

ORDINANCE NO. _____
COUNCIL BILL NO. 17-_____

AN ORDINANCE AMENDING SECTIONS 15.08.005 AND 15.12.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO ACCOUNT FOR THE RECENT ADOPTION, WITH AMENDMENTS AND REVISIONS, OF UPDATED VERSIONS OF UNIFORM CODES BY THE STATE OF IDAHO; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That Coeur d'Alene Municipal Code section 15.08.005 is amended to read as follows:*

15.08.005: INTERNATIONAL BUILDING CODES; ADOPTION; AMENDMENTS AND DELETIONS:

A. In order to protect the health, safety and welfare of the public and to prescribe regulations governing building and other construction, the city council hereby adopts the following codes promulgated by the International Code Council except such chapters, portions or sections as are deleted, modified, amended or added as set forth herein:

1. The ~~2012~~2015 international building code (IBC), prepared by the International Code Council, Inc., as adopted by the state of Idaho through the Idaho building code board, together with any amendments or revisions to the IBC made by the Idaho building code board through the negotiated rulemaking process, is adopted with the following exceptions or amendments:

- a. Section 103.2 is not adopted.
- b. Section 103.3 is not adopted.
- c. Section 107.1 is amended to read as follows:

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report, structural observation programs and other data shall be submitted in one (1) paper set and one (1) PDF of the plan set on a CD for each application for a permit. The architectural construction documents shall be prepared by an

architect licensed to practice by the state of Idaho. The building official shall have the option to stipulate that an Idaho licensed architect may submit construction documents that are proven to strictly adhere to the IBC provisions of section 2308; Conventional Light-Frame Construction. The building official shall have the option to stipulate that an Idaho licensed engineer in the appropriate engineering discipline (structural, mechanical, electrical, civil, geotectonic, acoustical, etc.) of his or her expertise may submit supplemental construction documents supportive and complementary to the architect's construction documents.

Where special conditions exist, the building official may authorize a registered professional engineer acting within the discipline of his or her expertise and at the stipulation of the building official acting jointly or in association with a licensed architect to prepare construction documents and require site construction observation for buildings or shelters not intended, designed or constructed for human habitation or occupancy.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional of any architectural or engineering service in the erection, enlargement, alteration or repair of any building where such building to be or is used as a single family residence not exceeding three (3) stories in height and multiple height and multiple family residence of three adjoining dwelling units not exceeding three (3) stories in height. Or as a farm building or for the purpose of out buildings or auxiliary building in connection with such residence or farm premises or if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Those individuals who furnish only interior design or decoration or space planning or space design services within existing structures which do not involve the construction or adherence to requirements of the international building code (IBC) including the Americans with disabilities act (ADA), American national standard accessible and usable building and facilities ICC/ANSI-A117 will not be required to be a registered design professional. This exemption only allows the use of moveable partitions, rails, counters, cabinets, space dividers, furniture and similar types of equipment which do not exceed a height of five feet, nine inches above floor in the execution of the plans or design of a particular space or the creation of exits corridors, stairways and disturbances of existing structural components as defined by the IBC.

d. Section 107.3.4 is amended to read as follows:

107.3.4.1 General. When it is required that documents be prepared by a registered architect, the building official shall be authorized to require that the owner engage and designate on the building permit application a registered architect who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered architect or professional engineer in responsible charge who shall perform the duties required by the building official. The building official shall be notified in writing by the owner or the architect of record if the person who is in responsible charge is changed or is unable to continue to perform the required duties.

e. Section 406.3.4 Separation. Replace section 1 with the following:

The private garage shall be separated from the dwelling unit and its attic area, including supporting members with materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 13/8 inches in thickness, or a self-closing, tight-fitting 20-minute fire-rated door, or solid or honeycomb steel doors not less than 13/8 inches (34.9 mm) thick, or doors in compliance with section 716.5.1 and 716.5.3.1. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

~~f. Section 708.3 Fire-Resistance Rating. Delete exceptions 1 and 2.~~

~~g. Section 718.4.2 Groups R-1 And R-2. Delete exception 3.~~

~~hf.~~ Table ~~1018.1~~1020.1 Corridor Fire-Resistance Rating. For an R occupancy, replace "0.5" hour required fire-resistance rating with a sprinkler system with "1" hour.

