

# TITLE 8

## BUILDING REGULATIONS

### CHAPTER 1

#### BUILDING CODES AND REGULATIONS

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##### **8-1-1-1: PURPOSE:**

The purpose of this Chapter is to provide certain minimum standards and requirements to safeguard life or limb, health, property, and the public welfare by regulating and controlling the design, construction, erection, alteration, moving, demolition, quality of materials, use, occupancy, location, and maintenance of all buildings and structures, where not regulated by the One-and-Two-Family Dwelling Building Code or the Existing Building Code, in the County.

A. Bingham County's design criteria for minimum ground snow load: Delete section 1608.2 and replace with the following: 1608.2 Ground Snow Loads. The ground snow loads to be used in determining the design snow loads for roofs shall use the following equation; elevation in feet above mean sea level divided by 100, minus 5 equals the ground snow load. (Elevation/100-5 = Pg) (2020-10, 12-23-2020)

##### **8-1-1A: ADOPTION OF THE 2018 INTERNATIONAL BUILDING CODE WITH STATE AMENDMENTS (IDAPA 24.39.30):**

A. Delete Section 305.2.3 and replace with the following: 305.2.3 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 day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. (3-20-20)T

B. Delete Section 308.2.4 and replace with the following: 308.2.4 Five (5) or fewer persons receiving custodial care. A facility with five (5) or fewer persons receiving custodial care shall be classified as a Group R-3occupancy or shall comply with the International Residential Code. (3-20-20)T

C. Delete Section 308.3.2 and replace with the following: 308.3.2 Five (5) or fewer persons receiving medical care. A facility with five (5) or fewer persons receiving medical care shall be classified as a Group R-3occupancy. (3-20-20)T

D. Delete Section 308.5.4 and replace with the following: 308.5.4 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.(3-20-20)T

E. Delete Section 310.4 and replace with the following: 310.4 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, E or I, including: 1. Buildings that do not contain more than two (2) dwelling units. 2. Care facilities that provide accommodations for five (5) or fewer persons receiving personal care, custodial care or medical care. 3. Congregate living facilities (nontransient) with sixteen (16) or fewer occupants, including boarding houses (nontransient), convents, dormitories, fraternities and sororities, and monasteries. 4. Congregate living facilities (transient) with ten (10) or fewer occupants, including boarding houses (transient). 5. Dwelling units providing day care for twelve (12) or fewer children. 6. Lodging houses (transient) with five (5) or fewer guest rooms and ten (10) or fewer occupants.(3-20-20)T

F. Delete Section 310.4.1 and replace with the following: 310.4.1 Care facilities within a dwelling. Care facilities for twelve (12) or fewer children receiving day care or for five (5) or fewer persons receiving personal care or custodial care that are within a one- or two-family dwelling are permitted to comply with the International Residential Code.(3-20-20)T

G. Delete footnote e under Table 2902.1 Minimum Number of Required Plumbing Fixtures and replace with the following: e For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required. (3-20-20)T

H. Delete footnote f from Table 2902.1 Minimum Number of Required Plumbing Fixtures, add footnote f in the header row of the column in Table 2902.1 labeled "Drinking Fountains," and delete footnote f under Table 2902.1 and replace with the following: f Drinking fountains are not required for an occupant load of thirty (30) or fewer.(3-20-20)T

I. Delete Section 3113.1 and replace with the following: 3113.1 General. The provisions of this Section shall apply to relocatable buildings. Relocatable buildings manufactured after the effective date of this code shall comply with the applicable provisions of this code; title 39, chapter 43, Idaho Code; and IDAPA 07.03.03. Exception: This Section shall not apply to manufactured housing used as dwellings. (3-20-20)T (2020-10, 12-23-2020)

**8-1-2: ADOPTION OF THE 2018 INTERNATIONAL RESIDENTIAL CODE WITH BINGHAM COUNTY AMENDMENTS AS FOLLOWS:**

**8-1-2-1: BINGHAM COUNTY'S DESIGN CRITERIA COVERING ALL RESIDENTIAL BUILDINGS:**

The purpose of this chapter is to provide certain minimum standards and requirements to safeguard life or limb, health, property, and the public welfare by regulating and controlling the design, construction, erection, alteration, moving, demolition, quality of materials, use, occupancy, location, and maintenance of all buildings and structures, where not regulated by the Building Code or the Existing Building Code, in the County.

