

<p>Recorded at Request of: The City of Albion, Idaho</p> <p>After Recording, Please Return to: The City of Albion Office Attn: City Clerk 225 South Main P.O. Box 147 Albion, ID 83311</p>	<p><b>Instrument # 2021001292</b>  <b>BURLEY, CASSIA, IDAHO</b>  3-5-2021 03:14:48 PM No. of Pages: 7  Recorded for : CITY OF ALBION  <b>JOSEPH LARSEN</b> Fee: 0.00 <i>EV</i>  Ex-Officio Recorder Deputy _____  Index to: ORDINANCE</p> <p>(This area for Recorder's Use Only.)</p>
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**BEFORE THE MAYOR AND CITY COUNCIL  
FOR THE CITY OF ALBION, IDAHO**

**ORDINANCE No. 2021-03-01**

**AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AMENDING ALBION CITY CODE TITLE 4, CHAPTER 1 REGARDING BUILDING CODE, BY REPEALING ALL OF EXISTING CHAPTER 1 AND REPLACING IT WITH A NEW CHAPTER 1 PROVIDING FOR: ADOPTION OF CODES; EFFECTIVE DATE OF ADOPTION AND UPDATES; AMENDMENTS TO ADOPTED CODES; ADOPTION BY REFERENCE / COPY OF CODES ON FILE WITH CASSIA COUNTY CLERK; UNLAWFUL ACTS; BUILDING INSPECTOR / FEES; PERMIT ISSUED; EXEMPTIONS; PENALTY; SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND EFFECTIVE DATE.**

WHEREAS, the Mayor and City Council conduct regular review of City ordinances and policies; and

WHEREAS, the state of Idaho adopted a new State Building Code in 2020;

WHEREAS, the City adopts the same codes as adopted by the State and by Cassia County, in order to allow for enforceability thereof regarding applying current building codes on structures within the municipal boundaries.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:

Section 1. That Title 4, Chapter 1, Albion City Code, be, and hereby is repealed in its entirety.

Section 2. That the new Title 4, Chapter 1, Albion City Code, as attached hereto as Exhibit A, and being hereby incorporated by reference, and containing three (3) pages is hereby adopted as the law regarding Building Code in and for the City of Albion, Idaho, from and after January 1, 2021.

Section 3. The provisions of this ordinance are severable, therefore, should any section or portion thereof be declared invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall continue in full force and effect.

Section 4. This ordinance specifically repeals any ordinance of the City of Albion that is in conflict herewith.

Section 5. This ordinance shall take effect *nunc pro tunc* January 1, 2021, and be in full force from and after its required reading, passage, approval and publication.

Section 6. The members of the City Council, by motion and vote and pursuant to Idaho Code § 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance, by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval and publication.

**PASSED** this 2nd day of March, 2021, *nunc pro tunc* 1<sup>st</sup> day of January, 2021, by the City Council of the City of Albion, Idaho.

**APPROVED** this 2nd day of March, 2021, *nunc pro tunc* 1<sup>st</sup> day of January, 2021, by the Mayor of the City of Albion, Idaho.

City of Albion, Idaho

ATTEST:

By:

Isaac Loveland, Mayor



Mary Yeaman  
Mary Yeaman, City Clerk

CLERK'S CERTIFICATION

I, Mary Yeaman, the duly appointed Clerk for the City of Albion, Idaho do hereby certify that the foregoing document is a true and correct copy of Ordinance No. 2021-03-01, adopted by the Mayor and City Council of Albion, Idaho, on the 2nd day of March, 2021 and that the original of said document is in my possession as part of the permanent minutes of the City Council of the City of Albion, Idaho.

Dated this 2nd day of March, 2021.

Clerk of the City of Albion, Idaho

  
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Mary Yeaman, Clerk

TITLE 4 CHAPTER 1

BUILDING CODE

SECTION:

- 4-1-1: Adoption of Codes
- 4-1-2: Effective Date of Adoption and Updates
- 4-1-3: Amendments to Adopted Codes
- 4-1-4: Adoption by Reference / Copy of Codes on File with Cassia County Clerk
- 4-1-5: Unlawful Acts
- 4-1-6: Building Inspector / Fees
- 4-1-7: Permit Issued
- 4-1-8: Exemptions
- 4-1-9: Penalty
- 4-1-10: Severability
- 4-1-11: Repeal of Conflicting Provisions
- 4-1-12: Effective Date

4-1-1. Adoption of Codes:

The City of Albion, Idaho, hereby adopts and elects to enforce the provisions of the 2018 Edition of the International Building Code (IBC), including appendices E, G, H, and I; adopting Idaho Manufactured Home Installation Current Standard; Adopting the 2018 Edition of the International Residential Code (IRC), including parts I through IV and IX, and including appendices H, J, Q, and S; adopting the 2018 Edition of the International Existing Building Code (IEBC); adopting the 2018 Edition of the International Energy Conservation Code (IECC); adopting the International Fire Code 2018 Edition; adopting the 1997 Uniform Code for Abatement of Dangerous Buildings.

4-1-2. Effective Date of Adoption and Updates:

The adopted versions of the foregoing codes shall be effective January 1, 2021. 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 the 1st day of January the year following the date any such codes are made effective for the state, unless a different date is required by state statute.

