

# TITLE 8 - BUILDING REGULATIONS:

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**8-1-1**            **PURPOSE:** The purpose of the Ordinance shall be as follows:

- A.        To promote and protect the health, safety, comfort and general welfare of the public.
- B.        To provide protection against fire, earthquake damage, hazardous structures, and other man-made hazards.
- C.        To preserve and enhance the value of land and buildings throughout Power County.

**8-1-2**            **CONSISTENCY:** It is the intent of Power County that the Building Code Ordinance shall be consistent with the Power County Comprehensive Plan, Development Code, and other codes and ordinances of Power County, and with any supplemental building, land use, and community development policies which may be adopted by the Board of Power County Commissioners. Additionally, it is the intent of the Board that all amendments to this Ordinance shall maintain and enhance the consistency with the above named ordinances.

**8-1-3**            **APPLICABILITY:** The Building Code Ordinance shall apply to all of the unincorporated areas of Power County.

**8-1-4**            **PERMITS REQUIRED:** The Building Official or his or her designee may grant building permits, in accordance with the Power County Developmental Code. No work, including site preparation, construction, enlargement, alteration, repair, move, remove, demolition, convert, occupancy, use equipment or agricultural building can be placed prior to obtaining a permit. No permit shall be granted unless the work applied for is in conformance with the codes set forth herein.

**8-1-5**            **CONFLICTING PROVISIONS:** The Building Code Ordinance shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare. It is not the intent of these regulations to interfere with or abrogate or annul any easement, covenant or other agreement between parties. When such regulations impose a greater restriction or standard upon buildings or land than are imposed or required by this or other

ordinances, rules, regulation or by easements, covenants or agreements, the provisions of the more restrictive regulations shall control.

**8-1-6 SEVERABILITY OF PROVISIONS:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these regulations, it being hereby expressly declared that this ordinance and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases by declared invalid or unconstitutional.

**8-1-7 MANUFACTURED HOMES:** Manufactured homes as defined by Idaho state Law and inspected by The Department of Housing and Urban Development (HUD), shall not be subject to the enforcement provisions of the aforesaid Building Codes, but shall be regulated and inspected as prescribed in Title 44, Chapter 22 of the Idaho Code. The owner, or an agent of the owner, must apply for and receive, an Installation Permit prior to placing any manufactured home on their property.

All additions or alterations to any manufactured home must comply with all Building Code requirements. The Building Official or appointed representative is hereby authorized to permit, inspect and collect fees, as established by the governing body, for manufactured homes placed in Power County. Mobile or manufactured Homes not bearing a HUD certification label shall not be allowed except as provided for by Title 44 Chapter 25 of Idaho Code.

**8-1-8 FEES:** The Board of Power County Commissioners may establish fees for the issuance of building permits, plan reviews, inspections, and other such fees as may be necessary to accomplish the purposes of this Ordinance. Permit fees are required and shall be based on Appendix A. (Building Valuation Data) and Appendix B (Other Fees and inspections).

Building permit fees and the valuation for all work to be accomplished under each permit shall be consistent with the Power County Ordinance entitled "Building Code Ordinance of Power County" and established by use of the following procedures:

Square foot construction cost: Construction costs will be taken from the 1997 Uniform Building Code and be amended as shown in Appendix A and B.

**8-1-9 ADDITIONAL FEES:**  
Plan review changes, additions or revisions to plans, or other administrative activities including but not limited to reactivation of expired residential building permits, review and processing of plan modifications, review and processing of upgrades, agreements, courtesy inspections, and miscellaneous inspections shall be assessed at an hourly rate listed on Appendix B.

**8-1-10 ELECTRICAL CONNECTIONS:**  
A. No owner of property located in, or resident of the unincorporated area of Power County, or person acting on behalf of said property owner or resident may apply for or use electrical service in any structure situated in the unincorporated area of Power County without first securing a building permit for the construction or placement of the structure.

- B. No person, firm or corporation shall furnish electrical service, power or energy to any structure in the unincorporated area of Power County without securing verification of the building permit for the structure to which electrical service is to be furnished.
- C. The word structure as used in this Section shall mean:
  - 1. Any building to which electrical service has not been previously furnished.
  - 2. Any mobile home to which electrical service has not been previously furnished at the present site of such mobile home.

**8-1-11 DRIVEWAY REQUIREMENTS:**

A building permit will not be issued for any new dwelling until the travel way to the dwelling has been approved by Power County Highway District Personnel.

**8-1-12 EXEMPTIONS:**

This Building Code does not apply to agricultural buildings constructed on land actively devoted to agriculture as described by Idaho Code sections 39-4116(5) and 63-604, as amended, to house farm implements, hay, grain, poultry or other agricultural products on land of five acres or more. Such agricultural buildings shall not be places of human habitation or places of employment where agricultural products are processed. Exempted buildings require a Development Permit and building inspections as specified by the Building Official to insure that they are in conformance with zoning and setback requirements and may be subject to zoning and administrative fees. Exemptions shall not be granted where agriculture is not the primary use of the land or in platted residential subdivisions.

**8-1-13 ADOPTION OF CODES:** The following codes, except as herein amended, are hereby adopted and incorporated by reference as if fully set forth herein, and shall apply in the unincorporated areas of Power County. The sections shall include rules and regulations governing all grading and building activity including: erection, construction, enlargement, alterations, repair, moving, removal, conversion, demolition, occupancy, equipment use, height, area, maintenance of buildings or structures, and installation requirements for manufactured homes in accordance with the provisions of Title 44, Chapter 22 Idaho code. It shall be unlawful to engage in any grading or building activity without complying with the rules and regulations as contained in this ordinance and the codes adopted herein. The following codes and portions thereof are on file in the office of the clerk of the board of county commissioners, in accordance with Idaho Code, section 31-715.

**International Building Code, 2015 edition. (IBC)** Published by the International Code Council, Inc., and any appendices pertaining to building accessibility.

**International Residential Code, 2015 edition. (IRC)** Published by the International Code Council, Inc., parts I, II, III, IV, and IX and appendices G (swimming pools, spas and hot tubs), appendices H (patio covers) and any appendices pertaining to building accessibility.

**International Energy Conservation Code, 2015 edition. (IECC)** Published by the International Code Council, Inc.

**International Fire Code, 2015 edition. (IFC)** Published by the International Code Council, Inc.

**International Existing Building Code, 2015 edition. (IEBC)** Published by the International Code Council, Inc.

## **SECTION 1 - POWER COUNTY AMENDMENTS TO THE 2015 INTERNATIONAL BUILDING CODE.**

The international Building Code, 2015 edition, as adopted, is hereby amended as follows:

### **A. Chapter 1 “scope and Administration” is amended as follows:**

**101.1** Title. All references to [name of jurisdiction] shall be construed to mean Power County.

**101.4.1** Gas. Delete section. Regulated under the State of Idaho IC54-1001 and IC 54-2601.

**101.4.2** Mechanical. Delete section. Regulated under the State of Idaho IC54-1001 and IC 54-2601.

**101.4.3** Plumbing. Delete section. Regulated under the State of Idaho IC54-1001 and IC 54-2601.

**101.4.4** Property maintenance. Delete section.

**102.6** Existing Structures: Delete the paragraph and replace with the following:

The legal occupancy of any structure existing on the date of the adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, or as deemed necessary by the building official for the general safety and welfare of the occupants or the public.