~~ig.~~ Section 1809.5 Frost Protection. Delete method 1 and replace with the following:

1. Extending below the frost line of the locality, with a minimum twenty-four (24) inches from ground surface to the bottom of a footing.

~~jh.~~ Add a new section 1905.1.~~449~~ Minimum Reinforcement as follows:

~~Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement.~~

~~Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specification) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40).~~

All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Footings supporting columns and piers shall contain no less than two (2) #4 rebar installed each way, not to exceed twelve (12) inches maximum spacing.

Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. One (1) continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall.

Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specification) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40). One continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall. No less than two (2) #4 rebar shall be installed around door, window, and similar sized openings.

ki. Section 2308.2.3. ~~Delete items 3.2 and 3.3 exceptions 2 and 3.~~

2. The 2012 international residential code (IRC), prepared by the International Code Council, Inc., as adopted by the state of Idaho through the Idaho building code board, together with any amendments or revisions to the IRC made by the Idaho building code board through the negotiated rulemaking process, is adopted with the following exceptions or amendments:

Section R101.2. Delete the exception and add the following sentence to the end of the section:

Detached one-and-two-family dwellings and townhouses will be classified as an R-3 occupancy. All garages, shops, and accessory structures will be classified as a U occupancy.

Section R103.2 is not adopted.

Section R103.3 is not adopted.

Section R104.10.1. Delete entire section.

Section R106.1 is amended to read as follows:

R106.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report, structural observation programs and other data shall be submitted in one (1) paper set and one (1) PDF of the plan set on a CD for each application for a permit. The architectural construction documents shall be prepared by an architect licensed to practice by the state of Idaho. The building official shall have the option to stipulate that an Idaho licensed engineer in the appropriate engineering discipline (structural, mechanical, electrical, civil, geotectonic, acoustical, etc.) of his or her expertise may submit supplemental construction documents supportive and complementary to the architect's construction documents.

Where special conditions exist, the building official may authorize a registered professional engineer acting within the discipline of his or her expertise and at the stipulation of the building official acting jointly or in association with a licensed architect to prepare construction documents and require site construction observation for buildings or shelters not intended, designed or constructed for human habitation or occupancy.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional of any architectural or engineering service in the erection, enlargement, alteration or repair of any building where such building to be or is used as a single family residence not exceeding three (3) stories in height and multiple height and multiple family residence of three adjoining dwelling units not exceeding three (3) stories in height. Or as a farm building or for the purpose of out buildings or auxiliary building in connection with such residence or farm premises or if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Those individuals who furnish only interior design or decoration or space planning or space design services within existing structures which do not involve the construction or adherence to requirements of the international residential code (IRC) including the Americans with disabilities act (ADA) American national standard accessible and usable building and facilities ICC/ANSI-A117 will not be required to be a registered design professional. This exemption only allows the use of moveable partitions, rails, counters, cabinets, space dividers, furniture and similar types of

equipment which do not exceed a height of five feet, nine inches above floor in the execution of the plans or design of a particular space or the creation of exits corridors, stairways and disturbances of existing structural components as defined by the IRC.

Section R106.1.3. Delete entire section.

Section R109.1.3. Delete entire section.