A. Table R301.2(1) of the 2012 International Residential Code shall be amended to read as follows:

Ground Snow Load=42+ (See IBC Section 1608.2); Wind Speed = 90 (Basic); Topographic effects = no; Seismic Design Category = C or D; Weathering = Severe; Frost Line Depth = 30"; Termite = Slight/Moderate; Winter Design Temperature = -6°; Ice Shield = Yes; Flood Hazards = FIRM 16001810/1779; Air Freezing Index = 2000; Mean Annual Temp = 45°F (2020-10, 12-23-2020)

**8-1-2A: ADOPTION OF THE 2018 INTERNATIONAL RESIDENTIAL CODE WITH STATE AMENDMENTS (IDAPA 24.30.39):**

A. Delete the exception under Section R101.2 Scope, and replace with the following:

Exception: The following shall also be permitted to be constructed in accordance with this code: 1. Owner-occupied lodging houses with five (5) or fewer guestrooms and ten (10) or fewer total occupants. 2. A care facility with five (5) or fewer persons receiving custodial care within a dwelling unit or single-family dwelling. 3. A care facility for five (5) or fewer persons receiving personal care that are within a dwelling unit or single-family dwelling. 4. A care facility with twelve (12) or fewer children receiving day care within a dwelling unit or single-family dwelling. (3-20-20)T

B. Delete Section R104.10.1 Flood hazard areas. (3-20-20)T

C. Delete item number 7 under the "Building" subheading of Section R105.2 Work exempt from permit, and replace with the following: 7. Prefabricated swimming pools that are not greater than four (4) feet (one thousand, two hundred nineteen (1219) mm) deep. (3-20-20)T

D. Add the following as item number 11 under the "Building" subheading of Section R105.2 Work exempt from permit: 11. Flag poles. (3-20-20)T

E. Delete Section R109.1.3 and replace with the following: R109.1.3 Floodplain inspections. For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, the building official is authorized to require submission of documentation of the elevation of the lowest floor, including basement, required in Section R322. (3-20-20)T

F. Delete Section R301.2.1.2 Protection of Openings. (3-20-20)T

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, UL263, or Section 703.3 of the International Building Code with exposure from both sides	< 3 feet
	Not fire-resistance rated	0 hours	3 feet

G. Delete Table R302.1(1) and replace with the following:

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Projections	Fire-resistance rated	1 hour on the underside, or heavy timber or fire retardant-treated wood a, b	2 feet to < 3 feet
	Not fire-resistance rated	0 hours	3 feet
Openings in walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	3 feet to 5 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable

<sup>a</sup> The fire-resistance rating shall be permitted to be reduced to zero (0) hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.

<sup>b</sup> The fire-resistance rating shall be permitted to be reduced to zero (0) hours on the underside of the rake overhang where gable vent openings are not installed. (2-20-20)T

H. Delete Section R302.13 Fire protection of floors.(3-20-20)T

I. Delete Section R303.4 and replace with the following: R303.4 Mechanical Ventilation. Dwelling units shall be provided with whole-house mechanical ventilation in accordance with Section M1505.4. (3-20-20)T

J. Delete the exception under Section R313.1 Townhouse automatic fire sprinkler systems, and replace with the following: Exception: Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) one (1)-hour fire-resistance-rated walls or a common two (2)-hour fire-resistance rated wall, as specified in item number 2 of Section R302.2.2 is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.(3-20-20)T

K. Delete Section R313.2 One- and two-family dwellings automatic fire sprinkler systems.(3-20-20)T

L. Delete the exceptions under Section R314.2.2 Alterations, repairs and additions, and replace with the following: 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 plumbing or mechanical systems are exempt from the requirements of this section. (3-20-20)T

M. Delete the exceptions under Section R315.2.2 Alterations, repairs and additions, and replace with the following: 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.(3-20-20)T

N. Delete Section R322.1.10 As-built elevation documentation. (3-20 -20)T

O. Delete Section R322.2.1 and replace with the following: R322.2.1 Elevation requirements. 1. Buildings and structures in flood hazard areas, including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation. 2. In areas of shallow flooding (AO Zones), building sand structures shall have the lowest floors (including basement) elevated to a height above the highest adjacent grade of not less than the depth number specified in feet (mm) on the FIRM, or not less than two (2) feet (610 mm) if a depth number is not specified. 3. Basement floors that are below grade on all sides shall be elevated to or above baseflood elevation. Exception: Enclosed areas below the design flood elevation, including basements with floors that are not below grade on all sides, shall meet the requirements of Section R322.2.2.(3-20-20)T

P Delete subparagraph 2.1 of Section R322.2.2 Enclosed area below design flood elevation, and replace with the following: 2.1. The total net area of all openings shall be at least one (1) square inch (645 mm<sup>2</sup>) for each square foot (0.093 m<sup>2</sup>) of enclosed area, or the opening shall be designed and the construction documents shall include a statement that the design and installation of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing the automatic entry and exit of floodwaters.(3-20-20)T

Q. Delete Tables R403.4 Minimum Depth (D) and Width (W) of Crushed Stone Footings (inches),R403.1(1) Minimum Width and Thickness for Concrete Footings for Light-Frame Construction (inches), R403.1(2)Minimum Width and Thickness for Concrete Footings for Light-Frame Construction and Brick Veneer (inches), andR403.1(3) Minimum Width and Thickness for Concrete Footings with Cast-In-Place or Fully Grouted Masonry Wall Construction (inches).(3-20-20)T

