TITLE 9
BUILDING REGULATIONS

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CHAPTER 1

BUILDING CODES

SECTION:

9-1- 1: Building Codes And Standards
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9-1-1: BUILDING CODES AND STANDARDS:

A. Adoption: The City of Wallace hereby adopts the following Construction Codes and standards and shall enforce them with regard to all construction and development within the City of Wallace:


2012 International Residential Code.

International Mechanical Code.


Idaho Manufactured Home Installation Standard (IMHIS).

If later editions, revisions, or amendments of the foregoing codes or standards are promulgated, said later editions, revisions, or amendments shall be deemed to be the codes and standards adopted by this subsection when accepted by resolution of the Mayor and City Council. (Ord. 2002-02, 12-10-2002; amd. Ord. 2008-02, 2-13-2008; Ord. 2008-02A, 12-10-2011, eff. 1-12-2011; Ord. 2014-04, 12-10-2014, eff. 1-1-2015)

B. Copies On File: Copies of the codes adopted in this section, latest edition, and as the same may hereafter be amended, duly certified by the City Clerk/Treasurer shall be kept on file in the Office of the City Clerk/Treasurer for use and examination of and by the public. (Ord. 500, 12-13-1988; amd. 2000 Code; Ord. 2002-02, 12-10-2002)

C. Amendments:

1. Plan Check Fee: Plan check fee of twenty five percent (25%) of permit fee - construction over twenty five thousand dollars' ($25,000.00) valuation. (Ord. 2008-02, 2-13-2008)

2. Roof Snow Load: The minimum roof design snow load shall be sixty (60) pounds per square foot. (Ord. 2008-02, 2-13-2008; amd. Ord. 2008-02A, 12-10-2008, eff. 1-12-2011)

3. Concrete Foundation Walls: Concrete foundation walls shall be constructed as set forth in tables R404.1.1(1), R404.1.1(2), R404.1.1(3) and R404.1.1(4), and shall also comply with the provisions of this section and the applicable provisions of section R402.2. In the seismic design categories D1 and D2, concrete foundation walls shall comply with section R404.1.4.

4. Foundation Reinforcement: Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four feet (4') in height shall be four feet (4') on center for vertical reinforcement and two feet (2') on center for horizontal reinforcement. Foundation walls over four feet (4') in height (unless closer spacing is specified by design or engineering specifications) shall be eighteen inches (18") on center for horizontal and vertical reinforcement. All continuous footings will require a minimum of two (2) horizontal reinforcing bars. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade of forty (40). (Ord. 2008-02, 2-13-2008)

5. Ground Snow Load: Ground snow load shall be eighty (80) pounds per square foot. (Ord. 2008-02A, 1-12-2011, eff. 1-12-2011)
9-1-2: **UNIFORM PLUMBING CODE:**

A. Adoption: The uniform plumbing code is hereby adopted by the city as an ordinance of the city as fully as if it were set forth at length herein, for the purpose of providing certain minimum standards and requirements for the use of and the design, construction, installation, improvement, extension and alteration of materials, piping, venting, fixtures, appliances and appurtenances in relation to "plumbing" and "plumbing systems" as defined in the Idaho Code and to provide that all plumbing and plumbing systems shall be designed, constructed, installed, improved, extended and altered in substantial accord with the uniform plumbing code published by the International Association Of Plumbing And Mechanical Officials, and as it shall be amended from time to time and as such amendments or revisions shall be adopted by the Idaho plumbing board. (2000 Code)

B. Copies On File: Three (3) copies of the uniform plumbing code, latest edition, together with all amendments thereto, duly certified by the city clerk/treasurer shall be kept on file in his office for use and examination of and by the public. (Ord. 418, 5-8-1973; amd. 2000 Code)

9-1-3: **NATIONAL ELECTRICAL CODE:**

A. Adoption: There is hereby adopted for the purpose of safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity within the city, the national electrical code, prepared by the National Fire Protection Association, and the same is hereby adopted and incorporated as an ordinance of the city as fully as though set forth at length herein.

B. Copies On File: Three (3) copies of the national electrical code, latest edition, duly certified by the city clerk shall be kept on file in his office for use and examination of and by the public.

