

ORDINANCE NO. 1140

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE; AMENDING THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; AMENDING CHAPTER 15.20 OF THE KETCHUM MUNICIPAL CODE, GREEN BUILDING CODE; 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.

WHEREAS, the City of Ketchum has adopted the International series of codes, including the International Building, Residential, Energy Conservation, Existing Building, Property Maintenance and Fire Codes;

WHEREAS, the City has adopted the 2012 version of the International Building Code as determined by the Idaho Building Code Board and the City desires to amend such Code;

WHEREAS, pursuant to Idaho Code 39-4116, the City is empowered to amend the 2012 International series of codes to reflect local concerns;

WHEREAS, the City has determined that good cause exists to amend the 2012 International Building (IBC), the 2012 International Residential Code (IRC) and Chapter 15.20, Ketchum Municipal Code, and such amendments are reasonably necessary;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Ketchum, Idaho that the following amendments are made to the International Building Code, the International Residential Code, and Chapter 15.20 of the Ketchum Municipal Code as shown by underlining and strike through.

Section 1. Section 105.5 of the International Building Code is deleted and replaced by the following:

105.5 Expiration.

1. Expiration of Building Permits. Except as otherwise provided herein, a building permit issued by the building official under the provisions of this code shall expire and become null and void if the building or work authorized by such permit is not completed within three hundred sixty five (365) days after its issuance, unless the permittee extends the building permit as provided in this section. A permit is considered null and void if no inspections have been completed by the building official or requested by the permittee for a period of one hundred eighty (180) days.
2. Extension of Building Permit. A building permit may be extended for a period not to exceed one hundred eighty (180) days by an application for extension filed with the Planning and Building Department. A building permit issued by the building official under the provisions of this code may be granted a maximum of four (4) extensions.
3. Maximum Project Duration. Under no circumstances may any project exceed 1085 days, or three (3) years, of construction activity from the date the building permit was issued.

After 1085 days, or three (3) years, a building permit shall be considered null and void and the applicant shall reapply for a new building permit for the unfinished portions of the project and shall pay all applicable fees.

Section 2. Appendix N of the International Building Code is added as follows:

Appendix N

Commercial Solar System Installation

Section AN 101 Scope

This appendix shall apply to the installation of all new solar systems, photovoltaic (PV) and solar thermal, on nonresidential and mixed-use structures in the City of Ketchum.

Section AN 102 Requirements.

AN 102.1 General

The following requirements shall apply to all new solar system installations on nonresidential and mixed-use structures:

1. In addition to obtaining a solar installation permit from the City of Ketchum, all required plumbing, mechanical and electrical permits shall be obtained prior to installation of any solar system.
2. All system components shall be installed per the manufacturer's installation instructions and specifications.
3. Where it is determined by the fire code official that the roof configuration is similar to that of a one- or two-family dwelling, the residential access and ventilation requirements of the International Residential Code, Appendix R, as amended, shall be permitted to be used.

AN 102.2 Prescriptive Path

AR 102.2.1 Roof Mounted PV Systems Prescriptive Path

1. Roof structure shall have been built after adoption of Ketchum's first building code, Uniform Building Code, 1964 edition, adopted June 7, 1965.
2. Roofing type shall be lightweight (composition shingle, lightweight masonry, metal, wood shingle).
3. Roof shall have a single roof covering.
4. Roof penetrations shall be flashed or caulked to prevent water penetration of the roofing.
5. Mounting structure shall be an engineered product designed to mount panels with no more than an 18" gap beneath the module frames.
6. Distributed weight of the system shall be less than 6 pounds per square foot and less than 48 pounds per attachment.
7. The racking system shall be certified by the manufacturer to meet a wind load of 90 mph and a snow load of 90 psf.
8. Commercial systems shall meet the requirements of the International Fire Code, Section 605.11 Solar photovoltaic power systems, as applicable, including the following:
 - a. Access to systems for occupancies other than one- and two-family dwellings shall be provided in accordance with Sections 605.11.3.3.1

through 605.11.3.3.3.

Exception: Where it is determined by the fire code official that the roof configuration is similar to that of a one- or two-family dwelling, the residential access and ventilation requirements in Sections 605.11.3.2.1 through 605.11.3.2.4 shall be permitted to be used.

- b. Access. There shall be a minimum 6-foot-wide (1829 mm) clear perimeter around the edges of the roof.

Exception: Where either axis of the building is 250 feet (76 200 mm) or less, there shall be a minimum 4-foot-wide (1290 mm) clear perimeter around the edges of the roof.