R. Add the following as Table R403.1:

TABLE R403.1

MINIMUM WIDTH OF CONCRETE, PRECAST, OR MASONRY FOOTINGS (inches)<sup>a</sup>

	LOAD-BEARING VALUE OF SOIL (psf)			
	1,500	2,000	3,000	4,000
	LOAD-BEARING VALUE OF SOIL (psf)			
	1,500	2,000	3,000	4,000
<b>Conventional light-frame construction</b>				
1-Story	12	12	12	12
2-Story	15	12	12	12
3-Story	23	17	12	12
<b>4-inch brick veneer over light frame or 8-inch hollow concrete masonry</b>				
1-Story	12	12	12	12
2-Story	21	16	12	12
3-Story	32	24	16	12
<b>8-inch solid or fully grouted masonry</b>				
1-Story	16	12	12	12
2-Story	29	21	14	12
3-Story	42	32	21	16

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479kPa.

<sup>a</sup> Where minimum footing width is twelve (12) inches, use of a single wythe of solid or fully grouted twelve (12)-inch nominal concrete masonry units is permitted. (3-20-20)T

S. Delete Section R403.1.1 and replace with the following: R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width (W) shall be based on the load bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least six (6) inches in thickness (T). Footing projections (P) shall be at least two (2) inches and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2 and Figures R403.1(2) and R403.1(3).(3-20-20)T

T. Delete Section R602.10 and replace with the following: R602.10 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 designed and constructed in accordance with Section R301.1.(3-20-20)T (2020-10, 12-23-2020)

**8-1-3: ADOPTION OF THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE WITH STATE AMENDMENTS (IDAPA 24.39.30):**

**8-1-3-1: PURPOSE:**

The purpose of this chapter is to establish minimum regulations for energy-efficient buildings using prescriptive, performance-based, or energy rating index compliance alternative provisions. The provisions of this code shall regulate the design and construction of building envelopes for adequate thermal resistance and low air leakage, including the design and selection of mechanical systems, service water-heating systems, pools and spas, electrical equipment, power, and lighting systems in order to enhance the efficient use and conservation of energy in new and existing building construction.

A. Add the following as Section C101.5.2: C101.5.2 Industrial, electronic, and manufacturing equipment. Buildings or portions thereof that are heated or cooled exclusively to maintain the required operating temperature of industrial, electronic, or manufacturing equipment shall be exempt from the provisions of this code. Such buildings or portions thereof shall be separated from connected conditioned space by building thermal envelope assemblies complying with this code.(3-20-20)T

B. Add the following as an exception under Section C402.5 Air leakage-thermal envelope (Mandatory): Exception: For buildings having over fifty thousand (50,000) square feet of conditioned floor area, air leakage testing shall be permitted to be conducted on less than the whole building, provided the following portions of the building are tested and their measured air leakage is area-weighted by the surface areas of the building envelope: 1. The entire floor area of all stories that have any spaces directly under a roof. 2. The entire floor area of all stories that have a building entrance or loading dock. 3. Representative above-grade wall sections of the building totaling at least twenty-five percent (25%) of the above-grade wall area enclosing the remaining conditioned space. Floor area tested under subparagraphs 1. or 2. of this exception shall not be included in the twenty-five percent (25%) of above-grade wall sections tested under this subparagraph.(3-20-20)T

C. Add the following as exception number 7 under Section C403.5 Economizers (Prescriptive): 7.Unusual outdoor air contaminate conditions - Systems where special outside air filtration and treatment for the reduction and treatment of unusual outdoor contaminants, makes an air economizer infeasible. (3-20-20)T

D. Delete Table C404.5.1 and replace with the following:

TABLE C404.5.1 PIPING VOLUME AND MAXIMUM PIPING LENGTHS			
NOMINAL PIPE SIZE (inches)	VOLUME (liquid ounces per foot length)	MAXIMUM PIPING LENGTH (feet)	
		Public lavatory faucets	Other fixtures and appliances
TABLE C404.5.1 PIPING VOLUME AND MAXIMUM PIPING LENGTHS			
NOMINAL PIPE SIZE (inches)	VOLUME (liquid ounces per foot length)	MAXIMUM PIPING LENGTH (feet)	
		Public lavatory faucets	Other fixtures and appliances
1/4	0.33	31	50
5/16	0.5	N/A - non-standard size	50
3/8	0.75	17	50
1/2	1.5	10	43
5/8	2	7	32
3/4	3	5	21
7/8	4	N/a - non-standard size	16
1	5	3	13
1 1/4	8	2	8
1 1/2	11	1	6
2 or larger	18	1	4

For SI: 1 inch = 25.4 mm; 1 foot = 304.8 mm; 1 liquid ounce = 0.030 L;

