ORDINANCE NO. 1038

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, REPEALING ORDINANCE NO. 944 AND REPLACING CHAPTER 15.04, INTERNATIONAL AND UNIFORM CODES ADOPTED, OF THE KETCHUM MUNICIPAL CODE, IN THEIR ENTIRETY AND ADOPTING THE 2006 EDITIONS OF THE INTERNATIONAL BUILDING CODE INCLUDING APPENDICES A, B, C, E, G, I AND J, AND SECTION 903 AS MODIFIED BY THE KETCHUM FIRE DEPARTMENT; EXCLUDING SECTIONS 101.4.1 AND 101.4.4; THE INTERNATIONAL RESIDENTIAL CODE, PARTS I THROUGH VI AND PART IX INCLUDING APPENDIX A, B, D, E, F, G, H, J, K, M; THE INTERNATIONAL MECHANICAL CODE; THE INTERNATIONAL ENERGY CONSERVATION CODE; THE INTERNATIONAL FUEL GAS CODE; THE INTERNATIONAL EXISTING BU ILDING CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND AMENDMENTS THERETO, AS THE OFFICIAL CODES FOR SAID CITY REGULATING ALL BUILDING, MECHANICAL, ENERGY CONSERVATION, AND FUEL GAS AS DEFINED IN THE SCOPE OF THE CODES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Ketchum, Idaho that Ordinance No. 944 is hereby repealed in its entirety and that Chapter 15.04, International and Uniform Codes Adopted, of the Ketchum Municipal Code, is hereby replaced in its entirety with the following:

Section 1. Section 15.04.010 of the Ketchum Municipal Code is hereby replaced in its entirety with the following:

15.04.010 International and Uniform Codes Adopted.

The following seven International Codes and Section 903 of the International Building Code as modified by the Ketchum Fire Department are adopted by reference by the City of Ketchum, Idaho:

(a) The International Building Code, 2006 Edition, including appendices A, B, C, G, I and J, and Section 903 as modified by the Ketchum Fire Department, excluding Sections 101.4.1, 101.4.4, and 101.4.5;

(b) The International Residential Code, 2006 Edition, Parts I through VI and Parts IX including appendices A, B, D, E, F, G, J, K and M;

(c) The International Mechanical Code, 2006 Edition, including appendix A;

(d) The International Fuel Gas Code, 2006 Edition, including appendices A,

B, C, D;

(e) The International Energy Conservation Code, 2006 Edition, including the appendix;

(f) The International Existing Building Code, 2006 Edition; and,

(g) The International Property Maintenance Code, 2006 Edition.

~~One copy~~ Copies of the seven International Codes listed above are on file and are open to public inspection in the office of the building official of the city of Ketchum, Idaho.

Section 2. Section 15.04.020, Amendments, of the Ketchum Municipal Code, is hereby replaced with the following:

15.04.020 Amendments

15.04.020(A) Amendments to the International Building Code

(a) Section 101.1 Insert: [City of Ketchum, Idaho]

(b) Section 1612.3 Insert: [City of Ketchum, Idaho]

(c) Section 1612.3 Insert: [City of Ketchum, Idaho] [June 5, 1978]

(d) Section 3410.2 Insert: [January 1, 1975]

(e) Section 105 of said Code is amended by deleting Subsections 105.1.1 and 105.1.2 in their entirety.

~~**105.1.1 Annual permit.** In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradepersons in the building, structure or on the premises owned or operated by the applicant of the permit.~~

~~**105.1.2 Annual permit records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.~~

(f) Section 105.5 of said Code is amended as follows:

105.5 Expiration. ~~Every permit issued shall become invalid unless~~

~~the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 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 periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated.~~ Building permits shall be valid for twenty-four (24) months from the date of such permit after which it shall automatically terminate and become null and void. If the building or work authorized by the permit has not been completed during the said twenty-four (24) months, then before work can proceed, a new permit shall be first obtained to do so. The applicant shall resubmit and apply for a new permit and shall pay all new fees accordingly, and if applicable, shall obtain Design Review approval. The building official and/or the City Council may extend the time of completion of the building or work for a period not exceeding one hundred eighty (180) days upon written request of the permit holder showing circumstances beyond their control have prevented completion within the original twenty-four (24) month period. In addition, the City Council may, by passage of an appropriate resolution, grant one or more extensions for not more than one hundred eighty (180) days each. The holder of a permit must submit a request, in writing, to the building official for each extension and must appear before the City Council to request each extension.

