



ORIGINAL  
COPY

ORDINANCE # 2007-02

**BUILDING PERMIT REQUIREMENTS, AND PERMIT FEES.**

**AN ORDINANCE OF BOISE COUNTY PROVIDING FOR THE REQUIREMENT FOR A BUILDING PERMIT; EXEMPTIONS; PERMIT FEES; PERMIT REVOCATION; EXPIRATION OF PERMIT; APPEALS; PENALTY AND VIOLATION; CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLETION; AND EFFECTIVE DATE.**

THIS ORDINANCE WILL REPEAL ORDINANCE #2005-03 WHEN IT BECOMES EFFECTIVE,

BE IT ORDAINED BY THE BOISE COUNTY BOARD OF COMMISSIONERS THAT:

**SECTION 1: Definitions:**

A. **Building/Structure** – Any building intended for human habitation.

B. **Detached Out-Building** – Outbuildings as defined herein are structures that are not intended for human habitation and are accessory to the primary single-family residence structure or are agricultural in nature. Outbuildings shall be a minimum of 6 feet from any residential, commercial or public building and shall not pose any threat to any other building or structure in the event of structural collapse

C. **Property Owner** – The person(s) who is shown as owner of record in the county Recorder and Assessor Offices.

D. **Major Structural Modification** – Modifications that impact the earthquake, snow load, wind shear, or structural integrity of the building.

E. **Commercial/Civic Building** – Any building or structure which is not considered a single family residence, which is used for the public or by the public, where there is an assumption that safe construction standards have been followed.

F. **Administrator:** The Planning and Zoning Administrator, or his/her designated representative, shall apply and enforce the provision of this ordinance.

**SECTION 2: Building Permit Required:** It is unlawful for any person, firm or corporation to erect, construct, install any building, structure, or manufactured/mobile home or make any major structure modification as defined, to a building or structure without first obtaining from Boise County a building permit which said permit is the authority to commence construction or installation.

Commercial/Civic Buildings must be constructed according to building codes as adopted in Idaho Code Title 39, Chapter 41. The applicant is required to hire a state certified inspector to perform all of the inspections and certifications as required according to

code. Boise County must receive certified copies of all inspection reports prior to issuance of an occupancy certificate or final inspection.

**SECTION 3: Exemption:** Uninhabited Structures less than two hundred (200) square feet in size do not require Building Permits and are exempt from this Ordinance. Inhabited structures less than two hundred (200) square feet shall require a building permit as defined above.

**SECTION 4: Permit Fees:** Except as otherwise specified, all building permit fees shall be set by resolution of the Board of Commissioners. Permit fees are non-refundable except as approved by the Board of County Commissioners.

**SECTION 5: Application:** Application for Building Permits shall be on forms as determined by the Administrator, and the applicant shall be required to produce an approved Central District Health Permit for the project and compliance with the County Flood Prevention Ordinance.

**SECTION 6: Permit Revocation:** In case of violation of any of the provisions, or any uncorrected inspection discrepancies identified by a Certified Building Inspector (contracted by the county or applicant), or further regulations of the County, by any person holding a required permit and after such violator has been given written notice of such violation and has failed to correct the violation within the time specified in the notice, the County, or their authorized representative, may declare the permit revoked and shall not be issued another permit until said violation has been corrected. Any revocation may be appealed to the Board of Commissioners within fifteen (15) days from the date notice of revocation is given to permittee.

**SECTION 7: Expiration/Revocation of Permit:** Every permit issued by the provisions of this ordinance shall expire by limitation, and become null and void, if work on the proposed project is not commenced within one hundred eighty (180) days from the date of issuance of the permit. Once the Applicant commences work on the project, work must progress at a reasonable rate of at least twenty five percent 25% per year as determined by the Administrator. Activity for which the building permit was issued shall be completed within four (4) years of the date of issuance for the permit. The Administrator shall revoke the permit of any Applicant who fails to progress on the work of their proposed project at a reasonable rate, or suspends or abandons the work authorized by the permit at any time for a period of three hundred sixty five (365) days. Should the applicant disagree with the Administrator's decision that a reasonable amount of work has not occurred, the applicant at his/her own expense may order an independent inspection from a State Certified Building Inspector to verify compliance with this section; if the Inspector confirms the Administrator's finding of non-compliance, a new permit shall be required.

**SECTION 8: Penalty and Violation:** Violations of this Ordinance are a misdemeanor and may be punishable as provided by Idaho Code. A misdemeanor shall be punishable by a fine not to exceed \$300 and/or imprisonment for a period not to exceed 180 days. Each separate instance or day of violation shall constitute a separate offense.

Enforcement of the provisions of this ordinance may also be accomplished by undertaking civil action in a court of competent jurisdiction. Discovery of violations to the provisions of this ordinance may be initiated through complaints received by the Boise County Code Enforcement Officer. Upon investigation and written notice to the property owner of a violation, should a disregard to the provision of this ordinance continue, in addition to criminal and/or civil measures described above, the Administrator may, upon final application for the permit, double the Building Permit fee, established by resolution of the Board of County Commissioners.

**SECTION 9: Certificates of Occupancy and Letters of Completion:** If the applicant requires a Certificate of Occupancy from the County, the County will require a certification of plan review and certification that the structure has been built to state adopted codes provided by a certified inspector, contracted by the county, prior to issuance. If the applicant requires a Letter of Completion on a manufactured/mobile home from the County, the County will require a certification of Completion provided by a certified inspector, contracted by the County, prior to issuance.

**SECTION 10: Effective Date:** This ordinance shall become effective upon June 1, 2007 and publication by the Board of County Commissioners.

PASSED AND ADOPTED this 7<sup>th</sup> day of May 2007.

BOISE COUNTY COMMISSIONERS

FH Lawson  
Fred Lawson., Chairman

Linda Zimmer  
Linda Zimmer, Commissioner

Terry C. Day  
Terry C. Day, Commissioner

Attest:

Constance Fearing  
Clerk to the Board