- c. Pathways. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:
- 1) The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.
 - 2) The centerline axis pathways shall be provided in both axes of the roof. Centerline axis pathways shall run where the roof structure is capable of supporting the live load of fire fighters accessing the roof.
 - 3) Shall be a straight line not less than 4 feet (1290 mm) clear to skylights or ventilation hatches.
 - 4) Shall be a straight line not less than 4 feet (1290 mm) clear to roof standpipes.
 - 5) Shall provide not less than 4 feet (1290 mm) clear around roof access hatch with at least one not less than 4 feet (1290 mm) clear pathway to parapet or roof edge.
- d. Smoke ventilation. The solar installation shall be designed to meet the following requirements:
- 1) Arrays shall be no greater than 150 feet (45 720 mm) by 150 feet (45 720 mm) in distance in either axis in order to create opportunities for fire department smoke ventilation operations.
 - 2) Smoke ventilation options between array sections shall be one of the following:
 - a. A pathway 8 feet (2438 mm) or greater in width.
 - b. A 4-foot (1290 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents.
 - c. A 4-foot (1290 mm) or greater in width pathway and bordering 4-foot by 8-foot (1290 mm by 2438 mm) "venting cutouts" every 20 feet (6096 mm) on alternating sides of the pathway.

AR 102.2.2 Roof Mounted Solar Thermal Systems Prescriptive Path

1. In addition to the requirements above in Section AN 102.2.1, the following requirement shall apply for solar thermal system installations:

The solar storage tank shall be placed on a slab on grade, or documentation

shall be provided that the floor system can support the load imposed by the tank.

AR 102.2.3 Ground Mounted Solar Systems Prescriptive Path

1. All system components shall be installed per the manufacturer's installation instructions and specifications.
2. For solar thermal systems, the solar storage tank shall be placed on a slab on grade, or documentation shall be provided that the floor system can support the load imposed by the tank.

AR 102.3 Performance Path

Solar systems that do not meet all of the requirements for the prescriptive path above shall be designed by a registered design professional. In addition, all requirements of the International Fire Code, Section 605.11 Solar photovoltaic power systems, as applicable, shall apply.

Section 3. Amendments to the International Residential Code: Section 105.2 Work exempt from permit, are made as follows:

R105.2 Work exempt from permit.

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed ~~200-120~~ square feet (~~18.58-11.15~~ m²).

Section 105.5 is deleted and replaced by the following:

105.5 Expiration.

4. Expiration of Building Permits. Except as otherwise provided herein, a building permit issued by the building official under the provisions of this code shall expire and become null and void if the building or work authorized by such permit is not completed within three hundred sixty five (365) days after its issuance, unless the permittee extends the building permit as provided in this section. A permit is considered null and void if no inspections have been completed by the building official or requested by the permittee for a period of one hundred eighty (180) days.
5. Extension of Building Permit. A building permit may be extended for a period not to exceed one hundred eighty (180) days by an application for extension filed with the Planning and Building Department. A building permit issued by the building official under the provisions of this code may be granted a maximum of four (4) extensions.
6. Maximum Project Duration. Under no circumstances may any project exceed 1085 days, or three (3) years, of construction activity from the date the building permit was issued. After 1085 days, or three (3) years, a building permit shall be considered null and void and

the applicant shall reapply for a new building permit for the unfinished portions of the project and shall pay all applicable fees.

Section 4. Appendix R of the International Residential Code is added as follows:

Appendix R
Residential Solar System Installation
Section AR 101 Scope

This appendix shall apply to the installation of all new solar systems, photovoltaic (PV) and solar thermal, on residential structures in the City of Ketchum.

Section AR 102 Requirements.

AR 102.1 General

The following requirements shall apply to all new solar system installations on residential structures:

4. In addition to obtaining a solar installation permit from the City of Ketchum, all required plumbing, mechanical and electrical permits shall be obtained prior to installation of any solar system.
5. All system components shall be installed per the manufacturer's installation instructions and specifications.

AR 102.2 Prescriptive Path

AR 102.2.1 Roof Mounted PV Systems Prescriptive Path

1. Roof structure shall have been built after adoption of Ketchum's first building code, Uniform Building Code, 1964 edition, adopted June 7, 1965.
2. Roofing type shall be lightweight (composition shingle, lightweight masonry, metal, wood shingle).
3. Roof shall have a single roof covering.
4. Roof penetrations shall be flashed or caulked to prevent water penetration of the roofing.
5. Mounting structure shall be an engineered product designed to mount panels with no more than an 18" gap beneath the module frames.
6. Distributed weight of the system shall be less than 6 pounds per square foot and less than 48 pounds per attachment.
7. The racking system shall be certified by the manufacturer to meet a wind load of 90 mph and a snow load of 90 psf.
- 8.
9. Residential systems shall meet the requirements of the International Fire Code, Section 605.11 Solar photovoltaic power systems, as applicable, including the following:
 - a. Hipped Roofs: System shall be located in a manner that provides a 3 foot wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters on the roof.