C. Violation: Any violation of the provisions contained within the national electrical code shall constitute a misdemeanor. (Ord. 412, 11-14-1972; amd. 2000 Code)

9-1-4: **UNIFORM MECHANICAL CODE:** (Rep. by Ord. 2002-02, 12-10-2002)
9-1-5:  **UNIFORM CODE FOR BUILDING CONSERVATION:**

A. Adoption: There is hereby adopted for the purpose of regulating and controlling building and construction within the historical districts of the city, the uniform code for building conservation, prepared by the International Conference Of Building Officials, latest edition thereof, and the same is hereby adopted and incorporated as an ordinance of the city as fully as though set forth at length herein.

B. Copies On File: Three (3) copies of the uniform code for building conservation, latest edition thereof, and as the same may hereafter be amended, duly certified by the city clerk/treasurer shall be kept on file in the office of the city clerk/treasurer for use and examination of and by the public. (Ord. 507, 10-10-1989; amd. 2000 Code)

9-1-6:  **NORTHWEST ENERGY CODE:**

A. Adoption: The city hereby adopts the latest edition of the northwest energy code as published by the Bonneville Power Administration, the conversion standard equivalent code to chapter 53 of the uniform building code as published by the Bonneville Power Administration, and appendix chapter 53 of the uniform building code, latest edition, as published by the International Conference Of Building Officials.

B. Copies On File: Three (3) copies of the northwest energy code, latest edition, and other codes as adopted in subsection A of this section, shall be duly certified and filed for use by the public in the office of the city clerk. An additional copy of the adopted codes shall be maintained in the building department.

C. Administration Of Codes: The codes adopted above will be administered in accordance with chapters 1, 2, and 3 of the latest edition of the uniform building code. It is the intent of the city that the cost of enforcement of the provisions and monetary reimbursement for early adoption of this code shall be provided by the Bonneville Power Administration.

D. Penalty: Each violation of this section or of any resolution, order, or ruling promulgated hereunder shall constitute a misdemeanor and may be punished as provided in section 1-4-1 of this code. Each day such violation continues to exist shall constitute a separate offense. (Ord. 513, 6-11-1991; amd. 2000 Code)
9-1-7: **AMERICANS WITH DISABILITIES ACT:** The Americans with disabilities act, part III, latest edition, is hereby adopted by the city as an ordinance of the city as fully as if it were set forth at length herein for the purpose of the city opting into title 39, chapter 41 of the Idaho Code, otherwise known as the "Idaho building code advisory act". (2000 Code)

9-1-8: **MOBILE HOME REHABILITATION ACT:** The mobile home rehabilitation act, title 44, chapter 25, Idaho Code, is hereby adopted by reference as an ordinance of the city and as it may from time to time be amended, as fully as if it were set forth at length herein as an ordinance of the city. (Ord. 98-05, 11-10-1993)

9-1-9: **PERMIT ISSUANCE:**

A. Duties Of Permit Applicant:

1. Compliance with city of Wallace land use ordinance and all other applicable ordinances of the city.

2. Has received final approval on a business/zoning development permit, variance, conditional use permit, temporary hardship, final subdivision plat, planned unit development, or zone change, if one is required.

3. Has received necessary water, sewer, and health permits. Permit approval through East Shoshone water district, South Fork Coeur d'Alene River sewer district, and Panhandle health district.

4. Has received an access, approach, or encroachment approval from the city when applicable.

5. Has a floodplain determination from the floodplain map for the city of Wallace with approval for an elevation certificate within the Al designation and/or an elevation certificate stamped by an Idaho licensed engineer, architect, or surveyor when the parcel is located in a special flood hazard area.

B. Work Exempt From Permit: Work exempt from permit shall include one-story detached accessory structures, provided the floor area does not exceed two hundred (200) square feet. (Ord. 2008-02, 2-13-2008)
9-1-10: **FEES:** Fees for building permits and related building department services shall be set by resolution of the Wallace city council.