1 gallon = 128 ounces. (3-20-20)T

E. Delete the rows in Table R402.1.2 for climate zones "5 and Marine 4" and "6" and replace with the following:

TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT <sup>a</sup>										
Climate Zone	Fenestration U-Factor <sup>b</sup>	Skylight <sup>b</sup> U-Factor	Glazed Fenestration SHC <sup>b,e</sup>	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value <sup>i</sup>	Floor R-Value	Basemen <sup>c</sup> Wall R-Value	Slab <sup>d</sup> R-Value & Depth	Crawlspace <sup>c</sup> Wall R-Value
5	0.32	0.55	NR	38	20 or 13+5 <sub>h</sub>	13/1 7	30 <sup>g</sup>	15/19	10, 2 ft	15/19
6	0.30	0.55	NR	49	22 or 13+5 <sub>h</sub>	15/2 0	30 <sup>g</sup>	15/19	10, 4 ft	15/19

F. Add the following as footnote k to the title of Table R402.1.2 - Insulation and Fenestration Requirements by Component: k. For residential log home building thermal envelope construction requirements see Section R402.6. (3-20-20)T

G. Delete the rows in Table R402.1.4 for climate zones "5 and Marine 4" and "6" and replace with the following:

Climate zone	Fenestration U-factor	Skylight U-factor	Ceiling U-factor	Frame Wall U-factor	Mass Wall U-factor <sup>b</sup>	Floor U-factor	Basement Wall U-factor	Crawlspace Wall U-factor
5	0.32	0.55	0.030	0.060	0.082	0.033	0.050	0.055
6	0.30	0.55	0.026	0.057	0.060	0.033	0.050	0.055

H. Delete Section R402.4.1 and replace with the following: R402.4.1 Building thermal envelope. 1. Until June 30, 2021, the building thermal envelope shall comply with Sections R402.4.1.1 (Installation) and either Section R402.4.1.2 (Testing) or Section R402.4.1.3 (Visual inspection). 2. Effective July 1, 2021, the building thermal envelope of a minimum of twenty percent (20%) of all new single-family homes constructed by each builder shall comply with Section R402.4.1.1 (Installation) and Section R402.4.1.2 (Testing). The authority having jurisdiction may: 2.1. Determine how to enforce this requirement, starting with the fifth house and continuing with each subsequent fifth house. 2.2. Waive this requirement if significant testing indicates the five (5) air changes per hour (ACH) requirement is consistently being met or exceeded (resulting in a lower ACH). 2.3. Grant exceptions to this requirement in rural areas where testing equipment is not available or cost effective. 3. Effective July 1, 2021, the building thermal envelope of eighty percent (80%) of all new single-family homes constructed by each builder shall comply with Section R402.4.1.1 (Installation) and either Section R402.4.1.2 (Testing) or Section R402.4.1.3 (Visual inspection). 4. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. (3-20-20)T

I. Delete Section R402.4.1.1 and replace with the following: R402.4.1.1 Installation. The components of the building thermal envelope as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria listed in Table R402.4.1.1, as applicable to the method of construction.(3-20-20)T

J. Delete Section R402.4.1.2 and replace with the following: R402.4.1.2 Testing. Testing building envelope tightness and insulation installation shall be considered acceptable when tested air leakage is less than five(5) air changes per hour (ACH) when tested with a blower door at a pressure of 33.5 psf (50 Pa). 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. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E 779 or ASTM E 1827 and reported at a pressure of 0.2-inch w.g. (50 Pascals). During testing: 1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed. 2. Dampers shall be closed, but not sealed, including exhaust, intake, makeup air, backdraft and flue dampers. 3. Interior doors shall be open. 4. Exterior openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed. 5. Heating and cooling system(s) shall be turned off. 6. HVAC ducts shall not be sealed. 7. Supply and return registers shall not be sealed.(3-20-20)T

K. Add the following as Section R402.4.1.3: R402.4.1.3 Visual inspection. Building envelope tightness and insulation installation shall be considered acceptable when the items listed in Table R402.4.1.1, applicable to the method of construction, are field verified. Where required by code official an approved party independent from the installer of the insulation shall inspect the air barrier and insulation.(3-20-20)T

L. Add the following as Section R402.6: R402.6 Residential log home thermal envelope. Residential log home construction shall comply with Section R401 (General), Section R402.4 (Air leakage), Section R402.5 (Maximum fenestration U-factor and SHGC), Section R403.1 (Controls), the mandatory sections of Sections R403.3 through R403.9, Section R404 (Electrical Power and Lighting Systems), and either 1., 2., or 3. as follows: 1. Sections R402.2 through R402.3, Section R403.3.1 (Insulation), Section R404.1 (Lightning equipment), and Table R402.6

M. Add the following as Table R402.6

Climate Zone	Fenestration U-factor <sup>a</sup>	Skylight U-factor	Glazed Fenestration SHGC	Ceiling R-value	Min. Average Log Size in Inches	Floor R-value	Basement Wall R-value <sup>d</sup>	Slab R-value & Depth <sup>b</sup>	Crawl Space Wall R-value <sup>d</sup>
5, 6 - High efficiency equipment path <sup>c</sup>	0.32	0.60	NR	49	5	30	15/19	10, 4 ft.	10/13
5	0.32	0.60	NR	49	8	30	10/13	10, 2 ft.	10/13
6	0.30	0.60	NR	49	8	30	15/19	10, 4 ft.	10/13

<sup>a</sup> The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

<sup>b</sup> R-5 shall be added to the required slab edge R-values for heated slabs.

