

BY THE COUNCIL: BEAUMONT, HIGGINS, MITCHELL, AND SOUZA

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING GARDEN CITY CODE TITLE 7 (“BUILDING REGULATIONS”) TO UPDATE THE BUILDING CODE, THE FIRE CODE, AND THE PLUMBING CODE; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GARDEN CITY, IDAHO:

SECTION 1. That Title 7, Chapter 1, Section 1 (“Purpose”), Garden City Code, be, and the same is hereby amended to read as follows:

7-1-1: PURPOSE AND CODES ADOPTED:

- A. The purpose of this title is to provide certain minimum standards and requirements to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, erection, alteration, moving, demolition, quality of materials, use and occupancy, location and maintenance of all buildings and structures in the city. Administrative matters relating to this title, which are not otherwise delegated to the development services director, may be adopted by resolution of the city council.
- B. That the following recognized codes, as currently adopted by the State of Idaho, are the official building codes of the City of Garden City. The adopted versions of the foregoing codes shall be effective January 1, 2018, unless a different date is required by state statute. The foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted or approved by the State of Idaho effective on January 1 of the year following the date any such codes are made effective for the state, unless a different date is required by state statute:
1. Idaho State Plumbing Code (ISPC)
 2. International Building Code (IBC)
 3. International Energy Conservation Code (IECC) (Commercial provisions)
 4. International Energy Conservation Code (IECC) (Residential provisions)
 5. International Existing Building Code (IEBC)
 6. International Fire Code (IFC)
 7. International Fuel Gas Code (IFGC)
 8. International Mechanical Code (IMC)
 9. International Residential Code (IRC) parts I, II, III, IV and IX
 10. National Electrical Code (NEC)

C. The City of Garden City has also amended selected provisions of this title through administrative process, when such amendments establish an equivalent level of protection to that of the adopted building code(s), or result from a finding that good cause exists for such an amendment to such code(s) and that such amendment is reasonably necessary.

SECTION 2. That Title 7, Chapter 2, Section 1, Subsection A (“Code Adopted”), Garden City Code, be, and the same is hereby amended to read as follows:

Code Adopted: All rules, regulations and ordinances of a general and permanent character relating and applying to and regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures as said rules, regulations and ordinances are printed and contained in code form designated and entitled "International Building Code" (IBC), ~~2012 Edition,~~ and the "International Residential Code" (IRC), ~~2012 Edition,~~ Parts I through IV and IX, and "International Existing Building Code" (IEBC) be and the same hereby are ratified and adopted as the building code of Garden City and as ratified and adopted shall be the rules and regulations and ordinances governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures within the city. ~~All provisions in this chapter shall be effective as of January 1, 2015.~~

SECTION 3. That Title 7, Chapter 2, Section 2 (“International Building Code Amendments”), Garden City Code, be, and the same is hereby amended to read as follows:

The International Building Code, ~~2012 Edition,~~ prepared by the International Code Council, Inc., as adopted by the state of Idaho or the Idaho Building Code Board, together with any amendments or revisions to the International Building Code made by the Idaho Building Code Board through the negotiated rulemaking process, is adopted with the following amendments:

SECTION 4. That Title 7, Chapter 2, Section 2, Subsection F. (“Section 102.6 Existing Structures”), Garden City Code, be, and the same is hereby amended to read as follows:

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

SECTION 5. That Title 7, Chapter 2, Section 3 (“International Residential Code Amendments”), Garden City Code, be, and the same is hereby amended to read as follows:

The International Residential Code, ~~2012 Edition~~, Parts I through IV and IX, prepared by the International Code Council, Inc., as adopted by the state of Idaho or the Idaho Building Code Board, together with any amendments or revisions to the International Residential Code made by the Idaho Building Code Board through the negotiated rulemaking process, is adopted with the following amendments:

SECTION 6. That Title 7, Chapter 2, Section 5, Subsection B. (“Exemptions and Permits”), Garden City Code, be, and the same is hereby amended to read as follows:

1. With the exception of the section 108, Temporary Structures, of the 2012 International Building Code regulating temporary structures, temporary structures located and used for the purpose of performing air quality auto emission tests shall be exempt from the building regulations contained in this chapter. The time limitations set for ~~in section 108~~ shall also not apply to these structures. All other building regulations contained in this title shall be in full force and effect if applicable.