- b. Single ridge: Panels/modules installed on residential buildings with a single ridge shall be located in a manner that provides two, 3-foot-wide (914 mm) access pathways from the eave to the ridge on each roof slope where panels/modules are located.
- c. Hips and valleys: Panels/modules installed on residential buildings with roof hips and valleys shall be located no closer than 18 inches (457 mm) to a hip or a valley where panels/modules are to be placed on both sides of a hip or valley. Where panels are to be located on only one side of a hip or valley that is of equal length, the panels shall be permitted to be placed directly adjacent to the hip or valley.
- d. Exception: The requirements in Sections a – c above shall not apply to roofs with slopes of two units vertical in 12 units horizontal (2:12) or less.
- e. Ridge: Panels/modules installed on residential buildings shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

AR 102.2.2 Roof Mounted Solar Thermal Systems Prescriptive Path

- 2. In addition to the requirements above in Section AR 102.2.1, the following requirement shall apply for solar thermal system installations:

The solar storage tank shall be placed on a slab on grade, or documentation shall be provided that the floor system can support the load imposed by the tank.

AR 102.2.3 Ground Mounted Solar Systems Prescriptive Path

- 3. All system components shall be installed per the manufacturer's installation instructions and specifications.
- 4. For solar thermal systems, the solar storage tank shall be placed on a slab on grade, or documentation shall be provided that the floor system can support the load imposed by the tank.

AR 102.3 Performance Path

Solar systems that do not meet all of the requirements for the prescriptive path above shall be designed by a registered design professional. In addition, all requirements of the International Fire Code, Section 605.11 Solar photovoltaic power systems, as applicable, shall apply.

Section 5. The Ketchum Municipal Code, Chapter 15.20 Green Building Code is amended to read as follows:

15.20.010 APPLICABILITY

This chapter supplements the other International Code Council codes adopted by the city and is not intended to be used as independent construction regulations or to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances. The provisions of this chapter shall not be deemed to nullify any provisions of local, state or federal laws or codes. The provisions of this chapter shall apply to all residential construction and the residential

portions of mixed-use projects.

Delete Sections 15.20.020 and 15.20.030 and replace with the following:

15.20.020 NEW RESIDENTIAL CONSTRUCTION

The following certification programs shall satisfy the requirements of this code. Third party verification is required. Additional programs may be approved by the City on a case by case basis if they meet or exceed the requirements of the programs below:

1. Leadership in Energy and Environmental Design (LEED) Silver certification, verified by a LEED Green Rater; or
2. (National Green Building Standard) NGBS Silver certification, verified by a National Association of Home Builders (NAHB) verifier.

15.20.030 RESIDENTIAL ADDITIONS

Additions shall meet the requirements of Section 15.20.020 or the following green building practices shall be implemented:

- A. Site Preservation
 1. Limits of disturbance shall be shown on plans and fenced on site.
 2. All trees to be preserved shall have fencing to protect the root structure.
 3. All run-off shall be contained on site. Sediment and erosion control measures shall be shown on plans and implemented.
- B. Resource Conservation
 1. Construction Waste Recycling – Separate recycling containers shall be provided for cardboard, metal, plastic and clean wood waste.
 2. A built-in recycling collection space shall be provided in each new or enlarged kitchen, and an aggregation/pick up recycling space shall be provided in a garage, covered outdoor space or other area.
 3. A minimum of two (2) resource-efficient building products shall be shown on plans and installed:
 - a. Engineered lumber or steel
 - b. Recycled building products (minimum 50% recycled content)
 - c. Indigenous building products (produced within 500 miles)
 - d. Certified wood-based products (FSC or SFI)
- C. Water Conservation
 1. Indoor
 - a. All plumbing fixtures shall be WaterSense rated or equivalent.
 - b. Water recirculating systems shall be limited to on-demand type systems.
 2. Outdoor
 - a. Landscaping irrigation shall meet EPA WaterSense program requirements.
 - b. Turf grass shall be of a drought-tolerant species (Rhizomatous Tall Fescue or equivalent) or limited to 25% of the total landscaped portion of the site.
 - c. 75% of new trees and shrubs shall be native or listed on the University of Idaho's list of Drought-Tolerant Shrubs and Trees.
- D. Energy Conservation
 1. Meet the requirements of the 2012 International Energy Conservation Code.

2. All appliances, with exception of range, ovens, cooktop and microwave, shall be Energy Star rated.
 3. Hot water heaters shall be Energy Star rated or meet the 2015 National Appliance Energy Conservation Act (NAECA) requirements.
 4. Air conditioning and heating appliances shall be Energy Star rated or minimum 95% efficient.
- E. Indoor Air Quality
All paints primers, stains and adhesives, or flooring shall be low VOC certified per the California Air Resources Board consumer products regulations.