**105.1.1** Annual permit. Electrical, gas, mechanical and plumbing. Delete entire section. Regulated under the State of Idaho IC54-1001 and IC 54-2601.

**105.1.2** Annual permit record. Electrical, gas, mechanical and plumbing. Delete Section. Regulated under the State of Idaho IC54-1001 and IC 54-2601.

**105.2** Work Exempt from Permit. Amend the “Building” exemptions to include Group R-3 swimming pools to forty eight (48) inches deep and not greater than five thousand (5000) gallons and flag poles. Delete Electrical, Gas, Mechanical and Plumbing paragraphs as follows:

Work Exempt from permit:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the roof line and walking surface does not exceed two hundred (200) square feet or twelve (12) feet in total height above adjacent grade.
2. Fences not over six (6) feet high.
3. Oil derricks
4. Retaining walls that are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIA liquids.

5. Water tanks supported directly on grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1).
6. Sidewalks and driveways not more than thirty (30) inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than four (4) feet deep, do not exceed five thousand (5,000) gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment.
12. Window awnings supported by an exterior wall that do not project more than fifty four (54) inches from the exterior wall and does not require additional support of Groups R-3 and U occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over five feet nine (5'9") inches in height.
14. Flag poles: Add flag poles as work exempt from permit. Section 105.2
15. Electrical: Delete electrical paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.
16. Gas: Delete gas paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.
17. Mechanical: Delete mechanical paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.
18. Plumbing: Delete plumbing paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.

**105.2.2** Repairs: Delete entire section.

**105.3.2** Time Limitation of Application: Delete paragraph and replace with the following:

Applications for which no permit is issued within ninety (90) days following the date of eligibility for permit issuance shall expire by limitation, and plans and other data submitted for review thereafter will be returned to the applicant. The building official may extend the time for action by the applicant for a period not exceeding ninety (90) calendar days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and may be charged additional fees.

**105.5** Expiration. Add a second paragraph as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days, six (6) months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for not more than one

hundred eighty (180) each. The extension shall be requested in writing and justifiable cause demonstrated.

If work has not been completed, the final inspection performed and the project approved for occupancy or use within three (3) years, thirty six (36) months from the date of such permit being issued, such permit shall expire by limitation and become null and void. Prior to work recommencing after the permit has expired, a new permit shall be obtained. The cost of the new permit if obtained within one (1) year of the original permit expiration shall be one half (1/2) the original cost for reinstatement of the permit.

**109.4** Work Commencing Before Permit Issuance. Add a second paragraph as follows:

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees.

Such fee shall be an investigative fee equal to the Power County permit fee for the work accomplished illegally, and shall be paid to Power County prior to the acceptance of a Power County building permit that may subsequently be issued. Payment of the investigative fee does not vest the illegal work with any legitimacy, nor does it establish any right to a Power County permit for continued development of that project.

**109.6** Refunds: Amend as follows:

Eighty (80) percent of the building permit fee shall be available for refund if no work has begun on the project. All requests for fee refunds must be made within thirty (30) days of payment of the fee in question in order to be eligible for a refund.

**111.1** Use and occupancy: Add a second paragraph as follows:

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein.

Issuance of a certificate of occupancy shall not construe as an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction.

The certificate of occupancy shall be posted in a conspicuous place and shall not be removed except by the code official.

**111.1.1** Add a new subsection as follow:

Certificate of Completion: A Certificate of Completion may be issued in lieu of a Certificate of Occupancy when the scope of work of a permit does not change the occupant load, occupancy group or occupancy use classification of a tenant space structure or portion of a structure.

**113** Board of Appeals. Delete subsection 113.1, 113.2 and 113.3 and replace with new subsection 113.1 as follows:

**113.1** Appeals of order, decisions or determinations made by the building official shall be heard by the Planning and Development Board.

APPEALS OF THE BUILDING OFFICIAL DECISION:

- A. The Planning and Zoning Board shall serve as the decision making body for appeals of decisions made by the Building Official. The Building Official decisions may be appealed to the Planning and Zoning Board by the applicant or any other aggrieved person within fourteen (14) days of the decision to be appealed. The notice shall be a written *Notice of Appeal* and filed with the Planning and Zoning office Building Administrator.
- B. Not more than forty-five (45) days following the notice filed. The Planning and Zoning Board shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public. The hearing shall be an “on the record review.” During the hearing, County staff shall be available to present the application and answer questions; however, comments will not be received from the audience. The Planning and Zoning Board shall consider such findings, reports, comments, and recommendations as forwarded to them by the Building Administrator in rendering their decision. The Planning and Zoning Board’s decision may be appealed to the Board of Power County Commissioners within fourteen (14) days of delivery of the decision to the applicant.
- C. Not more than forty-five (45) days following the notice filling, the Board of Power County Commissioners shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public. The hearing shall be an “on the record review”. During the hearing, county staff shall be available to present the application and answer questions; however, comments will not be received from the audience. The Board of County Commissioners shall review the Planning and Zoning Board’s findings and the appellant’s arguments and reach a final decision to uphold, reverse, modify, or return the Planning and Zoning Board’s decision for further findings.
- D. The Building Administrator shall take immediate action in accordance with the decision of the governing body.

**B. Chapter 2 “Definitions” section 202 is amended to include following definitions:**

BOARD: Board of Power County Commissioners.

BUILDING INSPECTOR: An individual appointed by the Building Official to inspect buildings under construction, approve construction, and authorize occupancy.

BUILDING ADMINISTRATOR: An individual appointed by the Board, charged with the administration and enforcement of this ordinance.

**C. Chapter 3 “use and classification” is amended as follows:**

**305.2.3** Delete section 305.2.3 and replace with the following:

Group E, day care facilities: Twelve (12) or fewer children in a dwelling unit. A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving such daycare shall be classified as Group R-3 occupancy or shall comply with the International Residential Code.

**308.6.4** Delete section 308.6.4 and replace with the following:

Group I-4, day care facilities: Persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving day care or having five (5) or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

**310.5** Delete section 310.5 and replace with the following:

Residential Group R-3: Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, E or I, including:

- i. Buildings that do not contain more than two (2) dwelling units.
- ii. Boarding houses (non-transient) with sixteen (16) or fewer occupants.
- iii. Boarding houses (transient) with ten (10) or fewer occupants.
- iv. Care facilities that provide accommodations for five (5) or fewer persons receiving care.
- v. Congregate living facilities (non-transient) with sixteen (16) or fewer occupants.
- vi. Congregate living facilities (transient) with ten (10) or fewer occupants.
- vii. Dwelling units providing day care for twelve (12) or fewer children.