(g) Section 106.1 of said Code is amended by changing the Section to read:

Section 106.1 Submittal documents. Construction documents, statement of special inspections and structural observation programs, and other data shall be submitted in one or more sets with each permit application. The Construction documents shall be ~~prepared by a registered design professional where required by the statutes of the of the jurisdiction in which the project is to be constructed.~~ signed and sealed by an Idaho licensed architect for the scope of architecture and by a licensed engineer for the scope of engineering as determined by the building official. Where special conditions exist, the building official is authorized to waive the requirements for prepared and sealed plans or to require additional construction documents to be prepared by a registered design professional.

(h) Sections 108.2, 108.3 and 108.4 of said Code is amended as follows:

108.2 Schedule of permit fees. On buildings, structures, ~~electrical,~~ gas, and mechanical ~~and plumbing~~ systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as set forth in

Table 1-A as established by ~~the applicable governing authority~~ resolution of the City of Ketchum.

108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at the time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, heating, air conditioning, roofing, elevators, fire extinguishing systems, ~~and~~ other permanent systems and all finish work including painting. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, ~~electrical,~~ gas, or mechanical ~~or plumbing~~ system before obtaining the necessary permits shall be subject to an investigation fee ~~established by the building official~~ equal to the permit fee that shall be in addition to the required permit fees and shall be paid prior to making application for a permit. The investigation fee shall be collected whether or not a permit is subsequently issued.

(i) Sections 108.7 and 108.8 are added as follows:

108.7 Expiration of Plan Review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days on 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 pay a new plan review fee.

108.8 Re-inspection Fees. A re-inspection fee may, at the discretion of the building official, be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

(j) Said Code is amended by adding new Sections 116, 117, and 118 as follows:

SECTION 116 - INDEMNITY. Every person, firm or corporation to whom permission has been granted under the terms of this Code and the general

ordinances to utilize public property for the demolition work or the moving of any building, structure or utility, shall at all times assume full responsibility for such demolition or moving. Such permission shall be further conditioned for the use of public property to at all times release, hold harmless and indemnify the City of Ketchum and all of its agents and employees from any and all responsibility, liability, loss or damage resulting to any persons or property or caused by or incidental to the demolition or moving work.

SECTION 117 - INSURANCE. Any person, firm or corporation, demolishing or moving any building, structure or utility, shall deposit with the Building Official a certificate of insurance showing the City of Ketchum as a named insured on the insurance policy. The certificate of insurance shall evidence that the liability insurance policy covers the policy holder and the City of Ketchum as a named insured. Such insurance shall be valid at all times during demolition or moving operations. Said liability insurance coverage shall be in the amount of at least $1,000,000 for bodily or personal injury, death, or property damage or loss as the result of any one (1) occurrence or accident, regardless of the number of persons injured or the number of claimants. The purpose of the insurance required herein is specified in Section 3601 of this Chapter.

SECTION 118 - DAMAGE TO PUBLIC PROPERTY. As a condition of obtaining a permit to wreck, remove or move any building, structure or utility, the permittee assumes liability for any damage to public property occasioned by such moving, demolition or removal operations.

(k) Section 202 of said Code is amended by adding the following definition:

COMMENCEMENT OF WORK – any excavation including the removal of top soil or any removal of trees or brush prepatory to excavation shall be defined as the commencement of work authorized by a permit.

(l) Sections 406.1.4 Item 1 is amended to read:

406.1.4 Separation. Separations shall comply with the following:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum ~~1/2~~ 5/8-inch (12.7 mm) Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch Type X gypsum wall board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8-inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room

used for sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching.

(m) Sections 416.5 and 416.5.1 are added to read:

416.5 Finish application during construction. Proper ventilation must be provided and an automatic sprinkler system installed and operational in the area where volatile finishes are to be applied prior to application of combustible finishes unless an alternative protection system is approved by the Fire Chief.

416.5.1 Application of finishes in occupied buildings. Application of combustible or toxic finishes in any space in an occupied building shall require prior approval of the Building Official and the Fire Chief. Proper ventilation must be provided to prevent vapors from accumulating in the occupied space.