15.20.040 REMODELS

1. Construction Waste Recycling – Separate recycling containers shall be provided for cardboard, metal and clean wood waste.
2. If the following items are replaced, they shall meet the requirements above for additions:
 - a. Light fixtures
 - b. Appliances
 - c. Heating and cooling appliances
 - d. Plumbing fixtures
 - e. Irrigation

Renumber the Exterior Energy Conservation section and modify as follows:

Chapter 11:15.20.050 EXTERIOR ENERGY CONSERVATION (EEC)

A. Prescriptive Path:

1. Pool/Spa Requirements:
 - a. Automated cover required for pools;
 - b. Minimum 92% efficiency pool heater or energy star heat pump;
 - c. Variable speed pumps or equivalent;
 - d. Insulate all pipes to R-10;
 - e. Insulate below grade walls where feasible;
 - f. Spa cover - minimum R-18, tested at 25° degrees F;
 - g. Indoor pools - building is required to meet ~~2009~~ 2012 IECC.
2. Snowmelt Requirements:
 - a. Insulate below and perimeter with minimum R-10 structural insulation;
 - b. Minimum 92% efficiency boiler or energy star heat pump;
 - c. Automated controls capable of shutting off the system when the pavement temperature is above 50° F and no precipitation is falling and an automatic or manual control that will allow shutoff when the outdoor temperature is above 40° F;
 - d. Positive drainage off driveway (use geofabric under pavers);

B. Performance Path:

Provide engineered, stamped drawings by an engineer licensed in the state of Idaho, showing that the system will perform using 25% less energy than a standard, current energy code-compliant design.

Renumber the following sections, with no modification to the content:

~~15.20.040~~15.20.060 **CRIMINAL VIOLATION; PENALTY, CIVIL ENFORCEMENT**
~~15.20.050~~15.20.070 **APPEALS**

Section 6. 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 7. 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 8. REPEALER CLAUSE. All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed,

Section 9. 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 10. EFFECTIVE DATE. This Ordinance shall be in full force and effect upon the date of its publication as provided by law.

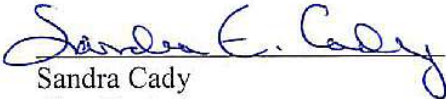
PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 8 day of September, 2015.

CITY OF KETCHUM, IDAHO



Nina Jonas
Mayor

ATTEST:



Sandra Cady
City Clerk

EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 1140
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE; AMENDING THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; AMENDING CHAPTER 15.20 OF THE KETCHUM MUNICIPAL CODE IN REGARD TO THE GREEN BUILDING CODE; 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. 1140 of the City of Ketchum, Blaine County, Idaho, adopted on September 8, 2015, is as follows:

- SECTION 1.** Repeals and replaces Section 105.5, Expiration of Building Permits, of the International Building Code.
- SECTION 2.** Adds Appendix N, Commercial Solar System Installation, to the International Building Code.
- SECTION 3.** Amends Section 105.2, Work Exempt from Permit, and repeals and replaces Section 105.5, Expiration of Building Permits, of the International Residential Code.
- SECTION 4.** Adds Appendix R, Residential Solar System Installation, to the International Residential Code.
- SECTION 5.** Amends Chapter 15.20, Green Building Code, of the Ketchum Municipal Code.
- SECTION 6.** Provides a Savings and Severability Clause.
- SECTION 7.** Provides a Codification Clause.
- SECTION 8.** Provides for a Repealer Clause.
- SECTION 9.** Provides for publication of this Ordinance by Summary.
- SECTION 10.** Establishes an effective date.


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



Nina Jonas, 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. 1140 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 8 day of September, 2015.


Ketchum City Attorney

Publish: Idaho Mountain Express

Date: 9/23/15

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris

, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 1 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 23 day of

Sept., 20 15, and the date of the last publication was

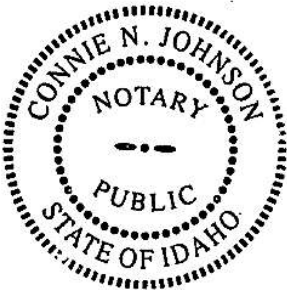
on the 23 day of Sept., 20 15

Pam Morris

Subscribed and sworn to before me this 23 day of

Sept., 20 15.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 87
Number of Insertions 1

_____ Lines tabular at _____ 9.0 cents/pica
87 Lines straight at 80.04 8.0 cents/pica
_____ Subsequent lines at _____ 7.0 cents/pica
TOTAL COST \$80.04

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

City of Ketchum
BILL TO

EXHIBIT A

PUBLICATION OF SUMMARY OF
ORDINANCE NO. 1140
CITY OF KETCHUM, IDAHO

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE; AMENDING THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; AMENDING CHAPTER 15.20 OF THE KETCHUM MUNICIPAL CODE

IN REGARD TO THE GREEN BUILDING CODE; 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.

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The full text of this Ordinance is

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