ATTEST:

Loretta M. Rigby
City Clerk

(Seal)

STATE OF IDAHO,)
SS.
COUNTY OF MADISON)

I, LORETTA M. RIGBY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the foregoing is a full, true and correct copy of an ordinance entitled: "AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CITY OF REXBURG, PROVIDING FOR KENNEL LICENSES, PROVIDING FOR DISPOSITION OF DOGS WITH RABIES, AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH,"

Passed by the City Council of said City and approved by the Mayor on the 18th day of September, 1957.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, this 18th day of September, 1957.

Loretta M. Rigby
City Clerk

(SEAL)

ORDINANCE NO. 412

AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY, AND THE LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING AN ADMINISTRATIVE OFFICE; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; ADOPTING THE RULES, REGULATIONS AND BASIC PRINCIPLES OF THE STATE PLUMBING BOARD OF THE STATE OF IDAHO PERTAINING TO THE LICENSING OF PLUMBERS, THE SUPERVISION AND INSPECTION OF PLUMBING, THE ADOPTION AND ENFORCEMENT OF UNIFORM MINIMUM STANDARDS GOVERNING THE INSTALLATION, CONSTRUCTION AND INSPECTION OF PLUMBING AND DRAINAGE AND KNOWN AS THE STATE PLUMBING CODE OF THE STATE OF IDAHO; REQUIRING A STATE CERTIFICATE OF COMPETENCY AND DESIGNATING CLASSIFICIATIONS OF COMPETENCY: PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CIT Y OF REXBURG, IDAHO:

SECTION I. Administrative Authority - Whenever the term "administrative authority" is used in this code it shall be construed to mean the Mayor and City Council of the City of Rexburg, Idaho.

2. Assistants - Whenever the term "assistants" is used in this code it shall be construed to mean employees in the Water Works Department of the City of Rexburg, Idaho.

3. Duties of the Administrative Authority - The Administrative Authority shall maintain public office hours necessary to efficiently administer the provisions of this code and amendments thereto and shall perform the following duties:

(a) Require submission of, examine and check plans and specifications, drawings, descriptions, and/or diagrams necessary to show clearly the character, kind and extent of plumbing work covered by applications for a permit and upon approval thereof shall issue the permit applied for.

(b) Collect all fees for permits issued as provided by this code, issue receipts therefor in duplicate, the duplicate copy of which shall be maintained as a record of his office.

(c) Inspect all plumbing and drainage work authorized by any permit to assure compliance with provisions of this Code or amendments thereto, approving or condemning said work in whole or in part as conditions require.

(d) Issue upon request a Certificate of Approval for any work approved by him.

(e) Condemn and reject all work done or being done or materials used or being used which do not in all respects comply with the provisions of this Code and amendments thereto.

(f) Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Code.

(g) Investigate any construction or work regulated by this Code and issue such notices and orders as provided in No. 5.

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Ordinance No. 412 continued:

(h) Keep a complete record of all the essential transactions of his office.

(i) Transfer all fees collected by him to the proper authority provided by law to receive such funds.

(j) Maintain an official register of all persons, firms or corporations lawfully entitled to carry on or engage in the business of plumbing or to labor at the trade of plumbing to whom a plumber's Certificate of Qualification has been issued in accordance with provisions of Part Two of this Code.

4. Right of Entry - The Administrative Authority and Assistants shall carry proper creditials of his office, upon exhibition of which they shall have the right of entry, during usual business hours, to inspect any and all buildings, and premises in the performance of their duties.

5. Dangerous and Insanitary Construction - Whenever brought to the attention of the department having jurisdiction that any insanitary conditions exist or that any construction or work regulated by this Code is dangerous, unsafe, insanitary or a menace to life, health or property or is in violation of this Code, the said department may request an investigation by the Administrative Authority who, upon determining such information to be fact, shall order any person, firm or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use of or maintenance thereof or to repair, alter, change, remove or demolish same as he may consider necessary for the proper protection of life, health or property and in case of any gas piping or gas appliance may order any person, firm or corporation, supplying gas to such piping or appliance to discontinue supplying gas thereto until such piping or appliance is made safe to life, health or property.

Every such order shall be in writing, addressed to the owner, agent or person responsible for the premises in which such condition exists and shall specify the date or time when such condition exists and shall specify the date or time when order shall be complied with, which time shall allow a reasonable period in which such order can be complied with by ther person, firm or corporation receiving such order but shall never exceed the maximum period for which such construction can be safely used or maintained in the judgment of the Administrative Authority.

Refusal, failure or neglect to compy with any such notice or order shall be considered a violation of this Code.

6. Violations and Penalties - Any person, firm or corpation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed $100.00. Each separate day or any portion there of 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.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit upon plans and specifications shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance orfrom revoking any Certificate of Approval when issued in error.