**310.5.1** Delete section 310.5.1 and replace with the following:

Care facilities within a dwelling: Care facilities for twelve (12) or fewer children receiving day care or five (5) or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code.

**D. Chapter 16 “Structural Design” amended as follows:**

**1608.1** Delete sentence and replace with the following:

ROOF LIVE LOADS (SNOW LOADS): All newly built or placed structures shall have roofs which can sustain live loads according to the elevation and location of construction in Power County.

**1608.2** Ground Snow Loads. Delete paragraph and replace with the following:

In Power County, the minimum ground snow load shall be forty five (45) pounds per square foot. No reduction below that shall be permitted. (Idaho State Climate Services, University of Idaho Dept. of Agricultural Engineering, Moscow, Idaho 83844-2040. 208-885-7004 [www.uidahho.edu/climate](http://www.uidahho.edu/climate).)

**1608.2**

Delete table 1608.2 and replace with the following table:

All newly built or placed structures shall have roofs which can sustain live loads according to the elevation of its site\*. The roof live snow load requirements in Power County are thirty-five (35) pounds per square foot live load but may be subject to larger loads based on elevation and location of structure:

**TABLE 1608.2  
SNOW LOAD REQUIREMENTS IN POWER COUNTY**

Site Elevation (feet)	Roof Live Load (pounds)	Ground Snow Load (pounds)
Below 4600 feet	35	45
4600 feet to 4999 feet	40	50
5000 feet to 5399 feet	50	63
5400 feet to 5799 feet	60	75
5800 feet to 5999 feet	70	88
6000 feet to 6399 feet	80	100
6400 feet to 6799 feet	90	113
6800 feet and above	100	125

\* For purposes of determining roof live loads, the County Building Official may consider qualified snow load studies as determined by a licensed professional engineer.

**1609.1.1**

Determination of Wind Loads: Add first sentence to the paragraph as follows:

In Power County a minimum wind speed of ninety (90) mph for a three (3) second gust shall be used. Wind loads on every building or structure shall be determined in accordance with Chapters 26 to 30 of ASCE 7 or provisions of the alternate all-heights method in Section 1609.6. The type of opening protection required, the ultimate design wind speed *V<sub>ult</sub>*, and the exposure category for a site is permitted to be determined in accordance with Section 1609 or ASCE 7. Wind shall be assumed to come from any horizontal direction and wind pressures shall be assumed to act normal to the surface considered.

**E. Chapter 29 “Plumbing Systems” amended as follows:**

**2902.1.1** Table Minimum Number of Required Plumbing Fixtures a-g (See section 2902.2 and 2902.3) footnotes a-g are amended as follows:

- a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by this code.
- b. Toilet facilities for employees shall be separate from facilities for inmates or patients.
- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. The minimum number of required drinking fountains shall comply with Table 2902.1 and Chapter 11.
- f. Drinking fountains are not required for an occupant load of 30 or fewer.
- g. For business occupancies, excluding restaurants and mercantile occupancies with a load of 30 or fewer, service sinks shall not be required.

**END OF SECTION**

## SECTION 2 - POWER COUNTY AMENDMENTS TO THE 2012 INTERNATIONAL RESIDENTIAL CODE

The International Residential Code, 2012 edition, as adopted, is hereby amended as follows:

### A. Chapter 1 "Scope and Administration" is amended as follows:

**R101.1** Title: Replace NAME OF JURISDICTION as follows:

These provisions shall be known as the Residential Code for One and Two family Dwellings of Power County, and shall be cited as such.

**R101.2** Scope: Amend the section by deleting exceptions one (1) and two (2) in their entirety and add the exception as follows:

Exception: Owner-occupied lodging houses with five (5) or fewer guestrooms shall be permitted to be constructed in accordance with the International Residential Code for one and two-family dwellings. Such occupancies shall be requested to install smoke alarms and carbon monoxide alarms in accordance with section R314 and R315 respectively of the International Residential Code for one and two-family dwellings.

**R102.7** Existing Structures: Delete the paragraph and replace with the following:

The legal occupancy of any structure existing on the date of the adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, or as deemed necessary by the building official for the general safety and welfare of the occupants or the public.

**R105.1** Required: Amend the section as follows:

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove or convert any system regulated by this code, or cause any such work to be done, shall first make application to the building official and obtain the required permits.

**R105.2** Work Exempt from Permit: Amend the "Residential Building" exemptions to include Group R-3 swimming pools to forty eight (48) inches deep and not greater than five thousand (5,000) gallons and flag poles. Delete Electrical, Gas, Mechanical and Plumbing paragraphs as follows:

#### RESIDENTIAL BUILDING:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the roof line or floor area does not exceed two hundred (200) square feet or twelve (12) feet in total height above adjacent grade.
2. Fences not over six (6) feet high.
3. Retaining walls that are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIA liquids.

4. Water tanks supported directly on grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1).
5. Sidewalks and driveways not more than thirty (30) inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than four (4) feet deep, do not exceed five thousand (5,000) gallons and are installed entirely above ground.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than fifty four (54) inches from the exterior wall and does not require additional support of Groups R-3 and U occupancies.
10. Decks not exceeding two hundred (200) square feet in area, that are not more than thirty (30) inches above grade at any point, are not attached to a dwelling, are not covered by a roof or awning and do not serve the exit door required by Section R311.4
11. Flag poles: Add flag poles as work exempt from permit. Section R105.2
12. Electrical: Delete electrical paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.
13. Gas: Delete gas paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.
14. Mechanical: Delete mechanical paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.
15. Plumbing: Delete plumbing paragraph contained in section R105.2. Solely regulated under the State of Idaho IC 54-1001 and IC 54-2601.

**R105.2.2** Repairs: Delete section.

**R105.3.2** Time limitation of application: Amend paragraph as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned ninety (90) days after the date of filing unless such application has been pursued in good faith or a permit has been issued. The Building Official can grant one (1) extension of ninety (90) days. This extension shall be requested in writing and submitted to the Building Official. The applicant must show that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee if required.

**R105.5** Expiration: Add a second paragraph as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days, six (6) months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for not more than one hundred eighty (180) days each. The extension shall be requested in writing and justifiable cause demonstrated.

If work has not been completed, the final inspection performed and the project approved for occupancy or use within three years, thirty six (36) months from the date of such permit being issued, such permit shall expire by limitation and become null and void. Prior to work recommencing after the permit has expired, a new permit shall be obtained. The cost of the new permit if obtained within one year of the original permit expiration shall be one half of the cost of a new permit for the remaining work required to complete the structure or project.

