

MINUTES OF THE SPECIAL COUNCIL MEETING/HEARING

December 18, 2017

At 6:00 p.m. the meeting was called to order by Mayor Mac Pooler.

A roll call of the Council resulted as follows:

Ron Mercado, present

Terry Douglas, present

Dennis Norris, present

Ron Delcamp, present

Councilmembers Joan Head and Sid Armstrong were absent.

Officers present were:

Mayor Mac Pooler

City Clerk /Treasurer Nila Jurkovich

Building Official Mark Magnus

Councilmember Ron Mercado led the Pledge of Allegiance.

At 6:01 p.m. it was moved by Councilmember Douglas and seconded by Councilmember Mercado to open the public hearing. Motion carried.

Mayor Pooler announced the reason for the special council meeting/hearing was to take public testimony on the proposed building code amendment. Legal notice was in the Shoshone News Press on November 15<sup>th</sup> and all building agencies were provided the thirty day notice also.

For the record Kellogg resident Linda Keso requested and was provided a copy of the proposed ordinance. Ms. Keso was more interested in the land use ordinance that will be coming before the Council at a later date.

No public was present and Council had no questions.

At 6:03 p.m. it was moved by Councilmember Norris and seconded by Councilmember Douglas to reconvene back into regular session. Motion carried.

It was moved by Councilmember Mercado and seconded by Councilmember Douglas to have the proposed ordinance read by title only. Motion carried.

ORDINANCE NO. 592

AN ORDINANCE OF THE CITY OF KELLOGG, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING SECTION 4-1-1 OF THE KELLOGG CITY CODE TO ADOPT THE 2015 VERSION OF THE INTERNATIONAL BUILDING CODE, THE 2015 VERSION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, THE 2015 VERSION OF THE INTERNATIONAL EXISTING BUILDING CODE; PROVIDING FOR SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the city of Kellogg, Shoshone County, Idaho as follows:

**Section 1:** That Section 4-1-1 of the Kellogg City Code shall be amended to add the following:  
4-1-1: ADOPTION OF CONSTRUCTION CODES

A. Effective January 1, ~~2015~~ 2018, the ~~2012~~ 2015 edition of the international building code 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 exceptions or amendments:

Sections 103.2 and 103.3 are deleted.

Section 1905.1.11 Minimum Reinforcement. Add new section 1905.1.11 as follows:

Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specifications) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. All continuous footings will require a minimum of two (2) horizontal reinforcing bars. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade of forty (40).

1. Plan check fee: Shall be set by resolution of the Kellogg City Council.

B. Effective January 1, ~~2015~~ 2018, the ~~2012~~ 2015 international energy conservation code, as prepared and promulgated by the International Conference Of Building Officials, together with any amendments or revisions to the international building code made by the Idaho building code board through the negotiated rulemaking process, along with the later published supplement of such code published by the International Code Council, Inc., is hereby adopted as the international energy conservation code of the city to provide a minimum standard of energy conservation, with the following amendments or exceptions:

1. Minimum Insulation Values: For residential occupancy international energy conservation code compliance, the following insulation values will be determined as minimums used for building components:

- a. Ceiling (flat-R38/vaulted-R-30).
- b. Exterior walls - R-20.
- c. Floors - R-30.
- d. Cantilever floors - R-30.
- e. Slabs - R-10.
- f. Windows 0.35 U-factor.

C. Idaho manufactured home installation standard (IMHIS).

D. American national standard ICC/ANSI A117.1.

E. Effective January 1, 2015, the 2012 edition of the international residential code, and appendices G and H as amended herein, 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:

Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specifications) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. All continuous footings will require a minimum of two (2) horizontal reinforcing bars. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40).

Sections R103.2 and R103.3 are deleted.

F. Effective January 1, ~~2015~~ 2018, the ~~2012~~ 2015 edition of the international existing building code, prepared by the International Code Council, Inc., is adopted with the following amendment:

Sections 103.2 and 103.3 are deleted in their entirety.

## **Section 2: Severability.**

The 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.

## **Section 3: Repeal of Conflicting Provisions.**

All provisions of the current Kellogg Municipal Code or ordinances of the City of Kellogg which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4: Effective Date.**

For the 2015 International Building Code, 2015 International Energy Conservation Code, and the 2015 International Existing Building Code, this ordinance shall be effective January 1, 2018, upon passage and publication as provided by law.

PASSED under suspension of the rules upon which a roll call vote was duly taken and duly enacted as an ordinance of the City of Kellogg, Idaho at a special hearing/meeting of the City Council held on the 18th day of December, 2017, by the following vote, to wit:

**COUNCILMEMBER DOUGLAS - AYE**                      **COUNCILMEMBER DELCAMP - AYE**  
**COUNCILMEMBER MERCADO - AYE**              **COUNCILMEMBER NORRIS - AYE**

Approved by the Mayor on the 18<sup>th</sup> day of December, 2017.

CITY OF KELLOGG

ATTEST:

\_\_\_\_\_  
Mac Pooler, Mayor

\_\_\_\_\_  
Nila Jurkovich, City Clerk

After the reading of the proposed ordinance by title only, it was moved by Councilmember Delcamp and seconded by Councilmember Douglas to pass the proposed ordinance as prepared by the City's attorney, and under the suspension of the rules of reading the proposed ordinance on three separate times.

A roll call vote of the Council resulted as follows:

Douglas-Aye                                      Mercado-Aye  
Norris-Aye                                         Delcamp-Aye

Motion carried.

It was moved by Councilmember Norris and seconded by Councilmember Delcamp to publish Ordinance #592 by summary as written and approved by the City's attorney.

A roll call vote of the Council resulted as follows:

Douglas-Aye                                      Mercado-Aye  
Norris-Aye                                         Delcamp-Aye

Motion carried

There being no further business to come before the Council at this time, it was adjourned at 6:05 P.M. to meet at its regular time of January 10, 2018.

ATTEST:

\_\_\_\_\_  
Mac Pooler, Mayor

\_\_\_\_\_  
Nila Jurkovich, City Clerk/Treasurer