<sup>c</sup> 90% AFUE natural gas or propane. 84% AFUE oil, or 15 SEER heat pump heating equipment (zonal electric resistance heating equipment such as electric base board electric resistance heating equipment as the sole source for heating is considered compliant with the high efficiency equipment path).

<sup>d</sup> "15/19" means R-15 continuous insulated sheathing or 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.

(3-20-20)T

N. Delete Section R403.5.3 and replace with the following: R403.5.3 Hot water pipe insulation (Prescriptive). Insulation for hot water piping with a thermal resistance, R-value, of not less than R-3 shall be applied to the following: 1. Piping serving more than one (1) dwelling unit. 2. Piping located outside the conditioned space. 3. Piping located under a floor slab. 4. Buried piping. 5. Supply and return piping in recirculation systems other than demand recirculation systems. (3-20-20)T

O. Delete Section R404.1 and replace with the following: R404.1 Lighting equipment (Mandatory). A minimum of seventy-five percent (75%) of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps or a minimum of seventy-five percent (75%) of the permanently installed lighting fixtures shall contain only high efficacy lamps.(3-20-20)T

P. Delete Section R406.3 and replace with the following: R406.3 Energy Rating Index. The Energy Rating Index (ERI) shall be determined in accordance with RESNET/ICC 301. Energy used to recharge or refuel a vehicle used for transportation on roads that are not on the building site shall not be included in the ERI reference design or the rated design.

Q. Delete Table R406.4 and replace with the following:

Table R-406.4 - Maximum Energy Rating Index	
Climate Zone	Energy Rating Index <sup>a</sup>
5	68
6	68

<sup>a</sup> Where on-site renewable energy is included for compliance using ERI analysis of Section R406.4, the building shall meet the mandatory requirements of Section R406.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table R402.1.2 or Table R402.1.4 of the 2015 International Energy Conservation Code. (3-20-20)T

(2020-10, 12-23-2020)

**8-1-3A: ADOPTION OF THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE WITH BINGHAM COUNTY'S FOLLOWING AMENDMENT:**

Purpose: There is a conflict between the Energy Code and the International Residential Code. This clarifies that in residential buildings stud cavities and floor systems can be used as part of an air return plenum.

A. An exception to Section R403.3.5 shall be added as follows:

Exception: Building-framing cavities used as ducts or plenums shall comply with Section M1601.1.1 of the International Residential Code

(2020-10, 12-23-2020)

**8-1-4: ADOPTION OF THE 2018 INTERNATIONAL EXISTING BUILDING CODE WITH NO AMENDMENTS:**

**8-1-4-1: PURPOSE:**

The purpose of this chapter is to establish regulations to allow for the use of alternative methods from those contained in the Building Code and the One-And-Two-Family Dwelling Building Code in order to comply with and conform to those minimum requirements necessary to safeguard the health, safety, property, and public welfare insofar as they are affected by the repair, alteration, change of occupancy, addition, or relocation of existing buildings. (2020-10, 12-23-2020)

**8-1-4-2: APPLICABILITY:**

This code shall apply to the repair, alteration, change of occupancy, addition and relocation of existing buildings, regardless of occupancy, subject to the criteria set forth in sections 1 through 3 herein. (2020-10, 12-23-2020)

**8-1-5: ADOPTION OF THE INTERNATIONAL MECHANICAL CODE WITH STATE AMENDMENTS:**

International Mechanical Code. The 2018 Edition, including appendix "A," (herein IMC) is adopted and incorporated by reference with the following amendments: (3-20-20)T

A. Where differences occur between the IMC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules apply. (3-20-20)T

B. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. (3-20-20)T

C. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (3-20-20)T

D. Section 109. Delete. (3-20-20)T

E. Section 202 Definitions. Delete the definitions provided in the code for the terms identified herein this paragraph and replace with the following: (3-20-20)T

i. Light-Duty Cooking Appliance. Light-duty cooking appliances include gas and electric ovens(including standard, bake, roasting, revolving, retherm, convection, combination convection/steamer, countertop conveyORIZED baking/finishing, deck, pastry, and electric and gas conveyor pizza ovens), electric and gas steamjacketed kettles, electric and gas pasta cookers, electric and gas compartment steamers (both pressure and atmospheric) and electric and gas cheesemelters.(3-20-20)T

ii. Medium-Duty Cooking Appliance. Medium-duty cooking appliances include electric discrete element ranges (with or without oven), electric and gas hot-top ranges, electric and gas griddles, electric and gas double sided griddles, electric and gas fryers (including open deep fat fryers, donut fryers, kettle fryers and pressure fryers), electric and gas tilting skillets (braising pans) and electric and gas rotisseries.(3-20-20)T

