license, if issued in conflict with the provisions of this title, shall be null and void. (Ord. 2011-08-01, 8-25-2011.)
- G. Notice Of Violation: Whenever the zoning administrator, building inspector, or the compliance officer shall observe any apparent violation or infraction of this title, they shall send a notice to the property owner on whose land the apparent violation occurs, setting forth the nature of the alleged violation, and a statement that said alleged violation must be corrected within a reasonable time to be specified in the notice. (Ord. 93-6-1, 6-28-1993; amd. Ord. 2006-11-01, 11-07-06; Ord. 2011-08-01, 8-25-2011.)
- H. Multiple Applications: Multiple applications under this title on the same premises, e.g., conditional use permit and variance, may be made at the same time, and upon payment of only one application fee, plus the additional advertising costs, if any. (Ord. 99-1-1, 1-4-1999; Ord. 2011-08-01, 8-25-2011.)

11-1-6: **PENALTY:** If any person, firm or corporation violates the addition to the penalties contained within the individual code hereby adopted, they shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as set forth in section 1-4-1 of this code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. 99-7-1, 7-26-1999; amd.2003 Code; re-numbered by Ord. 2011-08-01, 8-25-2011.)