(n) Section 505.3.1 is added to read:

505.3.1 Egress Group R. Where a mezzanine is contained completely within a dwelling unit it shall be provided with at least one emergency escape and rescue opening complying with Section 1026.

(o) Section 506.3 is revised to read:

Section 506.3 Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the area limitation in Table 503 is permitted to be increased by ~~an additional 200 percent (I_s = 2) for buildings with more than one story above grade plane and 300 percent (I_s = 3) for buildings with no more than one story above grade plane~~ the following additional amounts:

1. Type I and Type II construction: an additional 200 percent ($I_s = 2$) for buildings with more than one story above grade plane and an additional 300 percent ($I_s = 3$) for buildings with no more than one story above grade plane.
2. For Type III, Type IV, and Type V construction: an additional 100 percent ($I_s = 1$) for buildings with more than one story above grade plane and an additional 200 percent ($I_s = 2$) for buildings with no more than one story above grade plane.

These increases are permitted in addition to the height and story increases in accordance with Section 504.2.

Exceptions:

1. The automatic sprinkler system increase shall not apply to buildings with an occupancy in Group H-1.
2. The automatic sprinkler system increase shall not apply to the floor area of an occupancy in Use Group H-2 or H-3. For mixed use buildings containing such occupancies, the allowable area shall be calculated in accordance with Section 508.3.3.2, with the sprinkler increase applicable only to the portions of the building not classified as Use Group H-2 or H-3.
3. Fire-resistance rating substitution in accordance with Table 601, Note e.

(p) Section 507.2 of said code is deleted in its entirety.

~~**507.2 Nonsprinklered, one story.** The area of a one-story Group F-2 or S-2 building shall not be limited when the building is surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width.~~

(q) Section 508.2 of said Code is amended by adding the following paragraph:

Boilers, central heating plants or mechanical rooms shall be completely protected on the mechanical side by a minimum of 5/8 inch Type X gypsum wallboard or equivalent and the walls shall be effectively draft stopped.

(r) The exception to Section 508.3.2.3 is amended to add a second exception:

Exceptions:

1. Group H-2, H-3, H-4 or H-5 occupancies shall be separated from all other occupancies in accordance with Section 508.3.3.
2. Group R occupancies shall be separated from all other occupancies by a minimum 1-hour separation unless a separation of greater than 1-hour is required by other sections of this code.

(s) Section 704.1.1 is added to read:

704.1.1 Recessed openings in exterior walls. Any recess in the exterior wall of a building not open to the atmosphere above constitutes an opening in the exterior wall and shall comply with Section 704.8. Said recesses shall include, but not be limited to, windows recessed in alcoves and decks that are covered by roofs or floors above.

(t) Section 714.2.1 is amended to read:

714.2.1 Individual protection. Columns, girders, trusses, beams, lintels or other structural members that are required to have a fire-resistance rating and support more than two floors or one floor and a roof, or support a load bearing wall or a non-load bearing wall more than two stories high shall be individually protected on all sides for the full length with materials having the required fire-resistance rating. Other horizontal structural members required to have a fire-resistance rating shall be protected by individual encasement, by a membrane or ceiling protection as specified in Section 711 or by a combination of both. Where required to have a fire-resistance rating, columns shall be individually protected regardless of the number of supported stories except as noted in Section 714.2.1.1. Columns shall also comply with Section 714.2.2.

(u) Section 903.2 is amended to add the following sentences and exceptions:

All buildings containing fire areas of 6000 square feet or greater shall have an approved automatic sprinkler system installed. When an addition to an existing building increases the area of the building to 6000 square feet or more, the entire building including the existing portion shall have an approved automatic sprinkler system.

Exceptions:

1. When approved by both the Fire Chief and Building Official a fire wall complying with Section 705 may be installed to separate an addition from an existing building.
2. When the extent of an addition is less than 10 percent of the existing building with the approval of the Fire Chief and Building Official.

(v) Section 1505.2.1 is added to read:

1505.2.1 Class A Roof Assemblies Required. Class A roof assemblies with no wood products in the roof covering are required on all new buildings. Class A roof assemblies with no wood products in roof covering are required for all re-roofs over 3,000 square feet of roof area. Class A is not required when less than twenty-five (25) percent of the roof area is being repaired and additional areas are not subsequently repaired within five (5) years. Additions to buildings over 1,000 square feet of roof area require that the roof of the entire building be upgraded to a Class A roof assembly with no wood products in the roof covering.