F. Section 401.1 Scope. Add the following: Exception: The principles specified in ASHREA 62-2010 may be used as an alternative to this chapter to demonstrate compliance with required ventilation air for occupants.(3-20-20)T

G. Section 504.8.1 Material and size. Add the following exception: Dryer duct may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. (3-20-20)T

H. Table 603.4 Duct Construction Minimum Sheet Metal Thickness for Single Dwelling Units. Add the following exception to the Table: Round duct, enclosed rectangular ducts and fittings less than fourteen (14) inches may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. (2020-10, 12-23-2020)

**8-1-6: ADOPTION OF THE 2018 INTERNATIONAL FUEL GAS CODE WITH STATE AMENDMENTS:**

International Fuel Gas Code. The 2018 Edition, including appendixes "A, B, C, and D," (herein IFGC) is adopted and incorporated by reference with the following amendments: (3-20-20)T

A. Where differences occur between the IFGC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules apply.(3-20-20)T

B. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. (3-20-20)T

C. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (3-20-20)T

D. Section 109. Delete. (3-20-20)T

E. Section 406.4. Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure.(3-20-20)T

F. Section 406.4.1. Test Pressure. Not less than twenty (20) psig (140kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (70kPa gauge); not less than sixty (60) psig (420kPa gauge) test pressure is required. For systems over ten (10) psig (70kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure.(3-20-20)T

G. Section 406.4.2. The test duration may not be less than twenty (20) minutes. (3-20-20)T

H. Add a new section 503.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. (3-20-20)T

I. Section 505.1.1. Addition. An interlock between the cooking appliance and the exhaust hood system is not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems. (2020-10, 12-23-2020)

#### **8-1-7: PART V (MECHANICAL) AND PART VI (FUEL GAS) OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE (1)- AND TWO (2)-FAMILY DWELLINGS:**

The 2018 Edition, including appendixes "A, B, C, and D," (herein IRC) is adopted and incorporated by reference with the following amendments: (3-20-20)T

A. Where differences occur between the IRC and Title 54, Chapter 50, Idaho Code, and IDAPA 07, Title 07, Chapter 01, the provisions in Idaho Code and IDAPA rules apply.(3-20-20)T

B. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. (3-20-20)T

C. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (3-20-20)T

D. Add the following as section M1201.3 and section G2402.4 (201.4): Alternative materials, design and methods of construction equipment. The provisions of this part of the code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction must be approved where the authority having jurisdiction finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of this part of the code in lieu of specific requirements of this code will also be permitted as an alternate. (3-20-20)T

E. Add the following as section M1201.3.1 and section G2402.4.1 (201.4.1): Tests. Whenever there is insufficient evidence of compliance with the provisions of this part of the code, or evidence that a material or method does not conform to the requirements of this part of the code, or in order to substantiate claims for alternative materials or methods, the authority having jurisdiction has the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods are as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the authority having jurisdiction approves the testing procedures. Tests must be performed by an approved agency. Reports of such tests must be retained by the authority having jurisdiction for the period required for retention of public records. (3-20-20)T

F. Add the following as section M1203.1: Carbon monoxide alarms. For new construction, an approved carbon monoxide alarm must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages. (3-20-20)T

G. Add the following as section M1203.2: Where required in existing dwellings. Where work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms must be provided in accordance with Subsection 004.03.f. of these rules. (3-20-20)T

H. Add the following as section M1203.3: Alarm requirements. Single station carbon monoxide alarms must be listed as complying with UL 2034 and must be installed in accordance with this code and the manufacturer's installation instructions. (3-20-20)T

I. Section M1502.4.1 Material and size. Add the following exception: Dryer duct may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. (3-20-20)T

J. Delete Section M1502.4.2 Duct Installation and replace with the following: Exhaust ducts must be supported at four (4) foot (1,219 mm) intervals and secured in place. The insert end of the duct must extend into the adjoining duct or fitting in the direction of airflow. Ducts must not be joined with screws or similar fasteners that protrude into the inside of the duct. (3-20-20)T

K. Table M1601.1.1 (2) Gauges of Metal Ducts and Plenums Used for Heating or Cooling. Add the following exception: Round duct, enclosed rectangular ducts and fittings less than fourteen (14) inches may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. (3-20-20)T

L. Section G2417.4 (406.4). Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure.(3-20 -20)T

M. Section G2417.4.1 (406.4.1). Test Pressure. Not less than twenty (20) psig (one hundred forty (140)kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig(seventy (70) kPa gauge), not less than sixty (60) psig (four hundred twenty (420) kPa gauge) test pressure is required. For systems over ten (10) psig (seventy (70) kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure. (3-20-20)T

