ELMORE COUNTY ORDINANCE NO. 86-5

AN ORDINANCE OF THE COUNTY OF ELMORE, STATE OF IDAHO,
CONCERNING BUILDING REGULATIONS AND STANDARDS: ADOPTING BY
REFERENCE THE FOLLOWING CODE, THE UNIFORM BUILDING CODE, WITH THE
EXCEPTION OF CHAPTER 53 OF THE APPENDIX, AND THE UNIFORM BUILDING
CODE STANDARDS, 1985 EDITION THEREOF, UNIFORM CODE FOR THE
ABATEMENT OF DANGEROUS BUILDINGS, 1985 EDITION THEREOF: PROVIDING
THAT AS THE UNIFORM BUILDING CODE AND THE SUPPORTING DOCUMENTS OF
THE UNIFORM BUILDING CODE STANDARDS, THE UNIFORM CODE FOR THE
ABATEMENT OF DANGEROUS BUILDINGS, THE UNIFORM FIRE CODE AND THE
FIRE CODE STANDARDS ARE AMENDED, ALTERED, REVISED AND REPUBLISHED
FROM TIME TO TIME, THE CURRENT AMENDMENT, ALTERATIONS, OR
EDITIONS THEREOF SHALL BECOME THE BUILDING CODE FOR THE COUNTY
EFFECTIVE JANUARY 1, IMMEDIATELY FOLLOWING SAID PUBLICATION:
PROVIDING THAT NOT LESS THAN THREE COPIES OF EACH OF THE
ABOVE-NAMED CODES SHALL BE ON FILE AT ALL TIMES IN THE OFFICE OF
THE COUNTY RECORDER: PROVIDING FOR THE ISSUANCE OF PERMITS AN
COLLECTIONS OF FEES THEREOF: PROVIDING PENALTIES FOR THE
VIOLATION THEREOF: REPEALING ORDINANCE NO. 83-1 OF THE COUNTY OF
ELMORE AND ALL ORDINANCES IN CONFLICT THEREOF AND FIXING AN
EFFECTIVE DATE.

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. PURPOSE OF ORDINANCE. That 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 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 therefore. 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, is guilty of 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 of 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 not exceeding six (6) months, or by both such fine and
imprisonment.

ARTICLE II

ELMORE COUNTY BUILDING CODE
SECTION 8. SHORT TITLE. This article may be cited as the Elmore County Building Code.

SECTION 9. 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 installation 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(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 provision 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 11. 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 ordinance 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 12. 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 13. REPEAL OF CONFLICTING ORDINANCES.** That Ordinance No. 83-1 cited as the Elmore County Building Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 14. 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 15. 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 27 day of January, 1986, upon which roll call
vote was duly taken and said Ordinance duly passes by an unanimous vote as an Ordinance of Elmore County, Idaho.

Attest:

[Signature]
Clerk of the Board of County Commissioners

[Signature]
Chairman, Elmore County Board of Commissioners

[Signature]
Commissioner

[Signature]
Commissioner