

**CITY OF CLARK FORK, IDAHO**  
**BUILDING CODE ORDINANCE**  
**NO. 193**

AN ORDINANCE OF CITY OF CLARK FORK, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, PROVIDING FOR BUILDING CODE ADMINISTRATION, ADOPTING STANDARDIZED CONSTRUCTION CODES TO REGULATE BUILDING CONSTRUCTION, ADAPTING THOSE STANDARDIZED CODES FOR APPLICATION IN BONNER COUNTY, ESTABLISHING PROCEDURES FOR AUTHORIZING INSTALLATION OF NEW ELECTRIC SERVICES, PROVIDING FOR MINIMUM SERVICE REQUIREMENTS FOR CONSTRUCTION OF BUILDINGS, PROVIDING FOR THE ISSUANCE OF MANUFACTURED HOME SETTING PERMITS, PROVIDING FOR CRIMINAL PENALTIES AND CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE STANDARDIZED CODES AND THIS ORDINANCE, PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE, PROVIDING FOR THE REPEAL OF EXISTING ORDINANCES, PROVIDING AN EFFECTIVE DATE AND FOR PUBLICATION THEREOF.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the city of Clark Fork, Idaho:

**SECTION 1.0 ADMINISTRATION**

The Building Official, as appointed by the Mayor and Council shall be empowered to enforce the provisions of this Ordinance. The Building Official and Inspectors shall be subject to certification requirements as set forth in Idaho Code 39-4108. Certification must be obtained within one (1) year of his/her employment as a Building Inspector.

**SECTION 2.0 ADOPTION OF BUILDING CODES**

City of Clark Fork hereby adopts the following Building codes and standards, or their revised editions and shall enforce them with regard to all construction and development in the incorporated areas of Clark Fork.

- A. THE UNIFORM BUILDING CODE, 1991, and the appendices thereto, published by the International Conference of Building Officials.
- B. THE UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS, 1991, published by the International Conference of Building Officials.

- C. **THE UNIFORMED MECHANICAL CODE, 1991**, and the appendices thereto, published by the International Conference of Building Officials.
- D. **THE UNIFORM BUILDING CODE STANDARDS, 1991**, published by the International Conference of Building Officials.
- E. **THE UNIFORM FIRE CODE, 1991**, published by the Western Fire Chiefs Association and the International Conference of Building Officials.
- F. **THE UNIFORM FIRE CODE STANDARDS, 1991**, published by the Western Fire Chiefs Association and the International Conference of Building Officials.
- G. **THE LIFE SAFETY CODE, NFPA 101, 1991 edition**, published by the National Fire Protection Association.
- H. **NORTHWEST ENERGY CODE, 1990 edition**, published by the Bonneville Power Administration and its Appendix Chapters and the Standards as listed in Chapter 7 of said code.

**SECTION 3.0 ADAPTATION OF UNIFORM CODES**

The following terms, conditions, and provisions shall be incorporated into the Codes identified in Section 2.0 of this Ordinance and shall be enforced as part of said codes.

- A. Section 307 (a), Uniform Building Code revised to read as follows:

**Use and Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a Certificate of Occupancy therefore as provided herein.

**Exception:** Group M Occupancies

B. Section 301 (b)1., Uniform Building Code, add the following:

12. Building permits shall not be required for any structure designed or constructed solely for the purpose of housing hay, grain, poultry, livestock, horticultural products, or equipment when used for the uses listed above and by the owner, and constructed on the owner's property. This structure shall not be a place of human habitation; or a place of employment; or where products are erected, constructed, enlarged, improved, converted, demolished, process seed, treated, or packaged for sale; nor shall it be a place used by the public.

C. Any reference in the standardized codes to mayor, council, or governing body shall also be deemed to refer to the Board of County Commissioners of Bonner County.

D. Any reference in the Uniform Fire Code as adopted herein, to the Chief of the Fire Department or the Chief shall be deemed to also refer to the Building Official.