4-1-3. Amendments To Adopted Codes:

That the following amendments shall be applicable to the adopted building codes:

- A. To the International Building Code: The State Building Code had an incorrect IDAPA number and is corrected by amending Section 3113.1 to read as follows:

"General. The provisions of this Section shall apply to relocatable buildings. Relocatable buildings manufactured after the effective date of this code shall comply with the applicable provisions of this code; Title 39, Chapter 43, of Idaho Code; and IDAPA 24.39.31. **Exception:** This section shall not apply to manufactured housing used as dwellings.

- B. To the International Residential Code: The State Building Code erroneously refers to the wrong table reference in IDAPA 24.39.30 Section 004.02.q, which provision shall read as follows:

*"q. Delete Tables 403.4 Minimum Depth (D) and Width (W) of Crushed Stone Footings (inches), R403.1(1) Minimum Width and Thickness for Concrete Footings for Light-Frame Construction (inches), R403.1(2) Minimum Width and Thickness for Concrete Footings for Light-Frame Construction and Brick Veneer (inches), and R403.1(3) Minimum Width and Thickness for Concrete Footings with Cast-in-Place of Fully Grouted Masonry Wall Construction (inches)."*

#### 4-1-4. Adoption by Reference / Copy of Codes on File with Cassia County Clerk:

One copy each of the following: 2018 International Building Code, 2018 International Residential Code, Idaho Manufactured Home Installation Current Standard, 2018 International Existing Building Code, 2018 International Energy Conservation Code, 2018 International Fire Code, and 1997 Uniform Code for Abatement of Dangerous Buildings, are hereby adopted by reference, pursuant to provision of Idaho Code Section 50-901. Inasmuch as the City has appointed the Cassia County Building Inspector as the City's Building Inspector (Albion City Code Section 4-1-6), the City hereby adopts the County Clerk's certification of national supplemental codes as listed herein, and as are on file with the County Clerk in satisfaction of this requirement for the use and examination of the public.

#### 4-1-5. Unlawful Acts:

It shall be unlawful to erect, construct, enlarge, alter, repair, move, remove, convert, demolish, or maintain buildings or structures in violation of, or without complying with the rules, regulations, and ordinances set forth by the Codes listed in Section 4-1-4, hereinabove, as herein adopted and as may be changed, altered, or amended by the each of those respective Codes.

#### 4-1-6. Building Inspector / Fees:

The Cassia County Building Inspector is hereby appointed as the Building Inspector for the City and such inspector shall issue all permits for construction within the limits of the City and shall charge fees therefor based upon the same rates as charged by the County of Cassia for such permits. All fees collected by the Building Inspector shall be kept and maintained by Cassia County as compensation for the services of the Building Inspector.

4-1-7: Permit Issued:

No building permit shall be issued for construction on a parcel of land within the City, until the applicant has submitted to the Building Inspector, a copy of a survey of the parcel, upon which the construction is to take place, which survey is prepared by a licensed land surveyor.

4-1-8. Exemptions:

Agricultural buildings, as defined by the International Building Code, are exempt from the building codes adopted herein but shall remain subject to placement requirements and permits established by zoning regulations.

4-1-9. Penalty: Any violation of this ordinance is punishable as a misdemeanor as set forth in Title 1, Chapter 4 of the Albion City Code.

4-1-10. Severability. This 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.

4-1-11. Repeal of Conflicting Provisions. All provisions of the Chapter 1, Title 4, Albion City Code regarding Building Code in the City, be and hereby are repealed.

4-1-12. Effective Date. This ordinance shall be effective upon its passage and publication as provided by law.

**SUMMARY OF ORDINANCE NO. 2021-03-01**  
**City of Albion, Idaho**

This is the summary of City of Albion Ordinance 2021-03-01 amending Albion City Code Title 4, Chapter 1 by repealing current Title 4, Chapter 1 in its entirety and adopting a new Building Code Title 4, Chapter 1 providing for: Adoption of Codes; Effective Date of Adoption and Updates; Amendments to Adopted Codes; Adoption by Reference / Copy of Codes on file with Cassia County Clerk; Unlawful Acts; Building Inspector / Fees; Permit Issued; Exemptions; Penalty; Severability; Repeal of Conflicting Provisions; and Effective Date.

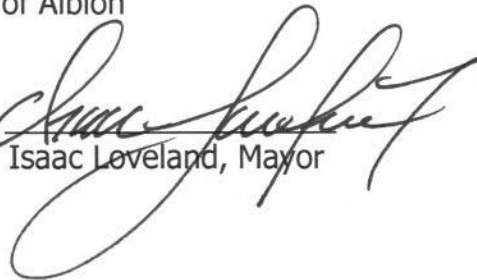
The full text of City of Albion Ordinance No. 2021-03-01 is available at the City Office, 225 South Main, Albion, Idaho. A copy of the full ordinance will also be provided to any citizen, upon personal request during usual City business hours as posted at the City Office, excepting City recognized holidays.

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

DATED this 2nd day of March, 2021.

City of Albion

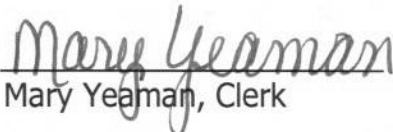
By:



Isaac Loveland, Mayor

**ATTEST:**

By:



Mary Yeaman, Clerk

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DATED this 2nd day of March, 2021.

City of Albion

By: /s/ Isaac Loveland  
Isaac Loveland, Mayor

**ATTEST:**

By: /s/ Mary Yeaman  
Mary Yeaman, Clerk