

TITLE 6

BUILDING REGULATIONS

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Chapter 1

International Building Code (IBC)

Section	Subject
6-1-1	Adoption
6-1-2	Amendments
6-1-3	Installation of Manufactured Homes
6-1-4	Compliance Required
6-1-5	Copies on File
6-1-6	Penalty

6-1-1 ADOPTION: All of the 2018 International Building Code, as adopted with amendments (if any) by the State of Idaho, as reflected at least in part in IDAPA 24.39.30 attached hereto as Exhibit A and incorporated by reference including rules promulgated by the board to provide equivalency with the provisions of the Americans with Disabilities Act accessibility guidelines and Federal Fair Housing Act accessibility guidelines, as amended.

6-1-2.1 AMENDMENTS: For structures constructed in 2021 or later, the following amendments shall apply:

- A. Any reference to Sections 101.4 concerning Electrical and 101.4.3 Plumbing shall be deleted, thus solely regulated under the State of Idaho pursuant to Chapters 10 and 26, Title 54, Idaho Code as authorized by the same.
- B. Amend Section 903.2.8 by adding the following exception: Automatic sprinkler systems are not required in 4-unit or less Group R buildings.
- C. Amend Section 1612.3 inserting “Teton County, ID” in place of [NAME OF JURISDICTION] and “August 4, 1988” in place of [DATE OF ISSUANCE]
- D. Amend Section 3412.2 inserting “1994” in place of [DATE TO BE INSERTED BY THE JURISDICTION]

6-1-3 INSTALLATION OF MANUFACTURED HOMES: Manufactured Homes as defined by Idaho State Law and inspected by The Department of Housing and Urban Development (HUD), shall not be subject to the enforcement provisions of the aforesaid Building Codes, but shall be regulated and inspected as prescribed in Title 44, Chapter 22 of the Idaho Code. The owner, or an agent of the owner, must apply for and receive, an Installation Permit prior to placing any Manufactured Home on their property. All additions or alterations to any Manufactured Home must comply with all Building Code requirements. The Building Official or appointed representative is hereby authorized to permit, inspect, and collect fees, as established by the governing body, for Manufactured Homes placed in Teton County. Mobile or Manufactured Homes not bearing a HUD certification label shall not be allowed except as provided for by Title 44 Chapter 25 of Idaho Code.

6-1-4 COMPLIANCE REQUIRED: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

6-1-5 COPIES ON FILE: Editions of the International Building Code are available for review in the Building Official's office.

6-1-6 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 2

International Residential Code (IRC)

Section	Subject
6-2-1	Adoption
6-2-2	Amendments
6-2-3	Installation of Manufactured Homes
6-2-4	Compliance Required
6-2-5	Copies on File
6-2-6	Penalty

6-2-1 ADOPTION: The 2018 International Residential Code as adopted with amendments (if any) by the State of Idaho, as reflected at least in part in IDAPA 24.39.30 attached hereto as Exhibit A and incorporated by reference.

6-2-2 AMENDMENTS: For structures constructed in 2021 or later, the following amendments shall apply:

A. Table R301.2(1) shall be amended to read as follows:

Ground Snow Load	Wind Speed (MPH)	Seismic Design Category	Subject to Damage From			Ice Barrier Underlayment	Flood Hazards	Mean Annual Temp.
			Weathering	Frost Line Depth	Termite			
143 psf	115	D-1	Severe	32"	No	Yes	Original date: August 4, 1988	40.4 degrees f

B. All electrical and plumbing requirements of Chapters 25 through 42 of the IRC shall be deleted, thus solely regulated under the State of Idaho pursuant to Chapters 10 and 26, Title 54, Idaho Code as authorized by the same.

C. Inclusion of:
Appendix F – Radon Control Methods
Appendix Q – Tiny Houses

6-2-3 INSTALLATION OF MANUFACTURED HOMES: Manufactured Homes as defined by Idaho state Law and inspected by The Department of Housing and Urban Development (HUD), shall not be subject to the enforcement provisions of the aforesaid Building Codes, but shall be regulated and inspected as prescribed in Title 44, Chapter 22 of the Idaho Code. The owner, or an agent of the owner, must apply for and receive, an Installation Permit prior to placing any Manufactured Home on their property. All additions or alterations to any Manufactured Home must comply with all Building Code requirements. The Building Official or appointed representative is hereby authorized to permit, inspect, and collect fees, as established by the governing body, for Manufactured Homes placed in Teton County. Mobile or Manufactured Homes not bearing a HUD certification label shall not be allowed except as provided for by Title 44 Chapter 25 of Idaho Code.

6-2-4 COMPLIANCE REQUIRED: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, or cause or permit the same to be done in violation of this code.

6-2-5 COPIES ON FILE: Editions of the International Residential Code are available for review in the building officials' office.

6-2-6 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 3

International Existing Building Code (IEBC)

Section	Subject
6-3-1	Adoption
6-3-2	Amendments
6-3-3	Compliance Required
6-3-4	Copies on File
6-3-5	Penalty

6-3-1 ADOPTION: All of the 2018 International Existing Building Code as adopted with amendments (if any) by the State of Idaho, as reflected at least in part in IDAPA 24.39.30 attached hereto as Exhibit A and incorporated by reference.

6-3-2 AMENDMENTS: [Reserved]

6-3-3 COMPLIANCE REQUIRED: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, or cause or permit the same to be done in violation of this code.

6-3-4 COPIES ON FILE: Editions of the International Existing Building Code are available for review in the building officials' office.

6-3-5 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 4

International Energy Conservation Code (IECC)

Section	Subject
6-4-1	Adoption
6-4-2	Amendments
6-4-3	Compliance Required
6-4-4	Copies on File
6-4-5	Penalty

6-4-1 ADOPTION: All of the 2018 International Energy Conservation Code as adopted with amendments (if any) by the State of Idaho, as reflected at least in part in IDAPA 24.39.30 attached hereto as Exhibit A and incorporated by reference.

6-4-2 AMENDMENTS: [Reserved]

6-4-3 COMPLIANCE REQUIRED: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, or maintain buildings or structures or cause or permit the same to be done in violation of this code.

6-4-4 COPIES ON FILE: Editions of the International Energy Conservation Code are available for review in the building officials' office.

6-4-5 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 5

International Mechanical Code (IMC)

Section	Subject
6-5-1	Adoption
6-5-2	Amendments
6-5-2	Compliance Required
6-5-3	Copies on File
6-5-4	Penalty

6-5-1 ADOPTION: All of the 2018 International Mechanical Code as adopted with amendments (if any) by the State of Idaho, as reflected at least in part in IDAPA 24.39.70 attached hereto as Exhibit B and incorporated by reference and Appendix A to the 2018 International Mechanical Code

6-5-2 AMENDMENTS: [Reserved]

6-5-2 COMPLIANCE REQUIRED: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, install, alter, repair, move, convert or demolish, equip; use or maintain mechanical systems or equipment; or cause or permit the same to be done in violation of this code.

6-5-3 COPIES ON FILE: Editions of the International Mechanical Code are available for review in the building officials' office.

6-5-4 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 6

International Fuel Gas Code (IFGC)

Section	Subject
6-6-1	Adoption
6-6-2	Amendments
6-6-3	Compliance Required
6-6-4	Copies on File
6-6-5	Penalty

6-6-1 ADOPTION: All of the 2018 International Fuel Gas Code, as adopted with amendments (if any) by the State of Idaho, as reflected at least in part in IDAPA 24.39.70 attached hereto as Exhibit B and incorporated by reference.

6-6-2 AMENDMENTS: [Reserved]

6-6-3 COMPLIANCE REQUIRED: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, or maintain mechanical systems or equipment; or cause or permit the same to be done in violation of this code.

6-6-4 COPIES ON FILE: Editions of the International Fuel Gas Code are available for review in the building officials' office.

6-6-5 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 7

International Fire Code (IFC)

Section	Subject
6-7-1	Adoption
6-7-2	Compliance Required
6-7-3	Copies on File
6-7-4	Penalty

6-7-1 ADOPTION: All of the 2018 International Fire Code as adopted with amendments (if any) by the State of Idaho, Department of Insurance, Division of State Fire Marshal, as reflected at least in part in IDAPA 18.08.01 attached hereto as Exhibit C and incorporated by reference .

6-7-2 COMPLIANCE REQUIRED: This Code regulates and governs the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices. And from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided by providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, penalties, conditions and terms of the Fire Code.

6-7-3 COPIES ON FILE: Editions of the International Fire Code are available for review in the building official's office.

6-7-4 PENALTY: Any person, firm or corporation violating any part of the provisions of this chapter shall be guilty of a misdemeanor, and shall be deemed guilty of a separate offense for every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction of any violation of the provisions contained in this chapter, such person, firm, or corporation shall be subject to penalty as provided in section 1-4-1 of this code.

Chapter 8

Building Permits

Section	Subject
6-8-1	Building Permit Required
6-8-2	Application
6-8-3	Approval of Application
6-8-4	Issuance
6-8-5	Posting
6-8-6	Vested Rights
6-8-7	Expiration
6-8-8	Extension Permit
6-8-9	Penalty

6-8-1 BUILDING PERMIT REQUIRED: No person shall, within the county, erect or construct or commence the erection or construction of, or alter or commence the alteration of, any type of building without first obtaining a building permit in accordance with the provisions and procedures set forth in Title 6 of the Teton County Code.

6-8-2 APPLICATION:

- A. Application for a building permit shall be made to the Building Department on forms prescribed and furnished by the office,
- B. Plans for the proposed construction and other required documents shall accompany the application.
- C. Permit fees, as published on the current Teton County Fee Schedule shall accompany the application documents.

6-8-3 APPROVAL OF APPLICATION: The Building Official, or designated Deputy Building Official, shall examine or cause to be examined all permit applications submitted under this chapter to ensure compliance with the codes and standards adopted herein. Such application shall not be denied unless it fails to comply with the required Codes and the ordinance of the county.

6-8-4 ISSUANCE: Permits shall be issued as soon as practicable for all approved applications

6-8-5 POSTING: A copy of the permit shall be posted in a conspicuous place on the premises during construction or the existence of the work or use authorized thereby.

6-8-6 VESTED RIGHTS: No person shall acquire or create any vested right to construct, alter, or maintain any building by virtue of money spent or work done prior to obtaining a building permit as required by the terms of this chapter.

6-8-7 EXPIRATION: A building permit shall expire three years after its date of issuance.

6-8-8 EXTENSION PERMIT: Prior to the date of expiration, an application for an extension of a building permit may be submitted to the Building Department and shall be accompanied by an extension fee as published on the current Teton County Fee Schedule. An extension permit shall expire one year after the date of issuance; however, an application for another extension may be made following the same process and payment of fee. There is no limit to the number of extensions that may be requested and granted.

6-8-9 PENALTY: Any person violating any provision of this chapter shall, upon conviction thereof, be subject to penalty as provided in section 1-4-1 of this code.