**R108.5** Refunds: The building official is authorized to establish a refund policy. Delete paragraph and add following:

Refunds: eighty (80) percent of the plan review fee, if required, shall be available for refund if no plan review has begun. Eighty (80) percent of the building permit fee shall be available for refund; if no work has begun on the project. All requests for fee refunds must be made to the Power County Planning and Development office in writing and must be made within thirty (30) days of payment of the fee in question in order to be eligible for a refund.

**R108.6** Work commencing before permit issuance: Add a second paragraph as follows:

Any person who commences any work on a building or structure before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees.

Such fee shall be an investigative fee equal to the Power County permit fee for the work accomplished illegally, and shall be paid to Power County prior to the acceptance of a Power County building permit application and permit that may subsequently be issued. Payment of the investigative fee does not vest the illegal work with any legitimacy, nor does it establish any right to a Power County permit for continued development of that project.

**R109.1.2** Plumbing, mechanical, gas and electrical inspection: Delete section R109.1.2 and the exception. Solely regulated under the State of Idaho IC 54-1001 and IC54-2601.

**R110.6** Certificate of Completion: Add a new subsection as follows:

Certificate of Completion: A Certificate of Completion may be issued in lieu of a Certificate of Occupancy when the scope of work of a permit does not change the occupant load, occupancy group or occupancy use classification of the structure or portion of the structure.

**R112** Board of Appeals: Delete Subsections R112.1, R112.2, R112.3 and R112.4 in their entirety and place with the following:

Appeals of order, decisions or determinations made by the Building Official shall be heard by the Planning and Development Board.

#### APPEALS OF THE BUILDING ADMINISTRATOR DECISIONS:

- A. The Planning and Zoning Board shall serve as the decision making body for appeals of decisions of the Building Official. The Building Official decision may be appealed to the

Planning and Zoning Board by the applicant or any other aggrieved person within fourteen (14) days of the decision to be appealed. The notice shall be a written *Notice of Appeal* and filed with the Planning and Zoning Building Administrator.

- B. Not more than forty-five (45) days following the notice filed. The Planning and Zoning Board shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public. The hearing shall be an “on the record review.” During the hearing, County staff shall be available to present the application and answer questions; however, comments will not be received from the audience. The Planning and Zoning Board shall consider such findings, reports, comments, and recommendations as forwarded to them by the Building Administrator in rendering their decision. The Planning and Zoning Board’s decision may be appealed to the Board of Power County Commissioners within fourteen (14) days of delivery of the decision to the applicant.
- C. Not more than forty-five (45) days following the notice filing, the Board of Power County Commissioners shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public. The hearing shall be an “on the record review”. During the hearing, county staff shall be available to present the application and answer questions; however, comments will not be received from the audience. The Board of County Commissioners shall review the Planning and Zoning Board’s findings and the appellant’s arguments and reach a final decision to uphold, reverse, modify, or return the Planning and Zoning Board’s decision for further findings.
- D. The Building Administrator shall take immediate action in accordance with the decision of the governing body.

**R113.4**

Violation penalties: Amend first paragraph and add a second paragraph as follows:

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents directive of the building official, or of a permit or certificate issued under the provision of Power County Ordinance NO. \_\_\_\_\_, instrument NO \_\_\_\_\_.

The Building Administrator or his or her designee shall be the enforcement officer of this Ordinance.

- a. ENFORCEMENT AS AN INFRACTION: Any person, firm, or corporation who fails to comply with, or violates, any of the provisions of this ordinance may be charged with an infraction, and upon conviction thereof shall be subject to a fine of not more than one hundred (\$100.00) dollars plus court costs. Each day on which the violation occurs may be deemed a separate offense.
- b. ENFORCEMENT AS A MISDEMEANOR: Any person, firm, or corporation who fails to comply with, or violates, any of the provisions of this ordinance may be charged with a misdemeanor violation, and upon conviction thereof shall be subject to a fine of not more than three (\$300.00) hundred dollars, or imprisonment for a period not exceeding six (6) months, or both. Each day on which the violation occurs may be deemed a separate offense.

Any person, firm, or corporation who pleads guilty to or is found guilty of a violation of this provision, Power County Building Ordinance NO. \_\_\_\_\_, instrument NO. \_\_\_\_\_, Section two (2), subsection R113.4, Violation penalties, on two (2) prior occasions, notwithstanding the form of the judgments or withheld judgments, is guilty of a MISDEMEANOR as provided in Section two (2), subsection R113.4.b of this Ordinance.

- c. CIVIL ENFORCEMENT: Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure, or premises; and these remedies may be in place of the other penalties described in this section.

**R114.2** Unlawful Continuance: Amend this section as follows:

Unlawful continuance: Any person who shall continue any work in or about the building or structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties as prescribed in Power County Ordinance NO. \_\_\_\_\_ instrument NO. \_\_\_\_\_, Section 2, subsection R113.4.

**B. Chapter 2 “Definitions” section R202 is amended to include following definitions:**

BOARD: Board of Power County Commissioners.

BUILDING INSPECTOR: An individual appointed by the Building Official to inspect buildings under construction, approve construction, and authorize occupancy.

BUILDING OFFICIAL: An individual appointed by the Board, charged with the administration and enforcement of this ordinance.

DRIVEWAY: A vehicular ingress and egress route that serves no more than two buildings or structures, not including accessory structures.

PRIVATE ROAD: A vehicular travel way that is privately owned and privately maintained and serves three (3) or more buildings or structures.

PUBLIC ROAD: A vehicular travel way that is publicly owned and publicly maintained such as a highway.

**C. Chapter 3 “Building Planning” is amended as follows:**

**R301.2** Climatic and geographic design criteria: Amend section to add a second paragraph and Snow Load Requirement table for Power County as follows:

Climatic and geographic design criteria: Building shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by Power County and set forth in Roof Load Requirements in Power County Table and Table R301.2 (1) as revised.

The minimum roof snow load for Power County shall be thirty-five (35) pounds per square foot live load. No reduction below that roof snow load shall be permitted. All newly built or placed structures shall have a roof which can sustain live loads according to the elevation of its site\*.

**ROOF LOAD REQUIREMENTS IN POWER COUNTY**

Roof live snow loads – pounds based on site elevation in feet.

Site Elevation (feet)	Roof Live Load (pounds)	Ground Snow Load (pounds)
Below 4600 feet	35	45
4600 feet to 4999 feet	40	50
5000 feet to 5399 feet	50	63
5400 feet to 5799 feet	60	75
5800 feet to 5999 feet	70	88
6000 feet to 6399 feet	80	100
6400 feet to 6799 feet	90	113
6800 feet and above	100	125

\*For purposes of determining roof live loads, the County Building Official may consider qualified snow load studies as determined by a licensed professional engineer.

**R301.2 (1)** Table R301.2 (1) Climatic and geographic design criteria: Delete Table R301.2 (1) in its entirety and replace with the following Table R301.2 (1).

