83-1
ELMORE COUNTY ORDINANCE NO. 83-1

AN ORDINANCE OF THE COUNTY OF ELMORE, STATE OF IDAHO,
CONCERNING BUILDING REGULATIONS AND STANDARDS: ADOPTING BY
REFERENCE THE UNIFORM BUILDING CODE, 1982 EDITION THEREOF; PROVID-
ING THAT THREE COPIES OF THE MANUAL AND AMENDMENT THERETO SHALL
BE ON FILE IN THE OFFICE OF THE COUNTY RECORDER: PROVIDING FOR
THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE: PROVIDING
Penalties for the violation thereof: REPEALING ORDINANCE NO.
81-1 OF THE COUNTY OF ELMORE AND ALL ORDINANCES IN CONFLICT
THEREOF AND FIXING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED:

ARTICLE I

GENERAL PROVISIONS

Section 1. PURPOSE OF ORDINANCE. The purpose of this
ordinance is to promote the public safety and welfare and orderly
development by the adoption of minimum building standards to be
required and enforced throughout the unincorporated territory of
the County of Elmore.

Section 2. SHORT TITLE -- THE CODE. This ordinance
may be cited as the "Code of Building Regulations."

Section 3. ADOPTION OF REGULATIONS. Subject to approval
by the Board of County Commissioners, the Director for the
Elmore County Building Department may promulgate reasonable
regulations to implement or facilitate inspection function, the
issuance of permits and certificates, and other administrative
and enforcement duties imposed upon him by the Code of Building
Regulations.
Section 4. INSPECTION FEES. Subject to approval by
The Board of County Commissioners, the Director for the Elmore
County Building Department shall establish and charge a reasonable
and uniform schedule of fees for building permits, permit renewal,
plan checking, processing applications, maintenance of records,
and for the performance of special services in administering
and enforcing the Code of Building Regulations. The schedule may
provide for the partial refund of permit fees to applicants.

Section 5. EXPIRATION, SUSPENSION AND REVOCATION OF
PERMITS. Each permit issued under the Code of Building
Regulations shall expire if the work or building authorized
by the permit is not commenced within sixty (60) days from
the permit date, or if the work or building authorized by the
permit once commenced is thereafter suspended or abandoned for
a period of one hundred eighty (180) days. Suspended or abandoned
work for which the original permit has expired, shall be
recommenced only after the issuance of a new permit therefor.
A building permit, issued by mistake, issued on the basis of
incorrect information supplied or issued in violation of any
statute, regulation, or provision of this Code, may be suspended
or revoked by written notice to the permittee.

Section 6. LIMITATION ON RESPONSIBILITY. Neither an
approval nor a permit granted shall constitute permission or authority
to be interpreted as a waiver, for violation of any statute,
ordinance, or regulation. Neither the County of Elmore nor its
offices or employees shall assume liability for structural or
construction defects through the administration or enforcement
of the Code of Building Regulations.
Section 7. VIOLATIONS. Any person who violates, or causes, permits, or allows the violation of any provision of the Code of Building Regulations, 1982 Edition, is guilty of a misdemeanor, and is guilty of a separate offense for each day or portion thereof he permits, causes, or allows the violation to continue. It is the intent of this Section to make a violation of any Section of this Code or building regulations and any of the codes adopted by reference a misdemeanor. Any act declared by the Code of Building Regulations to be a misdemeanor shall be punishable upon conviction thereof, by a fine of not exceeding Three Hundred Dollars ($300.00) or by imprisonment in the County Jail for not exceeding six (6) months, or by both such fine and imprisonment.

ARTICLE II
ELMORE COUNTY BUILDING CODE

Section 9. SHORT TITLE. This article may be cited as the Elmore County Building Code.

Section 10. APPLICATION OF CODE - EXEMPTIONS. (1) The Elmore County Building Code shall apply to the construction, erection, enlargement, alteration, repair, moving, improvement, removing, conversion, demolition, and use and occupancy of all buildings and construction within the unincorporated territory of the County of Elmore, except as otherwise herein provided.

(2) Structures used primarily for industrial chemical process purposes and for mineral extraction and mineral processing purposes shall be exempt from this act except for erection and fabrication of new structures, and equipment as required therein to condition the building for personnel comfort and safety. Equipment in this regard shall mean and shall be limited to facilities or installations for heating, ventilating, air conditioning, refrigerating facilities associated with air conditioning,
elevators, dumbwaiters, escalators, and boilers and pressure vessels associated with building heating systems.

(3) Temporary facilities, as defined in Section 39-4105(16) Idaho Code, shall be exempt from this ordinance, except for such temporary facilities which are classified as a manufactured building under the provisions of Section 39-4121, Idaho Code, and/or a commercial coach under the provisions of Section 39-4122, Idaho Code.

(4) Farms, as defined in Section 39-4105(19), Idaho Code, shall be exempt from this act except for the resident housing located upon said agricultural unit, and/or any structure which is classified as a manufactured building under the provisions of Section 39-4121, Idaho Code, and/or a commercial coach under the provisions of Section 39-4122, Idaho Code, or a mobile home under the provisions of Chapter 40, Title 39, Idaho Code.


ARTICLE III

ELMORE COUNTY BUILDING PERMIT

Section 12. PERMITS. It shall be unlawful for any person, firm, copartnership, association or corporation to do,
or cause or permit to be done, after the adoption of this ordi-
nance whether acting as principal, agent or employee, any
construction, improvement, extension, alteration or relocation
of any building, residence or structure, coming under the
purview of this act in the County of Elmore, prior to obtaining
the necessary building permit as provided in this Code.

Section 13. UNLAWFUL TO ENERGIZE WITHOUT PERMIT. It
shall be unlawful for any person, firm or corporation to connect
or energize any electrical installation or any other utility
service to any building or structure coming under the provisions
of this Ordinance unless the necessary permit covering such
installation has been issued.

Section 14. REPEAL OF CONFLICTING ORDINANCES. That
Ordinance No. 81-1 cited as the Elmore County Building Code and
all other ordinances or parts of ordinances in conflict herewith
are hereby repealed.

Section 15. SAVING CLAUSE. In the event any of the
above-entitled Sections are declared unconstitutional and unlawful,
each Section thereof shall be declared independent of the other.

Section 16. EFFECTIVE DATE. This Ordinance shall be
in full force and effect from and after its passage, approval,
and publication.

PASSED, Under suspension of the rules, at a regular
meeting of the Elmore County Board of County Commissioners in
the City of Mountain Home, County of Elmore, State of Idaho,
held on the 28 day of Feb., 1983, upon which a roll call
vote was duly taken and said Ordinance duly passed by a unanimous
vote as an Ordinance of Elmore County, Idaho.

[Signature]
Board of County Commissioners
Chairman, Elmore County, Idaho
ATTEST:

[Signature]
RANCHEROS DE CHAPALA, Clerk
Board of County Commissioners