

City Code – Title 9, Chapter 1, Article B: One-And Two-Family Dwelling Building Code

Proposed Amendments (DRAFT 9/20/24)

- Amend City Code, Title 9, Chapter 1, Article B: One-And Two-Family Dwelling Building Code, Section Table of Contents (portions altered), as follows:

SECTION:

9-1B-29: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R113.4, Criminal Penalties and Noncompliance

9-1B-36: IRC One-And-Two-Family Dwelling Building Code Amendment, Table R302.6, Dwelling-Garage Separation

9-1B-~~36~~37: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R303.4, Mechanical Ventilation

9-1B-~~37~~38: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R309.3, Flood Hazard Areas

9-1B-~~38~~39: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R313.1, Townhouse Automatic Fire Sprinkler Systems Exception

9-1B-~~39~~40: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R313.2, One- And Two-Family Dwellings Automatic Fire Sprinkler Systems, Is Deleted

9-1B-~~40~~41: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R314.2.2, Alterations, Repairs And Additions, Delete Exceptions #2

9-1B-42: IRC One-And-Two-Family Dwelling Building Code Amendment, Add Section R314.7.5, Heat Detector Within Garages

9-1B-~~41~~43: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R315.2.2, Alterations, Repairs And Additions, Delete Exceptions #2

9-1B-~~42~~44: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R322.1, Flood-Resistant Construction, General

9-1B-~~43~~45: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R322.1.10, As-Built Elevation Documentation

9-1B-4446: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R322.2.1, Elevation Requirements

9-1B-4547: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R322.2.2, Enclosed Area Below Design Flood Elevation, Subparagraph 2.1

9-1B-4648: IRC One-And-Two-Family Dwelling Building Code Amendment, Table R403.1(1) Minimum Width And Thickness For Concrete Footings For Light-Frame Construction, Table R403.1(2) Minimum Width And Thickness For Concrete Footings For Light-Frame Construction With Brick Veneer, Table R403.1(3) Minimum Width And Thickness For Concrete Footings With Cast-In-Place Or Fully Grouted Masonry Wall Construction, And Table R403.4 Minimum Depth (D) And Width (W) Of Crushed Stone Footings, Are Deleted.

9-1B-4749: IRC One-And-Two-Family Dwelling Building Code Amendment, Add Table R403.1, Minimum Width Of Concrete, Precast, Or Masonry Footings

9-1B-4850: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R403.1.1, Minimum Size

9-1B-4951: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R602.10, Wall Bracing

9-1B-5052: IRC One-And-Two-Family Dwelling Building Code Amendment, Section R903.1, General Roof Covering

9-1B-5153: Addition Of Grading Provisions Related to One-And-Two-Family Dwellings

9-1B-5254: Addition Of Minimum Standards For Modular Non-HUD Structures And Manufactured Pre-HUD Structures

9-1B-5355: Fire Sprinkler And Alternative Extinguishing System Permits, Plan Review, Inspections, And Fees

9-1B-5456: Fire Alarm System Permits, Plan Review, Inspections, And Fees

➤ Amend City Code 9-1B-2, Code Adopted, as follows:

All the rules, regulations, and ordinances relating and applying to the regulation of the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and

maintenance of one-and-two-family dwelling buildings or structures, and their accessory buildings or structures, established by the "2018 International Residential Code" (IRC) parts I through ~~IV~~ III and IX, including Appendix Q (Tiny Houses) and Appendix S, (Strawbale Construction), published under the authority of the International Code Council, Inc., is hereby adopted as the One-And-Two-Family Dwelling Building Code of Boise City as amended, and except to the extent that those rules and regulations are hereby changed, altered, or amended by this code, shall be the rules, regulations, and ordinances governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of one-and-two-family dwelling buildings or structures, and their accessory buildings or structures, at and within the City. One copy of the 2018 International Residential Code shall be filed for use and examination by the public in the Office of the Clerk. It shall be unlawful to erect, construct, enlarge, alter, repair, move, remove, convert, demolish, or maintain buildings or structures in violation of, or without complying with the rules, regulations, and ordinances set forth by the One-And-Two-Family Dwelling Building Code of Boise City as adopted and as may be changed, altered, or amended by the One-And-Two-Family Dwelling Building Code of Boise City. All provisions in this Chapter shall be effective January 1, 2021.

- Amend City Code 9-1B-6, Division of Building Safety, Section R103.4, Designations, as follows:

R103.4 Designations. The Planning and Development Services Director may designate technical officers, assistant building officials, inspection and plan review supervisors, plan examiners, inspectors, ~~and~~ other employees within the Building Division, and code compliance officers. Such employees shall have such powers and authority as delegated by the Director.