SECTION 7. That Title 7, Chapter 3, Section 1 (“International Fire Code”), Garden City Code, be, and the same is hereby amended to read as follows:

A. Code Adopted: All rules, regulations and ordinances of a general and permanent character relating to and applying to conditions hazardous to life and property from fire or explosion, said rules, regulations and ordinances are printed and contained in a book in code form designated and entitled the International Fire Code, ~~2012 Edition~~, including all amendments as adopted by state of Idaho law with local fire district amendments, printed and published under the authority of the International Code Council, be and the same hereby is ratified and adopted in its entirety as the fire code for the city.

B. Alternate Provisions: Amendments to the International Fire Code, ~~2012 Edition~~, pertaining to development or redevelopment design standards as adopted by North Ada County Fire and Rescue District ~~the city of Boise, Idaho, in title 7 of the Boise City Code~~ shall be utilized as the design standard criteria for new and redevelopment in the city of Garden City.

C. Code On File: A copy of the ~~2012-International Fire Code~~ shall be retained by the city and shall be filed in the office of the city clerk in accordance with Idaho Code section 50-901 for use and examination by the public.

SECTION 8. That Title 7, Chapter 4, Section 1 (“Idaho State Plumbing Code”), Garden City Code, be, and the same is hereby amended to read as follows:

A. Code Adopted: All rules, regulations and ordinances of a general and permanent character relating to and applying to the installation, construction, alteration or repair of plumbing and drainage systems, said rules, regulations and ordinances printed and contained in a book in code form designated and entitled the Idaho State Plumbing Code, ~~including Chapter 13, Medical Gas, based on the 2009 Edition of the Uniform~~

~~Plumbing Code, printed and published under the authority of the International Association of Plumbing and Mechanical Officials, as adopted by the state of Idaho in Idaho Code title 54, chapter 26, together with rules and regulations as adopted by the state of Idaho, be and the same hereby is ratified and adopted as the plumbing code for the city, except as said rules, regulations and ordinances are changed, altered and amended by this section.~~

B. Code On File: A copy of the Idaho State Plumbing Code ~~based on the 2009 Uniform Plumbing Code~~ shall be retained by the city and shall be filed in the office of the city clerk in accordance with Idaho Code section 50-901 for use and examination by the public.

SECTION 9. All ordinances of the City of Garden City that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 10. That the Summary of the Ordinance, attached hereto as Exhibit A, is hereby approved as to both form and content.

SECTION 11. This ordinance shall be in full force and effect on January 1, 2018, and from and after passage, approval, and publication.

PASSED by the City Council and **APPROVED** by the Mayor of Garden City, Idaho, this 26th day of February, 2018.

ATTEST:


Lisa M. Leiby, City Clerk

APPROVED:

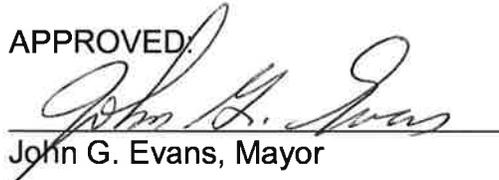

John G. Evans, Mayor

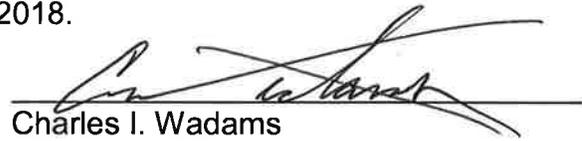


EXHIBIT "A"

**STATEMENT OF GARDEN CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 995-18**

The undersigned, Charles I. Wadams, in his capacity as City Attorney of the City of Garden City, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. 995-18 of the City of Garden City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this 22nd day of Feb, 2018.


Charles I. Wadams
City Attorney

**SUMMARY OF ORDINANCE NO. 995-18
OF THE CITY OF GARDEN CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Garden City, Idaho, adopted at its regular meeting of February 26, _____, 2018, that Ordinance No. 995-18 entitled:

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING GARDEN CITY CODE TITLE 7 ("BUILDING REGULATIONS") TO UPDATE THE BUILDING CODE, THE FIRE CODE, AND THE PLUMBING CODE; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This ordinance updates Garden City's building regulations. Updates to the code include clarification that recognized codes, as currently adopted by the State of Idaho, are generally the official building codes of the City of Garden City, and are effective January 1 of the year following the date any such codes are made effective by the state, unless a different date is required by state statute. Any such codes shall be superseded by successive versions of those codes, as they are adopted by the State of Idaho.

