ORDINANCE NO. 2004-02

AN ORDINANCE OF THE COUNTY OF BUTTE, STATE OF IDAHO, REQUIRING THE ISSUANCE OF BUILDING PERMITS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; SETTING FORTH THE REQUIREMENTS FOR OBTAINING A BUILDING PERMIT; EXPIRATION; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; ESTABLISHING INITIAL BUILDING PERMIT FEES AND FUTURE MODIFICATION OF BUILDING PERMIT FEES; PROVIDING FOR THE COLLECTION OF BUILDING PERMIT FEES; PROVIDING AN EFFECTIVE DATE.

The Butte County Board of Commissioners hereby establishes minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment specifically regulated herein; therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BUTTE, STATE OF IDAHO:

Section 1. Building Permit Requirement: It shall be unlawful for any individual person, association, partnership, company, firm, corporation or any entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert, equip, use, occupy or maintain any building or structure or cause or permit the same to be done without first obtaining a building permit.

Section 2. Penalties: Unless otherwise prescribed, a violation of this ordinance is a misdemeanor and shall be punished by fine not exceeding three hundred dollars, imprisonment for a term not exceeding six months, or both such fine and imprisonment for each day of the violation.

Section 3. Requirements for Obtaining Building Permit:

A Building Permit may be issued after:

a. The construction plans and application have been reviewed and approved by the building official, and

b. The appropriate fees paid.

c. A Building Permit shall not be issued without the construction plans being prepared by an Idaho licensed Engineer or Architect, except as follows:

1. Dwellings and Lodging houses (Code Occupancy Group R, Division 3) of two stories or less, and/or

2. Private garages, carports, sheds and Agricultural Building (Code Occupancy Group U, Divisions 1, except Code Section 101.3)

Idaho licensed Engineer or Architect must certify that their plans meet the current Uniform Building Code adopted by ordinance, all local ordinances, and that the county's plan checking and field inspection does not relieve them from the responsibility of the contents of their plans.

Construction plans exempted from being prepared by an Idaho licenses Engineer or Architect as listed above, shall be plan checked by the building officer and appropriate fee collected. Plan checks are for compliance to ordinances, Uniform Building Code, prescriptive engineering designs, and engineered members such as trusses and wooden I-beams.

d. A certificate of compliance is obtained from the Butte County Weed Department stating that the property upon which the permit is required is compliance with all state and local laws, ordinances, rules and regulations regarding weed control. In the alternative, the person desiring a permit must obtain a letter from the Butte County Weed Department stating active efforts are being made to bring the property upon which the permit is required into compliance with all state and local laws, ordinances, rules and regulations regarding weed control.

e. A Build Permit is not required (but electrical & plumbing permits may be) for:

1. Re-roofing, or
2. Storage sheds less than 200 sq ft, or
3. Signs (as permitted by ordinance), or
4. Single purpose Agricultural Buildings, or
5. As determined by the Building Official
6. As determined by the Butte County Commissioners

Section 4. Expiration: Every permit issued pursuant to this ordinance shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official for Butte County is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and for justifiable cause demonstrated.

Section 5. Repeal of Conflicting Provisions of Ordinances: All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Severability: If any section, subsection, sentence, clause or phrase of this ordinance is,

for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The County Commissioners hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 7. Initial Building Permit Fees: Butte County adopts the following initial fee schedule:

BUILDING PERMIT FEES

TOTAL VALUATION		FEE
FROM	TO	BASIC FEE
$1	$500	$12.30
$501	$2000	$12.30 for first $500 $ 1.64 each additional $100
$2000	$25,000	$36.98 for first $2000 + $ 7.38 each additional $1000
$25,001	$50,000	$206.64 for first $25,000 + $ 5.33 ea. additional $1000
$50,001	$100,000	$339.80 for first $50,000 + $ 3.69 ea. additional $1000
$100,000	$500,000	$524.39 for first $100.00 + $ 2.87 ea. additional $1000
$500,000	$1,000,000	$1672.39 for 1st $500,000 + $ 2.46 ea. additional $1000
$1,000,000	AND UP	$2902.39 for 1st $1,000,000 + $ 1.64 ea. additional $1000

OTHER INSPECTIONS AND FEES

TYPE OF INSPECTION	FEE
Inspections outside of normal business hours (9:00 A.M. to 5:00 P.M.) (minimum charge one-half hour)	$47 per hour
Reinspection fees assessed under provisions of section 305 (g)	$47 per hour
Inspections for which no fee is specifically indicated (minimum charge one-half hour)	$47 per hour
Inspections for which no fee is specifically indicated (minimum charge one-half hour)	$47 per hour
Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour)	$47 per hour

Plan check fee for Commercial Project	65% of Building Fee

EXCEPTIONS

TYPE OF EXCEPTION	FEE
Fence Permit Fee	$7
Portable Signs	$12
Manufactured or Mobile Home	????

VALUATION

Valuation used to determine the Building Permit fee shall be based on the contractors certified price for construction, or as follows.

Residential

Living Space* = $47.00 sq ft (Wood) - $53.00 (Masonry)

Unfinished Space = $10.00 sq ft (basements, etc.)

Garage - $15.00 sq ft (Wood) - $219.00 sq ft (Masonry)
$11.00 sq ft (Open Car Port)

Air conditioning - add $2.50 sq ft &

Fireplace - add $1500

All Others

See Building Valuation Data page - ICBO's Building Standards monthly magazine use applicable Regional Modifier.

Section 8. Revision of Fees: Fees may be, from time to time, revised, changed, modified or established by resolution of the Board of Butte County Commissioners.

Section 9. Effective Date: This ordinance shall be effective upon its passage and publication as provided by law.

Enacted by the Board of County Commissioners as an ordinance of the County of Butte on the 27 day of Sept., 2004.

Chairman
Board of Butte County Commissioners

ATTEST:

County Clerk