**TABLE R301.2 (1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	SPEED (MPH)	Topographic effects		weathering	Frost line depth	Termite				
Converted to roof live load as determined by elevation (feet) at site in Power County by roof load requirement table.	90	No	D1	severe	32 inches	Slight /Moderate	7131 HDD	Yes	2000	45 degrees F

**R301.2.1.3** Wind speed conversion: Delete paragraph and replace as follows:  
Wind Loads: Structures in Power County shall be designed and constructed to withstand ninety (90) mph gusts for three (3) second intervals.

**R302.1 (1)** Exterior wall: Delete Table R302.1 (1) in its entirety and replace with the following Table R302.1 (1):

**TABLE R302.1 (1)  
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides.	<3 feet
	(Not fire-resistance rated)	0 hour	≥3 feet
Projections	(Fire-resistance rated)	1 hour on the underside	<3 feet
	(Not fire-resistance rated)	0 hours	≥3 feet
Opening in walls	Not allowed	N/A	< 3 feet
	25% Maximum of wall area	0 hour	>3 feet
	Unlimited	0 hour	5 feet
Penetrations	All	Comply with Section R302.4	<3 feet
		None required	≥3 feet

**R302.2** Townhouses: Delete the exception in its entirety and replace with the following:

Exception: A common one (1)-hour fire-resistance-rated wall assemblies (as specified in Section R302.1) or a common two (2)-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 are permitted for townhouses. The common wall shall not contain plumbing or mechanical equipment, ducts or vents within its wall cavity. The wall shall be rated for fire exposure from both sides, and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

**R302.13** Fire protection of floors: Delete entire section.

**R303.4** Mechanical ventilation: Delete the entire section.

**R313.1** Townhomes automatic fire sprinkler systems: Delete the exception in its entirety and replace with the following:

Exception: Automatic residential fire sprinkler systems shall not be required in townhouses where a two-hour fire-resistance rated wall is installed between dwelling units or when additions or alterations are made to existing townhomes that do not have an automatic residential fire sprinkler system installed.

**R313.2.1** Design and installation: Delete entire section.

**R315.3** Where required in existing dwellings: Add the following exception to the section as follows:

Where required in existing dwellings: Where work requiring a permit occurs in existing dwellings that have an attached garage 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 non-combustion plumbing or mechanical systems are exempt from the requirements of this section.

**C. Chapter 4 “Foundations” is amended as follows:**

**R403.1.3.1** Foundations with stem walls: Delete entire section and replace as follows:

Foundation with stem walls shall have a requirement for rebar consisting of one half ( ½) inch, number four (#4) bar to be installed a maximum of twenty four (24) inches on center, in both horizontal and vertical positions for concrete walls greater than four (4) feet and less than ten (10) feet , eight (8) inches in width.

Exception: When in the opinion of the building official conditions exist that make the use of the material required under this subsection impractical, engineered foundation components may be required.

**D. Chapter 5 “ Exterior Decks” is amended as follows:**

**R507.3.4** Termite Resistance: Delete section.

**E. Chapter 6 “ Wall construction” is amended as follows:**

**R602.10** Wall bracing: Delete and replace with the following:

Wall bracing: Buildings shall be braced in accordance with this section or, when applicable section R602.12, or the most current edition of APA System Report SR-102 as an alternate method. Where a building, or portion thereof, does not comply with one (1) or more of the bracing requirements in this section, those portions shall be designated and constructed in accordance with section R301.1.

**F. Chapter 11 “Energy Efficiency” is amended as follows:**

**N1102.1.1 & (IECC - R402.1.2)**

Insulation and Fenestration Requirements by Component: Amend Table 1102.1.1 (IECC-R402.1.1) to climate zones 5 and marine 4, and 6, and delete climate zones 7 and 8 of the Table as follows:

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**Table N1102.1.1 & IECC - R402.1.2  
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT**

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Glazed Fenestration SHGC	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value	Slab R-Value	Crawl space Wall R-Value
5 and Marine 4	0.35	0.60	NR	38	20 OR 13 + 5h	13/17	30g	10/13	10, 2 ft.	10/13
6	0.35	0.60	NR	49	20 OR 13 + 5h	15/19	30g	15/19	10, 4 ft.	10/13

**N1102.1.1 & (IECC - R402.1.2)** Table Footnotes: Add foot note j. to following table.

- j. For residential log home building thermal envelope construction requirements see section N1102.4.1.1 IECC - R402.4.1.1

**N1102.1.3 & (IECC - R402.1.3) Table:** Delete the values contained in Table N1102.1.3 and IECC - R402.1.3 for climate zone 5 and Marine 4, and climate zone 6. Replace with the following table.

**Table N1102.1.4 & IECC - R402.1.4  
EQUIVALENT U-FACTORS**

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Ceiling U-factor	Frame Wall U-factor	Mass Wall U-factor	Floor U - Factor	Basement Wall U-factor	Crawl space Wall U-Factor
5 and Marine 4	0.35	0.60	0.030	0.057	0.082	0.033	0.050	0.065
6	0.35	0.60	0.026	0.057	0.060	0.033	0.050	0.065

**N1102.2.6 & (IECC - R402.2.6) Steel-Frame Insulation:**

Delete entire table and replace with a new Table N1102.2.6 & IECC - R402.2.6 as follows:

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**TABLE N1102.2.6 & IECC - R402.2.6  
STEEL-FRAMED CEILING, WALL AND FLOOR INSULATION  
(R-VALUE)**

WOOD FRAME R-VALUE REQUIREMENT	COLD-FORMED STEEL EQUIVALENT R-VALUE <sup>a</sup>
<b>Steel Truss Ceilings</b>	
R-30	R-38 or R-30 + 3 or R-26 + 5
R-38	R-49 or R-38 + 3
R-49	R-38 + 5
<b>Steel Joist Ceilings</b>	
R-30	R-38 in 2 x 4 or 2 x 6 or 2 x 8 R-49 in any framing.
R-38	R-49 in 2 x 4 or 2 x 6 or 2 x 8 or 2 x 10
<b>Steel-Framed Wall</b>	
R-13	R-13 + 5 or R-15 + 4 or R-21 +3 or R-0 + 10
R-19	R-13 + 9 or R-19 + 8 or R-25 + 7
R-21	R-13 +10 or R-19 + 9 or R-25 + 8
<b>Steel Joist Floor</b>	
R-13	R-19 in 2 x 6 R-19 + 6 in 2 x 8 or 2 x 10
R-19	R-19 + 6 in 2 x 6 R-19 + 12 in 2 x 8 or 2 x 10
a. Cavity insulation R-value is listed first, followed by continuous insulation R-value. b. Insulation exceeding the height of the framing shall cover the framing.	