N. Section G2417.4.2 (406.4.2). The test duration may not be less than twenty (20) minutes. (3-20-20)T

O. Add a new section G2427.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. (3-20-20)T (2020-10, 12-23-2020)

**8-1-8: INSTALLATION OF MANUFACTURED HOMES:**

Manufactured Homes as define 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 agent of the owner, must apply for and receive, an Installation Permit prior to placing any Manufactured Home on their property. No structural modifications may be made to any Manufactured Home or Manufacturers Installation Instructions unless a written site-specific structural analysis from a State of Idaho Certified Engineer or Architect has been approved, verifying the modifications compatibility with the Manufactured Home. All additions or alterations to any Manufactured Home must comply with all Building Code requirements. Multiple sections of Manufactured or Mobile Homes as well as Modular Buildings shall not be combined together or used for any other purpose except as approved by HUD at the time of manufacture. 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 Bingham 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. (2020-10, 12-23-2020)

**CHAPTER 2**

**PERMITS AND FEES**

SECTION:

**8-2-1: Permit Fees**

**8-2-1: PERMIT FEES:**

Applicants shall pay permit, plan review, Mechanical, Zoning, Appeal, and Division Right fees in amounts to be determined by Resolution by the Board of County Commissioners. All fee amounts shall be maintained in a Planning and Zoning Fee schedule. All permits required under this Ordinance require fees to be paid prior to a permits being issued or any action taken, unless specified otherwise herein. (2020-10, 12-23-2020)

**CHAPTER 3**

**ELECTRIC SERVICE APPLICATION; PERMIT**

SECTION:

**8-3-1: Definition**

**8-3-2: Application For Electric Service**

**8-3-3: Waiver**

**8-3-4: Refusal To Furnish Electric Power**

**8-3-1: DEFINITION:**

Whenever used in this chapter, the word "structure" shall be construed to mean:

A. Any new building to which electric service has not previously been furnished.

B. Any new or used mobile home to which electric service has not previously been furnished to it on the present site of such mobile home. (Ord. 79-2, 6-25-1979; amd. Ord. 2020-10, 12-23-2020)

**8-3-2: APPLICATION FOR ELECTRIC SERVICE:**

No property owner in Bingham County, nor any person acting on behalf of said property owner, may use electric service in any structure situated within said County without first securing a building permit, zoning permit or waiver permit with respect to the construction, erection, or placement of such structure. (Ord. 79-2A, 10-22-1979; amd. Ord. 2020-10, 12-23-2020)

**8-3-3: WAIVER:**

In the event the necessity of securing a building or zoning permit is subject to waiver, the property owner or his agent shall first secure such waiver before making application for electric service as provided in section 8-3-2 of this chapter. (Ord. 79-2, 6-25-1979; amd. Ord. 2020-10, 12-23-2020)

**8-3-4: REFUSAL TO FURNISH ELECTRIC POWER:**

No person, firm or corporation shall furnish electric service, power or energy to any structure in the County of Bingham without first securing the number of the building permit, zoning permit or waiver secured by the owner of the structure to which service is to be furnished. (Ord. 79-2A, 10-22-1979; amd. Ord. 2020-10, 12-23-2020)

**CHAPTER 4**

**GENERAL PROVISIONS, PENALTIES, AND EFFECTIVE DATE**

SECTION:

**8-4-1: Agricultural Exemptions**

**8-4-2: Required State Permits**

**8-4-3: Severability**

**8-4-4: Penalty**

**8-4-5: Repeal Of Conflicting Provisions**



**8-4-6: Effective Date**

**8-4-1: AGRICULTURAL EXEMPTIONS:**

Agricultural buildings, as defined by the International Building Code, are exempt from the building codes adopted herein but shall remain subject to placement requirements and permits established by zoning regulations. (Ord. 2020-10, 12-23-2020)

**8-4-2: REQUIRED STATE PERMITS:**

A. Prior to issuance of a building permit for residential or commercial structures where septic waste water services will be developed or required on-site, the County shall first receive a septic permit from the State of Idaho Department of Public Health verifying the parcel is a viable site for septic services. If a waste water connection is made to a municipal line or via other entity, a will-serve letter shall be received from the connecting entity prior to issuing a building permit.

B. Prior to issuance of an occupancy permit for residential or commercial structures, all required permits from any outside agency shall be approved and permitted first before the county will issue any occupancy permits. These permits will include, but are not limited to the State electrical and State plumbing inspections and certifications which are completed and passed without correction(s). (Ord. 2020-10, 12-23-2020)

**8-4-3: SEVERABILITY:**

This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity. (Ord. 2020-10, 12-23-2020)

**8-4-4: PENALTY:**

A. A violation of this ordinance shall be deemed a misdemeanor punishable as provided in section 1-4-1 of Bingham County Code.