Every permit issued by the Administrative Authority under the provisions of this Code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within 60 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 60 days. Before such work can be recommenced a new permit shall be first obtained to do so.

7. Permit Required - (a) It shall be unlawful for any person, whether acting as principal, servant, agent or employee, to do, or cause or permit to be done any plumbing or drainage work without first securing a permit from the Administrative Authority authorizing him so to do. (b) A separate permith shall be obtained for each building or structure.

8. Work Not Requiring Permit - No permit shall be required in the case of any repair work as follows: The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any trap, drainpipe, soil, waste or vent pipe be or become defective and it becomes necessary to remove and replace the same with new material in any part or parts, the same shall be considered as such new work and apermit shall be procured and inspection made as hereinbefore provided. No permit shall be required for the clearing of stoppages, or the repairing of leaksin pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

9. To Whom Permits Shall Be Issued - (a) No permit shall be issued to any person to do, or cause to be done any plumbing or drainage work regulated by this Code except to a person, holding a valid, unexpired and unrevoked Plumber's Business License as required by No. 13 of this Code, except when and as otherwise hereinafter provided in this Section.

(b) Any permit required by this code may be issued to any person to do any plumbing or drainage work regulated by this Code in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings in the event that any such person is the bona fide owner of any such swelling and accessory buildings and quarters, and that the same are occupied by or designated to be occupied by said owner, provided that said owner shall personally purchase all material and shall personally perform all labor in connection therewith.

(c) No plumbing or drainage work shall be commenced in any building or premises until a permit to do such work shall have been first obtained.

(d) Any permit required by this Code may be issued to any person to install any House Sewer or Private Sewage Disposal System regulated by this Code, provided such person holds a valid, unexpired and unrevoked sewer contractors Business License as required by No. 13of this Code.

10. Application for Permit - Any person, legally entitled to apply for and receive a permit shall make such application on forms provided for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the

Application for Permit continued -

premises in connection there with. The Administrative Authority may require plans, specifications, or drawings and such other information as he may deem necessary.

If the admistrative Authority determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with this Code, he shall issue the permit applied for upon payment of the required fee as hereinafter fixed.

11. Cost of Permit - Every applicant for a permit to install, add to, alter, relocate or replace a Plumbing or Drainage System or part thereof, shall state in writing on the application form provided for that purpose the character of work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as may be required.

Such applicant shall pay for each permit issued at the time of issuance, a fee in accordance with the following schedule, and at the rate provided for each classification shown therein.

Any person who shall commence any plumbing work for which a permit is required by this Code without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of the work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit a double fee as here in provided shall be charged.

SCHEDULE OF FEES

For issuing each Permit - - - - - - - - - - - - - - - - - -	$1.00
In Addition--	
For not more than three fixtures- - - - - - - - - - - - -	2.00
Four to seven fixtures - - - - - - - - - - - - - - - - -	3.00
Eight to sixteen fixtures - - - - - - - - - - - - - - - -	4.00
All over sixteen fixtures - - - - - - - - - - - - - - - -	.50 each
For each house sewer - - - - - - - - - - - - - - - - - - -	1.50
For each cesspool -	2.00
For each septic tank & seepage pit or drainfield - - - - -	2.00
For each drainage and vent system - - - - - - - - - - - -	1.00
For installation, alteration, or repair of water piping and/or water treatment equipment - - - - - - - - - - -	1.00
For alteration or repair of vent or drainage piping*- -	1.00
For vacuum breakers or backflow protective devices, installed subsequent to the installation of piping or equipment served, one to five - - - - - -	1.00
For each gas piping system, one to five outlets - - - -	1.00
For each gas piping system, all over five, per outlet -	.50 each

12. All work To Be Inspected - All plumbing and drainage systems shall be inspected by the Administrative Authority to insure compliance with all the requirements of this Code.

13. Notification - It shall be the duty of the person doing the work authorized by the permit, to notify the Administrative Authority orally or in writing, that said work is ready for inspection. Such notification shall be given not less than 24 hours before the work is to be inspected.

It shall be the duty of the person doing the work authorized by the permit, to make sure that the work will stand the tests prescribed elsewhere in this Code, before giving the above notification.

SECTION II.

1. Business License Required - (a) Before any person, firm, partnership or corporation shall carry on the business of Plumbing he or it shall carry on or engage in the business of Plumbing he or it shall first procure a Business License and pay to the Department having jurisdiction, the annual license fee imposed on such business.

(b) No business license shall be issued to any person, to engage in the business of Plumbing, unless such person possesses a valid Master Plumber's Certificate of Qualification, provided, however, that a Business License maybe issued to any person, firm, partnership or corporation who makes application for such license by or through a bona fide member or authorized agent thereof, who possesses a valid Master Plumber's Certificate of Qualification.