**N1102.4.1 & (IECC - R402.4.1)** Building Thermal Envelope: Amend section as follows:

The building thermal envelope shall comply with Section N1102.1.1 & IECC - R402.1.1 or either Section N1102.4.3 & IECC - R402.4.3 or N1102.4.1.2 & IECC - R402.1.2 or N1102.4.1.3 & IECC - R402.4.1.3. The sealing methods between dissimilar materials shall allow for differential expansion and contraction.

**N1102.4.1.1 & (IECC - R402.4.1.1)** Installation: Delete last sentence as follows:

Installation: the components of the building thermal envelope as listed in Table N1102.4.1.1 & IECC - R402.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria listed in Table N1102.4.1.1 & IECC - R402.1.1, as applicable to the method of construction. ~~Where required by the building official, an approved third party shall inspect all components and verify compliance.~~

**N1102.4.1.2 & (IECC - R402.4.1.2) Testing:** Delete entire section and replace with the following:

Testing option, Building envelope tightness in insulation installation shall be considered acceptable with tested air leakage is less than seven (7) air changes per hour (ACH) when tested with a blower door at a pressure of thirty-three point five (33.5) psf . Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation, and combustion appliances.

During Testing:

- i. Exterior window and doors, fireplace and stove doors shall be closed, but not sealed.
- ii. Dampers shall be closed, but not sealed, including exhaust, intake, makeup air, backdraft, and flue dampers.
- iii. Interior doors shall be open.
- iv. Exterior opening for continuous ventilation systems and heat recovery ventilators shall be closed and sealed.
- v. Heating and cooling systems shall be turned off.
- vi. HVAC ducts shall not be sealed.
- vii. Supply and return registers shall not be sealed.

**N1102.4.1.3 & (IECC - R402.4.1.3) Add new subsection as follows:**

Visual inspection option: Building envelope tightness and insulation installation shall be considered acceptable when the items listed in Table N1102.1.1 & IECC - R402.1.1, applicable to the method of construction, are field verified. Where required by a code official an approved independent party from the installer of the insulation shall inspect the air barrier and insulation.

**N1102.6 & (IECC - R402.6) Residential Log Home Thermal Envelope:** Add new section and Table as follows:

Residential log home thermal envelope: Residential log home construction shall comply with Sections N1102.1/IECC - R402.1 (General), N1102.4/IECC - R402.4 (Air Leakage), N1102.5/IECC - R402.5 (Maximum fenestration U-factor and SHGC), N1103.1/IECC - R403.1 (Controls), N1103.2.3/IECC - R403.2.3 (Building Cavities), Section N1104/IECC - R404 (Electrical power and Lighting Systems), either i, ii, or iii.

- i. Section N1102.2/IECC - R402.2 though N1102.3/IECC - R402.3, N11404.1/IECC - R404.1 and Table N1102.6/IECC - R402.6 or,
- ii. Section N1105/IECC - R405 Simulated Performance Alternative (Performance) or,
- iii. REScheck (U.S. Department of Energy Building Codes Program).

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**Table N1102.6 & IECC R402.6**

**LOG HOME PRESCRIPTIVE THERMAL ENVELOPE REQUIREMENTS BY COMPONENT**

FOR SI: 1 FOOT = 304.8mm

CLIMATE ZONE	FENESTRATION U-FACTOR .a	SKYLIGHT U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	MIN AVERAGE LOG SIZE IN INCHES	FLOOR R-VALUE	BASEMENT WALL VALUE .d	SLAB R-VALUE & Depth .b	CRAWL SPACE WALL R-VALUE .d
<b>5.6 High efficiency Equipment path</b> .c	<b>0.32</b>	<b>0.60</b>	<b>NR</b>	<b>49</b>	<b>5</b>	<b>30</b>	<b>15/19</b>	<b>10'4"</b>	<b>10/13</b>
<b>5</b>	<b>0.32</b>	<b>0.60</b>	<b>NR</b>	<b>49</b>	<b>8</b>	<b>30</b>	<b>10/13</b>	<b>10'2"</b>	<b>10/13</b>
<b>6</b>	<b>0.30</b>	<b>0.60</b>	<b>NR</b>	<b>49</b>	<b>8</b>	<b>30</b>	<b>15/19</b>	<b>10'4"</b>	<b>10/13</b>

- a. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- b. R-5 shall be added to the required slab edge R-values for heated slabs.
- c. 90% AFUE natural gas or propane. 84% AFUE oil, or 15 Seer heat pump heating equipment ( electric resistance heating equipment such as electric base board heaters as the sole source for heating is considered compliant with the high efficiency equipment path).
- d. "15/19" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

**N1104.1 & IECC (R404.1)** Lighting equipment (Mandatory). Delete section and replace as follows:

**N1104.1 & IECC (R404.1)** Lighting equipment (Mandatory). A minimum of fifty percent (50%) of the lamps in permanently installed lighting fixtures shall be high-efficiency lamps or a minimum of fifty percent (50%) of the permanently installed lighting fixtures shall contain only high efficiency lamps.

**END OF SECTION**

### **SECTION 3 - POWER COUNTY AMENDMENTS TO THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE:**

**The commercial provisions of the International Energy Conservation Code, 2015 edition, as adopted, are hereby amended as follows:**

#### **A. Chapter 1 “Administration” is amended as follows:**

**C101.1** Title: All references to [name of jurisdiction] shall be construed to mean Power County.

**C107** Fees: Delete sections C107.1, C107.2, C107.4, C107.5 and replace with the following:

Fees for the 2015 International Energy Conservation Code will be included with the building permit fee established on Appendix A (Building Valuation Data).

**C108.4** Unlawful Continuance: Amend this section and add second paragraph as follows:

Unlawful continuance: Any person who shall continue any work in or about the building or structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties as prescribed in Power County Ordinance NO. \_\_\_\_\_ instrument NO. \_\_\_\_\_,

The Building Administrator or his or her designee shall be the enforcement officer of this Ordinance.

- a. ENFORCEMENT AS AN INFRACTION: Any person, firm, or corporation who fails to comply with, or violates, any of the provisions of this ordinance may be charged with an infraction, and upon conviction thereof shall be subject to a fine of not more than one (\$100.00) hundred dollars plus court costs. Each day on which the violation occurs may be deemed a separate offense.
- b. ENFORCEMENT AS A MISDEMEANOR: Any person, firm, or corporation who fails to comply with, or violates, any of the provisions of this ordinance may be charged with a misdemeanor violation, and upon conviction thereof shall be subject to a fine of not more than three (\$300.00) hundred dollars, or imprisonment for a period not exceeding six (6) months, or both. Each day on which the violation occurs may be deemed a separate offense. Any person, firm, or corporation who pleads guilty to or is found guilty of a violation of this provision, Power County Building Ordinance NO. \_\_\_\_\_, instrument NO. \_\_\_\_\_, Section three (3), subsection C108.4, Unlawful continuance, on two (2) prior occasions, notwithstanding the form of the judgments or withheld judgments, is guilty of a MISDEMEANOR as provided in Section three (3), subsection C108.4.b of this Ordinance.
- c. CIVIL ENFORCEMENT: Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure, or premises; and these remedies may be in place of the other penalties described in this section.