- Amend City Code 9-1B-12, Section R105.3.2, Time Limitation of Application, as follows:

R105.3.2 Time limitation of application. Applications for which no permit is issued within 180 calendar days following the date of receipt of the application shall expire by limitation, ~~and p~~Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official or designee. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days upon request of the applicant demonstrating that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than ~~twice~~ three times. In order to renew action on an application after

expiration, the applicant shall resubmit application/plans and pay a new plan review fee. In cases where the review was completed, the permit ready but never issued, and expired, an hourly plan review rate in lieu of a new plan review fee may be allowed by the building official under the new application when no changes, or very limited changes to the plans.

- Amend City Code 9-1B-29, Section R113.4, Criminal Penalties and Noncompliance, as follows:

Repeal Section R113.4 in its entirety and replace with the following:

113.4 Criminal Penalties and Noncompliance. Any person, firm or corporation violating the provisions of this code shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1,000.00), by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

A. ~~In~~ At the discretion of the building official, the City may charge the offender with an infraction in lieu of a misdemeanor. The infraction shall be payable by a fine of three hundred dollars (\$300.00). There shall be no right to a trial by jury for an infraction citation or complaint.

B. For purposes of trial by court or jury, the infraction described within this section shall not constitute a lesser included offense for any misdemeanor citation or complaint.

C. A prosecuting attorney may reduce a misdemeanor charge under this Chapter to an infraction as described herein, payable by a \$300 fine, if the defendant engages in corrective actions resulting in fully completed and permitted work.

The Building Division may request assistance from code compliance officers, as designated authorized agents of the Planning & Development Services Director, to gain compliance with this Chapter of City Code for noncompliant cases.

For unaddressed noncompliant items at a building or site, the building official may record a Notice of Noncompliance against the property with the Ada County Recorder's office. When compliance is later gained at the building or site through an approval, permitting, and inspection process, the building official shall then record a Notice of Compliance against the property with the Ada

County Recorder's office indicating the building or site is now in compliance with this Chapter of City Code for the subject items.

➤ After Section 9-1B-35, add a new Section 9-1B-36 to read as follows:

9-1B-36: IRC ONE-AND-TWO-FAMILY DWELLING BUILDING CODE AMENDMENT, TABLE R302.6, DWELLING-GARAGE SEPARATION:

Delete Table R302.6 Dwelling-Garage Separation and replace with the following Table:

TABLE R302.6 DWELING-GARAGE SEPARATION

<u>Separation</u>	<u>Material</u>
<u>From the residence, attics, and habitable rooms above the garage</u>	<u>Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side</u>
<u>Structure(s) supporting floor/ceiling assemblies used for separation required by this section</u>	
<u>Garages located less than 3 feet from a dwelling unit on the same lot</u>	<u>Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of the exterior walls that are within this area</u>

Then renumber all subsequent Sections 9-1B-37 through 9-1B-41.

➤ Amend City Code 9-1B-~~40~~41, Section R314.2.2, Alterations, Repairs and Additions, Exceptions as follows:

9-1B-~~40~~41: IRC ONE-AND-TWO-FAMILY DWELLING BUILDING CODE AMENDMENT, SECTION R314.2.2, ALTERATIONS, REPAIRS AND ADDITIONS, ~~DELETE~~ EXCEPTIONS ~~§ #2~~:

~~Repeal the exceptions of section R314.2.2 Alterations, repairs and additions, and replace as follows:~~

~~—1. Work involving the exterior surfaces of dwellings, such as, but not limited to, replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or electrical permits, are exempt from the requirements of this section.~~

~~—2. Installation, alteration, or repairs of plumbing, or mechanical systems are exempt from the requirements of this section.~~

Exception #2 is deleted from Section R314.2.2, Alterations, Repairs and Additions.

➤ After Section 9-1B-41, add a new Section 9-1B-42 to read as follows:

9-1B-42: IRC ONE-AND-TWO-FAMILY DWELLING BUILDING CODE AMENDMENT, ADD SECTION R314.7.5, HEAT DETECTOR WITHIN GARAGES:

R314.7.5 Heat Detector Within Garages. A heat detector, listed and interconnected to the smoke alarms, shall be installed in all attached garages and also in detached garages that do not meet required fire separation distance and have an electrical service.

Then renumber all subsequent Sections 9-1B-43 through 9-1B-56.

➤ Amend City Code 9-1B-~~41~~**43**, Section R315.2.2, Alterations, Repairs and Additions, Exceptions as follows:

9-1B-~~41~~43**: IRC ONE-AND-TWO-FAMILY DWELLING BUILDING CODE AMENDMENT, SECTION R315.2.2, ALTERATIONS, REPAIRS AND ADDITIONS, DELETE EXCEPTIONS **#2**:**

~~Repeal the exceptions of section R314.2.2 Alterations, repairs and additions, and replace as follows:~~

~~—1. Work involving the exterior surfaces of dwellings, such as, but not limited to, replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or electrical permits, are exempt from the requirements of this section.~~

~~—2. Installation, alteration, or repairs of plumbing, or mechanical systems are exempt from the requirements of this section.~~

Exception #2 is deleted from Section R315.2.2, Alterations, Repairs and Additions.