BUILDING ORDINANCE OF TETON COUNTY, IDAHO

EFFECTIVE: 1987 Teton County Building Ordinance

AMENDED: June 28, 1993
February 18, 1997
February 24, 1997
April 27, 1998
August 13, 2001
April 11, 2005
May 14, 2007
December 16, 2010
March 17, 2011
December 31, 2013
December 31, 2014
March 22, 2021

Exhibit A

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24.39.30 – RULES OF BUILDING SAFETY (BUILDING CODE RULES)

00. LEGAL AUTHORITY.

The Idaho Building Code Board of the Division of Building Safety is authorized under Section 39-4107, Idaho Code, to promulgate rules concerning the enforcement and administration of the Idaho Building Code Act. (3-20-20)T

01. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 24.39.30, “Rules of Building Safety (Building Code Rules).” (3-20-20)T

02. Scope. These rules prescribe the criteria for enforcement and administration of the Idaho Building Code Act by the Idaho Building Code Board and the Division of Building Safety. (3-20-20)T

02. -- 003. (RESERVED)

04. ADOPTION AND INCORPORATION BY REFERENCE.

Under the provisions of Section 39-4109, Idaho Code, the codes enumerated in this section are hereby adopted and incorporated by reference into IDAPA 24.39.30, “Rules of Building Safety (Building Code Rules),” Division of Building Safety. Pursuant to Section 39-4109, Idaho Code, the effective date of any edition of the codes adopted in this Section, or any amendments identified thereto, shall be January 1 of the succeeding year following legislative approval of the rulemaking establishing the edition or amendment. Copies of these documents may be reviewed at the office of the Division of Building Safety. The referenced codes may be obtained from International Code Council, 5360 Workman Mill Road, Whittier, California 90601-2298 or the International Code Council at <http://www.iccsafe.org>. (3-20-20)T

01. International Building Code. 2018 Edition with the following amendments: (3-20-20)T

a. Delete Section 305.2.3 and replace with the following: 305.2.3 Twelve (12) or fewer children in a dwelling unit. A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. (3-20-20)T

b. Delete Section 308.2.4 and replace with the following: 308.2.4 Five (5) or fewer persons receiving custodial care. A facility with five (5) or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. (3-20-20)T

c. Delete Section 308.3.2 and replace with the following: 308.3.2 Five (5) or fewer persons receiving medical care. A facility with five (5) or fewer persons receiving medical care shall be classified as a Group R-3 occupancy. (3-20-20)T

d. Delete Section 308.5.4 and replace with the following: 308.5.4 Persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving day care or having five (5) or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. (3-20-20)T

e. Delete Section 310.4 and replace with the following: 310.4 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, E or I, including: 1. Buildings that do not contain more than two (2) dwelling units. 2. Care facilities that provide accommodations for five (5) or fewer persons receiving personal care, custodial care or medical care. 3. Congregate living facilities (nontransient) with sixteen (16) or fewer occupants, including boarding houses (nontransient), convents, dormitories, fraternities and sororities, and monasteries. 4. Congregate living facilities (transient) with ten (10) or fewer occupants, including boarding houses (transient). 5. Dwelling units providing day care for twelve (12) or fewer children. 6. Lodging houses (transient) with five (5) or fewer guest rooms and ten (10) or fewer occupants. (3-20-20)T

f. Delete Section 310.4.1 and replace with the following: 310.4.1 Care facilities within a dwelling. Care facilities for twelve (12) or fewer children receiving day care or for five (5) or fewer persons receiving personal care or custodial care that are within a one- or two-family dwelling are permitted to comply with the International Residential Code. (3-20-20)T

g. Delete footnote ^e under Table 2902.1 Minimum Number of Required Plumbing Fixtures and replace with the following: ^e For business occupancies, excluding restaurants, and mercantile occupancies with an

occupant load of thirty (30) or fewer, service sinks shall not be required. (3-20-20)T

h. Delete footnote ^f from Table 2902.1 Minimum Number of Required Plumbing Fixtures, add footnote ^f in the header row of the column in Table 2902.1 labeled “Drinking Fountains,” and delete footnote ^f under Table 2902.1 and replace with the following: ^f Drinking fountains are not required for an occupant load of thirty (30) or fewer. (3-20-20)T

i. Delete Section 3113.1 and replace with the following: 3113.1 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, Idaho Code; and IDAPA 24.39.31. Exception: This Section shall not apply to manufactured housing used as dwellings. (3-20-20)T

02. International Residential Code. 2018 Edition with the following amendments: (3-20-20)T

a. Delete the exception under Section R101.2 Scope, and replace with the following: Exception: The following shall also be permitted to be constructed in accordance with this code: 1. Owner-occupied lodging houses with five (5) or fewer guestrooms and ten (10) or fewer total occupants. 2. A care facility with five (5) or fewer persons receiving custodial care within a dwelling unit or single-family dwelling. 3. A care facility for five (5) or fewer persons receiving personal care that are within a dwelling unit or single-family dwelling. 4. A care facility with twelve (12) or fewer children receiving day care within a dwelling unit or single-family dwelling. (3-20-20)T

b. Delete Section R104.10.1 Flood hazard areas. (3-20-20)T

c. Delete item number 7 under the “Building” subheading of Section R105.2 Work exempt from permit, and replace with the following: 7. Prefabricated swimming pools that are not greater than four (4) feet (one thousand, two hundred nineteen (1219) mm) deep. (3-20-20)T

d. Add the following as item number 11 under the “Building” subheading of Section R105.2 Work exempt from permit: 11. Flag poles. (3-20-20)T

e. Delete Section R109.1.3 and replace with the following: R109.1.3 Floodplain inspections. For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, the building official is authorized to require submission of documentation of the elevation of the lowest floor, including basement, required in Section R322. (3-20-20)T

f. Delete Section R301.2.1.2 Protection of Openings. (3-20-20)T

g. Delete Table R302.1(1) and replace with the following:

TABLE R302.1(1) - EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour-tested in accordance with ASTM E 119, UL263, or Section 703.3 of the International Building Code with exposure from both sides	< 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Projections	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire retardant-treated wood ^{a,b}	≥ 2 feet to < 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet
Openings in Walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	≥ 3 feet to < 5 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	≥ 3 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable

^a The fire-resistance rating shall be permitted to be reduced to zero (0) hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.

^b The fire-resistance rating shall be permitted to be reduced to zero (0) hours on the underside of the rake overhang where gable vent openings are not installed. (3-20-20)T

h. Delete Section R302.13 Fire protection of floors. (3-20-20)T

i. Delete Section R303.4 and replace with the following: R303.4 Mechanical Ventilation. Dwelling units shall be provided with whole-house mechanical ventilation in accordance with Section M1505.4. (3-20-20)T

j. Delete the exception under Section R313.1 Townhouse automatic fire sprinkler systems, and replace with the following: Exception: Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) one (1)-hour fire-resistance-rated walls or a common two (2)-hour fire-resistance rated wall, as specified in item number 2 of Section R302.2.2 is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed. (3-20-20)T

k. Delete Section R313.2 One- and two-family dwellings automatic fire sprinkler systems.(3-20-20)T

l. Delete the exceptions under Section R314.2.2 Alterations, repairs and additions, and replace with the following: Exceptions: 1. Work involving the exterior surfaces of dwellings, such as, but not limited to, replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck or electrical permits, are exempt from the requirements of this section. 2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section. (3-20-20)T

m. Delete the exceptions under Section R315.2.2 Alterations, repairs and additions, and replace with the following: Exceptions: 1. Work involving the exterior surfaces of dwellings, such as, but not limited to, replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck or electrical permits, are exempt from the requirements of this section. 2. Installation, alteration or repairs of noncombustion plumbing or mechanical systems are exempt from the requirements of this section. (3-20-20)T

n. Delete Section R322.1.10 As-built elevation documentation. (3-20-20)T

o. Delete Section R322.2.1 and replace with the following: R322.2.1 Elevation requirements. 1. Buildings and structures in flood hazard areas, including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation. 2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floors (including basement) elevated to a height above the highest adjacent grade

of not less than the depth number specified in feet (mm) on the FIRM, or not less than two (2) feet (610 mm) if a depth number is not specified. 3. Basement floors that are below grade on all sides shall be elevated to or above baseflood elevation. Exception: Enclosed areas below the design flood elevation, including basements with floors that are not below grade on all sides, shall meet the requirements of Section R322.2.2. (3-20-20)T

p. Delete subparagraph 2.1 of Section R322.2.2 Enclosed area below design flood elevation, and replace with the following: 2.1. The total net area of all openings shall be at least one (1) square inch (645 mm²) for each square foot (0.093 m²) of enclosed area, or the opening shall be designed and the construction documents shall include a statement that the design and installation of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. (3-20-20)T

q. Delete Tables R403.4 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 or Fully Grouted Masonry Wall Construction (inches). (3-20-20)T

r. Add the following as Table R403.1:

**TABLE R403.1
MINIMUM WIDTH OF CONCRETE, PRECAST, OR MASONRY FOOTINGS (inches)^a**

	LOAD-BEARING VALUE OF SOIL (psf)			
	1,500	2,000	3,000	≥ 4,000
Conventional light-frame construction				
1-Story	12	12	12	12
2-Story	15	12	12	12
3-Story	23	17	12	12
4-inch brick veneer over light frame or 8-inch hollow concrete masonry				
1-Story	12	12	12	12
2-Story	21	16	12	12
3-Story	32	24	16	12
8-inch solid or fully grouted masonry				
1-Story	16	12	12	12
2-Story	29	21	14	12
3-Story	42	32	21	16

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kPa.

^aWhere minimum footing width is twelve (12) inches, use of a single wythe of solid or fully grouted twelve (12)-inch nominal concrete masonry units is permitted. (3-20-20)T

s. Delete Section R403.1.1 and replace with the following: R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width (W) shall be based on the load bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least six (6) inches in thickness (T). Footing projections (P) shall be at least two (2) inches and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance

with the details set forth in Section R403.2 and Figures R403.1(2) and R403.1(3). (3-20-20)T

t. Delete Section R602.10 and replace with the following: R602.10 Wall bracing. Buildings shall be braced in accordance with this Section or, when applicable Section R602.12, or the most current edition of APA System Report SR-102 as an alternate method. Where a building, or portion thereof, does not comply with one (1) or more of the bracing requirements in this Section, those portions shall be designed and constructed in accordance with Section R301.1. (3-20-20)T

03. International Existing Building Code. 2018 Edition. (3-20-20)T

04. International Energy Conservation Code. 2018 Edition with the following amendments: (3-20-20)T

a. Add the following as Section C101.5.2: C101.5.2 Industrial, electronic, and manufacturing equipment. Buildings or portions thereof that are heated or cooled exclusively to maintain the required operating temperature of industrial, electronic, or manufacturing equipment shall be exempt from the provisions of this code. Such buildings or portions thereof shall be separated from connected conditioned space by building thermal envelope assemblies complying with this code. (3-20-20)T

b. Add the following as an exception under Section C402.5 Air leakage—thermal envelope (Mandatory): Exception: For buildings having over fifty thousand (50,000) square feet of conditioned floor area, air leakage testing shall be permitted to be conducted on less than the whole building, provided the following portions of the building are tested and their measured air leakage is area-weighted by the surface areas of the building envelope: 1. The entire floor area of all stories that have any spaces directly under a roof. 2. The entire floor area of all stories that have a building entrance or loading dock. 3. Representative above-grade wall sections of the building totaling at least twenty-five percent (25%) of the above-grade wall area enclosing the remaining conditioned space. Floor area tested under subparagraphs 1. or 2. of this exception shall not be included in the twenty-five percent (25%) of above-grade wall sections tested under this subparagraph. (3-20-20)T

c. Add the following as exception number 7 under Section C403.5 Economizers (Prescriptive): 7. Unusual outdoor air contaminate conditions – Systems where special outside air filtration and treatment for the reduction and treatment of unusual outdoor contaminants, makes an air economizer infeasible. (3-20-20)T

d. Delete Table C404.5.1 and replace with the following:

TABLE C404.5.1 PIPING VOLUME AND MAXIMUM PIPING LENGTHS			
NOMINAL PIPE SIZE (inches)	VOLUME (liquid ounces per foot length)	MAXIMUM PIPING LENGTH (feet)	
		Public lavatory faucets	Other fixtures and appliances
1/4	0.33	31	50
5/16	0.5	N/A - non-standard size	50
3/8	0.75	17	50
1/2	1.5	10	43

TABLE C404.5.1 PIPING VOLUME AND MAXIMUM PIPING LENGTHS			
NOMINAL PIPE SIZE (inches)	VOLUME (liquid ounces per foot length)	MAXIMUM PIPING LENGTH (feet)	
		Public lavatory faucets	Other fixtures and appliances
5/8	2	7	32
3/4	3	5	21
7/8	4	N/A - non-standard size	16
1	5	3	13
1 1/4	8	2	8
1 1/2	11	1	6
2 or larger	18	1	4

For SI: 1 inch = 25.4 mm; 1 foot = 304.8 mm; 1 liquid ounce = 0.030 L; 1 gallon = 128 ounces. (3-20-20)T

e. Delete the rows in Table R402.1.2 for climate zones “5 and Marine 4” and “6” and replace with the following:

TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT ^a										
Climate Zone	Fenestration U- Factor ^b	Skylight ^b U-factor	Glazed Fenestration SHGC ^{b, c}	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value ⁱ	Floor R-Value	Basement ^c Wall R-Value	Slab ^d R-Value & Depth	Crawlspace ^c Wall R-Value
5	0.32	0.55	NR	38	20 or 13+5 ^h	13/17	30 ^g	15/19	10, 2 ft	15/19
6	0.30	0.55	NR	49	22 or 13+5 ^h	15/20	30 ^g	15/19	10, 4 ft	15/19

(3-20-20)T

f. Add the following as footnote ^k to the title of Table R402.1.2 - Insulation and Fenestration Requirements by Component: ^k. For residential log home building thermal envelope construction requirements see Section R402.6. (3-20-20)T

g. Delete the rows in Table R402.1.4 for climate zones “5 and Marine 4” and “6” and replace with the following:

TABLE R402.1.4 EQUIVALENT U-FACTORS^a								
Climate Zone	Fenestration U-factor	Skylight U-factor	Ceiling U-factor	Frame Wall U-factor	Mass Wall U-factor^b	Floor U-factor	Basement Wall U-factor	Crawlspace Wall U-factor
5	0.32	0.55	0.030	0.060	0.082	0.033	0.050	0.055
6	0.30	0.55	0.026	0.057	0.060	0.033	0.050	0.055

(3-20-20)T

h. Delete Section R402.4.1 and replace with the following: R402.4.1 Building thermal envelope. 1. Until June 30, 2021, the building thermal envelope shall comply with Sections R402.4.1.1 (Installation) and either Section R402.4.1.2 (Testing) or Section R402.4.1.3 (Visual inspection). 2. Effective July 1, 2021, the building thermal envelope of a minimum of twenty percent (20%) of all new single-family homes constructed by each builders shall comply with Section R402.4.1.1 (Installation) and Section R402.4.1.2 (Testing). The authority having jurisdiction may: 2.1. Determine how to enforce this requirement, starting with the fifth house and continuing with each subsequent fifth house. 2.2. Waive this requirement if significant testing indicates the five (5) air changes per hour (ACH) requirement is consistently being met or exceeded (resulting in a lower ACH). 2.3. Grant exceptions to this requirement in rural areas where testing equipment is not available or cost effective. 3. Effective July 1, 2021, the building thermal envelope of eighty percent (80%) of all new single-family homes constructed by each builder shall comply with Section R402.4.1.1 (Installation) and either Section R402.4.1.2 (Testing) or Section R402.4.1.3 (Visual inspection). 4. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. (3-20-20)T

i. Delete Section R402.4.1.1 and replace with the following: R402.4.1.1 Installation. The components of the building thermal envelope as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer’s instructions and the criteria listed in Table R402.4.1.1, as applicable to the method of construction. (3-20-20)T

j. Delete Section R402.4.1.2 and replace with the following: R402.4.1.2 Testing. Testing building envelope tightness and insulation installation shall be considered acceptable when tested air leakage is less than five (5) air changes per hour (ACH) when tested with a blower door at a pressure of 33.5 psf (50 Pa). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E 779 or ASTM E 1827 and reported at a pressure of 0.2-inch w.g. (50 Pascals). During testing: 1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed. 2. Dampers shall be closed, but not sealed, including exhaust, intake, makeup air, backdraft and flue dampers. 3. Interior doors shall be open. 4. Exterior openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed. 5. Heating and cooling system(s) shall be turned off. 6. HVAC ducts shall not be sealed. 7. Supply and return registers shall not be sealed. (3-20-20)T

k. Add the following as Section R402.4.1.3: R402.4.1.3 Visual inspection. Building envelope tightness and insulation installation shall be considered acceptable when the items listed in Table R402.4.1.1, applicable to the method of construction, are field verified. Where required by code official an approved party independent from the installer of the insulation shall inspect the air barrier and insulation. (3-20-20)T

l. Add the following as Section R402.6: R402.6 Residential log home thermal envelope. Residential log home construction shall comply with Section R401 (General), Section R402.4 (Air leakage), Section R402.5 (Maximum fenestration U-factor and SHGC), Section R403.1 (Controls), the mandatory sections of Sections R403.3 through R403.9, Section R404 (Electrical Power and Lighting Systems), and either 1., 2., or 3. as follows: 1. Sections R402.2 through R402.3, Section R403.3.1 (Insulation), Section R404.1 (Lightning equipment), and Table R402.6

(Log Home Prescriptive Thermal Envelope Requirements by Component). 2. Section R405 (Simulated Performance Alternative). 3. REScheck (U.S. Department of Energy Building Codes Program). (3-20-20)T

m. Add the following as Table R402.6:

TABLE R402.6 LOG HOME PRESCRIPTIVE THERMAL ENVELOPE REQUIREMENTS BY COMPONENT									
For SI: 1 foot = 304.8 mm.									
Climate Zone	Fenestration U-factor ^a	Skylight U-factor	Glazed Fenestration SHGC	Ceiling R-value	Min. Average Log Size In Inches	Floor R-value	Basement Wall R-value ^d	Slab R-value & Depth ^b	Crawl Space Wall R-value ^d
5, 6 - High efficiency equipment path ^c	0.32	0.60	NR	49	5	30	15/19	10, 4 ft.	10/13
5	0.32	0.60	NR	49	8	30	10/13	10, 2 ft.	10/13
6	0.30	0.60	NR	49	8	30	15/19	10, 4 ft.	10/13

^aThe fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

^bR-5 shall be added to the required slab edge R-values for heated slabs.

^c90% AFUE natural gas or propane, 84% AFUE oil, or 15 SEER heat pump heating equipment (zonal electric resistance heating equipment such as electric base board electric resistance heating equipment as the sole source for heating is considered compliant with the high efficiency equipment path).

^d“15/19” means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. “15/19” shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. “10/13” means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

(3-20-20)T

n. Delete Section R403.5.3 and replace with the following: R403.5.3 Hot water pipe insulation (Prescriptive). Insulation for hot water piping with a thermal resistance, R-value, of not less than R-3 shall be applied to the following: 1. Piping serving more than one (1) dwelling unit. 2. Piping located outside the conditioned space. 3. Piping located under a floor slab. 4. Buried piping. 5. Supply and return piping in recirculation systems other than demand recirculation systems. (3-20-20)T

o. Delete Section R404.1 and replace with the following: R404.1 Lighting equipment (Mandatory). A minimum of seventy-five percent (75%) of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps or a minimum of seventy-five percent (75%) of the permanently installed lighting fixtures shall contain only high efficacy lamps. (3-20-20)T

p. Delete Section R406.3 and replace with the following: R406.3 Energy Rating Index. The Energy Rating Index (ERI) shall be determined in accordance with RESNET/ICC 301. Energy used to recharge or refuel a vehicle used for transportation on roads that are not on the building site shall not be included in the ERI reference design or the rated design. (3-20-20)T

- q. Delete Table R406.4 and replace with the following:

Table R406.4 - Maximum Energy Rating Index

Climate Zone	Energy Rating Index^a
5	68
6	68

^a Where on-site renewable energy is included for compliance using the ERI analysis of Section R406.4, the building shall meet the mandatory requirements of Section R406.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table R402.1.2 or Table R402.1.4 of the 2015 International Energy Conservation Code. (3-20-20)T

05. References to Other Codes. Where any provisions of the codes that are adopted in this Section make reference to other construction and safety-related model codes or standards which have not been adopted by the involved authority having jurisdiction, to the extent possible, such reference should be construed as pertaining to the equivalent code or standard that has been duly adopted by such jurisdiction. (3-20-20)T

05. -- 025. (RESERVED)

26. DEFINITIONS.

The terms defined in this section have the following meaning for all parts of this chapter, unless the context clearly indicates another meaning: (3-20-20)T

01. Act. The Idaho Building Code Act, Title 39, Chapter 41, Idaho Code. (3-20-20)T

02. Administrator. The administrator of the Division of Building Safety for the state of Idaho. (3-20-20)T

03. Alterations or Conversions of Modular Buildings and Commercial Coaches. Any change from the approved plans or installation instructions which would affect the structural, mechanical, electrical or plumbing systems of modular buildings or commercial coaches bearing a Division insignia of approval and includes the replacement, addition, modification or removal of any structural member, plumbing, heat-producing or electrical equipment, or installation which may affect such systems prior to first occupancy. Any such alteration or conversion shall first be approved by testing and inspection in the same manner as original systems or component parts. The following do not constitute alteration or conversion: (3-20-20)T

a. Repairs with approved replacement parts; (3-20-20)T

b. Conversion of listed fuel-burning appliances in accordance with the terms of their listing; (3-20-20)T

c. Replacement of equipment and appliances in kind; (3-20-20)T

d. Adjustment and maintenance of equipment. (3-20-20)T

04. Alterations to Manufactured Homes. The replacement, addition, and modification, or removal of any equipment or installation after sale by a manufacturer to a dealer but prior to sale by a dealer to a purchaser which may affect the construction, fire safety, occupancy, plumbing, heat-producing or electrical system. It includes any modification made in a manufactured home which may affect the compliance of the home with the standards, but it does not include the repair or replacement of a component or appliance “plug-in” to an electrical receptacle where the replaced item is of the same configuration and rating as the one being replaced. It also does not include the addition of an appliance requiring “plug-in” to an electrical receptacle, which appliance was not provided with the manufactured home by the manufacturer, if the rating of the appliance does not exceed the rating of the receptacle to which it is connected. (3-20-20)T

- Code. **05. Board.** The Idaho Building Code Board created under the provisions of Title 39, Chapter 41, Idaho Code. (3-20-20)T
- 06. Commercial Coach.** In order to further clarify the definition of “commercial coach” as cited in Section 39-4105(5), Idaho Code, the phrase “made so as to be readily movable as a unit on its own running gear” means that the running gear shall be a permanent part of the unit and not intended to be removed or replaced, and such modular structure is used for commercial purposes. (3-20-20)T
- 07. Division.** The Division of Building Safety of the state of Idaho. (3-20-20)T
- 08. Equipment.** All equipment, materials, appliances, devices, fixtures, fittings or accessories installed in the manufacture and assembly of modular buildings. (3-20-20)T
- 09. Field Technical Service.** Interpretation and clarification of the technical data relating to the application of these rules, but not including inspection. (3-20-20)T
- 10. First Purchaser.** The first purchaser of a commercial coach for other than resale. (3-20-20)T
- 11. Insignia.** A label, tab or tag issued by the Division to indicate compliance with the codes, standards, rules and regulations established for manufactured building systems, subsystems, or building elements, modular buildings, and commercial coaches. (3-20-20)T
- 12. Labeled.** Equipment or other building components bearing a label or other approved marking authorized or issued for use by a recognized testing/listing or evaluation agency. (3-20-20)T
- 13. Listed.** Equipment or other building components included within a current list published by a recognized testing/listing agency that maintains periodic inspection on current production of listed equipment or other building components and whose listing states either that the equipment or component complies with recognized standards or has been tested and determined to be suitable for the use intended. (3-20-20)T
- 14. Listing Agency.** A person, firm, association, partnership or corporation which is in the business of listing or labeling and which maintains a periodic inspection program on current production of listed materials, and which makes available, not less frequently than annually, a published report of such listing in which specific information is included that the product has been tested to nationally approved standards and found safe for use in a specified manner. (3-20-20)T
- 15. Minor Alteration.** The following definition is used for the purpose of administering annual permits. (3-20-20)T
- a.** Minor alterations shall include, but are not limited to, the following: partition walls constructed within a defined room; relocation of or existing openings or installation of new doors and windows in non-load bearing walls and not in construction meant to compartmentalize fire; window replacement in unaltered existing openings; roof repairs involving installation of less than one hundred (100) square feet of new roof covering; and newsuspended ceilings that are not part of a required fire resistive assembly. (3-20-20)T
- b.** Minor alterations shall not include: work that alters the fire resistive characteristics of the building or fire suppression systems; work that creates new openings in construction meant to compartmentalize fire such as fire walls, fire barriers, fore partitions, smoke barriers, smoke partitions, horizontal assemblies, shaft enclosures, stair enclosures; work that increases the floor area or height of the building; work that changes the structural load path of the building for gravity or horizontal loads; work that reduces the thermal resistant capacity of the building envelop; changes in the occupancy classification of the building or space; increases in the floor loads. (3-20-20)T
- 16. Model.** As referred to in Section 39-4113(3), Idaho Code, for modular buildings and commercial coaches shall mean a specific outside dimension and floor plan with specific structural, plumbing, electrical, and mechanical systems as designated by the manufacturer to be the standard for imitation reproduction. (3-20-20)T