(w) Section 1605 of said code is amended as follows:

In **1605.2.1 Basic load combinations.** Coefficient f_2 is amended as:

$f_2 = 0.7$ for roof configurations that do not shed snow off the structure, and
$= \cancel{0.2}$ 0.35 for other roofs

In 1605.3.1 Exception 2 is amended to read:

2. Flat roof snow loads of 30 psf (1.44 kN/m^2) or less need not be combined with seismic loads. Where flat roof snow load exceeds 30 psf (1.44 kN/m^2) ~~20~~ 35 percent of the flat roof snow load shall be combined with seismic loads.

In 1605.3.2 Exception 2 is amended to read:

2. Flat roof snow loads of 30 psf (1.44 kN/m^2) or less need not be combined with seismic loads. Where flat roof snow load exceeds 30 psf (1.44 kN/m^2) ~~20~~ 35 percent of the flat roof snow load shall be combined with seismic loads.

(x) Section 1608 of said Code is amended by changing Section 1608.2 to read:

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs ~~shall be determined in accordance with ASCE 7 of Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. Site-specific case studies shall be made in areas designated "CS" in Figure 1608.2. Ground snow loads for elevations above the limits indicated in Figure 1608.2 and for all sites within the CS areas shall be based on an extreme-value statistical analysis of data available in the vicinity of the site using a value with a 2 percent annual probability of being exceeded (50 year mean recurrence interval). Snow loads are zero for Hawaii except in mountainous regions as approved by the building official~~, p_g, for Ketchum is determined to be site specific (CS) and shall be taken as 120 psf.

(y) Section 1608.3 is added:

1608.3 Flat roof snow loads. The snow load, p_f in lb/ft^2, on a roof with a slope equal to or less than 5° shall be the greater of 100 psf or the value calculated using the following formula:

$$p_f = 0.7C_eC_tIp_g$$

(z) Section 1613.7 is added to read:

1613.7 Effective seismic weight. The effective seismic weight in Section 12.7.2 and Section 12.14.8.1 of ASCE7-05 shall be amended as follows:

4. For all roofs regardless of roof slope 35% of the uniform design snow load shall be included in the effective seismic weight (W).

(aa) Section 2403.6 is added to read as follows:

2403.6 Operable windows. Operable windows less than twenty-four (24) inches from the finished floor and more than thirty (30) inches from finished grade will be permanently prevented from having openings such that a four (4) inch diameter sphere cannot pass through up to a height of thirty-six (36) inches.

(ab) Change to Section B101.2.2 to read:

Section B101.2.2 Qualifications. The board of appeals shall consist of five individuals plus alternates, ~~one~~ from ~~each of~~ the following professions or disciplines:

1. Registered design professional with architectural experience. ~~or a builder or superintendent of building with at least ten years' experience, five of which shall have been in responsible charge of work.~~
2. Registered design professional with structural engineering experience.
3. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
4. Registered design professional ~~with electrical engineering experience or an electrical contractor~~ with architectural experience or a builder or superintendent of building with at least ten years' experience, five of which shall have been in responsible charge of work
5. Registered design professional with fire protection engineering experience or fire protection contractor with ten years' experience, five of which shall have been in responsible charge of work.

(ac) Section G201.2 of said code is amended by adding the following definition:

HEIGHT ABOVE BASE FLOOD ELEVATION (BFE). Height shall be one foot to bottom of floor framing above BFE or to the bottom of slab

on grade.

(ad) Section J103.2 Exemption number 8 is added to read as follows:

8. Grading, excavation, earthwork, fills or embankments less than fifty (50) yards, and that do not create an increased elevation for buildings or building sites above natural existing grade and do not adversely affect adjoining properties.

15.04.020(B) Amendments to the International Residential Code

(a) Section R101.1 Insert: [City of Ketchum, Idaho]

(b) Section R105.5.1 is added to read as Section 105.1.1 in Section 1 of this Ordinance.