The ordinance clarifies that administrative matters relating to Garden City's building regulations, which are not otherwise delegated to the development services director, may be adopted by resolution of the city council. The ordinance also clarifies that Garden City has also amended selected provisions of the building regulations title through administrative process, when such amendments establish an equivalent level of protection to that of the adopted building code(s), or result from a finding that good cause exists for such an amendment to such code(s) and that such amendment is

reasonably necessary. The ordinance updates the building code, the fire code, and the plumbing code, provides for severability, and repeals any conflicting ordinances.

The effective date of the ordinance is January 1, 2018, and the date of its passage, approval, and publication. A copy of the full text of the ordinance is available at the city clerk's office, 6015 N. Glenwood Street, Garden City, Idaho 83714. Examination may be requested in writing or in person during regular business hours of the city clerk's office, from 8:00 a.m. until 5:00 p.m., pursuant to Section 50-901A(4), Idaho Code.

DATED this 26th day of February, 2018.

ATTEST:


Lisa M. Leiby, City Clerk

CITY OF GARDEN CITY, IDAHO:


John G. Evans, Mayor



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
264046	0003548753	LEGAL NOTICE EXHIBIT A STATEMENT OF G,	ORD 995-18	\$135.44	2	74

Attention: LISA LEIBY

GARDEN CITY CITY OF
6015 GLENWOOD ST
GARDEN CITY, ID 837141347

LEGAL NOTICE

**EXHIBIT "A"
STATEMENT OF GARDEN CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 995-18**

The undersigned, Charles I. Wadams, in his capacity as City Attorney of the City of Garden City, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. 995-18 of the City of Garden City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).
DATED this 22nd day of February, 2018.
Charles I. Wadams
City Attorney

**SUMMARY OF ORDINANCE NO. 995-18
OF THE CITY OF GARDEN CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Garden City, Idaho, adopted at its regular meeting of February 26, 2018, that Ordinance No. 995-18 entitled:

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING GARDEN CITY CODE TITLE 7 ("BUILDING REGULATIONS") TO UPDATE THE BUILDING CODE, THE FIRE CODE, AND THE PLUMBING CODE; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; IMPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This ordinance updates Garden City's building regulations. Updates to the code include clarification that recognized codes, as currently adopted by the State of Idaho, are generally the official building codes of the City of Garden City, and are effective January 1 of the year following the date any such codes are made effective by the state, unless a different date is required by state statute. Any such codes shall be superseded by successive versions of those codes, as they are adopted by the State of Idaho.

The ordinance clarifies that administrative matters relating to Garden City's building regulations, which are not otherwise delegated to the development services director, may be adopted by resolution of the city council. The ordinance also clarifies that Garden City has also amended selected provisions of the building regulations title through administrative process, when such amendments establish an equivalent level of protection to that of the adopted building code(s), or result from a finding that good cause exists for such an amendment to such code(s) and that such amendment is reasonably necessary. The ordinance updates the building code, the fire code, and the plumbing code, provides for severability, and repeals any conflicting ordinances.

The effective date of the ordinance is January 1, 2018, and the date of its passage, approval, and publication. A copy of the full text of the ordinance is available at the city clerk's office, 6015 N. Glenwood Street, Garden City, Idaho 83714. Examination may be requested in writing or in person during regular business hours of the city clerk's office, from 8:00 a.m. until 5:00 p.m., pursuant to Section 50-901A(4), Idaho Code.

DATED this 26th day of February, 2018.
ATTEST: Lisa M. Leiby, City Clerk
CITY OF GARDEN CITY: John G. Evans, Mayor

Pub. Mar. 3, 2018

0003548753-01



JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

1 Insertions

Beginning issue of: 03/03/2018

Ending issue of: 03/03/2018

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 13th day of March in the year of 2018 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Anna Gomm
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 08/12/2022