B. Remedies: In the event any action is taken or any construction or use commenced in violation of the regulations of this chapter, the County, in addition to other remedies, may institute any appropriate action or proceeding to prevent such unlawful action or construction to restrain, correct, or abate such violation, or to prevent any illegal act, conduct, business, or use. (Ord. 2020-10, 12-23-2020)

**8-4-5: REPEAL OF CONFLICTING PROVISIONS:**

All provisions of the former Title 8 of the ordinances of the County of Bingham in its entirety. In addition any ordinances which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. (Ord. 2020-10, 12-23-2020)

**8-4-6: EFFECTIVE DATE:**

This ordinance shall be effective on January 1st, 2021 upon its passage and publication as provided by law. (Ord. 2020-10, 12-23-2020)

**CHAPTER 5**

**BUILDING BOARD OF APPEALS**

SECTION:

**8-5-1: Established**

**8-5-2: Membership**

**8-5-3: Continuation Of Existing Membership**

**8-5-4: Disqualification**

**8-5-5: Procedures**

**8-5-1: ESTABLISHED:**

A. The Board of County Commissioners hereby establishes the Building Board of Appeals, to hear and decide appeals of orders, decisions or determinations made by the Bingham County building official.

B. Members of the Building Board of Appeals shall serve without salary or wage. (Ord. 2020-10, 12-23-2020)

**8-5-2: MEMBERSHIP:**

A. The Building Board of Appeals shall consist of five (5) members appointed by the Board of County Commissioners for a term of four (4) years.

B. The Board of County Commissioners shall appoint two (2) alternate members who shall be called upon by the Building Board of Appeals Chairperson to hear appeals during the absence of or disqualification of a member. Alternate members shall possess the qualifications required for Building Board of Appeals membership and shall be appointed for a term of four (4) years.

C. The qualifications of members shall be as follows:

1. Three (3) of the members shall be registered design professionals with civil engineering, structural engineering, mechanical engineering, geotechnical engineering or architectural experience; provided, however, that no more than two (2) members will be chosen from the same profession.

2. One member shall be a general contractor with at least ten (10) years' experience, five (5) of which shall have been in responsible charge of work.

3. One member of the Building Board of Appeals shall have one of the following qualifications: studying for a degree in construction management plus two (2) years practical construction experience; passed the Fundamentals of Engineering (FE) examination in civil or mechanical engineering plus two (2) years practical civil, structural, geotechnical, or mechanical engineering experience; or possess an Architectural Associate (AA) degree plus two (2) years practical architectural experience.

D. All subsequent vacancies will be filled by appointments for the remainder of the terms.

E. A member must reside in Bingham County during the entire term.

F. Members shall relinquish all voting rights upon the expiration of their terms unless reappointed by the Board.

G. The building official shall be a nonvoting, ex officio member and act as Secretary of the Building Board of Appeals. (Ord. 2020-10, 12-23-2020)

**8-5-3: CONTINUATION OF EXISTING MEMBERSHIP:**

The membership of the Building Board of Appeals shall continue to be those members in office immediately preceding the enactment of this chapter. The terms of such members shall continue until their previously designated time. The enactment of this chapter shall have no effect on the business or membership of the Building Board of Appeals. (Ord. 2020-10, 12-23-2020)

**8-5-4: DISQUALIFICATION:**

A. Members may be recommended for removal to the Board of County Commissioners by a majority vote of the Building Board of Appeals. Cause may include, but is not limited to:

1. Excessive conflicts of interest or continued conflicts of interest which interfere with the member's ability to perform his duties as interpreted by the Board of County Commissioners.
2. False or misrepresenting statements by a member at the time of application and appointment.

B. In the event that a member of the Building Board of Appeals does not attend three (3) consecutive meetings, that person must submit an explanation of the absences to both the Building Board of Appeals and the Board of County Commissioners. The Building Board of Appeals or the Board of County Commissioners, upon examination of the explanation, may require the immediate resignation of that member for a high or inexcusable absentee rate. (Ord. 2020-10, 12-23-2020)

**8-5-5: PROCEDURES:**

A. Application For Appeal: Appeals of an order, decision or determination made by the Bingham County building official shall be filed with the Director of Planning and Zoning and Building Department within fifteen (15) days after the date of the order, decision or determination of the Bingham County building official, or it shall not be accepted. An application and fees, shall be submitted to the Director on forms provided by the Bingham County Planning and Zoning and Building Department.

B. Hearings: Hearings before the Building Board of Appeals shall be public and shall be conducted in accordance with the requirements set forth in title 1, chapter 6 of this Code.

C. Findings: The Building Board of Appeals shall make findings of fact and conclusions of law in writing, stating the decision and the reasons for the decision. The Building Board of Appeals shall sign and render all decisions and findings in writing to the appropriate enforcement official and agency, the appellant, and the building official within fifteen (15) days of the hearing.

D. Rules Of Order: The Building Board of Appeals shall adopt rules of order that are consistent with the laws of the State of Idaho and this Code. The Building Board of Appeals shall file its rules with the Bingham County Recorder and the Board of County Commissioners.

E. Minutes: The Building Board of Appeals shall keep minutes of its proceedings and keep a record of its examinations, findings, decisions and all other official actions.

F. Quorum: A simple majority of the voting members shall be necessary to constitute a quorum. The concurring vote of a majority of a quorum present shall be necessary in order to make a decision on any issue before the Building Board of Appeals. (Ord. 2020-10, 12-23-2020)