(c) Section R106.1 is amended to read as follows:

R106.1 Submittal documents. Construction documents, special inspection and structural observation programs and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared and sealed by an ~~registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed~~ engineer registered to practice in the state of Idaho for the scope of engineering. The load combinations for structural design shall be per Section 1605.2.1, 1605.3.1 or 1605.3.2 of the 2006 International Building Code as amended in Section 2 of this ordinance. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

(d) Section R108 is amended in its entirety to be identical to Section 108 of the International building Code as amended in SECTION 2 of this ordinance.

(e) Table R301.2.(1) Insert:

ROOF SNOW LOAD	WIND SPEED[e] (mph)	SEISMIC DESIGN CATEGORY[f,g]	SUBJECT TO DAMAGE FROM			
			Weathering[a]	Frost line depth[b]	Termite[c]	Decay[d]
100 Psf	90 Mph	D1 or per IBC Chap. 16	Severe	2 Feet	Slight to Moderate	None to Slight

WINTER DESIGN TEMPf	ICE SHIELD UNDERLAYMENT REQUIRED[i]	FLOOD HAZARDS[h]	AIR FREEZING INDEX[h]	MEAN ANNUAL TEMP[k]
	Yes, 24" inside wall line	6/5/1978	2000	40° F

1. This Table also applies to IBC

(f) Section R301.2.2 is amended by eliminating the exception in its entirety.

~~**Exception:** Detached one- and two-family dwellings located in Seismic Design Category C are exempt from the seismic requirements of this code.~~

(g) Section R301.2.2.3.4 is added as follows:

R301.2.2.3.4 Engineered design for seismic resisting system. All structures including detached one and two family structures in Seismic Design Category C or greater shall have a lateral force resisting system designed in accordance with accepted engineering practice by the Engineer of Record. The effective seismic weight for such buildings shall include 35% of the flat roof uniform design snow load.

(h) Section R309.1 is amended to read as follows:

R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and the residence shall be equipped with solid wood doors not less than 1 3/8-inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8-inches (35 mm) thick, or 20-minute fire rated doors. Doors shall be self-closing and self-latching.

(i) Section R309.2 is amended to read as follows:

R309.2 Separation required. The garage shall be separated from the residence and its attic area by not less than ~~½ inch (12.7 mm)~~ 5/8-inch Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch (15.9 mm) Type X gypsum wall board or equivalent. Where the separation is a floor/ceiling assembly, the structure supporting the separation shall also be protected by not less than ~~½ inch (12.7 mm)~~ 5/8-inch Type X gypsum board or equivalent. Garages located less than 3-feet (914 mm) from a dwelling unit on the same lot shall be protected with not less than ~~½ inch (12.7 mm)~~ 5/8-inch Type X gypsum board applied to

the interior side of exterior walls that are within this area. Openings in these walls shall be regulated by Section R309.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling wall unit.

(j) Section R325 is added to read as follows:

R325 Automatic sprinkler systems. All one and two family dwellings of 6000 square feet or greater shall have an approved automatic sprinkler system installed per Chapter 9 of the International Building Code, 2006 Edition.

Exceptions:

1. Additions to one and two family residences.

(k) Section R326 is added to read as follows:

R326 Class A Roof Assemblies Required. Class A roof assemblies with no wood products in the roof covering are required on all new buildings. Class A roof assemblies with no wood products in roof covering are required for all re-roofs over 3,000 square feet of roof area. Class A is not required when less than twenty-five (25) percent of the roof area is being repaired and additional areas are not subsequently repaired within five (5) years. Additions to buildings over 1,000 square feet of roof area require that the roof of the entire building be upgraded to a Class A roof assembly with no wood products in the roof covering.

(l) Section R502.12 is changed by adding to the end of the paragraph the sentence:

All attic areas shall be draft-stopped so that the concealed space does not exceed 3,000 square feet and shall divide the concealed space into approximately equal areas.

(m) Section R613.2 is amended as follows (the exceptions remain unaltered):

R613.2 Window sills. In dwelling units where the opening of an operable window is located more than ~~72 inches (1829 mm)~~ 30-inches above the finished grade or surface below, the lowest part of the clear opening of the window shall be a minimum of 24 inches (610 mm) above the finished floor of the room in which the window is located. Glazing between the floor and 24 inches (610 mm) shall be fixed or have openings through which a 4-inch-diameter (102 mm) sphere cannot pass.

(n) Section R1002.7 is added to read as Section M805.7 in Section 4 of this Ordinance.