17. **Testing/Listing Agency.** A person, firm, association, partnership or corporation that is: (3-20-20)T
- a. In the business of testing equipment or other building components; and (3-20-20)T
 - b. Recognized by the Division as being qualified and equipped to conduct experimental testing in accordance with recognized standards; and (3-20-20)T
 - and c. Not under the jurisdiction or control of any single manufacturer or supplier for an affected industry; (3-20-20)T
 - d. Making available, not less frequently than annually, a published report in which specific information is included stating that the equipment and systems have been tested and found safe for use in a specified manner. (3-20-20)T
18. **Transit Damage.** Application to manufactured home means that damage encountered en route from the place of manufacture to the dealer or first owner involving structural integrity or any repair that does not result in return to the same construction or assembly as specified in the manufacturer’s design approval without additional reinforcement or change. (3-20-20)T
19. **State Buildings.** All buildings to be constructed, altered, or repaired by or for any state of Idaho agency or entity, without regard to purpose, occupancy, or the source of funding for such construction, alteration, or repair. (3-20-20)T
20. **Running Gear.** Springs, spring hangers, axles, bearings, wheels, brakes, rims and tires and their related hardware. (3-20-20)T
21. **Substantially Prefabricated or Assembled.** The module or major portion of modular buildings or commercial coaches assembled in such manner that all portions may not be inspected without disassembly or destruction of the part. (3-20-20)T
22. **Systems Plan.** A design plan concept that allows the interchanging of various approved construction systems to include structural, electrical, plumbing, and mechanical aspects of the system. (3-20-20)T
23. **Technical Service.** Conducting research, evaluation, consultation, model and systems plan reviews, interpretation and clarification by the Division of technical data relating to the application of these rules, and also includes special field inspections that are not covered in other portions of these rules. (3-20-20)T
27. **PERMITS.**
- 01. **Building Permits.** Building permits shall be obtained from the Division prior to the construction of structures governed by the act or rules promulgated by the Board. (3-20-20)T
 - 02. **Annual Permit.** In lieu of an individual permit for each minor alteration to an already approved building, the Division may issue an annual permit upon application therefor to any state agency or state governmental organization regularly employing one (1) or more qualified trade persons in the building, structure or on the premises or campus owned or operated by the applicant for the permit. The agency to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Division shall be allowed access to such records at all times or such records shall be filed with the Division as designated. The permit holder shall request inspections and make the work accessible for inspection as required by the adopted codes and this rule. (3-20-20)T
28. **PLAN REVIEW.**
- 01. **Jurisdiction.** The Division shall have exclusive jurisdiction and authority to conduct plan reviews of the construction, additions, repairs, and occupancy of all state buildings of any agency of government at the state level for any purposes or occupancy regardless of the source of funding for such construction, addition, repair, or occupancy. (3-20-20)T

02. Plans Specifications. Construction documents shall be dimensioned and drawn upon suitable material. Plans may be submitted electronically or in digital format as approved by the Division. Drawing format shall be equivalent to the paper format. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that the installations will conform to the provisions of the building code and applicable laws, rules, and policies of the Division. (3-20-20)T

03. Plans Not Required. Plans are not required for group U occupancies of Type V conventional light-frame wood construction. (3-20-20)T

04. Addenda and Change Orders. (3-20-20)T

a. Documents enforcing changes or modifications. Addenda, contract change orders, changes-in-work requests, and other similar written documents enforcing changes or modifications to plans or specifications, already approved by the Division, which addenda, change orders, or change-in-work requests deal with structural or fire resistance changes, or such other changes affecting code conformance, shall be submitted to the Division for approval. The use of the terms “addenda,” “change orders,” and “changes-in-work requests” are not be limited exclusively to such phraseology, but may include such other language used in the professions which essentially have the same meaning. (3-20-20)T

b. Application provisions. The provisions of this Section apply to that work which will be accomplished. (3-20-20)T

29. FEES.
The following fees apply to the functions cited: (3-20-20)T

01. Document Fees. (3-20-20)T

a. Reasonable and suitable fees necessary for copies of any record, plan approval, permit, map, sketch, drawing or other instrument. (3-20-20)T

b. Charges for copies of separate published documents will be actual cost to the Division plus postage. (3-20-20)T

02. Technical Service Fee. One hundred dollars (\$100) per hour. (3-20-20)T

03. Modular Building and Commercial Coaches Fees. Other than as herein specified in this Section, the fee schedule for modular buildings and commercial coaches are as provided herein in Table 1-A, and such fees are based on the Freight On Board (FOB) cost to the dealer at the point of manufacture. (3-20-20)T

04. Insignia Tag Fee. In instances where building permit fees are not charged for modular buildings, a one hundred dollar (\$100) fee will be charged for an insignia. (3-20-20)T

05. Building Permit Fees. The building permit fee for each permit are established in the following table. The determination of value or valuation will be made by the administrator and includes the total value of all construction work for which a permit is issued.

TABLE 1-A - BUILDING PERMIT FEES	
Total Valuation	Fee
\$1 to \$500	= \$23.50
\$501 to \$2,000	= \$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	= \$69.25 for the first \$2,000 plus \$14 for each additional \$1,000, or fraction thereof, to and including \$25,000

TABLE 1-A - BUILDING PERMIT FEES	
Total Valuation	Fee
\$25,001 to \$50,000	= \$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	= \$643.75 for the first \$50,000 plus \$7 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	= \$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	= \$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 to \$5,000,000	= \$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof, to and including \$5,000,000
\$5,000,001 to \$10,000,000	= \$20,208.75 for the first \$5,000,000 plus \$2.75 for each additional \$1,000, or fraction thereof, to and including \$10,000,000
\$10,000,001 and up	= \$33,958.75 for the first \$10,000,000 plus \$2 for each additional \$1,000, or fraction thereof

(3-20-20)T

06. Fees for Annual Permits. A fee for inspections performed on annual permits shall be charged at the rate of one hundred dollars (\$100) per hour. The Division shall bill the applicant for annual permits and failure of the applicant to pay the fee within sixty (60) days may result in cancellation of the annual permit. (3-20-20)T

07. Plan Review Fees. Plan review fees shall be charged at an hourly rate of one hundred dollars (\$100) per hour up to a maximum of sixty-five percent (65%) of the calculated building permit fee with a minimum required fee of forty percent (40%) of the calculated building permit fee. All requests for plan review services shall at such time be accompanied by a payment in the amount of at least forty percent (40%) of the calculated building permit fee. Upon completion of the plan review, any additional fees, above the minimum required, are due to the Division by the requesting party. (3-20-20)T

08. Refund of Plan Review Fees. Plan review fees are non-refundable. (3-20-20)T

09. Refund of Permit Fees. The Administrator may authorize a refund of any permit fee paid which was erroneously paid or collected. The Administrator may authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with these rules. The Administrator may not authorize a refund of any permit fee paid except upon written application filed by the original applicant not later than one hundred eighty (180) days after the date of permit issuance. (3-20-20)T

30. RIGHT OF ENTRY.

Whenever necessary to make an inspection to enforce any of the provisions of Title 39, Chapters 40 and 41, Idaho Code, or whenever the administrator or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises, any condition which makes such building or premises unsafe, the administrator or his authorized representative shall enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Division by Title 39, Chapters 40 and 41, Idaho Code; provided that if such building or premises is occupied, he shall first present proper credentials and demand entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the administrator shall have recourse to every remedy provided by law to secure entry. (3-20-20)T

31. WORK PROCEEDING WITHOUT PERMIT OR APPROVAL.

Where any work for which a permit or approval, to include plan or system approval, is required by these rules, or by

the codes enumerated in Title 39, Chapter 41, Idaho Code, is started or proceeded prior to obtaining said approval or permit, and after notice to such person doing or causing such work to be done, and such person continues or causes to continue such work, the fees specified in these rules shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of Title 39, Chapters 40 or 41, or both, Idaho Code, or these rules in the execution of the work nor from any other penalties prescribed by law. (3-20-20)T

32. STOP WORK ORDERS.

Whenever any work is being done contrary to any provisions of the codes enumerated in Title 39, Chapters 40 or 41, or both, Idaho Code, or contrary to these rules, the administrator or his authorized representative may order the work stopped by notice in writing to any persons engaged in such work, and any such persons shall forthwith stop such work until authorized by the administrator or his representative to proceed with the work. Stop work orders shall be accompanied by a notice of violation that states the specific violation and code reference. (3-20-20)T

33. PROHIBITED SALE OR OCCUPANCY NOTICE.

Whenever any mobile/manufactured home, commercial coach or other modular building is in violation of any of the provisions of Title 39, Chapter 40 or 41, or both, Idaho Code, or these rules, the administrator may prohibit the sale or occupancy of such building. Prohibited sale or occupancy notices shall be removed only on authority of the administrator or his authorized representative. (3-20-20)T

34. REMOVAL OF ORDERS AND NOTICES; SALE, RENT, LEASE OR OCCUPANCY OF A UNIT BEARING SUCH ORDER OR NOTICE.

Removal of stop work orders, prohibited sale or occupancy notices, or the sale, rent, lease or occupancy of a building or structure, bearing such order or notice by any person not authorized by the administrator or his authorized representative, constitutes a violation under the provisions of Section 39-4126, Idaho Code, and falls under the provisions of Section 18-317, Idaho Code. (3-20-20)T

35. MODULAR BUILDINGS.

01. Alternates and Equivalents. (3-20-20)T

a. Alternatives Acceptable. The provisions of these rules are not intended to prevent the use of alternate designs, materials, appliances, systems, devices, arrangements, or methods of construction not specifically prescribed by Title 39, Chapter 41, Idaho Code, or of these rules; provided, any such alternate has first been recognized by the Division. (3-20-20)T

b. Satisfactory Alternatives. The Division shall recognize any such alternate if it finds that the proposed design is satisfactory and that the material, appliance, device, arrangement, method, system or method of construction is at least the equivalent in performance in quality, strength, effectiveness, fire resistance, durability and adequate for the protection of the health, safety and general welfare of the people of the state of Idaho. (3-20-20)T

c. Unsatisfactory Alternatives. Recognition by the Division shall not be given if there is substantial evidence that any design, material, appliance, device, arrangement, system or method of construction does not conform to the provisions or requirements of prescribed standards or these rules; provided, however, the Division may, in order to substantiate claims for alternates, upon written request cause tests or proof of compliance to be made at the expense of the manufacturer, his agent, or the seller. (3-20-20)T

d. Test Methods. Test methods shall be as specified in the standards of the codes listed in Title 39, Chapter 41, Idaho Code, or by other nationally recognized standards recognized by the Division. If there are no appropriate test methods specified in the standards listed above, the Division shall determine the test procedure. (3-20-20)T

02. Permits. Prior to construction of modular buildings, appropriate building permits shall first be obtained from the Division. (3-20-20)T

03. Plans. (3-20-20)T

a. Specifications for Submittal. Plans shall be submitted in accordance with Subsection 028.03 of

these rules. (3-20-20)T

b. Nonconformance. Should the plan submittal not conform to the requirements of these rules, the applicant shall be notified in writing within fifteen (15) work days of the date they are received by the Division. Should the applicant fail to submit a completely corrected plan submittal in accordance with the information supplied by the Division within ninety (90) days of such notice, the plan submittal will be deemed abandoned and all fees submitted shall be forfeited to the Division. Subsequent submission thereafter shall be processed as a new plan submittal. (3-20-20)T

c. Distribution of Approved Copies. An approved copy of the plan submittal shall be returned to the manufacturer. An approved copy shall be retained at each place of manufacture, and a copy shall be retained by the Division. (3-20-20)T

d. Proprietary Information. All material submitted by the manufacturer in the form of design plans, engineering data, test results, and other design information relating to their application will be considered proprietary information and will not be released for public scrutiny except when so ordered by a court of competent jurisdiction. (3-20-20)T

e. Changes to Approved Modular Building Plans. Where the manufacturer proposes to change his submitted designs or the Division rule is amended to necessitate such a change, the manufacturer shall submit changed plans for examination and approval. (3-20-20)T

04. Inspections. (3-20-20)T

a. Inspections at Manufacturing Plants. The Division shall conduct inspections at the manufacturing plant to determine compliance with the provisions of these rules and with Title 39, Chapter 41, Idaho Code. (3-20-20)T

b. Field Inspection for Alterations and Conversions. Any alteration or conversion of Division approved modular buildings after leaving the manufacturing facility shall be field inspected in accordance with this section by the local unit of government having jurisdiction. (3-20-20)T

c. In-Plant Inspection in Sister States. Where there is evidence that the in-plant inspectional controls in out-of-state plants in states having reciprocal agreements with the state of Idaho are not being maintained for units to be sold or placed in Idaho, the Division reserves the right to make out-of-state inspections, and fees for such inspection as set forth in these rules shall be paid by the manufacturer. (3-20-20)T