Building valuation obtained from the building valuation data published by the International Conference Of Building Officials' (ICBO) "Building Standards" magazine each year shall be used to determine valuation of construction. Such valuation shall become effective on January 1 of the calendar year following the ICBO publication. (Ord. 2008-02, 2-13-2008)
CHAPTER 2

BUILDING PERMITS; INSPECTIONS

SECTION:

9-2-1: Building Inspector
9-2-2: Building Permit Required
9-2-3: Permit Fees
9-2-4: Inspections
9-2-5: Penalty

9-2-1: BUILDING INSPECTOR: The chief of fire district I shall be ex officio fire marshal and building inspector, and shall have the authority of a police officer and it shall be his duty to enforce the provisions of this chapter, and he shall collect all fees hereunder and pay the same into the city treasury, and shall make a monthly report of all things done under this chapter. (1944 Code § 3-219; amd. 2000 Code)

9-2-2: BUILDING PERMIT REQUIRED:

A. Application; Issuance: Every person, before erecting or remodeling any building, by addition or otherwise, within the city, shall submit a plan and estimate of the cost of the proposed building operations and file the same with the city building inspector or planning and zoning chairman, and no work shall be done thereon until the plan has been approved and a written permit to do the work has been issued by the chief of fire district I.

B. Kept On Premises; Inspection: Such permits shall be kept upon the premises during progress of the work and be subject to inspection at all times.

C. Revocation: A permit may be revoked, at any time by the city council should sufficient cause exist and all parties in interest shall be deemed to have waived all claims for damages by reason of such revocation. (1944 Code § 3-217; amd. 2000 Code)

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D. Contractor Registration:

1. No building permit shall be issued to a contractor for construction of any type without the contractor’s Idaho contractor registration number being presented by the contractor, except when the permit applicant provides evidence to the satisfaction of the building official that the applicant is exempt from the registration requirements pursuant to title 54, chapter 52, of the Idaho Code.

2. The Idaho contractor registration number shall be conspicuously entered on the face of the permit so issued.

3. No person engaged in construction activities who is exempt shall be required to have a contractor registration number. A permit issued to an exempt person shall conspicuously contain the phrase “no contractor registration required” on the face of such permit.

4. Exempt persons are set forth in Idaho Code 54-5205 and include those: a) providing volunteer work, b) construction activities fairly valued at less than two thousand dollars ($2,000.00) and c) construction performed by a property owner.

5. All issued building permits shall be posted at the construction site in such a manner that the conspicuous statements are visible.

6. The building official charged with the duty of issuing a permit shall not be required to verify the contractor’s registration number or verify the information provided to substantiate a claim for exemption. Accountability shall be handled by the bureau of occupational licenses and the Idaho contractors board.

7. Pursuant to Idaho Code section 54-5217, failure to register as required by the Idaho contractor registration act is a misdemeanor, punishable by a fine not to exceed one thousand dollars ($1,000.00), or imprisonment in the county jail for a term not to exceed six (6) months. (Ord. 2006-01, 6-14-2006)

INSPECTIONS:

A. Duty To Inspect: It shall be the duty of the chief of fire district I to inspect or cause to be inspected by fire department officers or members, as often as may be necessary, but not less than twice a year in outlying districts and four (4) times a year in the closely built portions of the city, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected, any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the city affecting the fire hazard.

B. Order For Removal Or Remedy; Appeal: Whenever the chief of fire district I or any officer or member thereof shall find any building or other structure which for want of repairs, or by reason of age or dilapidated condition or for any other cause, is especially liable to fire, and which is so situated as to endanger other property, and whenever any officer or member shall find in any building or upon any premises or other place combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulations of waste paper, boxes, shavings or any other highly inflammable materials, especially liable to fire, and which is so situated as to endanger property, or shall find obstructions to or on fire escapes, stairs, passageways, doors, windows, etc., liable to interfere with the operations of the fire department, or egress of occupants, in case of fire, he or they shall order the same to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within twenty four (24) hours to the mayor, who shall, within ten (10) days, review such order and file his decision thereon, and unless the order is revoked or modified, it shall remain in full force and be obeyed by such owner or occupant.