15.04.020(C) Amendments to the International Mechanical Code

(a) Section M101.1 Insert: [City of Ketchum, Idaho]

(b) Section M106.5.2 is revised as follows:

106.5.2 Fee Schedule. The fees for mechanical work shall be as indicated ~~in the following schedule~~ as set forth in Table 2-A as established by resolution of the City of Ketchum.

(c) Section M106.5.3 Insert: [80%] [80%]

(d) Section M108.4 Insert: [Misdemeanor, $300, 180 days]

(e) Section M108.5 Insert: [$300] [$300]

(f) Section M202 is revised as by adding the following definitions:

DIRECT-VENT APPLIANCES. Listed appliances that are constructed and installed so that all air for combustion is derived from the outdoor atmosphere and all flue gasses are discharged to the outdoor atmosphere unaided by any fan or other mechanical device.

PULSE-COMBUSTION APPLIANCES. Appliances that are constructed and installed in such a manner that flue gasses are discharged to the atmosphere by means of a pressure built up in the combustion system.

(g) Section M804.2.1 is revised to read as follows:

804.2.1 Terminal clearances. Appliances designed for natural draft venting and incorporating integral venting means shall be located so that a minimum clearance of 9 inches (229 mm) is maintained between vent terminals and from any openings through which combustion products enter the building. Appliances using forced draft venting shall ~~be located so that a minimum clearance of 12 inches (305 mm) is maintained between vent terminals and from any openings through which combustion products enter the building~~ comply with Section 804.3 Mechanical draft systems.

(h) Section M804.3 is revised to read as follows:

804.3 Mechanical draft systems. Mechanical draft systems of either

forced or induced draft design, including direct-vent appliances which utilize fans, or pulse-combustion systems shall comply with Sections 804.3.1 through 804.3.7.

(i) Section M804.3.3 is revised to read as follows:

804.3.3 Termination. The termination of chimneys or vents equipped with power exhausters shall be located a minimum of ~~10~~ 20 feet from the adjacent lot line or from adjacent buildings. The exhaust shall be directed away from the building. Vent terminations that front on a public way shall be permitted to measure the 20 foot separation distance to the neighboring lot line on the opposite side of the public way.

The termination of vents or combustion air inlets serving direct vent or pulse –combustion appliances shall be permitted to be located a minimum distance of 10 feet from the adjacent lot line or adjacent buildings if the gasses enter or leave the termination in a vertical plane above the roof line. Horizontal terminations shall be installed in accordance with M804.3.4.

(j) Section M804.3.4 is revised by adding Item 7 to read as follows:

7. The vent termination shall be located a minimum of 20 feet from adjacent lot lines or adjacent buildings. The exhaust shall be directed away from the building. Vent terminations that front on a public way shall be permitted to measure the 20 foot separation distance to the neighboring lot line on the opposite side of the public way.

(k) Section M805.7 is added to read as follows:

805.7 Chimney Chases. Factory-built solid fuel burning appliance chimneys shall be enclosed within a shaft or chase and shall be protected on the interior (flue) side as required for one-hour fire-resistive construction. All factory-built chimneys shall have approved spark arrestors installed at the point of termination.

15.04.020(D) Amendments to the International Fuel Gas Code

(a) Section IFGC101.1 Insert: [City of Ketchum, Idaho]

(b) Section IFGC106.5.2 is revised as follows:

106.5.2 Fee Schedule. The fees for work shall be as indicated ~~in the following schedule~~ as set forth in Table 2-A as established by resolution of the City of Ketchum.

(c) Section IFGC106.5.3 Insert: [80%] [80%]

(d) Section IFGC108.4 Insert: [Misdemeanor, $300, 180 days]

(e) Section IFGC108.5 Insert: [$300] [$300]

(f) Section IFGC 503.2.3 is amended to read as follows:

503.2.3 Direct-vent appliances. Listed direct vent appliances that do not utilize fans or other mechanical devices to convey flue gases or combustion air shall be installed in accordance with the manufacturer's instructions and Section 503.8, Item 3. Appliances that use mechanical means to convey flue gases of combustion air shall be installed in accordance with the manufacturer's instructions and Section 503.8, Items 1 and 2.

(g) Section IFGC 503.8 Item 1 is amended to read as follows:

Exceptions:

~~1. This provision shall not apply to the combustion air intake of direct-vent appliances.~~

~~2.~~ 1. This provision shall not apply to the separation of the integral outdoor air inlet and flue gas discharge of listed outdoor appliances.