05. Insignia. (3-20-20)T

a. Insignia Location. Single units shall have the insignia permanently attached below the electrical service entrance. Multiple section units shall have the insignia permanently attached on all perimeter sections to the outside wall next to the major access opening. For interior units and second story units the insignia shall be permanently attached on the interior wall next to the major access opening. (3-20-20)T

b. Application for Insignia. The manufacturer shall make application for an insignia for each unit to be manufactured as required by Subsection 035.03 of this rule. The permit/insignia application shall be submitted to the Division in accordance with this section and include the appropriate fees. Applications shall include the serial number of each unit for which an insignia is requested. (3-20-20)T

c. Alteration or Conversion. Factory alterations or conversions of an approved modular building prior to first occupancy shall NOT take place until a permit under the provisions of this section has been obtained. The jurisdiction for non-factory produced additions, repairs or alterations to modular buildings and commercial coaches built in conformance with and as prescribed in the Idaho Building Code Act, Section 39-4109, Idaho Code, once such unit has left the manufacturing facility or a dealer's lot, and bears an appropriate insignia of compliance, rests with the local unit of government having the jurisdiction for the administration and enforcement of locally adopted codes prescribed within the Idaho Building Code Act. (3-20-20)T

d. Denial of Insignia. Should inspection reveal that a manufacturer is not manufacturing units according to the codes specified in Title 39, Chapter 41, Idaho Code, and these rules, and such manufacturer after having been served with a notice setting forth in what respect the provisions of the codes or rules have been violated continues to manufacture units in violation of the codes or rules, applications for new insignia shall be denied and insignia issued for units in noncompliance such manufacturer may resubmit an application for insignia. (3-20-20)T

e. Removal of Insignia. In the event any unit bearing an insignia is found to be in violation of the codes enumerated in Title 39, Chapter 41, Idaho Code, or these rules, the Division may remove the insignia and shall furnish the owner or his agent with a written statement of violations. The owner or his agent shall request an inspection after making corrections to bring the unit into compliance before the Division will issue a replacement insignia. (3-20-20)T

f. Serial Number. Each commercial coach rented, leased or sold, or offered for rent, lease or sale in Idaho shall bear a legible identifying serial number in accordance with the provisions of this section and include the state of manufacture. Each section of a multiple modular building shall have the same identifying serial number followed by a numerical sequence identifier and letter suffix. (3-20-20)T

g. Stamp of Serial Number and State of Manufacture. The unit serial number and the state of manufacture shall be stamped into the foremost cross member of all commercial coaches. Letters and numbers shall be three-eighths (3/8) inch minimum height. Numbers shall not be stamped into a hitch assembly or draw bar. The insignia shall be made of etched brass, stainless steel, anodized or alclad aluminum, or other approved material, not less than two hundredths (0.02) inches thick, and three (3) inches by one and three-fourths (1 3/4) inches minimum size, with lettering not less than one-eighth (1/8) inch high. (3-20-20)T

h. Multiple Commercial Coaches. Each section of multiple commercial coaches shall have the same identifying serial number followed by a numerical sequence identifier and letter suffix. (3-20-20)T

i. Data on Insignia. The date of manufacture, showing month, week and year will be shown on the insignia. Such data will be provided by the manufacturer on the application for insignia. (3-20-20)T

36. MANUFACTURED HOMES.

01. Construction and Safety Standards. Effective June 15, 1976, the latest published edition of the Federal Manufactured Home Construction and Safety Standards and Manufactured Home Procedural and Enforcement Regulations shall be in effect for all manufactured homes manufactured within the state of Idaho, and for all new manufactured homes for sale within the state of Idaho. All new manufactured homes offered for sale within Idaho after the effective date of this section shall bear the Housing and Urban Development (H.U.D.) label as authorized in the Federal Manufactured Home procedural and enforcement regulations. Mobile homes manufactured between March 8, 1971 and June 15, 1976 offered for rent, lease, or sale within Idaho shall bear an Idaho insignia of approval. (3-20-20)T

02. Inspections. (3-20-20)T

a. Special Inspection. Whenever there is a transit damage or any alteration made to a certified manufactured home, or both, a special inspection shall be required of any person offering for rent, lease, or sale said manufactured home. The purpose of the inspection is to insure that the repairs or alteration, or both, do not result in the failure of the manufactured home to comply with the standards. (3-20-20)T

b. Installation Inspection. Installation inspections shall be conducted by local jurisdictions in accordance with Title 44, Chapter 22, Idaho Code and the state adopted Idaho Manufactured Home Installation Standard as incorporated by reference in IDAPA 24.39.34, "Rules Governing Manufactured Home Installations," Section 004. (3-20-20)T

03. Fees. (3-20-20)T

a. Payment of Fees. Fees shall be paid to and collected by the Division. (3-20-20)T

b. In-Plant Inspections. The charge for routine in-plant inspections shall be equal to the latest fees approved by the Department of Housing and Urban Development-Office of Manufactured Home Standards: Forty-five dollars (\$45) per floor. (3-20-20)T

c. Other Inspections. For all inspections other than routine whether they be in-plant or in the field (for models produced after June 15, 1976): Seventy dollars (\$70) per hour minimum for inspection and travel time, prorated to the nearest quarter hour, per diem and lodging where applicable, plus the current state rate for mileage, as approved by the State Board of Examiners and listed in the Idaho State Travel Policies and Procedures, Appendix “A,” based on the round-trip distance from point of inspection and the inspector’s office location. (3-20-20)T

37. (RESERVED)

38. INTEGRATED DESIGN AND FUNDAMENTAL COMMISSIONING OF PUBLIC SCHOOL FACILITIES.

01. Definitions. The following definitions are intended to supplement, and should be read in conjunction with the definitions contained in Section 33-356, Idaho Code. (3-20-20)T

a. Fundamental Commissioning. A quality-focused process for enhancing the delivery of a project. It makes use of a qualified third party employed directly by the building owner. (3-20-20)T

b. Integrated Design. Integrated design refers to a collaborative design effort in which each of the individual architectural or engineering professionals focuses on the whole building approach, with an emphasis on optimizing the building’s performance, environmental sustainability, and cost-savings, to include climate, use, loads and systems resulting in a more comfortable and productive environment, and a building that is more energy-efficient than would be realized using current best practices. (3-20-20)T

02. Technical and Educational Information. Technical and educational information related to integrated design and fundamental commissioning in the form of the American Institute of Architects Integrated Project Delivery Guide; Portland Energy Conservation, Inc. (PECI) Commissioning Guides; ASHRAE Guideline 0-2005-The Commissioning Process; and the Northwest Energy Efficiency Alliance Integrated Design Special Focus on Energy Performance Guide is available at the Division office locations including 1090 E. Watertower St., Meridian, Idaho 83642, and 1250 Ironwood Dr., Ste. 220, Coeur d’Alene, Idaho 83814. A building commissioned under the prescriptive approaches defined by any of the above-named national organizations is deemed to have completed the Fundamental Commissioning process. (3-20-20)T

03. Commissioning Agents. The Division has compiled and made available for public examination a list of all known third party building commissioning agents in Idaho and its contiguous states. The Division has ensured that all such commissioning agents appearing on this list have been certified by the Building Commissioning Association (BCA) or other similar certifying entity. (3-20-20)T

04. Annual Optimization Review. (3-20-20)T

a. A public school building that qualifies for the school building replacement value calculation pursuant to Section 33-356(5)(a), Idaho Code, shall undergo an annual optimization review each year following the first year of operations that the involved school district seeks to qualify such building for the building replacement value calculation. (3-20-20)T

b. The systems within a building required to undergo annual optimization review, as well as any relevant measuring criteria for such systems, shall be formulated by the third party commissioning agent that performs the initial fundamental commissioning. The school district shall be provided with a written report from the commissioning agent identifying the systems which will be subject to the annual optimization review along with any other requirements. (3-20-20)T

c. The report required above in Paragraph 038.04.b. of these rules shall include, but is not limited to, at least the following: (3-20-20)T

- i. Verification that the heating, ventilation, and air conditioning (HVAC) controls, dampers, valves, sensors and other equipment used to control the system are functioning as they were at the commissioning of the building. (3-20-20)T
- ii. Verification that the lighting controls are functioning as they were at the commissioning of the building. (3-20-20)T
- iii. The requirement that any changes made to any of the controls contained on the agent’s list after the initial commissioning be re-set back to the commissioned settings unless it can be demonstrated that the new settings result in greater energy efficiency. (3-20-20)T
- d. The annual optimization review shall be performed by persons qualified to make the required determinations and adjustments. (3-20-20)T
- e. The school district shall submit to the Division written verification indicating that the systems identified by the commissioning agent, including those identified in this Section are functioning as they were at the initial commissioning. Such written verification shall also identify the persons performing the optimization and their qualifications. (3-20-20)T

05. Commissioning Anniversary Date. The date upon which the commissioning agent provides the school district with the required written report described in Paragraph 038.04.b. of these rules shall be the commissioning anniversary date for purposes of this Section. If a school district seeks to qualify a building for the building replacement value calculation, the annual optimization review shall be performed within thirty (30) days of the annual commissioning anniversary date following the first year the building is in operation. The written verification required by Paragraph 038.03.e. of these rules is due to the Division not later than sixty (60) days after the annual commissioning anniversary date. (3-20-20)T

06. Fundamental Building Commissioning Requirements. (3-20-20)T

- a. School districts seeking to qualify a building for the building replacement value calculation shall engage a building commissioning agent. (3-20-20)T
- b. The commissioning agent must document the owner’s requirements for each commissioned system in the facility. All HVAC and controls systems, duct work and piping, renewable and alternative technologies, lighting controls and day lighting, waste heat recovery, and any other advanced technologies incorporated in the building must be commissioned. Building envelope systems must also be verified. The owner’s requirements for these systems may include efficiency targets and other performance criteria such as temperature and lighting levels that will define the performance criteria for the functional performance testing that occurs prior to acceptance. (3-20-20)T
- c. The commissioning agent shall include commissioning requirements in the project construction documents. This includes the scope of commissioning for the project, the systems to be commissioned, and the various requirements related to schedule, submittal reviews, testing, training, O & M manuals, and warranty reviews. (3-20-20)T
- d. The commissioning agent shall develop and utilize a commissioning plan. This plan must include an overview of the commissioning process for the project, a list of commissioned systems, primary commissioning participants and their roles, a communication and management plan, an outline of the scope of commissioning tasks, a list of work products, a schedule, and a description of any commissioning testing activities. (3-20-20)T
- e. The commissioning agent must submit a report to the owner once the commissioning plan has been executed. (3-20-20)T

39. -- 999. (RESERVED)

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**24.39.70 – RULES GOVERNING INSTALLATION OF HEATING, VENTILATION,
AND AIR CONDITIONING SYSTEMS**

000. LEGAL AUTHORITY.

This chapter is adopted in accordance with Sections 54-5001 and 54-5005(2), Idaho Code. (3-20-20)T

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 24.39.70, “Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems” (HVAC Rules). (3-20-20)T

02. Scope. These rules establish the minimum standards for heating, ventilation, and air conditioning (HVAC) installation practice, certification, registration, and educational programs. (3-20-20)T

002. (RESERVED)

003. ADMINISTRATIVE APPEALS.

Title 67, Chapter 52, Idaho Code, and IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General,” govern administrative appeals and judicial review thereof. (3-20-20)T

004. ADOPTION AND INCORPORATION BY REFERENCE OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION; THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION; AND PART V (MECHANICAL) AND PART VI (FUEL GAS) OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE (1)- AND TWO (2)-FAMILY DWELLINGS, 2018 EDITION.