**C109** BOARD OF APPEALS: Delete Subsections C109.1, C109.2, AND C109.3 in their entirety and place with the following:

Appeals of order, decisions or determinations made by the Building Administrator shall be heard by the Planning and Zoning Board.

APPEALS OF THE BUILDING ADMINISTRATOR DECISIONS:

- A. The Planning and Zoning Board shall serve as the decision making body for appeals of decisions of the Building Administrator. The Building Administrator's decision may be appealed to the Planning and Zoning Board by the applicant or any other aggrieved person within fourteen (14) days of the decision to be appealed. The notice shall be a written *Notice of Appeal* and filed with the Planning and Zoning Administrator.
- B. Not more than forty-five (45) days following the notice filed. The Planning and Zoning Board shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public. The hearing shall be an "on the record review". During the hearing, County staff shall be available to present the application and answer questions; however, comments will not be received from the audience. The Planning and Zoning Board shall consider such findings, reports, comments, and recommendations as forwarded to them by the Building Administrator in rendering their decision. The Planning and Zoning Board's decision may be appealed to the Board of Power County Commissioners within fourteen (14) days of delivery of the decision to the applicant.
- C. Not more than forty-five (45) days following the notice filing, the Board of Power County Commissioners shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public. The hearing shall be an "on the record review". During the hearing, county staff shall be available to present the application and answer questions; however, comments will not be received from the audience. The Board of County Commissioners shall review the Planning and Zoning Board's findings and the appellant's arguments and reach a final decision to uphold, reverse, modify, or return the Planning and Zoning Board's decision for further findings.
- D. The Building Administrator shall take immediate action in accordance with the decision of the governing body.

**C110** Add new sub section C110 Violations as follows:

Violations: Violation of the provisions or requirements of this code shall be subject to the penalties as set forth in Power County Building Ordinance No. \_\_\_\_\_, instrument No. \_\_\_\_\_.

**END OF SECTION**

**APPENDIX A**

Occupancy & Type	Cost Per Sq Ft. Avg.	Occupancy & Type	Cost Per Sq. Ft. Avg.	Occupancy & Type	Cost Per Sq. Ft. Avg.	Occupancy & Type	Cost Per Sq. Ft. Avg.
<b>Apartment Houses:</b>		<b>Dwellings:</b>		<b>Medical Offices:</b>		<b>Stores:</b>	
Type I or II F.R.*	\$65.80	Type V-masonry	\$56.00	Type I or II F.R.	\$88.40	Type I or II F.R.*	\$61.00
(good)	\$80.80	(good)	\$71.80	Type II-1 hour	\$68.30	Type II-1 hour	\$37.40
Type V-masonry		Type V-Wood Frame	\$49.80	Type II-N	\$64.80	Type II-N	\$36.40
(Or type III)	\$53.80	(good)	\$68.40	Type III-1 hour	\$71.80	Type III-1 hour	\$45.40
(good)	\$65.70	Basement –		Type III- N	\$69.00	Type III- N	\$42.60
Type V-Wood Frame	\$47.20	Simi-Finished	\$14.90	Type V-1 hour	\$66.70	Type V-1 hour	\$38.20
(good)	\$60.70	(good)	\$17.20	Type V-N	\$64.40	Type V-N	\$35.40
Type I Basement Garage	\$27.80	Unfinished	\$10.80	<b>Offices**:</b>		<b>Theaters:</b>	
<b>Auditoriums:</b>		(good)	\$13.10	Type I or II F.R.	\$79.00	Type I or II F.R.	\$81.30
Type I or II F.R.	\$77.70	<b>Fire Stations:</b>		Type II-1 hour	\$53.00	Type III-1 hour	\$59.20
Type II-1 hour	\$56.20	Type I or II F.R.	\$84.70	Type II-N	\$50.40	Type III- N	\$56.30
Type II-N	\$53.20	Type II-1 hour	\$55.70	Type III-1 hour	\$57.10	Type V-1 hour	\$55.80
Type III-1 hour	\$59.00	Type II-N	\$52.60	Type III- N	\$54.60	Type V-N	\$52.70
Type III- N	\$56.00	Type III-1 hour	\$61.00	Type V-1 hour	\$53.50	<b>Warehouses***:</b>	
Type V-1 hour	\$56.50	Type III- N	\$58.40	Type V-N	\$50.40	Type I or II F.R.	\$36.60
Type V-N	\$52.70	V-1 hour	\$57.10	<b>Private Garages:</b>		Type II-1 hour	\$21.70
<b>Banks:</b>		Type V-N	\$54.30	Wood Frame	\$18.00	Type II-N	\$20.40
Type I or II F.R. *	\$109.50	<b>Homes for the Elderly:</b>		Masonry	\$20.30	Type III-1 hour	\$24.60
Type II-1 hour	\$80.70	Type I or II F.R.	\$76.80	Open carports	\$12.30	Type III- N	\$23.50
Type II-N	\$78.20	Type II-1 hour	\$67.40	<b>Public Buildings:</b>		Type V-1 hour	\$21.70
Type III-1 hour	\$89.10	Type II-N	\$59.70	Type I or II F.R.	\$91.30	Type V-N	\$20.40
Type III -N	\$85.90	Type III-1 hour	\$64.90	Type II-1 hour	\$73.90	Manufactures Homes:	
Type V-1 hour	\$80.70	Type III- N	\$62.40	Type II-N	\$70.70	Foundation Set ONLY	\$282.00
Type V-N	\$77.40	Type V-1 hour	\$62.80	Type III-1 hour	\$76.80		
<b>Bowling Alleys:</b>		Type V-N	\$60.60	Type III- N	\$74.10		
Type II-1 hour	\$37.80	<b>Hospitals:</b>		Type V-1 hour	\$70.30		
Type II-N	\$35.30	Type I or II F.R. *	\$120.80	Type V-N	\$67.80		
Type III-1 hour	\$41.00	Type III-1 hour	\$100.00	<b>Public Garages:</b>			
Type III- N	\$38.50	Type V-1 hour	\$95.40	Type I or II F.R.	\$91.30		
Type V-1 hour	\$27.80	<b>Hotels and Motels:</b>		Type II-1 hour	\$73.90		
<b>Churches:</b>		Type I or II F.R.*	\$74.80	Type II-N	\$70.70		
Type I or II F.R.	\$73.50	Type III-1 hour	\$64.70	Type III-1 hour	\$76.80		
Type II-1 hour	\$55.10	Type II-N	\$53.20	Type III- N	\$74.10		
Type II-N	\$52.40	Type III- N	\$61.80	Type V-1 hour	\$70.30		
Type III-1 hour	\$59.90	Type V-1 hour	\$56.30	Type V-N	\$67.80		
Type III- N	\$57.30	Type V-N	\$55.20	<b>Restaurants:</b>			
Type V-1 hour	\$56.00	<b>Industrial Plants:</b>		Type III-1 hour	\$72.20		
Type V-N	\$52.70	Type I or II F.R.	\$42.20	Type III- N	\$69.20		
<b>Convalescent Hospitals:</b>		Type II-1 hour	\$29.30	Type V-1 hour	\$66.00		
Type I or II F.R.*	\$103.00	Type II-N	\$27.00	Type V-N	\$63.50		
Type II-1 hour	\$71.40	Type III-1 hour	\$32.30	<b>School:</b>			
Type III-1 hour	\$73.30	Type III- N	\$30.40	Type I or II F.R.	\$82.30		
Type V-1 hour	\$69.10	Type V-1 hour	\$30.40	Type II-1 hour	\$56.20		
<b>Dwellings:</b>		Type V-N	\$27.90	Type III-1 hour	\$60.10		
Type V-masonry	\$56.00	<b>Jails:</b>		Type III- N	\$57.90		
(good)	\$71.80	Type I or II F.R.	\$117.00	Type V-1 hour	\$56.30		
Type V-Wood Frame	\$49.80	Type III-1 hour	\$107.50	Type V-N	\$53.80		
(good)	\$68.40	Type V-1 hour	\$80.70	<b>Service Stations:</b>			
Basement –		<b>Libraries:</b>		Type II-N	\$49.80		
Simi-Finished	\$14.90	Type I or II F.R.	\$86.20	Type III-1 hour	\$57.10		
(good)	\$17.20	Type II-1 hour	\$63.00	Type V-1 hour	\$44.20		
Unfinished	\$10.80	Type II-N	\$60.00	Canopies	\$20.70		
(good)	\$13.10	Type III-1 hour	\$66.60				
		Type III- N	\$63.20				
		Type V-1 hour	\$62.60				
		Type V-N	\$60.00				