(h) Section IFGC 503.8 Item 2 is amended to read as follows:

2. A mechanical draft venting system~~, excluding direct-vent appliances,~~ shall terminate at least 4 feet (1219 mm) below, 4 feet (1219 mm) horizontally from, or 1 foot (305 mm) above any door, operable window, or gravity air inlet into any building. The bottom of the vent terminal shall be located at least 12 inches (305 mm) above grade.

15.04.020(E) Amendments to the International Energy Conservation Code

(a) Section IECC101.1 Insert: [City of Ketchum, Idaho]

(b) Section IECC 101.2 is amended by adding a second exception as follows:

Exception: Designers may elect to conform to Energy Star Homes Northwest Certification Requirements for Single Family Homes in lieu of the IECC requirements. Residential construction complying with Energy Star Certification Requirements will not be required to demonstrate compliance per IECC 101.4 but must submit the completed Energy Star

Certification prior to obtaining a Certificate of Occupancy. If the project is not completed and certified to Energy Star requirements, compliance with the IECC will be required to be demonstrated prior to the issuance of the Certificate of Occupancy.

15.04.020(F) Amendments to the International Existing Building Code

(a) Section IEBC101.1 Insert: [City of Ketchum, Idaho]

(b) Section IEBC 307.1 is amended to read as follows:

307.1 Conformance. Structures moved into or within the jurisdiction shall be evaluated by a registered engineer and shall comply with the provisions of the *International Building Code* for new structures as amended by the City of Ketchum.

(c) Section IEBC 1202.3 Exceptions are amended as follows.

1202.3 Wind loads. Buildings shall be evaluated by a registered engineer and shall comply with the *International Building Code* or *International Residential Code* wind provisions as applicable and as amended by the City of Ketchum.

Exceptions:

~~1. Detached one- and two-family dwellings and Group U occupancies where wind loads at the new location are not higher than those at the previous location.~~

~~2.~~ 1. Structural elements whose stress is ~~not increased by more than 5 percent~~ within 10 percent of allowable stresses for new materials designed to current code provisions.

(d) Section IEBC 1202.4 is amended by revising the section to read as follows and deleting Exception 2.

1202.4 Seismic loads. Buildings shall be evaluated by a registered engineer and shall comply with the *International Building Code* or *International Residential Code* seismic provisions as applicable and as amended by the City of Ketchum at the new location.

Exceptions:

~~1. Structures in Seismic Design Categories A and B and detached one- and two-family dwellings in Seismic Design Categories A, B, and C where seismic loads at the new location are not higher than those at the previous location.~~

~~2.~~ 1. Structural elements whose stress is ~~not increased by more~~

~~than 5 percent~~ within 10 percent of allowable stresses for new materials designed to current code provisions.

(e) Section IEBC 1202.5 is amended to read as follows and the exception to Section IEBC 1202.5 is deleted:

1202.5 Snow Loads. Structures shall be evaluated by a registered engineer and shall comply with the *International Building Code* or *International Residential Code* seismic provisions as applicable and as amended by the City of Ketchum ~~where snow loads at the new location are higher than those at the previous location~~.

(f) Section IEBC 1301.2 Insert: [January 1, 1975]

15.04.020(G) Amendments to the International Property Maintenance Code

(a) Section IPMC 101.1 Insert: [City of Ketchum, Idaho]

(b) Section IPMC 103.5 is amended to read as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by resolution of the City of Ketchum ~~indicated in the following schedule~~.

(c) Section IPMC 302.4 Insert: [twenty-four (24) inches]

(d) Section IPMC 304.14 Insert: [May 1] [September 30]

(e) Section IPMC 602.3 Insert: [October 1] [April 30]

(f) Section IPMC 602.4 Insert: [October 1] [April 30]

Section 3. That Section 15.04.030 of the Ketchum Municipal Code, Criminal Violation and Penalty and Civil Enforcement, is hereby replaced in its entirety with the following:

(a) Any person, firm, association, or corporation that fails to comply with or violates any of these regulations or adopted codes shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than Three Hundred Dollars ($300.00) or imprisonment for a period not to exceed six (6) months, or both. Each day that said violation continues shall be considered a separate offense.