C. Service Of Order: The service of any such order shall be made upon the occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises; whenever it may be necessary to serve such an order upon the owner of the premises, such order may be served either by delivering to and leaving with the said person a true copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

City of Wallace

March 2008
D. Failure To Comply: Any owner or occupant failing to comply with such order within ten (10) days after said appeal shall have been determined, or, if no appeal is taken then within ten (10) days after the service of the said order, shall be liable to a penalty as hereinafter stated. (1944 Code § 3-901; amd. 2000 Code)

9-2-5: PENALTY: Any person violating any of the provisions of this chapter, shall, upon conviction thereof, be subject to penalty as provided in section 1-4-1 of this code. (2000 Code)
CHAPTER 3
HOUSE NUMBERING

SECTION:
9-3-1: Numbering Required
9-3-2: City Engineer To Direct
9-3-3: Whole Number To Twenty Five Feet Of Ground
9-3-4: Odd And Even Numbers
9-3-5: Blocks Numbered By Hundreds
9-3-6: Penalty

9-3-1: NUMBERING REQUIRED: All dwellings and business houses within the limits of City shall be numbered as hereinafter directed. (1944 Code § 4-501)

9-3-2: CITY ENGINEER TO DIRECT: The numbering hereinbefore indicated shall be done under the direction of the City Engineer. (1944 Code § 4-502)

9-3-3: WHOLE NUMBER TO TWENTY FIVE FEET OF GROUND: In numbering the houses, one whole number shall be allowed to every twenty five feet (25') of ground wherever practicable, whether improved or vacant, and any house or tenement with a lesser front than twenty five feet (25') shall receive a whole number. (1944 Code § 4-503)

9-3-4: ODD AND EVEN NUMBERS:

A. East And West: On streets running east and west, odd numbers shall be on the north side of the streets and even numbers on the south side of the streets.
B. North And South: On streets running north and south, odd numbers shall be on the east side of the streets and even numbers shall be on the west side of the streets. (1944 Code § 4-504)

9-3-5: BLOCKS NUMBERED BY HUNDREDS:

A. East And West: Each block shall be numbered by hundreds. All numbering on streets running east and west shall begin at First Street with the number one hundred (100), the block between Second and Third Streets being numbered two hundred (200), and so on eastward in proper order. That portion of east and west streets lying west of First Street shall receive numbers less than one hundred (100). Osborne Road, West Side Avenue and Front Avenue shall be considered as running east and west and be numbered accordingly. Canyon Avenue, Burke Road and Cottage Grove Avenue shall be considered as extensions of Bank Street and shall receive numbers which are continuations, in proper order, of the numbers on Bank Street. (1944 Code § 4-505)

B. North And South: All numbering on streets running north and south, except on King Street and on Nine Mile Road, shall begin at Cypress (and Pine Streets) with the number one hundred (100), the block between River and Pine Streets being numbered two hundred (200), and so on southward in proper order. That portion of north and south streets lying north of Cypress Avenue shall receive numbers less than one hundred (100). On King Street the numbering shall begin at Bank Street with number one and proceed southward in proper order; and on Nine Mile Road the numbering shall begin at the South Fork of the Coeur d'Alene River with number one and proceed northward in proper order. (1944 Code § 4-506)

9-3-6: PENALTY: Any owner, agent or person having control of any dwelling or business house of any and every kind and description, who shall violate, refuse or neglect to comply with the provisions of this Chapter shall, upon conviction thereof, be subject to penalty as provided in Section 1-4-1 of this Code. (1944 Code § 4-507; amd. 2000 Code)
CHAPTER 4
BASEMENTS

SECTION:

9-4-1: Ground Floor Pipe Casing Holes Required
9-4-2: Storage Prohibited
9-4-3: Notice To Comply
9-4-4: Entrances To Be Protected
9-4-5: Fence Or Railing On Stairways
9-4-6: Stairways To Be Protected
9-4-7: Gates To Be Kept Closed
9-4-8: Penalty

9-4-1: GROUND FLOOR PIPE CASING HOLES REQUIRED: In order to enable the Fire Department to properly reach and extinguish fires occurring in the basements of buildings in the City, which basements are being used, or to be used for the storage of goods or merchandise, without the loss of valuable time in having to cut holes through wood and concrete floors to such basements and for the purpose of gaining access thereto, every building already erected and every building hereafter erected in the City where the basement thereof is being used or is to be used for the storage of goods or merchandise of any description shall be provided with ground floor pipe casing holes constructed in and through the floors of the first story of such building, extending down to and even with the basement ceiling or bottom of floor joist of such first story floor so as to enable the Fire Department to put a water circulating nozzle through for the prompt extinguishment of any fire occurring in any such basement. Such ground floor pipe casing holes shall be constructed according to the plans therefor on file in the office of the Chief of the Fire Department and shall be located and of such number as may be determined upon by the Chief of the Fire Department. (1944 Code § 3-801)