The 2018 editions of the International Residential Code for One (1)- and Two (2)-Family Dwellings, International Mechanical Code, and International Fuel Gas Code are available at the Division’s offices located at 1090 E. Watertower St., Suite, 150 Meridian, Idaho 83642; 1250 Ironwood Dr., Ste. 220, Coeur d’Alene, Idaho 83814; and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. (3-20-20)T

01. International Mechanical Code. The 2018 Edition, including appendix “A,” (herein IMC) is adopted and incorporated by reference with the following amendments: (3-20-20)T

a. Where differences occur between the IMC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules apply. (3-20-20)T

b. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. (3-20-20)T

c. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (3-20-20)T

d. Section 109. Delete. (3-20-20)T

e. Section 202 Definitions. Delete the definitions provided in the code for the terms identified herein this paragraph and replace with the following: (3-20-20)T

i. Light-Duty Cooking Appliance. Light-duty cooking appliances include gas and electric ovens (including standard, bake, roasting, revolving, retherm, convection, combination convection/steamer, countertop conveyerized baking/finishing, deck, pastry, and electric and gas conveyor pizza ovens), electric and gas steam jacketed kettles, electric and gas pasta cookers, electric and gas compartment steamers (both pressure and atmospheric) and electric and gas cheesemelters. (3-20-20)T

ii. Medium-Duty Cooking Appliance. Medium-duty cooking appliances include electric discrete element ranges (with or without oven), electric and gas hot-top ranges, electric and gas griddles, electric and gas double sided griddles, electric and gas fryers (including open deep fat fryers, donut fryers, kettle fryers and pressure fryers), electric and gas tilting skillets (braising pans) and electric and gas rotisseries. (3-20-20)T

f. Section 401.1 Scope. Add the following: Exception: The principles specified in ASHREA 62-2010 may be used as an alternative to this chapter to demonstrate compliance with required ventilation air for occupants. (3-20-20)T

g. Section 504.8.1 Material and size. Add the following exception: Dryer duct may be constructed of

0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. (3-20-20)T

h. Table 603.4 Duct Construction Minimum Sheet Metal Thickness for Single Dwelling Units. Add the following exception to the Table: Round duct, enclosed rectangular ducts and fittings less than fourteen (14) inches may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. (3-20-20)T

02. International Fuel Gas Code. The 2018 Edition, including appendixes “A, B, C, and D,” (herein IFGC) is adopted and incorporated by reference with the following amendments: (3-20-20)T

a. Where differences occur between the IFGC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules apply. (3-20-20)T

b. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. (3-20-20)T

c. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (3-20-20)T

d. Section 109. Delete. (3-20-20)T

e. Section 406.4. Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. (3-20-20)T

f. Section 406.4.1. Test Pressure. Not less than twenty (20) psig (140kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (70kPa gauge); not less than sixty (60) psig (420kPa gauge) test pressure is required. For systems over ten (10) psig (70kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure. (3-20-20)T

g. Section 406.4.2. The test duration may not be less than twenty (20) minutes. (3-20-20)T

h. Add a new section 503.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. (3-20-20)T

i. Section 505.1.1. Addition. An interlock between the cooking appliance and the exhaust hood system is not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems. (3-20-20)T

03. Part V (Mechanical) and Part VI (Fuel Gas) of the International Residential Code for One (1)- and Two (2)-Family Dwellings. The 2018 Edition, including appendixes “A, B, C, and D,” (herein IRC) is adopted and incorporated by reference with the following amendments: (3-20-20)T

a. Where differences occur between the IRC and Title 54, Chapter 50, Idaho Code, and IDAPA 07, Title 07, Chapter 01, the provisions in Idaho Code and IDAPA rules apply. (3-20-20)T

b. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. (3-20-20)T

c. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (3-20-20)T

d. Add the following as section M1201.3 and section G2402.4 (201.4): Alternative materials, design and methods of construction equipment. The provisions of this part of the code are not intended to prevent the

installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction must be approved where the authority having jurisdiction finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of this part of the code in lieu of specific requirements of this code will also be permitted as an alternate.

(3-20-20)T

e. Add the following as section M1201.3.1 and section G2402.4.1 (201.4.1): Tests. Whenever there is insufficient evidence of compliance with the provisions of this part of the code, or evidence that a material or method does not conform to the requirements of this part of the code, or in order to substantiate claims for alternative materials or methods, the authority having jurisdiction has the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods are as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the authority having jurisdiction approves the testing procedures. Tests must be performed by an approved agency. Reports of such tests must be retained by the authority having jurisdiction for the period required for retention of public records.

(3-20-20)T

f. Add the following as section M1203.1: Carbon monoxide alarms. For new construction, an approved carbon monoxide alarm must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages.

(3-20-20)T

g. Add the following as section M1203.2: Where required in existing dwellings. Where work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms must be provided in accordance with Subsection 004.03.f. of these rules.

(3-20-20)T

h. Add the following as section M1203.3: Alarm requirements. Single station carbon monoxide alarms must be listed as complying with UL 2034 and must be installed in accordance with this code and the manufacturer's installation instructions.

(3-20-20)T

i. Section M1502.4.1 Material and size. Add the following exception: Dryer duct may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available.

(3-20-20)T

j. Delete Section M1502.4.2 Duct Installation and replace with the following: Exhaust ducts must be supported at four (4) foot (1,219 mm) intervals and secured in place. The insert end of the duct must extend into the adjoining duct or fitting in the direction of airflow. Ducts must not be joined with screws or similar fasteners that protrude into the inside of the duct.

(3-20-20)T

k. Table M1601.1.1 (2) Gauges of Metal Ducts and Plenums Used for Heating or Cooling. Add the following exception: Round duct, enclosed rectangular ducts and fittings less than fourteen (14) inches may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available.

(3-20-20)T

l. Section G2417.4 (406.4). Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure.

(3-20-20)T

m. Section G2417.4.1 (406.4.1). Test Pressure. Not less than twenty (20) psig (one hundred forty (140) kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (seventy (70) kPa gauge), not less than sixty (60) psig (four hundred twenty (420) kPa gauge) test pressure is required. For systems over ten (10) psig (seventy (70) kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure.

(3-20-20)T

n. Section G2417.4.2 (406.4.2). The test duration may not be less than twenty (20) minutes.

(3-20-20)T

o. Add a new section G2427.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. (3-20-20)T

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Division’s HVAC Program is located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. The mailing address is: Division of Building Safety, HVAC Program, 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The office telephone number is (208) 334-6180 and the facsimile number is (208) 855-0768. (3-20-20)T

006. FILING OF DOCUMENTS.

All written communications and documents that are intended to be part of an official record for decision in a rulemaking or contested case, must be filed with the administrator of the Division. Communications and documents must be filed by mail, hand-delivery, or by facsimile transmission. One (1) original must be filed with the administrator, and one (1) copy must be submitted to the opposing parties. Whenever documents are filed by facsimile transmission, originals must be deposited in the mail the same day or hand-delivered the following business day to the administrator and opposing parties. (3-20-20)T

007. PUBLIC RECORDS ACT COMPLIANCE.

These rules were promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. These rules and all records of the Board are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (3-20-20)T

008. -- 009. (RESERVED)

010. CHANGES IN NAME AND ADDRESS -- ADDRESS FOR NOTIFICATION PURPOSES.

01. Change of Name. Whenever a change of name occurs for a certified contractor, journeyman, specialty journeyman, specialty contractor, registered apprentice, or specialty apprentice, the Board must be notified immediately, in writing, of the change. Documentation confirming the change of name must be provided to the Board on request. (3-20-20)T

02. Change of Address. Whenever a change of mailing address occurs for a certificated contractor, journeyman, specialty journeyman, specialty contractor, registered apprentice, or specialty apprentice, the Board must be notified immediately, in writing, of the change. (3-20-20)T

03. Address for Notification Purposes. The most recent mailing address on record with the Board will be utilized for purposes of all written communication with certified contractors, journeymen, specialty journeymen, specialty contractors, registered apprentices, and specialty apprentices, including, but not limited to, notification of renewal and notices related to inspections. (3-20-20)T

011. MEETINGS.

Board meetings are subject to the provisions of the Idaho Open Meeting Law, Title 67, Chapter 23, Idaho Code. (3-20-20)T

012. DEFINITIONS.

01. Additional Definitions. Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these rules. (3-20-20)T

02. Administrator. The administrator of the Idaho Division of Building Safety. (3-20-20)T

03. Board. The Idaho Heating, Ventilation, and Air Conditioning (HVAC) Board. (3-20-20)T

04. Division. The Idaho Division of Building Safety. (3-20-20)T

05. Recognized Jurisdiction. A jurisdiction with an HVAC program that is recognized by the Board as

being substantially equivalent to Idaho’s HVAC program. (3-20-20)T

013. CERTIFICATES OF COMPETENCY -- ISSUANCE, RENEWAL, EXPIRATION -- REVIVAL.

01. Issuance. Certificates of competency will be issued in such a manner as to create a renewal date that coincides with the birth month of the individual to whom the certificate is issued and allows for renewals every three (3) years. Certificates of competency are issued for a period of no less than one (1) year and no more than (3) three years. The fee for issuance of certificates of competency will be prorated based on the number of months for which the certificate is issued. (3-20-20)T

02. Renewal. Certificates of competency will be renewed using the birth month of the individual to whom the certificate is issued as the expiration date. Certificates of competency are renewed for a period of no less than one (1) year and no more than three (3) years. The fee for renewal of certificates of competency will be prorated based on the number of months for which the certificate is issued. (3-20-20)T

03. Expiration-Revival. (3-20-20)T

a. Certificates that are not timely renewed will expire on the last day of the month in which the renewal is due. (3-20-20)T

b. Revived certificates will be issued in such a manner as to create a renewal date that coincides with the birth month of the applicant so as to create a staggered system of renewal. (3-20-20)T

014. -- 019. (RESERVED)

020. HVAC CONTRACTOR AND HVAC JOURNEYMAN APPLICATIONS FOR EXAMINATION AND CERTIFICATES OF COMPETENCY, AND REGISTRATION OF APPRENTICES.

01. Application Forms. All applications for certificates and all applications for registration must be submitted on forms provided by the administrator and be properly completed, giving all pertinent information with notarized signatures. (3-20-20)T

02. Application, Renewal, and Registration Fees. Fees for applications for examination, certificates of competency, renewal of certificates, and fees for apprentice registration are as set forth in Section 54-5012, Idaho Code. (3-20-20)T

03. Application Submission. All applications must be submitted to the board and be approved by an administrator before any examination may be taken and before any certificate of competency is issued. (3-20-20)T

021. HVAC CONTRACTOR CERTIFICATE OF COMPETENCY - REQUIREMENTS.

01. Bond. Applicants must provide a compliance bond in the amount of two thousand dollars (\$2,000). Any such bond is required to be effective for the duration of the contractor licensing period. (3-20-20)T

02. Qualification. Applicants must provide proof, satisfactory to the Board, of having legally acted as an HVAC journeyman for a period of not less than twenty-four (24) months. (3-20-20)T

03. Examination. Applicants for certification as HVAC contractors must successfully complete the examination designated by the Board. (3-20-20)T

04. Out-of-State Contractor Applications. (3-20-20)T

a. An out-of-state applicant for a contractor certificate of competency shall first obtain an Idaho journeyman certificate of competency in accordance with Section 023 of these rules. The applicant shall pay all applicable application and examination fees to the Division and successfully complete the contractor examination administered by the Division. The applicant shall file the compliance bond required by Section 54-5007, Idaho Code, with the Division upon successful completion of the examination. Applications that are incomplete in any detail will

be returned as unacceptable or denied. (3-20-20)T

b. An applicant for a contractor certificate of competency who has previously been licensed as an HVAC journeyman in a Recognized Jurisdiction shall provide to the Division satisfactory proof of two (2) years of work experience as an HVAC journeyman in such jurisdiction. (3-20-20)T

c. An applicant for a contractor certificate of competency who has never been previously licensed as a journeyman in a Recognized Jurisdiction shall provide proof of four (4) years of experience performing HVAC work of a nature equivalent to that which an HVAC journeyman in Idaho must demonstrate to qualify for a contractor certificate of competency. Proof of such work experience may be provided by the submission of three (3) sworn affidavits from individuals attesting that the applicant has had at least four (4) years' experience performing such work. (3-20-20)T

022. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY - REQUIREMENTS.

Applicants for certification as HVAC specialty contractors must: (3-20-20)T

01. Bond. Provide a compliance bond in the amount of two thousand dollars (\$2,000). Any such bond is required to be effective for the duration of the contractor licensing period. (3-20-20)T

02. Qualification. Provide proof, satisfactory to the board, of having legally acted as an HVAC specialty journeyman for a period of not less than twenty four (24) months. (3-20-20)T

03. Examination. Successfully complete the examination designated by the board. (3-20-20)T

023. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY AND EXAMINATION REQUIREMENTS.