E. Chapter 70 and 53 of the Appendix of the Uniform Building Code shall be deleted.

F. Articles 4 and 10 of the Uniform Fire Code shall be deleted.

G. Any reference within the Northwest Energy Code or its Appendix and Standards to electricity, electric energy, energy or new energy, shall also apply to all other fuels used to supply heat.

H. Section 101.3.1.3 of the Northwest Energy Code shall be deleted.

I. Section 101.3.1.2 of the Northwest Energy Code shall be revised to read as follows:

101.3.1.2 For all occupancies as listed within Table 5A of the Uniformed Building Code except for Group R occupancies.

#### SECTION 4.0 MANUFACTURED HOME SETTING PERMITS

Although actual construction standards for manufactured homes are enforced by the Idaho Department of Labor and Industrial Services, placement of a manufactured home within the incorporated areas of Clark Fork shall require a building permit. To obtain a building permit for a manufactured home the applicant shall supply information identical with that required from one seeking to build a dwelling on site. All manufactured homes which are not to be placed upon a permanent foundation shall be skirted in accordance with standards established by the Building Official prior to final approval for occupancy.

#### SECTION 5.0 ENERGIZING AUTHORIZATION

No person shall energize a new electric service or set an electric meter for a structure for which a permit is required by this Ordinance or install construction power to assist in the construction of a structure for which a permit is required by this Ordinance until the required building permit application has been approved. The serving electric utility shall not initiate service until it receives an "Energizing Permit" that has been approved and issued by the Building Official. The utility company shall then be permitted to provide connection or energizing to the use specified and shall validate the Energizing Permit by recording the hook-up date and official signature and then return the card to the Building Department where it will be kept on file.

#### SECTION 6.0 SEWAGE DISPOSAL APPROVAL

No building permit shall be issued for the construction of any structure designed for human habitation or requiring sewage disposal in Clark Fork unless approval has first been obtained from the Regional Health District Official or the Sewer District, and a copy of the approval is submitted with the building permit application.

#### SECTION 8.0 PENALTIES AND REMEDIES

The primary purpose of this Ordinance shall be to maintain compliance with the standardized codes adopted to protect the health, safety, and welfare of the public. To that end, the Building Official may seek to use such of the following remedies as may be appropriate to see that these Ordinance provisions are enforced:

- A. Any person who violates any provisions of this Ordinance, or of the standardized codes adopted pursuant to this Ordinance is guilty of a misdemeanor and, upon conviction, shall be fined not more than Three Hundred Dollars (\$300) or incarcerated in the County Jail for not more than one hundred eighty (180) days or by both such fine and imprisonment.
- B. A separate violation is deemed to have occurred with respect to each building or structure not in compliance with the codes adopted herein. Each day such violation continues constitutes a separate offense.
- C. The Building Official, with the assistance of the Office of the Prosecuting Attorney, may seek equitable relief from a court of competent jurisdiction to restrain conduct in violation of this Ordinance or to compel performance of duties established by this Ordinance. Said equitable remedies may be sought in addition to criminal penalties.
- D. The assessment of Investigation Fees as provided in the Uniform Building Code, 1988 Edition, Section 304(e), shall apply to Mobile Manufactured Home setting permits.

#### **SECTION 9.0 SEVERABILITY**

If any part of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect. To this end, the provisions of this Ordinance shall be severable.

#### **SECTION 10.0 REPEAL**

All city ordinances pertaining to building codes and construction are hereby repealed upon publication of this Ordinance.

SECTION 11.0 PUBLICATION

This Ordinance shall be in full force and effect from and after its publication in one issue of the Sandpoint Daily Bee, a newspaper of general circulation in Bonner County.

DATED this 18th day of September 1991.

ATTEST:

MAYOR, CITY OF CLARK FORK

Elizabeth Parenti  
City Clerk

Ambrose V. Martinosky  
Ambrose Martinosky, Mayor