**APPENDIX A CONTINUING BUILDING VALUATION DATA**

A. The following schedule shall be used in determining Power County Building Permit fees:

**POWER COUNTY PERMIT FEES**

<b>EVALUATION</b>	<b>FEE</b>
\$1 to \$500	\$24
\$501 to \$2000	\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, up to and including \$2,000
\$2,001 to \$40,000	\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000
\$40,001 to \$100,000	\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to and including \$100,000
\$100,001 to \$500,000	\$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,001 to \$1,000,000	\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000
\$1,000,001 to \$5,000,000	\$6,327 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000
\$5,000,001 and over	\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof

Building permit fees and the valuation for all work to be accomplished under each permit shall be consistent with the Power County Ordinance entitled “Power County Building Code Ordinance” and established by use of the following procedures:

Square foot construction cost: Construction costs will be taken from the 1997 Uniform Building Codes.

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## BUILDING PERMIT FEES

## Schedule 1

<b>Total Valuation Up to \$</b>	<b>Fees</b>	<b>Total Valuation Up to \$</b>	<b>Fees</b>	<b>Total Valuation Up to \$</b>	<b>Fees</b>
\$1.00 to \$500.00	\$ 16.48	10,000.00	\$135.96	33,000.00	\$352.26
600.00	18.54	11,000.00	146.26	34,000.00	359.47
700.00	21.63	12,000.00	156.56	35,000.00	367.71
800.00	24.72	13,000.00	166.86	36,000.00	373.89
900.00	26.78	14,000.00	177.16	37,000.00	381.10
1,000.00	28.84	15,000.00	187.46	38,000.00	390.37
1,100.00	30.90	16,000.00	198.79	39,000.00	397.58
1,200.00	32.96	17,000.00	209.09	40,000.00	403.76
1,300.00	35.02	18,000.00	220.42	41,000.00	413.03
1,400.00	37.08	19,000.00	229.69	42,000.00	420.24
1,500.00	39.14	20,000.00	239.99	43,000.00	427.45
3,000.00	61.80	21,000.00	251.32	44,000.00	435.69
4,000.00	73.13	22,000.00	261.62	45,000.00	442.90
5,000.00	83.43	23,000.00	270.89	46,000.00	450.11
6,000.00	93.73	24,000.00	282.22	47,000.00	458.35
7,000.00	105.06	30,000.00	329.60	48,000.00	465.56
8,000.00	115.36	31,000.00	336.81	49,000.00	472.77
9,000.00	124.63	32,000.00	342.99	50,000.00	481.01
For total valuation between \$50,001.00 and \$100,000.00, \$481.01 shall be charged for the first \$50,000.00, plus \$5.05 for each additional \$1,000.00 or fraction thereof.					
For total valuation between \$100,001.00 and \$400,000.00, \$745.72 shall be charged for the first \$100,000.00, plus \$3.87 for each additional \$1,000.00 or fraction thereof.					
For total valuation between \$500,001.00 and \$1,000,000.00, \$2,367.97 shall be charged for the first \$500,000.00, plus \$3.35 for each additional \$1,000.00 or fraction thereof.					
For total valuation of \$1,000,001.00 and up, \$4,109.70 shall be charged for the first \$1,000,000.00, plus \$2.21 for each additional \$1,000.00 or fraction thereof.					
When documents are submitted for permit, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee for new commercial buildings, additions to commercial buildings and remodels of commercial buildings shall be sixty-five percent (65%) of the building permit fee as shown in Table 108.2A.					
New commercial building valuation will be established at the contract bid price.					

1. Plan review fees:

- a. Plan review fees for buildings constructed pursuant to the International Building Code shall be accessed at an hourly rate of forty seven dollars (\$47.00) per hour when required.
- b. Plan review fees for buildings constructed pursuant to the International Residential Code shall be accessed at an hourly rate of forty seven dollars (\$47.00) per hour when required.

2. Plan review changes:

Plan review changes, additions or revision to plans or other administrative activities including but not limited to reactivation of expired residential building permits, review and processing of plan modifications, review and processing of upgrades, agreements, courtesy inspections, and miscellaneous inspections shall be accessed at an hourly rate of forty seven dollars (\$47.00) per hour.

3. Other inspections and fees:

- Inspections outside of normal business hours.....\$47.00 per hour\*  
(Minimum charge – two hours)
- 1. Reinsertion fees assessed under provision of Section 305.8 .....\$47.00 per hour\*
- 2. Inspections for which no fee is specifically indicated.....\$47.00 per hour\*  
(Minimum charge – one-half hour)
- 3. Additional plan review requirements by changes, additions  
or revisions to plans.....\$47.00 per hour\*  
(Minimum charge – one-half hour)
- 4. For use of outside consultants for plan checking,  
Inspection, or both..... Actual Cost\*\*

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of employees involved.

\*\* Actual costs include administrative and overhead costs.

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