01. Certificate of Competency Requirements. To obtain a journeyman certificate of competency, an applicant shall submit to the Division sufficient evidence demonstrating the applicant has successfully completed the journeyman examination and four (4) years, defined as a minimum of eight thousand (8,000) hours of work experience as a registered apprentice making installations on the job under the supervision of a qualified journeyman. Notwithstanding the requirement that an apprentice demonstrate four (4) years of on-the-job work experience under the supervision of a qualified journeyman, any apprentice who successfully completes a Board-approved, full-time, one (1)-academic-year training course may receive credit for up to one (1) year of on-the-job work experience. (3-20-20)T

02. Examination Requirement. To take the journeyman examination, an applicant must submit to the Division sufficient evidence demonstrating the applicant has successfully completed a Board-approved training course. (3-20-20)T

03. Out of State Journeyman Applications. (3-20-20)T

a. An out-of-state applicant for a journeyman certificate of competency shall pay all applicable application and examination fees to the Division, and successfully complete the journeyman examination administered by the Division. (3-20-20)T

b. Exhibition of a license issued by another Recognized Jurisdiction may be accepted as proof of meeting the experience and schooling requirements listed in Subsections 023.01 and 023.02 of these rules. An applicant for a journeyman certificate of competency who has previously been licensed as a journeyman in a Recognized Jurisdiction must provide satisfactory proof of licensure in such jurisdiction. (3-20-20)T

c. An applicant for a journeyman certificate of competency who has never been previously licensed as a journeyman in a Recognized Jurisdiction must provide one (1) of the following: (3-20-20)T

i. Proof of four (4) years, defined as eight thousand (8,000) hours, of HVAC work experience of a nature equivalent to that which an HVAC apprentice must perform in Idaho and four (4) years of training equivalent to that which an HVAC apprentice must complete in Idaho. (3-20-20)T

ii. Proof of eight (8) years, defined as a minimum of sixteen thousand (16,000) hours, of HVAC work experience of a nature at least equivalent to that which an HVAC apprentice must perform in Idaho. (3-20-20)T

024. HVAC HEARTH SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.

Certification as a hearth specialty journeyman entitles the holder to install hearth appliances and the associated gas lines. Hearth Specialty Journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. (3-20-20)T

01. Experience. Demonstrate, to the satisfaction of the board, a minimum of one (1) year experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. (3-20-20)T

02. Education. Successfully complete a board approved training course(s), such as the National Fireplace Institute program and a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. (3-20-20)T

03. Examination. Successfully complete an examination designated by the board. (3-20-20)T

025. HVAC APPRENTICE REQUIREMENTS FOR REGISTRATION.

01. Registration. To become an apprentice, a person shall comply with Section 54-5012, Idaho Code, and be a minimum of eighteen (18) years of age or sixteen (16) years of age if registered by the Bureau of Apprenticeship and Training of the United States Department of Labor. To renew a registration, an apprentice shall show proof of enrollment in a Board-approved training course or completion of eight (8) hours of Board-approved continuing education for each year of the prior registration period. (3-20-20)T

02. Supervision. Each apprentice must work under the supervision of a certified journeyman. (3-20-20)T

026. HVAC SPECIALTY APPRENTICE REQUIREMENTS FOR REGISTRATION.
Requirements for HVAC Specialty Apprentice. (3-20-20)T

01. Age. Minimum of eighteen (18) years of age unless registered in a Bureau of Apprenticeship Training (BAT) certified HVAC training program. (3-20-20)T

02. Training. Maintain enrollment in or successfully complete a training program approved by the board. (3-20-20)T

03. Supervision. Work under the supervision of a certificated HVAC journeyman or certificated HVAC specialty journeyman. (3-20-20)T

027. HVAC WASTE OIL HEATING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.

Certification as a waste oil heating specialty journeyman entitles the holder to install non-duct connected waste oil heaters. Waste oil heating specialty journeymen are limited to the maintenance, installation, and repair of the equipment, controls, and piping directly associated with the waste oil heater, tank, and burner only. Any plumbing, electrical, ducting, venting, or associated equipment beyond the waste oil heater, tank, and burner must be installed by others. Applicants for the waste oil heating specialty journeyman certificate of competency must: (3-20-20)T

01. Experience. Demonstrate to the satisfaction of the board, a minimum of one (1) year experience making waste oil heating installations under the supervision of a qualified HVAC journeyman or HVAC Waste Oil Heating specialty journeyman. (3-20-20)T

02. Examination. Successfully complete a waste oil burner manufacturers certification or examination

as approved by the board.

(3-20-20)T

028. HVAC FUEL GAS PIPING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.

Certification as fuel gas piping specialty journeyman entitles the holder to install fuel gas piping only and does not make the final termination. Appliances and the associated gas piping, chimney, and vents must be installed by others. Fuel gas specialty journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. (3-20-20)T

01. Experience. Demonstrate, to the satisfaction of the board, a minimum of one (1) year experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. (3-20-20)T

02. Education. Successfully complete a board approved training course(s), of a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. (3-20-20)T

03. Examination. Successfully complete an examination designated by the board. (3-20-20)T

029. -- 049. (RESERVED)

050. HVAC PERMITS.

01. Serial Number. Each permit must bear a serial number. (3-20-20)T

02. HVAC Contractors and HVAC Specialty Contractors. The Division will furnish permits to certified HVAC contractors and HVAC specialty contractors upon request. The serial numbers of such permits must be registered in the name of the HVAC contractor or HVAC specialty contractor to whom they are issued. (3-20-20)T

03. Home Owners. Home owners or a contract purchaser of residential property, making HVAC installations on their own residences, coming under the provisions of Section 54-5002, Idaho Code, must secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. (3-20-20)T

04. HVAC Contractors and HVAC Specialty Contractors. HVAC contractors and HVAC specialty contractors must secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. (3-20-20)T

05. Transferring a Permit. A HVAC permit may be transferred to another eligible party if such party provides to the Division written authorization signed and notarized by the original permit holder consenting to the transfer itself as well as assignment of all the responsibilities and conditions incorporated into the original permit issuance. A permit may be transferred to the owner of the property on which the HVAC work is to be performed and for which the permit was issued for such owners' designated legal agent, in cases where the property owner has terminated their legal relationship with the HVAC contractor who originally obtained the permit. An administrative fee in the amount of forty-five dollars (\$45) for the transfer of a permit will be assessed by the Division. (3-20-20)T

06. Refunds of Permits. The Administrator may authorize a refund for any permit fee paid on the following bases: The Administrator may authorize a refund of the entire permit fee paid when no work has been performed related to the installations or HVAC work covered by a permit issued by the Division. A lesser amount up to fifty percent (50%) of the permit fee amount may be refunded if work has commenced and the project is less than fifty percent (50%) complete as determined by the Division. The Administrator will not authorize a refund of any permit fee paid except upon written application for such filed by the original permit holder or the property owner's representative not less than one hundred eighty (180) days after the date the permit was issued. (3-20-20)T

051. HVAC PERMIT FEE SCHEDULE.

Permit fees are to cover the cost of inspections as provided by Section 54-5017, Idaho Code. Any person, partnership, company, firm, association, or corporation making an installation must pay to the Division a permit fee as provided in the following schedule: (3-20-20)T

01. Residential. Includes all buildings with HVAC systems being installed on each property. The following permit fees apply to all residential installations:

Type	Fee
Base permit	\$100
Furnace, furnace-air conditioner combination, heat pump, air conditioner, evaporative cooler, unit heater, space heater, decorative gas-fired appliance, incinerator, boiler, pool heater, mini-split system, free-standing solid-fuel stove, factory-built gas fireplace, or similar fixture or appliance, including ducts, vents, and flues attached thereto	Plus \$30 per first fixture or appliance Plus \$15 per additional fixture or appliance
Exhaust duct or ventilation duct, including dryer vents, range hood vents, cook stove vents, bath fan vents, and similar exhaust ducts or ventilation ducts	Plus \$15 per first duct Plus \$5 per additional duct
Fuel gas piping system	Plus \$5 per appliance outlet
Hydronic systems	Plus \$5 per zone

(3-20-20)T

02. Miscellaneous. The following permit fees apply for the types of permits listed:

Type	Fee
Requested inspection	\$65 per hour or portion thereof plus costs of out-of-state travel
Mobile or manufactured home	\$65 per inspection
Modular building	
Plan check or technical service	\$65 per hour or portion thereof

(3-20-20)T

03. Other Installations Including Industrial and Commercial. The permit fees listed in this Subsection apply to installations not specifically mentioned elsewhere in this schedule. The HVAC system cost is the cost to the owner of labor charges and other costs incurred to complete the installation of equipment and materials installed as part of the HVAC system. All permit fees calculated under this Subsection are based on the total HVAC system cost, which must be listed on the permit.

HVAC System Cost	Fee
Up to \$10,000	\$60 plus 2% of HVAC system cost
\$10,000 to \$100,000	\$260 plus 1% of HVAC system cost exceeding \$10,000
Over \$100,000	\$1,160 plus 5% of HVAC system cost exceeding \$100,000

(3-20-20)T

04. Additional Fees. A fee of sixty-five dollars (\$65) per hour or portion thereof applies to trips to inspect: (3-20-20)T

a. When the permit holder has given notice to the Division that the work is ready for inspection and it is not; (3-20-20)T

b. If the permit holder has not accurately identified the work location; (3-20-20)T

- c. If the inspector cannot gain access to make the inspection; (3-20-20)T
 - d. Corrections required by the inspector as a result of the permit holder improperly responding to a corrective notice; or (3-20-20)T
 - e. When corrections have not been made in the prescribed time, unless an extension has been requested and granted. (3-20-20)T
- 05. No Permit.** Failure to purchase a permit before commencing work may result in the assessment of a double fee. (3-20-20)T

052. -- 059. (RESERVED)

060. REQUIRED INSPECTIONS.

- 01. Request for Division Inspection.** (3-20-20)T
 - a. Inspection. Each permit holder must notify the Division at least one (1) day prior to the desired inspection, Sundays and holidays excluded, that the project is ready for inspection. (3-20-20)T
 - b. Reinspection. If a reinspection is required after the final inspection, due to a failure to meet requirements of Title 54, Chapter 50, Idaho Code, and/or these rules, the permit holder will be charged a fee not to exceed the actual cost of each reinspection. (3-20-20)T
- 02. Inspection Tags.** Inspectors certify to the permit holder that an inspection has been done by securely attaching the inspection tag in a prominent location. (3-20-20)T
 - a. Final Inspection Tags. An inspection tag indicating that a final inspection has been performed is attached when the HVAC installation as specified on the permit is complete and conforms to the requirements of the code and rules. (3-20-20)T
 - b. Inspection Tags for Unacceptable HVAC Installations. “Notice of Correction” inspection tags are attached to indicate that the HVAC installation is not acceptable and that corrections are required. (3-20-20)T
 - c. Work-in-Progress Tag. An inspection tag indicating that a work-in-progress inspection has been performed is attached following inspection of ground work, rough-in work, or any portion of the installation that is to be covered or otherwise concealed before completion of the entire HVAC installation as specified on the permit. (3-20-20)T

061. INSPECTOR QUALIFICATIONS.

In accordance with Section 54-5021, Idaho Code, all mechanical inspectors in Idaho employed by the state or a local government must hold an inspector certification as a commercial or residential mechanical inspector, as appropriate depending on the type of mechanical work being inspected. Mechanical inspectors must obtain the requisite certification from either the International Association of Plumbing and Mechanical Officials (IAPMO), the International Code Council (ICC), or other professional certifying body as approved by the board. (3-20-20)T

062. -- 069. (RESERVED)

070. CIVIL PENALTIES.

Except for the acts described in Subsections 070.01 and 07.08 of these rules, the acts described in this section subject the violator to a civil penalty of not more than two hundred dollars (\$200) for the first offense and not more than one thousand dollars (\$1,000) for each offense that occurs thereafter within one (1) year of an earlier violation. (3-20-20)T

- 01. Heating, Ventilation, and Air Conditioning Contractor or Specialty Contractor.** Except as provided by Section 54-5001, Idaho Code, any person who acts, or purports to act, as an HVAC contractor or

specialty contractor as defined by Section 54-5003(3) and 54-5003(6), Idaho Code, without a valid Idaho state HVAC contractor or specialty contractor certification is subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and not more than one thousand dollars (\$1,000) for each offense that occurs thereafter within one (1) year of an earlier violation. (3-20-20)T

02. Knowingly Employing. Knowingly employing a person who does not hold a valid Idaho HVAC certification or apprentice registration, as required by Section 54-5008, Idaho Code, to perform HVAC installations. (3-20-20)T

03. Certification or Registration. Except as provided by Section 54-5001, Idaho Code, performing HVAC work as an HVAC journeyman as defined by Section 54-5003(4), Idaho Code; specialty journeyman as defined by Section 54-5003(7), Idaho Code; apprentice as defined by Section 54-5003(2), Idaho Code; or specialty apprentice as defined by Section 54-5003(5), Idaho Code, without a valid certification or registration. (3-20-20)T

04. Supervision. Working as an HVAC apprentice or specialty apprentice without the required journeyman supervision or employing an apprentice without providing the required journeyman supervision. (3-20-20)T

