



ORDINANCE NO. 1174

AN ORDINANCE OF THE CITY OF REXBURG, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING THE 2012 VERSION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND THE IDAHO RESIDENTIAL CODE; ADOPTING THE 2015 INTERNATIONAL BUILDING CODE; 2015 INTERNATIONAL EXISTING BUILDING CODE; 2012 INTERNATIONAL RESIDENTIAL CODE INCLUDING APPENDIX F RADON CONTROL METHODS; 2017 IDAHO STATE (UNIFORM) PLUMBING CODE OR DIVISION OF BUILDING SAFETY CURRENTLY ADOPTED EDITION; 2015 IECC WITH 2012 AMENDMENTS FOR RESIDENTIAL PORTION; AMEND ORDINANCE 1109 BY ADOPTING THE 2015 INTERNATIONAL FIRE CODE INCLUDING STATE FIRE MARSHALL AMENDMENTS (IDAPA18.01.50); 2017 NATIONAL ELECTRICAL CODE (EFFECTIVE JULY 1, 2017) OR DIVISION OF BUILDING SAFETY CURRENTLY ADOPTED EDITION; 2015 INTERNATIONAL MECHANICAL CODE OR DIVISION OF BUILDING SAFETY CURRENTLY ADOPTED EDITION AS AMENDED; AND AMENDING ORDINANCE 1108 AND ORDINANCE 1059 OF CITY OF REXBURG; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY the Mayor and Council of the City of Rexburg, Idaho:

SECTION I: That certain documents, three (3) copies of each code of which are on file in the office of the City of Rexburg, Community Development Department of the City of Rexburg, being marked and designated as the *International Building Code 2015* edition as amended, the *International Existing Building Code 2015* edition as amended; the *2012 International Residential Code including Appendix F Radon Control Methods*; 2017 Idaho State (uniform) Plumbing Code or Division of Building Safety currently adopted edition; 2015 International Energy Conservation Code (IECC) with 2012 IECC amendments for Residential portion; Amend Ordinance 1109 by adopting the 2015 International Fire Code including State Fire Marshall amendments (IDAPA 18.01.50); 2017 National Electrical Code (effective July 1, 2017) or Division of Building Safety currently adopted edition; 2015 International Mechanical Code or Division of Building Safety currently adopted edition as amended. All published by the International Code Council **are hereby adopted as the Building Code of the City of Rexburg**, in the State of Idaho for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided: proving for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and term of said Building Codes on file in the office of the City of Rexburg Community Development Department are hereby referred to adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions and deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION II. Code Adoption: That the editions of the following recognized codes as currently adopted by the State of Idaho as the official building codes of the City of Rexburg, including amendments provided below in SECTION III:
The adopted versions of the foregoing codes shall be effective January 1, 2018. The foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted or approved by the State of Idaho effective on the 1st day of January the year

following the date any such codes are made effective for the state, unless a different date is required by state statute.

- A. 2015 International Building Code
- B. 2015 International Existing Building Code
- C. 2012 International Residential Code including Appendix F Radon Control Methods
- D. 2017 Idaho State (Uniform) Plumbing Code or Division of Building Safety currently adopted edition
- E. 2015 IECC with 2012 amendments for Residential portion
- F. 2015 Idaho Fire Code including State Fire Marshall amendments
- G. 2017 National Electrical Code (effective July 1, 2017) or Division of Building Safety currently adopted edition
- H. 2015 International Mechanical Code or Division of Building Safety currently adopted edition

SECTION III: Amendments to Adopted Codes: The following sections are hereby revised as set forth in the IDAPA 07, Title 03, Chapter 01 by the Idaho Building Code Board of the Division of Building Safety as authorized under Section 39-4107, Idaho Code: (See Attachment A) IDAPA 07, Title 03, Chapter 01.

A. 2012 IRC Edition with the following amendments:

- 1. Include appendix "F" as adopted to include the radon requirements.
 - i. Radon Control Methods: Radon is found in significant quantities in most of the Rexburg City limits. Areas on the hill do not test high and as such, radon mitigation is not required. In the rest of the city, radon mitigation is required as per Appendix F of the International Residential Code. The City allows an exception to the mitigation by testing out on a case by case basis.

SECTION IV: SEVERABILITY

This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

SECTION V: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Rexburg City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION VI: REPEAL OF CONFLICTING PROVISIONS. All provisions of the current 1125 ordinance of the City of Rexburg which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION VII: That nothing in this ordinance or in the Building Codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section II of this ordinance: nor shall any just or legal right or remedy of any character lost, impaired or affected by this ordinance.

SECTION VIII: That the City of Rexburg's Clerk is hereby ordered and directed to cause this ordinance to be published.

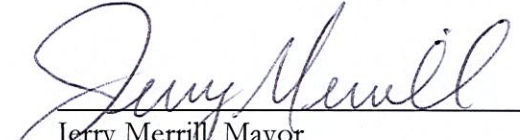
SECTION IX: Any person, firm, or corporation violating any provision of the Building Codes as described in Section I of this document, shall upon conviction thereof, be guilty of an infraction, which shall be punishable by a fine not to exceed Three Hundred Dollars (\$300.00), in addition to any penalty for any sanction provided for in the adopted Building Code as described in Section I of this document. Each day of violation shall constitute a separate offense.

SECTION X: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 01, 2018, or from and after the date of its final passage, adoption and publication.

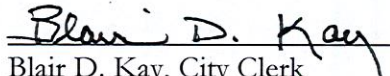
SECTION XI: The City of Rexburg, Idaho City Council shall enact this Ordinance No. 1174 on the 17th day of January, 2018.

PASSED BY THE CITY COUNCIL APPROVED BY THE MAYOR this 17th day of January, 2018.




Jerry Merrill, Mayor

Attest:


Blair D. Kay, City Clerk


STATE OF IDAHO)
) ss.
County of Madison)

I, BLAIR D. KAY, 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 OF THE CITY OF REXBURG, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING THE 2012 VERSION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND THE IDAHO RESIDENTIAL CODE; ADOPTING THE 2015 INTERNATIONAL BUILDING CODE; 2015 INTERNATIONAL EXISTING BUILDING CODE; 2012 INTERNATIONAL RESIDENTIAL CODE INCLUDING APPENDIX F RADON CONTROL METHODS; 2017 IDAHO STATE (UNIFORM) PLUMBING CODE OR DIVISION OF BUILDING SAFETY CURRENTLY ADOPTED EDITION; 2015 IECC WITH 2012 AMENDMENTS FOR RESIDENTIAL PORTION; AMEND ORDINANCE 1109 BY ADOPTING THE 2015 INTERNATIONAL FIRE CODE INCLUDING STATE FIRE MARSHALL AMENDMENTS (IDAPA18.01.50); 2017 NATIONAL ELECTRICAL CODE (EFFECTIVE JULY 1, 2017) OR DIVISION OF BUILDING SAFETY CURRENTLY ADOPTED EDITION; 2015 INTERNATIONAL MECHANICAL CODE OR DIVISION OF BUILDING SAFETY CURRENTLY ADOPTED EDITION AS AMENDED; AND AMENDING ORDINANCE 1108 AND ORDINANCE 1059 OF CITY OF REXBURG; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 17th day of January, 2018.




Blair D. Kay, City Clerk