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ORDINANCE NO. 827

AN ORDINANCE ADOPTING THE 1997 EDITION OF THE UNIFORM BUILDING CODE; THE 1998 INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE ; THE 1997 UNIFORM MECHANICAL CODE; THE 1999 NATIONAL ELECTRICAL CODE; REPEALING ORDINANCE NO. 782 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, 1997 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. THE 1998 INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE, is hereby adopted as an official code of the City, except the portions deleted, modified or amended by the provisions of this ordinance.

C. THE UNIFORM MECHANICAL CODE, 1997 Edition, published by the International Conference of Building Officials, is hereby adopted as an official code of the city.

D. THE NATIONAL ELECTRICAL CODE, 1999 Edition, is hereby adopted as an official code of the city.

E. CODE ON FILE: Three (3) copies of the UNIFORM BUILDING CODE, 1997 Edition; the 1998 INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE; the UNIFORM MECHANICAL CODE, 1997 Edition; and the NATIONAL ELECTRICAL CODE, 1999 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, 1997 Edition, and the INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE, 1998 Edition:

A. Amend the 1998 INTERNATIONAL ONE-AND TWO-FAMILY DWELLING CODE by adding the following sections;

120.1 Certificate Issued --- After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are

enforced by the Code enforcement agency, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that describes the portion of the building which has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.

120.2 --- Temporary Certificate. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a Temporary Certificate of Occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

120.3 --- Posting. The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

120.4 --- Revocation. The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

B. Amend SECTION 310.1.1 - MINIMUM SIZE - of the 1998 INTERNATIONAL ONE- AND TWO- FAMILY DWELLING CODE by deleting the listed exception to the 5.7 square feet minimum window size.

C. Amend SECTION 310.1.2 - MINIMUM OPENING HEIGHT of the 1998 INTERNATIONAL ONE- AND TWO- FAMILY DWELLING CODE to read as follows:
The minimum net clear opening height shall be 24 inches (609.6 mm).

D. Amend SECTION 310.2 - WINDOW WELLS of the 1998 INTERNATIONAL ONE- AND TWO- FAMILY DWELLING CODE to read as follows:

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.

E. Amend Section 403.1.5 - SEISMIC REINFORCING of the 1998 INTERNATIONAL ONE- AND TWO- FAMILY DWELLING CODE to read as follows:

Concrete footings located in Seismic Zone 3 shall have minimum steel reinforcement consisting of at least two (2) No. 4 horizontal reinforcing bars placed continuously along the footing and located a minimum of 3 inches from the bottom and sides of the footings. Steel reinforcement shall be securely positioned by hanging wire ties, concrete blocks or other approved methods that will hold the reinforcing steel securely in place during the concrete placement.

F. Amend Section 404.1.4 - SEISMIC ZONES 3 AND 4 of the 1998 INTERNATIONAL ONE- AND TWO- FAMILY DWELLING CODE to read as follows:

Foundation walls 4 feet or less in height located in Seismic Zones 3 or 4 shall have a minimum nominal concrete wall thickness of 6 inches and shall have a minimum steel reinforcement consisting of not less than one No. 4 horizontal bar located in the upper 6 inches of the wall. The remaining height of the foundation wall shall have horizontal No. 4 bars spaced at a distance no greater than 24 inches between bars.

Foundation walls located in Seismic Zones 3 or 4 and supporting more than 4 feet of unbalanced backfill, shall have a minimum nominal concrete wall thickness of 8 inches and shall have a minimum steel reinforcement consisting of not less than two No. 4 horizontal bars located in the upper 12 inches of the wall. The remaining height of the foundation wall shall have horizontal No. 4 bars spaced at a distance of no greater than 24 inches between bars.

Foundation walls located in Seismic Zones 3 or 4 shall have minimum vertical steel reinforcement consisting of "L" shaped No. 4 vertical bars spaced at a distance no greater than 48 inches between bars if the wall height is 48 inches or less and 24 inches between bars if the wall height is higher than 48 inches. The short horizontal portion of the "L" shaped No. 4 vertical bars shall be at least 6 inches in length and shall be approximately centered (vertically) in the concrete footing. Concrete shall be tamped around the "L" shaped portion of the vertical steel placed in the footing so it is solidly encased by the surrounding concrete. Where vertical steel overlaps the "L" shaped reinforcing steel coming out of the footing, the overlap between the steel bars shall be at least 15 inches in length. Wall reinforcing steel shall have a minimum concrete cover of 3 inches against earth and 2 inches against air or adjacent wall materials. Wall steel shall be wire tied together to prevent movement or misplacement of the reinforcing steel during the concrete placement.

G. Delete Chapters 11 through 20 and Chapters 22 through 48 from and include Appendix A in the 1998 INTERNATIONAL ONE- AND TWO- FAMILY DWELLING CODE.

H. Amend the Fifth paragraph of SECTION 310.4 - ACCESS AND MEANS OF EGRESS FACILITIES AND EMERGENCY ESCAPES of the 1997 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.

I. Amend SECTION 904.2.2 - ALL OCCUPANCIES EXCEPT GROUP R, DIVISION 3 AND GROUP U OCCUPANCIES of the 1997 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 1006.3.6 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.

J. Amend SUB-SECTION 1004.2.3.2 - FROM INDIVIDUAL FLOORS of the 1997 UNIFORM BUILDING CODE by changing EXCEPTIONS 1 and 2 and adding a seventh EXCEPTION to the second paragraph of Sub-Section 1004.2.3.2 - FROM INDIVIDUAL FLOORS, which changes or additions shall read as follows:

1. Second stories having an occupant load less than 13 may be provided with access to only one exit.

2. Two or more dwelling units on the second story or in a basement may have access to only one exit where the total occupant load served by that exit does not exceed 12.