05. Performance Outside Scope of Specialty License. Performance of any HVAC installation, alteration, or maintenance by an HVAC specialty contractor or specialty journeyman outside the scope of the specialty certification. (3-20-20)T

06. Fees and Permits. Failing to pay applicable fees or properly post an HVAC permit for, or to request an inspection of, any installation, alteration, improvement, or extension of any piping, venting, ductwork, appliances and appurtenances in connection with any HVAC system or subsystems of such. (3-20-20)T

07. Corrections. Failure to make corrections in the time allotted in the notice on any HVAC installation as set forth in Section 54-5019, Idaho Code. (3-20-20)T

08. Gross Violation. In the case of continued, repeated, or gross violation of Title 54, Chapter 50, Idaho Code, or these rules, a certification revocation will be initiated for certificated individuals under this chapter and non-certificated individuals is subject to prosecution by the appropriate jurisdiction under Idaho law. (3-20-20)T

071. -- 999. (RESERVED)

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18.08.01 – ADOPTION OF THE INTERNATIONAL FIRE CODE

000. LEGAL AUTHORITY.

Title 41, Chapter 2, Idaho Code. (7-1-99)

001. TITLE AND SCOPE.

01. Title. IDAPA 18.08.01, “Adoption of the International Fire Code.” (4-7-11)

02. Scope. Pursuant to the authority provided by Section 41-253, Idaho Code, the State Fire Marshal adopts the International Fire Code as the minimum standard for the protection of life and property from fire and explosion in the state of Idaho. All such editions and appendices will be adopted in accordance with Section 67-5229, Idaho Code. (3-20-20)

002. -- 009. (RESERVED)

010. CONSTRUCTION AND DESIGN PROVISIONS, SECTION 102.1, INTERNATIONAL FIRE CODE.

Delete Item No. 3 of Section 102.1, International Fire Code. (5-3-03)

011. DEPARTMENT OF FIRE PREVENTION, SECTION 103.2 -- APPOINTMENTS, INTERNATIONAL FIRE CODE.

Delete the following language in section 103.2 of the International Fire Code: “... and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.” (3-20-14)

012. GENERAL AUTHORITY AND RESPONSIBILITIES, SECTION 104.1, INTERNATIONAL FIRE CODE.

Add the following second paragraph to Section 104.1, General, International Fire Code: (5-3-03)

01. Fire Chief’s Authority. The fire chief is authorized to administer and enforce this code. Under the chief’s direction, the fire department is authorized to enforce all ordinances of the jurisdiction pertaining to: (5-3-03)

a. The prevention of fires; (5-3-03)

b. The suppression or extinguishment of dangerous or hazardous fires; (5-3-03)

c. The storage, use and handling of hazardous materials; (5-3-03)

d. The installation and maintenance of automatic, manual and other private fire alarm systems and fire- extinguishing equipment; (5-3-03)

e. The maintenance and regulation of fire escapes; (5-3-03)

f. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, and other property, including those under construction; (5-3-03)

g. The maintenance of means of egress; and (5-3-03)

h. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials, for authority related to control and investigation of emergency scenes, see Section 104.11. (5-3-03)

013. -- 015. (RESERVED)

016. PERMIT REQUISITE, SECTION 105.1.1, INTERNATIONAL FIRE CODE.

Delete “the required permit” from the last sentence of Section 105.1.1 of the International Fire Code and add “a permit if needed by the authority having jurisdiction.” (3-20-14)

017. VIOLATION PENALTIES, SECTION 109.4, INTERNATIONAL FIRE CODE.

In the first sentence of Section 109.4 of the International Fire Code, delete “[SPECIFY OFFENCE], punishable by a fine of not more than [AMOUNT] dollars, or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment” and add the word “misdemeanor”. (3-20-14)

018. FAILURE TO COMPLY, SECTION 111.4, INTERNATIONAL FIRE CODE.

In Section 111.4, International Fire Code, delete this entire section. (5-3-03)

019. SECTION 202, INTERNATIONAL FIRE CODE.

01. Fire Code Official. Add “or as appropriate the Idaho State Fire Marshal” to the end of the definition for FIRE CODE OFFICIAL in Section 202 of the International Fire Code. (3-29-17)

02. Driveway. Add “DRIVEWAY. A vehicular ingress and egress route that serves no more than five (5) single family dwellings, not including accessory structures.” (3-29-17)

03. Fire Station. Add “FIRE STATION, A building, or portion of a building that provides, at a minimum, all weather protection for fire apparatus. Temperatures inside the building used for this purpose need to be maintained at above thirty-two (32) degrees Fahrenheit.” (3-29-17)

020. SKY LANTERNS, SECTION 308.1.6.3, INTERNATIONAL FIRE CODE.

01. Untethered Sky lanterns. To section 308.1.6.3 delete the sentence: “A person cannot release or cause to be released an untethered sky lantern.” (3-29-17)

02. Sky lantern permit. To section 308.1.6.3 add the following: “A person cannot release or cause to be released a sky lantern, tethered or untethered without obtaining a permit, if required by the fire code or jurisdiction. When, in the opinion of the fire code official, the release of sky lanterns, tethered or untethered, constitutes a danger to persons or property, based on the current weather conditions, knowledge of topography, vegetation, or any other reasonable factor, is authorized to require additional safeguards prior to the release of sky lanterns. The fire code official may suspend, revoke, postpone, or prohibit the release of any sky lantern at any time.” (3-29-17)

021. CHAPTER 5 FIRE SERVICE FEATURES.

Make the following changes within Chapter 5 of the International Fire Code; (3-20-14)

01. Section 501. (4-7-11)

a. To section 501.3 after the phrase, Construction documents for proposed, add the word “driveways.” (4-7-11)

b. To section 501.4 after the phrase, When fire apparatus access roads, add the word “driveways.” (4-7-11)

02. Section 502. (3-29-17)

a. To section 502, add the following word “DRIVEWAY.” (3-29-17)

b. To section 502, add the words “FIRE STATION.” (3-29-17)

03. Section 503. (4-7-11)

a. To section 503 add the words, “AND DRIVEWAYS” to the section heading. (4-7-11)

b. To section 503.1.1 add the following sentence, “Driveways need to be provided and maintained in accordance with Sections 503.1.1 through 503.13.” (3-29-17)

c. To section 503.6 delete the sentence, “The installation of security gates across a fire apparatus access road shall be approved by the fire chief.” (4-7-11)

d. Add the following section, “503.7 Driveways. Need be provided when any portion of an exterior

wall of the first story of a building is located more than 150 feet (45720mm) from a fire apparatus access road. Driveways will provide a minimum unobstructed width of 12 feet (3658mm) and a minimum unobstructed height of 13 feet 6 inches (4115mm). Driveways in excess of 150 feet (45720mm) in length need to be provided with turnarounds. Driveways in excess of 200 feet (60960mm) in length and less than 20 feet (6096mm) in width may require turnouts in addition to turnarounds.” (4-7-11)

e. Add the following section, “503.7.1 Limits. A driveway cannot serve in excess of five single family dwellings.” (4-7-11)

f. Add the following section, “503.7.2 Turnarounds. Driveway turnarounds need to have an inside turning radius of not less than 30 feet (9144mm) and an outside turning radius of not less than 45 feet (13716mm). Driveways that connect with an access road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radius requirements for driveway turnarounds.” (4-7-11)

g. Add the following section, “503.7.3 Turnouts. Where line of sight along a driveway is obstructed by a man-made or natural feature, turnouts need to be located as may be needed by the fire code official to provide for safe passage of vehicles. Driveway turnouts will be of an all-weather road surface at least 10 feet (3048mm) wide and 30 feet (9144mm) long.” (4-7-11)

h. Add the following section, “503.7.4 Bridge Load Limits. Vehicle load limits will be posted at both entrances to bridges on driveways and private roads. Design loads for bridges will be established by the fire code official.” (4-7-11)

i. Add the following section, “503.7.5 Address markers. All buildings need to have a permanently posted address, which will be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address needs to be posted at the beginning of construction and maintained thereafter. The address need be visible and legible from the road on which the road on which the address is located. Address signs along one-way roads will be visible from both the intended direction of travel and the opposite direction. Where multiple address’s are required at a single driveway, they need to be mounted on a single post, and additional signs will be posted at locations where driveways divide.” (4-7-11)

j. Add the following section, “503.7.6 Grade. The gradient for driveways cannot exceed 10 percent unless approved by the fire code official.” (4-7-11)

k. Add the following section, “503.7.7 Security Gates. Where security gates are installed, they need to have an approved means of emergency operation. The security gates and emergency operation will be maintained operational at all times.” (4-7-11)

l. Add the following section, “503.7.8 Surface. Driveways need to be designed and maintained to support the imposed loads of local responding fire apparatus and will be surfaced as to provide all weather driving capabilities.” (4-7-11)

04. Section 507. To section 507.2 Type of water supply, delete the existing language and add the following, “A water supply will consist of water delivered by fire apparatus, reservoirs, pressure tanks, elevated tanks, water mains or other sources approved by the fire code official capable of providing the needed fire flow. Exception. The water supply prescribed by this code needs to apply to structures served by a municipal fire department or a fire protection district and within ten miles (16093m) of a responding fire station.” (4-7-11)

022. -- 026. (RESERVED)

027. ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS, SECTION 904.1.1, INTERNATIONAL FIRE CODE.

Add the following language to the beginning of section 904.1.1 of the International Fire Code, “If prescribed by the authority having jurisdiction,”. (3-29-17)

028. PORTABLE FIRE EXTINGUISHERS, SECTION 906.2.1, INTERNATIONAL FIRE CODE.

Add the following language to the beginning of section 9.6.2.1 of the International Fire Code, “If prescribed by the

authority having jurisdiction,”. (3-20-14)

029. FIRE ALARM AND DETECTION SYSTEMS, SECTION 907.1, INTERNATIONAL FIRE CODE.

Notification Devices. When fire alarm systems not needed by the International Fire Code are installed, the notification devices need to meet the minimum design and installation requirements for systems that are prescribed by this code. Intent: (Non-prescribed fire alarm systems will provide the same level of occupant notification that prescribed systems provide). (5-3-03)

030. CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS, SECTION 1101.1, INTERNATIONAL FIRE CODE.

Add the following language to the end of section 1101.1 of the International Fire Code, “only, if in the opinion of the fire code official, they constitute a distinct hazard to life or property.” (3-20-14)

031. EXPLOSIVES AND FIREWORKS, CHAPTER 56, INTERNATIONAL FIRE CODE.

Delete Sections 5601.1.3, 5601.2.2, 5601.2.3, 5601.2.4.1, 5601.2.4.2, and sections 5608.2, 5608.2.1, and 5608.3 of the International Fire Code. (3-20-14)

032. -- 045. (RESERVED)

046. UNDERGROUND TANKS OUT OF SERVICE FOR ONE YEAR, SECTION 5704.2.13.1.3 INTERNATIONAL FIRE CODE.

Add to Section 5704.2.13.1.3, International Fire Code, the following paragraph: Upon approval of the Chief underground tanks that comply with the performance standards for new or upgraded underground tanks set forth in Title 40 Section 280.20 or 280.21 of the Code of Federal Regulations may remain out of service indefinitely so long as they remain in compliance with the operation, maintenance and release detection requirements of the federal rule. (3-20-14)

047. -- 055. (RESERVED)

056. REFERENCES TO APPENDIX, INTERNATIONAL FIRE CODE.

The following appendixes of the International Fire Code are hereby adopted: (3-20-20)

01. Appendix B, Fire Flow Requirements for Buildings. (5-3-03)

02. Appendix C, Fire Hydrant Location and Distribution. (5-3-03)

03. Appendix D, Fire Apparatus Access Roads. (4-2-08)

a. To section D101.1 Scope, add the following sentence, “Driveways as described in section 503.7 through 503.11 are not subject to the requirements of this appendix.” (4-7-11)

b. To section D102.1, after the phrase, by way of an approved fire apparatus access road, add the following “designed and maintained to support the imposed loads of the responding fire apparatus and will be surfaced so as to provide all-weather driving capabilities.” And delete the remainder of the section. (4-7-11)

c. To section D103.2 Grade. Add the following. “The gradient of the fire apparatus access road needs to be within the limits established by the fire code official based on the capabilities of the responding fire departments apparatus.” Delete the remainder of the section and the exception. (4-7-11)

04. Appendix E, Hazard Categories. (5-3-03)

05. Appendix F, Hazard Rankings. (5-3-03)

057. -- 999. (RESERVED)

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