

ORDINANCE NO. 782

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE UNIFORM BUILDING CODE; REPEALING ORDINANCE NO. 722 AND ANY OTHER ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

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

SECTION I: UNIFORM BUILDING CODE ADOPTED.

A. THE UNIFORM BUILDING CODE; Volumes 1, 2, and 3, 1994 Edition, published by the International Conference of Building Officials, including Divisions I and III of Appendix Chapter 3, Appendix Chapter 15 and Appendix Chapter 19, are hereby adopted as an official code of the City, except the portions deleted, modified or amended by the provisions of this ordinance.

B. CABO: Chapters 2 thru 28 inclusive, of the Council of America Building Officials One and Two Family Dwelling Code, 1995 edition, with any future amendments, (as it applies to detached one and two family dwellings), promulgated jointly by the International Conference of Building Officials, the Building Officials and Code Administrators International and the Southern Building Code Congress International, are hereby adopted as an official code of the City, except the portions deleted, modified or amended by the provisions of this ordinance.

C. Code on File: Three (3) copies of the Uniform Building Code, 1994 Edition and the CABO One and Two Family Dwelling Code, 1995 edition, duly certified by the Clerk, shall be retained by the City for use and examination by the public. One (1) copy of each shall be filed in the office of the City Clerk. Two (2) copies shall be filed in the office of the City Engineer/Building Official.

SECTION II. AMENDMENTS AND ADDITIONS OR INCLUSIONS. The following amendments, additions and inclusions are also made to the Uniform Building Code, 1994 Edition, and the CABO One and Two Family Dwelling Code, 1995 Edition:

A. Add the following to SECTION 310.2 - EMERGENCY EGRESS REQUIRED - of the CABO One and Two Family Dwelling Code:

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions parallel with the foundation wall shall be at least as wide as the window and shall be wider if necessary to allow the window to be fully opened. The clear inside dimension of the window well perpendicular to the foundation wall

shall be a minimum of 24 inches from inside edge of window well to outside edge of foundation wall. Window wells may be required to be wider or longer to provide adequate ingress/egress where bay windows or similar portions of the house cantilever out over the window well.

2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well in any manner that impedes fully opening the window or restricts ingress/egress through the window or window well.

B. Amend SECTION 310.2.1- MINIMUM SIZE - of the CABO One and Two Family Dwelling Code by deleting the listed exception to the 5.7 square foot minimum window size.

C. Amend the Fifth paragraph of SECTION 310.4 - ACCESS AND EXIT FACILITIES AND EMERGENCY ESCAPES of the 1994 Uniform Building Code to read as follows:

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions parallel with the foundation wall shall be at least as wide as the window and shall be wider if necessary to allow the window to be fully opened. The clear inside dimension of the window well perpendicular to the foundation wall shall be a minimum of 24 inches from inside edge of window well to outside edge of foundation wall. Window wells may be required to be wider or longer to provide adequate ingress/egress where a portion of the building cantilevers out over the window well.

2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well in any manner that impedes fully opening the window or restricts ingress/egress through the window or window well.

D. Amend SECTION 904.2.2 - ALL OCCUPANCIES EXCEPT GROUP R, DIVISION 3 AND GROUP U OCCUPANCIES of the 1994 Uniform Building Code as follows:

Add the following sentence to the first paragraph under Subsection 1 of SECTION 904.2.2:

Where the required openings are windows that are not "entirely above the adjoining ground level", window wells meeting the requirements of Sub-section 1003.6 Window Wells shall be utilized.

Add the following as the Fourth paragraph under Subsection 1 of SECTION 904.2.2:

EXCEPTION: an automatic sprinkling system shall not be required in the basement of an existing building housing an occupancy having an Occupancy Group classification of B, R, M, or R-1 unless the total occupant load for the basement exceeds 10. The total occupant load shall be calculated using the requirements and criteria set forth in Chapters 3 and 10 of this Code. Smoke

detectors shall be installed in the basement area as required in this Code or as directed by the Building Official.

E. Amend SECTION 1003.1 -- NUMBER OF EXITS of the 1994 Uniform Building Code by adding an eighth EXCEPTION to the fourth paragraph of Section 1003.1 -- Number of Exits, which shall read as follows:

8. An occupancy having an Occupancy Group Classification of B, F, M, or S may be served by only one exit if the total occupancy load served by that exit does not exceed 10. The total occupant load shall be calculated using the requirements and criteria set forth in Chapters 3 and 10 of this Code. Smoke detectors shall be installed in the second floor or basement area as required in this Code or as directed by the Building Official.

F. Add the following subsection to SECTION 1003 - EXITS REQUIRED of the 1994 Uniform Building Code:

1003.6- Window Wells. Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal window well dimension parallel with the foundation wall shall be at least as wide as the window and shall be wider if necessary to allow the window to be fully opened. The clear inside dimension of the window well perpendicular to the foundation wall shall be a minimum of 24 inches from inside edge of window well to outside edge of foundation wall. Window wells may be required to be wider or longer to provide adequate ingress/egress where a portion of the building cantilevers out over the window well.

2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well in any manner that impedes fully opening the window or restricts ingress/egress through the window or window well.

G. Add the following to SECTION 1601 - SCOPE of the 1994 Uniform building Code to read as follows:

The following listed values are herewith adopted as the minimum design criteria to be used when designing or constructing any structures falling under the purview of this ordinance:

Minimum Frost Depth (Ground surface to bottom of footing).....	36 inches
Minimum Roof Snow Load.....	35 #/sq. ft.
Minimum Wind Load.....	80 m.p.h.
Seismic Design.....	Seismic Zone 3

H. Amend SECTION 3207 - DOORS of the 1994 Uniform Building Code to read as follows:

Doors when fully opened, opening or closed shall not project into the public right-of-way.

I. Amend APPENDIX CHAPTER 15 --REROOFING of the 1994 Uniform building Code by deleting that portion of SECTION 1515 - INSPECTIONS that requires a pre-roofing inspection and written approval from the Building Official.

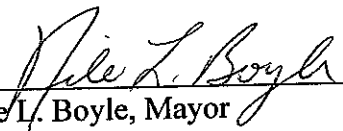
SECTION III. SAVING CLAUSE: All sections of the City Code repealed by this Ordinance shall remain in force to authorize the arrest, prosecution, conviction and punishment of any person who violates said Code sections prior to the effective date of this Ordinance.

SECTION IV. PENALTIES FOR VIOLATION. Any person, firm or corporation violating any provision of the Uniform Building Code or CABO, shall upon conviction thereof, be punishable by a fine not to exceed Three Hundred Dollars (\$300.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment for any single violation, in addition to any penalty or sanction provided for in the Uniform Building Code and CABO. Each day of violation shall constitute a separate offense.

SECTION V. SEVERABILITY: The sections and subsections of this Ordinance are severable. The invalidity of any section or subsection shall not affect the validity of the remaining sections or subsections.

SECTION VI. EFFECTIVE DATE: This Ordinance shall become effective upon its passage, execution and publication in the manner provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 20th day of December, 1995.


Nile L. Boyle, Mayor

ATTEST:


City Clerk

(SEAL)


STATE OF IDAHO)
 :SS
County of Madison)

I, ROSE BAGLEY, City Clerk of the City of Rexburg, Idaho, do hereby certify that the above and foregoing is a full, true and correct copy of the ordinance entitled:

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE UNIFORM BUILDING CODE; REPEALING ORDINANCE NO. 722 AND ANY OTHER ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

passed by the City Council and approved by the Mayor this 20th day of December, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, this 20th day of December, 1995.



City Clerk

(SEAL)