7. 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 12. 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.

K. Add the following subsection to SECTION 1006 - THE EXIT DISCHARGE of the 1997 UNIFORM BUILDING CODE:

1006.3.6 - 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.

L. Change TABLE 10-A --- MINIMUM EGRESS REQUIREMENTS so that Use Numbers 8, 10, 11 and 15 read as follows:

USE	MINIMUM OF TWO MEANS OF EGRESS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST
8. Congregate Residences	12
10. Dormitories	12
11. Dwellings	12
15. Hotels and Apartments	12

M. Add the following to SECTION 1601 - SCOPE of the 1997 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

N. Amend Section 1806.7.1 - FOUNDATIONS WITH STEM WALLS of the 1997 UNIFORM BUILDING CODE to read as follows:

Concrete footings located in Seismic Zone 3 shall have minimum steel reinforcement consisting of at least 2 each No. 4 horizontal reinforcing bars placed continuously along the footing and located a minimum of 3 inches from the bottom and sides of the footings.

(See Table 18-1-C, pg. 1-175, for footing width and thickness.) Steel reinforcement shall be securely positioned by hanging wire ties, concrete blocks or other approved

methods that will hold the reinforcing steel securely in place during the concrete placement.

Foundation walls 4 feet or less in height located in Seismic Zones 3 or 4 shall have a minimum nominal concrete wall thickness of 6 inches and shall have a minimum steel reinforcement consisting of not less than one No. 4 horizontal bar located in the upper 6 inches of the wall. The remaining height of the foundation wall shall have horizontal No. 4 bars spaced at a distance no greater than 24 inches between bars.

Foundation walls located in Seismic Zones 3 or 4 and supporting more than 4 feet of unbalanced backfill, shall have a minimum nominal concrete wall thickness of 8 inches and shall have a minimum steel reinforcement consisting of not less than two No. 4 horizontal bars located in the upper 12 inches of the wall. The remaining height of the foundation wall shall have horizontal No. 4 bars spaced at a distance of no greater than 24 inches between bars.

Foundation walls located in Seismic Zones 3 or 4 shall have minimum vertical steel reinforcement consisting of "L" shaped No. 4 vertical bars spaced at a distance no greater than 48 inches between bars if the wall is 48 inches or less in height and 24 inches between bars if the wall height is higher than 48 inches. The short horizontal portion of the "L" shaped No. 4 vertical bars shall be at least 6 inches in length and shall be approximately centered (vertically) in the concrete footing. Concrete shall be tamped around the "L" shaped portion of the vertical steel placed in the footing so it is solidly encased by the surrounding concrete. Where vertical steel overlaps the "L" shaped reinforcing steel coming out of the footing, the overlap between the steel bars shall be at least 15 inches in length. Wall reinforcing steel shall have a minimum concrete cover of 3 inches against earth and 2 inches against air or adjacent wall materials. Wall steel shall be wire tied together to prevent movement or misplacement of the reinforcing steel during the concrete placement.

O. Amend SECTION 3207-DOORS of the 1997 UNIFORM BUILDING CODE to read as follows:

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

P. Amend APPENDIX CHAPTER 15 – REROOFING of the 1997 UNIFORM BUILDING CODE by deleting that portion of SECTION 1515 - INSPECTION AND WRITTEN APPROVAL 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.

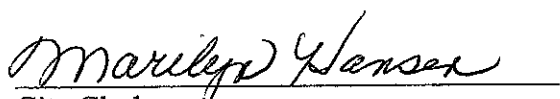
SECTION IV. PENALTIES FOR VIOLATION. Any person, firm or corporation violating any provision of the 1997 UNIFORM BUILDING CODE; the 1998 INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE; the 1997 UNIFORM MECHANICAL CODE, or the 1999 UNIFORM ELECTRICAL CODE shall upon conviction thereof, be punishable by 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; the INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE; the UNIFORM MECHANICAL CODE ; and the NATIONAL ELECTRICAL CODE. 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 6th day of September, 2000.


Mayor, Bruce Sutherland

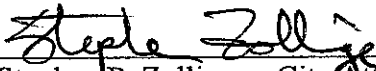

City Clerk

(SEAL)

**STATEMENT OF
REXBURG CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE 827**

The Undersigned, Stephen P. Zollinger, in his capacity as City Attorney of the City of Rexburg, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance 827 of the City of Rexburg, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code 50-901A(3).

Dated this 7th day of September, 2000



Stephen P. Zollinger, City Attorney


**SUMMARY OF ORDINANCE 827
OF THE CITY
OF REXBURG, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Rexburg, Idaho, adopted at its regular meeting of September 6, 2000, that Ordinance No. 827 entitled:

AN ORDINANCE ADOPTING THE 1997 EDITION OF THE UNIFORM BUILDING CODE; THE 1998 INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE ; THE 1997 UNIFORM MECHANICAL CODE; THE 1999 NATIONAL ELECTRICAL CODE; REPEALING ORDINANCE NO. 782 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.

The effective date of the Ordinance is the date of its passage, approval and publication. A copy of the full text of the Ordinance is available at City Hall, 12 North Center, Rexburg, Idaho. Examination or copies may be requested in writing or in person during regular business hours of the City Clerk, from 8 a.m. to 4 p.m. pursuant to the Open Records Act, Idaho Code, Title 9, Chapter 3.

Dated this 7th day of September, 2000.



Bruce Sutherland, Mayor

ATTEST:



Marilyn Hansen, City Clerk

Published: September 13, 2000