

TITLE 10
BUILDING REGULATIONS

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CHAPTER 1
BUILDING CODES

SECTION:

- 10-1-1: Adoption Of Codes by Reference
- 10-1-2: Administration Of Codes
- 10-1-3: Building Permits Required
- 10-1-4: Penalty

10-1-1: **ADOPTION OF CODES BY REFERENCE:**

A. Code Adoption: That the approved editions of the following nationally recognized codes, as adopted by the state of Idaho or the Idaho Building Code Board, are adopted as the official building codes of the City of Salmon, except as provided in Section 2 and 3:

1. Building Code
2. Residential Code, parts 1-1V and IX
3. Energy Conservation Code
4. Fire Code
5. Mechanical Code
6. Fuel Gas Code
7. Uniform Code for the Abatement of Dangerous Buildings, ICBO
8. Uniform Sign Code, ICBO

9. Uniform Building Code Fee Schedule, ICBO

The adopted versions of the foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted or approved by the Idaho Building Code Board effective on the date any such codes are made effective by the Idaho Building Code Board. (amd. Ord. 15-813, 11-19-15)

B. Exemption: Idaho Code 39-4116 (4) agricultural building exemption.

1. Definitions:

a. "Agricultural building" means a structure that is designed and constructed for one or more of the following purposes:

1. Livestock shelters or buildings, including shade structures;
2. Poultry buildings or shelter;
3. Barns;
4. Horticultural structures, including detached production greenhouses and crop protection shelters;
5. Grain Silos
6. Stables

b. "Equipment and machinery used exclusively in agriculture" means farm implements and other equipment and machinery that are used exclusively on land actively devoted to agriculture, and are not used on public highways except as necessary for access to land actively devoted to agriculture.

c. "Land actively devoted to agriculture" means real property meeting the eligibility criteria for appraisal, assessment and taxation as agricultural property as set forth in Idaho Code 63-604.

d. The above definitions shall supersede any definitions of these terms that are contained in the IBC.

(amd. Ord. 15-813, 11-19-15)

2. Exemption from Building Code Requirements: A building that meets the definition of "agricultural building" contained in subsection (1) above shall be exempt from the requirements of the

building codes enumerated in Chapter 41, Title 39, Idaho Code, and the rules promulgated by the Idaho Building Code Board, to the extent such exemption is provided in Idaho code 39-4116, provided that both of the following criteria are met:

- a. The building is used solely for one or more of the purposes listed in subsection (1) (a) above; and
- b. The property on which the building is sited has been determined by the Lemhi County Assessor to be land actively devoted to agriculture.

3. Requirements Applicable to Agricultural Buildings: Notwithstanding any other provision of the Ordinance, the following requirements shall apply to agricultural buildings.

a. An agricultural building shall not be:

1. Used as a place of human habitation.
2. Used as a place of employment where agricultural products are processed, treated, or packaged.
3. Open to use by the public.
4. A shop and/or machinery repair building.
5. A garage or building used for storage of personal use vehicles and/or vehicles licensed for use on public roads.
6. Sheds that are connected to public utilities and/or on permanent foundations that are used as shop or garages.

b. All agricultural buildings shall conform to the minimum placement standards established pursuant to the Salmon Development Code.

c. All agricultural buildings shall conform with the minimum snow, wind, frost, seismic, and all other engineering requirements of the code for safety reasons.

d. the owner of and agricultural building shall obtain a site permit for the building from the Salmon Building Department.

C. 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.

- D. **Repeal of conflicting Provisions:** All provisions of Ordinance 99-606 of the City of Salmon and all other Ordinances or parts of Ordinances which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. Exception: The “Salmon Development Code” is not repealed, nor any part of it, and it shall take precedence over this Ordinance. (Ord. 02-648, 2-05-2003)
- E. **Copies on File:** Three (3) copies, paper or electronic, of said Codes, as adopted in subsection A above, shall be and remain on file in the office of the Building Department for use and examination by the public. (1995 Code, amd. Ord. 15-813, 11-19-15)

10-1-2: **ADMINISTRATION OF CODES:** The administration of said Codes and related ordinances herein or hereafter adopted shall be carried out by such person or agency as the City Council may, by resolution or ordinance, designate. (1995 Code)

10-1-3: **BUILDING PERMITS REQUIRED:** Unless exempted by the Building Code, no person shall erect, construct, enlarge, alter, repair, improve, remove, convert or demolish any building or structure within the City without first obtaining a building permit, which permit shall be the evidence of the authority of said person to commence construction. Such permit shall be issued only upon payment of the required fees and upon authorization of the person or agency designated to administer the Code and this Chapter. (1995 Code; amd. 2007 Code, amd. Ord. 09-735, 3-04-2009)

10-1-4: **PENALTY:** Unless otherwise prescribed, violations of this Chapter or the various Codes as herein adopted constitute an infraction and shall be subject to penalty as provided in Section 1-4-1 of this Code. In addition to such penalties or in lieu thereof, at the election of the City, any or all City utilities services, including electricity, water, sewage and garbage disposal, may be denied or terminated to any new construction of a structure for which the building permit herein required has not been obtained. (1995 Code)