Section R301.2.3 Snow Loads. Delete section and replace with the following:

Wood framed construction, cold-formed steel framed construction and masonry and concrete construction in regions with ground snow loads 70 psf (3.35 kN/m²) or less, shall be in accordance with chapters 5, 6 and 8. Buildings in regions with ground snow loads greater than 70 psf (3.35 kN/m²) shall be designed in accordance with accepted engineering practice. The minimum roof design snow load shall be forty (40) pounds per square foot. A ground snow load of sixty (60) pounds per square foot shall be used for roof drifting snow load design. No manufactured home, commercial coach or modular building shall be placed that has not been constructed to withstand a minimum forty (40) pound per square foot roof load, or the owner has provided for a separate roof cover that is constructed to provide the required roof load, except that manufactured homes that are already installed in a location within the city limits at the time of the passage of this section may remain without having to meet the minimum roof load set forth herein. Any manufactured home allowed to remain under this section may be moved to a different location within the city limits without having to meet the forty (40) pound roof load providing that it meets all zoning requirements contained in title 17 of the city code.

Section R302.2 Townhouses. Delete the exception and replace with the following:

Exception: A two (2) 1-hour fire-resistance rated wall assembly or a common 2-hour fire-resistance rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses. If two (2) 1-hour walls are used, plumbing and electrical installations within the wall cavity shall conform with fire-resistance penetration requirements in accordance with section R302.4 through R302.4.2 for each of the two (2) 1-hour rated walls. The 2-hour fire-resistance rated common wall shall not contain plumbing or mechanical equipment, ducts or vents within its wall cavity. 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.

Section R302.3 Two-Family Dwellings. Delete exception 1.

Section R302.6 Separation Required. Delete section and replace with the following:

The private garage shall be separated from the dwelling unit or any conditioned space, including attic areas and supporting members with no less than one (1) layer of 5/8" type `X' gypsum wallboard or equivalent on the garage side. The garage side of a roof/ceiling assembly, floor/ceiling assembly, and steel supporting members shall be protected with not less than two (2) layers of 5/8" type `X' gypsum wallboard or equivalent. If a common door is provided, it shall be a self-closing, tight-fitting solid-wood door 13/8 inches in thickness, or a self-closing, tight-fitting 20-minute fire-rated door, or solid or honeycomb steel doors not less than 13/8 inches (34.9 mm) thick.

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

Garages, including the attic space, located less than 3 feet from a dwelling unit on the same lot shall be protected with not less than one (1) layer of 5/8" type `X' gypsum wallboard or equivalent on the garage side.

Section R302.5.3. Delete section and replace with the following:

Penetrations through the separation required in section R302.6 shall be protected with approved materials to resist the passage of flame and products of combustion. The materials filling the penetration annular space shall meet the requirements of ASTM E 814 or UL 1479.

Section R302.7 Under Stair Protection. Delete section and replace with the following:

Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch type X gypsum board.

Section R313.1 Townhouse Automatic Fire Sprinkler Systems. Delete the exception and replace with the following:

Exception: Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) 1-hour fire-resistance rated walls or a common 2-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.

Section R322 Flood-Resistant Construction is deleted.

Section R403.1.4.1 Frost Protection. Delete method 1 and replace with the following:

1. Extending below the frost line specified in table R301.2(1); with a minimum twenty-four (24) inches from ground surface to the bottom of a footing.

Delete tables R404.1.1(1), R404.1.1(2), and R404.1.1(3).

Section R404.1.2 Concrete Foundation Walls. Delete section and replace with the following:

~~Concrete foundation walls shall be designed and constructed in accordance with the provisions of this section, ACI 318, ACI 332 or PCA 100. Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specifications) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40).~~

All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Footings supporting columns and piers shall contain no less than two (2) #4 rebar installed each way, not to exceed twelve (12) inches maximum spacing.

Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. One continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall.

Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specification) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40). One (1) continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall. No less than two (2) #4 rebar shall be installed around door, window, and similar sized openings.

Section G2406.2. Delete items 3 and 4.

Section G2445 is not adopted.

Part VII. Plumbing and part VIII. Electrical are not adopted.