(c) Whenever a Business License has been issued to any person, firm, partnership or corporation who applied for such license, to engage in the business of Plumbing by or through a bona fide member or authorized agent thereof, pursuant to the provisions of subection (b) thereof, such member or authorized agent, or some other member or authorized agent or employee possessing a valid Master Plumber's certificate of Qualification shall at all times be in actual charge and control of all plumbing done or to be done by such person, firm, partnership or corporation.

(d) Before any person, firm, partnership or corporation shall carry on, or engage in business as a Sewer Contractor, he or it shall first procure a Business license and pay to the City of Rexburg, the annual license fee imposed on such business.

SECTION III.

Adoption of Plumbing Code of the State of Idaho.

1. There is hereby adopted by the City of Rexburg for the purpose of protecting the public and safety that certain code known as the Plumbing Code of the State of Idaho, which consists of the rules and regulations of the State Plumbing Board of Idaho pertaining to the licensing of plumbers, the supervision and inspection of plubing and the adoption and enforcement of uniform minimum standards governing the construction, installation and inspection of plumbing and drainage, and bsic principles, being particularly the 1957 edition thereof, save and except that portion thereof designated as the "Plumbing Laws."

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2. That no less than three copies of said Plumbing Code of the State of Idaho have been and now are filed in the office of the Clerk of the City of Rexburg, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Rexburg, Idaho.

SECTION IV.

1. Certificate of Prerequisite.

It shall be unlawful for any person, firm corpartnership, association or corporation to engage in the business trade, practice or work of plumbing in the City of Rexburg after the adoption of this Ordinance, unless such person, or responsible person representing such firm, copartnership, association or corporation, has successfully passed an examination as provided by the Plumbing Law of the State of Idaho and has issued to him a State certificate of competency, which shall not be transferrable.

2. Classification of Competency.

(a) There shall be three classifications of competency in the business trade, practice or work of plumbing as follows:

(a) A plumbing contractor shall be any person, or a member, representative or agent of a firm, copartnerhsip, association or corporation skilled in the planning and supervision of the construction, installation, improvement, extension and alteration of plumbing systems, and who is familiar with the provisions of this Ordinance, the State Plumbing Code and the Plumbing Laws of the State of Idaho, and the rules and regulations made by the Commissioner of Law Enforcement and who is competent to offer and to assume to work on a contract basis and to direct the work ofqualified employees. A contractor who in person does plumbing work shall also be qualified as a yourneyman plumber, or have in his employ on all work a qualified yourneyman.

(b) A plumbing uorneyman shall be any person, who as his principal occupation, is engaged in the installation, improvement, extension and alteration of plumbing systems, and who is familiar with the provisions of this Ordinance, the State Plumbing Code, the Plumbing Laws of the State of Idaho and the Rules and Regulations of the Commissioner of Law Enforcement, and who works in the employ and under the direction of a plumbing contractor.

(c) A plumbing apprentice shall be any person, who as his principal occupation is engaged in learning and assisting in the installation, improvement, extension and alteration of plumbing systems. Apprentices shall not perform plumbing work except under the supervision of a journeyman.

SECTION V.

The invalidity of any section or provision of this ordinance OR OF THE CODE HEREBY ADOPTED SHALL NOT invalidate other sections or provisions thereof.

SECTION VI.

Ordinances or parts of ordinances in force at the time of this ordinance shall take effect and inconsistent herewith, are hereby repealed.

SECTION VII.

This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and Approved this 18th day of December, 1957.

J. Fred Smith
Mayor

ATTEST:

Loretta M. Pugh
City Clerk

ORDINANCE NO. 413

AN ORDINANCE AMENDING SECTION 11 OF ORDINANCE NO. 358 AS AMENDED BY ORDINANCE NO. 388 OF THE CITY OF REXBURG, IDAHO, PROVIDING FOR THE LOCATION OF BUILDING ON LOTS; PROVIDING A MINIMUM DISTANCE BETWEEN THE EVES OF THE BUILDING AND THE PROPERTY LINE; PROVIDING THAT FIRE WALLS IN THE BUSINESS DISTRICT EXTEND AT LEAST TWO FEET ABOVE THE ROOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I. Section 11 of Ordinance No. 358, as amended by Ordinance No. 388 of the City of Rexburg, Idaho, be amended to read as follows, to-wit:

In the business district, the buildings may be placed to the property line, and all fire walls shall extend at least two feet above the roof.

In the residential districts, there must be at least 20 feet between the front of the building and the property line, and a minimum width of 5 feet for the back yards and side yards from the adjoining property line. However, a minimum distance of 10 feet must be maintained from the wall to an existing or future opposing structure, or obstruction. A minimum distance of $4\frac{1}{2}$ feet between the eves of the building and the property line must be maintained, A distance of at least 9 feet must be