(b) Appropriate actions and proceedings at law or in equity may be instituted

by the City of Ketchum to restrain or abate violations of this Ordinance or adopted codes, or compel compliance herewith, or to prevent illegal construction or occupancy of any buildings, structures, or premises in violation of this Ordinance or adopted codes together with appropriate damages therefore. These remedies shall be cumulative and in addition to all other legal remedies and penalties provided by law.

Section 4. **SAVINGS AND SEVERABILITY CLAUSE.** It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. **CODIFICATION CLAUSE.** The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

Section 6. **REPEALER CLAUSE.** All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

Section 7. **PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 8. **EFFECTIVE DATE.** This Ordinance shall be in full force and effect upon the date of its publication as provided by law which is April 16, 2008.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 7th day of April, 2008.

CITY OF KETCHUM, IDAHO

Randy Hall, Mayor

ATTEST:

APPROVED AS TO FORM
AND CONTENT:

Sandra E. Cady, CMC
City Treasurer/Clerk

Stephanie Bonney,
Special Counsel

EXHIBIT A

PUBLICATION OF SUMMARY OF ORDINANCE NO. 1038
CITY OF KETCHUM, IDAHO

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, REPEALING ORDINANCE NO. 944 AND CHAPTER 15.04, INTERNATIONAL AND UNIFORM CODES ADOPTED, OF THE KETCHUM MUNICIPAL CODE, IN THEIR ENTIRETY AND ADOPTING THE 2006 EDITIONS OF THE INTERNATIONAL BUILDING CODE INCLUDING APPENDICES A, B, C, E, G, I AND J, AND SECTION 903 AS MODIFIED BY THE KETCHUM FIRE DEPARTMENT; EXCLUDING SECTIONS 101.4.1 AND 101.4.4; THE INTERNATIONAL RESIDENTIAL CODE, PARTS I THROUGH VI AND PART IX INCLUDING APPENDIX A, B, D, E, F, G, H, J, K, M; THE INTERNATIONAL MECHANICAL CODE; THE INTERNATIONAL ENERGY CONSERVATION CODE; THE INTERNATIONAL FUEL GAS CODE; THE INTERNATIONAL EXISTING BUILDING CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND AMENDMENTS THERETO, AS THE OFFICIAL CODES FOR SAID CITY REGULATING ALL BUILDING, MECHANICAL, ENERGY CONSERVATION, AND FUEL GAS AS DEFINED IN THE SCOPE OF THE CODES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1038 of the City of Ketchum, Blaine County, Idaho, adopted on April 7, 2008 is as follows:

SECTION 1. Repeals Ordinance Number 944 and Chapter 15.04, International and Uniform Codes Adopted, of the Ketchum Municipal Code, and provides for adoption of the 2006 International Codes and a Uniform Code.

SECTION 2. Replaces Section 15.04.020 in its entirety and provides for amendments to the 2006 International Building Code, 2006 International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, and International Property Maintenance Code.

SECTION 3. Provides for Enforcement and Penalties. **CRIMINAL VIOLATION AND PENALTY AND CIVIL ENFORCEMENT.**

(a) Any person, firm, association, or corporation that fails to comply with or violates any of these regulations or adopted codes shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than Three Hundred Dollars ($300.00) or imprisonment for a period not to exceed six (6) months, or both. Each day that said violation continues shall be considered a separate offense.

(b) Appropriate actions and proceedings at law or in equity may be instituted by the City of Ketchum to restrain or abate violations of this Ordinance or adopted codes, or compel compliance herewith, or to prevent illegal construction or occupancy of any buildings, structures, or premises in violation of this Ordinance or adopted codes together with appropriate damages therefore. These remedies shall be cumulative and in addition to all other legal remedies and penalties provided by law.

SECTION 4. Provides a Savings and Severability Clause.

SECTION 5. Provides a Codification Clause.

SECTION 6. Provides for a Repealer Clause.

SECTION 7. Provides for publication of this Ordinance by Summary.

SECTION 8. Establishes an effective date of April 16, 2008.

The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

CITY OF KETCHUM, IDAHO

Randy Hall, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

STATEMENT OF LEGAL ADVISOR

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 1038 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 7th day of April, 2008.

Stephanie Bonney,
Special Counsel

Publish: Idaho Mountain Express
Date: April 16, 2008