Appendices are not adopted except for:

Appendix G as it applies to swimming pools only; and

Appendix K Sound Transmission with the STC rating of 45 in sections AK102.1 and AK103 amended to: 50 (45 if field tested).

3. The ~~2012~~2015 international energy conservation code (IECC), commercial provisions, prepared by the International Code Council, Inc., together with any amendments or revisions to the IECC made by the Idaho building code board through the negotiated rulemaking process, is adopted and shall be the energy conservation code of the municipality for commercial purposes.

The 2012 edition of the international energy conservation code (IECC), residential provisions, prepared by the International Code Council, Inc., together with any amendments or revisions to the IECC made by the Idaho building code board through the negotiated rulemaking process, is adopted and shall be the energy conservation code of the municipality for residential purposes.

4. The 2012 international fuel gas code (IFGC), prepared by the International Code Council, Inc., is adopted and shall be the fuel gas code of the municipality with the following amendments or exemptions:

Section 103.2 is not adopted.

Section 103.3 is not adopted.

Section 303.3 Prohibited Locations. Delete items 3 and 4.

Section 621.4 Prohibited Locations. Add group R to the prohibited locations that includes groups A, E, I.

5. The 2012 international mechanical code (IMC), prepared by the International Code Council, Inc., is adopted and shall be the mechanical code of the municipality with the following amendments or exemptions:

Section 103.2 is not adopted.

Section 103.3 is not adopted.

6. The ~~2012~~2015 international existing building code (IEBC), prepared by the International Code Council, Inc., is adopted and shall be the existing building code of the municipality with the following amendments or exemptions:

- a. Section 103.2 is not adopted.
- b. Section 103.3 is not adopted.

B. The city council is hereby authorized to promulgate and prescribe building and other permit fees established by the codes adopted in this chapter by resolution.

SECTION 2. *That Coeur d'Alene Municipal Code section 15.12.010 is amended to read as follows:*

15.12.010: ADOPTION:

A. There is adopted by the city, for the purpose of prescribing regulations governing plumbing and construction to protect the health, safety, and welfare of the public, the ~~2009~~2017 Idaho state plumbing code, including appendices A, B, D, E, G, H, I, J, K, and L (herein ISPC), as adopted by the state of Idaho at IDAPA 07, title 02, chapter 06 with amendments except such chapters, or portions as are herein deleted, modified, amended or added as follows:

1. Delete ISPC section ~~103.4~~104.5.
2. Delete ISPC section 1002.3 and replace with the following:

For trap arms two (2) inches in diameter and larger, the change in direction shall not exceed one hundred eighty (180) degrees without the use of a cleanout.

~~3. IDAPA 07.02.06.011.08 is not adopted (Reinstate shower pan test per ISPC 408.7.5.)~~

~~4. IDAPA 07.02.06.011.13(a) is not adopted. (Reinstate freeze resistant yard hydrant backflow.)~~

~~35. IDAPA 07.02.06.011.16~~23 is not adopted (amendment to section 610.2).

~~46. Delete ISPC Combined Systems section 1101.11.2.2.2~~1101.12.2.2.2.

B. The administrative authority appointed to enforce the plumbing code shall be the building official.

C. The fee shall be set by resolution of the city council.

D. Any provision contained in this code more restrictive than the provisions of the Idaho state plumbing code shall take precedence over such Idaho state plumbing code.

SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 5. After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on _____, 2017.

APPROVED, ADOPTED and SIGNED this _____ day of _____, 2017.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Municipal Code Sections 15.08.005 and 15.12.010

AN ORDINANCE AMENDING SECTIONS 15.08.005 AND 15.12.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO ACCOUNT FOR THE RECENT ADOPTION, WITH AMENDMENTS AND REVISIONS, OF UPDATED VERSIONS OF UNIFORM CODES BY THE STATE OF IDAHO; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending Municipal Code Sections 15.08.005 and 15.12.010, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this _____ day of _____, 2017.

Randall R. Adams, Chief Civil Deputy City Attorney