

**TITLE 6  
ELMORE COUNTY  
ZONING and DEVELOPMENT ORDINANCE**

**CHAPTER 40 – BUILDING REGULATIONS**

**Sections:**

<b>6-40-1</b>	<b>Code Adoption</b>
<b>6-40-2</b>	<b>Amendment to Adopted Codes</b>
<b>6-40-3</b>	<b>Ground Snow Load</b>
<b>6-40-4</b>	<b>Minimum Frost Depth for Footings</b>
<b>6-40-5</b>	<b>Permit Fees</b>
<b>6-40-6</b>	<b>Manufactured Home Installation Permits</b>
<b>6-40-7</b>	<b>Exemptions</b>
<b>6-40-8</b>	<b>Severability</b>
<b>6-40-9</b>	<b>Penalty for Failure To Obtain Building Permit and violations</b>

**Section 6-40-1.** Code Adoption: That the approved editions of the following nationally recognized codes are adopted as the official building codes of the County of Elmore, except as provided in Section 6-40-2:

the 2012 version of the International Building Code;  
the 2009 version of the International Residential Code, Parts I-IV and IX;  
the 2009 version of the International Energy Conservation Code;

The adopted versions of the foregoing codes shall be effective upon adoption. The foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted or approved by the State of Idaho effective on the 1<sup>st</sup> day of January of the year following the date any such codes are made effective for the state, unless a different date is required by state statute. The Board may, by resolution, confirm the building codes in effect in Elmore County.

**Section 6-40-2.** Amendments to adopted codes: That the following amendments shall be applicable to the adopted building codes:

A. 2012 International Building Code:

**1. TABLE 2902.1 FOOTNOTE F**

f. Drinking fountains are not required for an occupant load of thirty (30) or fewer.

**2. TABLE 2902.1 FOOTNOTE G**

g. For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required.

B. 2009 International Residential Code, parts I-IV and IX:

**SECTION R315.2, CARBON MONOXIDE ALARMS WHERE REQUIRED IN EXISTING DWELLINGS**

R315.3 Where required in existing dwellings.

Where work requiring a *permit* occurs in existing *dwellings* that have attached garages or in existing dwellings within which fuel-fired *appliances* exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.

**Exceptions:**

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 noncombustion plumbing or mechanical systems are exempt from the requirements of this section.

**SECTION N1102.4.3, FIREPLACES**

N1102.4.3. Fireplaces. New wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.

C. International Energy Conservation Code:

**SECTION 402.4.3, FIREPLACES**

**402.4.3 Fireplaces.** New wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion

**Section 6-40-3.** Ground Snow Load: a formula used based on the type of roof to determine the given snow load of the roof. The ground snow load for areas north of Tollgate, Idaho, shall be 120 pounds per square foot. The ground snow load for areas south of Tollgate, Idaho, shall be 30 pounds per square. Map attach as exhibit "B".

**Section 6-40-4.** Minimum Frost Depth for Footings: The minimum frost depth for footings in areas south of Tollgate, Idaho, shall be 24 inches deep. The minimum frost depth for footings in areas north of Tollgate, Idaho, and south of Featherville shall be 30 inches deep. The minimum frost depth for footings in areas Featherville and north shall be 36 inches deep. Map attached as exhibit "C".

**Section 6-40-5. Permit Fees:** Applicants shall pay a combined permit and plan review fees in amounts to be determined by Resolution of the Board. All permits required under the Ordinance require fees to be paid prior to permit being issued, unless specified otherwise herein.

**Section 6-40-6. Manufactured Home Installation Permits:** Placement of mobile/manufactured homes shall require an installation permit. The permit applicant shall supply to the Building Official the same site information required from the applicant seeking a building permit for a single family dwelling and shall pay a permit fee as set by resolution of the Board of County Commissioners.

**Section 6-40-7. Exemptions:** Agricultural Structures, as defined by the International Building Code and this Ordinance, are exempt from the building codes adopted herein and building fees as adopted by resolution of the Board. Agricultural Structures shall remain subject to placement requirements and any other requirement established by this Ordinance and by State Code.

**Section 6-40-8. 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 6-40-9. Penalty for Failure To Obtain Building Permit and Violations:**

A. It shall be unlawful for anyone to commence site work, dig a foundation or otherwise commence construction of any improvement which is required to have a building permit under this ordinance. Anyone performing any of the forgoing actions prior to obtaining a building permit as required by this ordinance shall be in violation of this chapter and title and shall be subject to an investigation fee in pursuant to section 6-3-13 and penalties in Section 6-3-5 of this ordinance.

B. Other violations of the adopted building codes shall be subject to the enforcement, violation and penalties in section 6-3-5 of this ordinance.