9-4-2: STORAGE PROHIBITED: No goods or merchandise of any description shall be stored in any such basement in such manner as to interfere with the proper working of the water circulating
9-4-2

nozzle used by the Fire Department which will pass through any of such
ground floor pipe casing holes; and no goods, merchandise, or other
obstructions shall be placed over the cover of such ground floor pipe casing
holes on the floor of the first story; and all such covers must at all times be
kept clear of all obstructions so as not to interfere with their prompt use by
the Fire Department in case of fire. (1944 Code § 3-802)

9-4-3: NOTICE TO COMPLY: The Chief of the Fire District I shall
notify the owners of all buildings now erected, where the
basements are used for the storage of goods or merchandise of any
description, to place such ground floor pipe casings through the floor of the
first story within sixty (60) days of the service of such notice. No plans of
any building hereafter to be erected shall be accepted or approved by the
Chief of Fire District I or City Engineer unless the plan of the first floor
thereof over a basement which is to be used for storing goods or
merchandise of any description, shall show that the ground floor pipe
casing holes have been provided for, which will permit the Fire Department
to put a water circulating nozzle through, and that the same are to be
constructed according to the plans therefor on file in the office of the City
Engineer. (1944 Code § 3-803)

9-4-4: ENTRANCES TO BE PROTECTED:

A. Prohibited: It shall be unlawful for any person to leave or keep open
in an uncovered or unguarded condition, any cellar or basement
door, or stairway leading into any cellar or basement from any street,
alley or sidewalk in the City, or to leave or keep open in an
uncovered or unguarded condition, any pit, grating, sidewalk
opening, sidewalk elevator, coal hole, or any vault or other
subterranean passage opening from, into or upon any street, alley or
sidewalk in the City. (1944 Code § 3-805)

B. Notice To Comply: Upon the passage, approval and publication of
this Chapter, it shall be the duty of the City Engineer to notify all
persons maintaining or using, on any sidewalk or alley in the City,
any sidewalk elevator, coal hole, chute or stairway opening or
leading into any basement or cellar to comply with the provisions of
this Chapter within fifteen (15) days from the date of such notice.
(1944 Code § 3-806)
9-4-5: **FENCE OR RAILING ON STAIRWAYS:** Each such stairway leading into any basement or cellar shall be enclosed with a substantial fence of iron or metal pipe railing, in such a manner that the lowest railing shall not be more than six inches (6") above the sidewalk, a second railing not more than twelve inches (12") above the sidewalk, a third railing not more than twenty inches (20") above the sidewalk, and a fourth railing not more than thirty six inches (36") above the sidewalk, but the total height of such fence or railing shall not be less than thirty six inches (36") above the sidewalk, or in lieu of a fence of iron or metal pipe railing, it shall be lawful to securely enclose such basement stairway, or other basement opening, with an iron fencing or grating of wire, which shall not be less than three-sixteenths inch (3/16") in thickness, and there shall be kept and maintained at the entrance of such basement stairway or other similar opening, a grate, the specifications of which shall be similar to those herein provided in case of outside railings or fencing. (1944 Code § 3-807)

9-4-6: **STAIRWAYS TO BE PROTECTED:** Any person maintaining or using, on any street, alley or sidewalk in the City, any stairway leading down from any building, floor or elevation above any street, alley or sidewalk, must guard the rear of said stairway with a substantial and effective iron railing. (1944 Code § 3-808)

9-4-7: **GATES TO BE KEPT CLOSED:** Any person maintaining or using, on any street, alley or sidewalk, in the City, any sidewalk elevator, coal hole or chute or other opening leading into any basement or cellar, must when the same is in use properly guard and enclose the same with suitable gate constructed in such a manner as to render passage along such street, alley or sidewalk safe and free from danger. (1944 Code § 3-809)

9-4-8: **PENALTY:** Any person violating any of the provisions of this Chapter shall, upon conviction therefor, be subject to penalty as provided in Section 1-4-1 of this Code. (2000 Code)
CHAPTER 5
WATERCOURSES

SECTION:

9-5-1: Building Over Creek Prohibited
9-5-2: Placer Creek
9-5-3: South Fork Of Coeur d'Alene River
9-5-4: Canyon Creek
9-5-5: Nine Mile Creek
9-5-6: Penalty

9-5-1: **BUILDING OVER CREEK PROHIBITED:** It shall be unlawful for any person to build into, over or upon any of the streams or channels of the streams of any of the creeks or watercourses of the City as the same now are, or as they may hereafter be established. (1944 Code §§ 5-103, 5-403)

9-5-2: **PLACER CREEK:**

A. Channel Established From South City Boundary To Point On High Street:

1. Channel: The channel of the stream known as Placer Creek where it flows through the City from a point on the south boundary line of the City to a point on the monument line of High Street 153.10 feet westerly from the monument marking the intersection of First and High Streets of the City is hereby located, designated and established as follows, and the following lines of survey and location are hereby adopted as the lines of survey and location of the channel and course of such Placer Creek:

   Beginning at a point on the south boundary line of the City of Wallace one hundred fifty feet east of corner No. Two of said City boundary, running thence north thirty-six degrees forty-five minutes east, forty-one and no-hundredths feet to a point, thence north
forty-six degrees five minutes east, sixty-four and twenty-hundredths feet to a point on the southerly line of Lot Five, Block Two, South Wallace Townsite twenty feet distant easterly from the southwest corner of said Lot Five; thence north sixty-five degrees no minutes east, one hundred twenty-five feet to a point; thence north fifty-four degrees no minutes east seventy feet to the beginning of a curve to the left; thence along the circumference of a curve whose radius is one hundred ten feet and whose central angle is sixty-six degrees no minutes, sixty-three and thirty-six hundredths feet to end of curve; thence north twelve degrees no minutes west, one hundred eighty-five and ninety-four hundredths feet to a point on the north line of Lot One, Block Two, South Wallace Townsite, one hundred forty-three and fifty-four hundredths feet distant easterly from the northwest corner of said Lot One; thence north seven degrees no minutes east, two hundred eighty feet to a point; thence north eighteen degrees five minutes east, one hundred twenty-four and ninety-six hundredths feet to a point; thence north five degrees no minutes east, one hundred ninety feet to a point on the monument line of High Street one hundred fifty-three and ten-hundredths feet westerly from the monument marking the intersection of First and High Streets in the City of Wallace.

(1944 Code § 5-101)

2. Width Of Channel: The width of such channel and watercourse of Placer Creek shall be and the same is hereby established at twenty five feet (25'), i.e., it shall be twelve and one-half feet (12 1/2') on each side of the line hereinbefore described in subsection A1 of this Section. (1944 Code § 5-102)

B. Channel Established Through City:

1. Channel: The channel of the stream known as Placer Creek through the City is hereby located and established as follows, and the following lines of survey and location are hereby adopted as the lines of survey and location of the channel of Placer Creek:

Beginning at a point in the center of the channel of said Placer Creek, as it now runs, at a point where it crosses the North side of River Street, thence S. 6 degrees 10 minutes W. 163 feet along the center of said channel; thence S. 34 degrees 15 minutes W. 315 feet; thence S. 56 degrees 10 minutes W. 333 feet to a point opposite the Northwest corner of the Frances Holland Hospital; thence S. 6 degrees 15 minutes W. 805 feet; thence S. 27 degrees 30 minutes W. 255 feet; thence S. 0 degrees 15 minutes E. 246 feet;

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thence S. 36 degrees 15 minutes E. 114 feet; thence S. 28 degrees W. 200 feet. 
(1944 Code § 5-104)

2. Width Of Channel: The width of the channel of Placer Creek shall be and the same is hereby established at fifty feet (50'), i.e., it shall be twenty five feet (25') on each side of the line hereinbefore described in subsection B1 of this Section. (1944 Code § 5-105)

9-5-3: SOUTH FORK OF COEUR D'ALENE RIVER:

A. Channel Established Through City: The channel of the stream known as the South Fork of the Coeur d'Alene River through the City is hereby located and established as follows, and the following lines of survey and location are hereby adopted as the lines of survey and location of the channel of the South Fork of the Coeur d'Alene River:

Beginning at the most Easterly point in the channel of the South Fork of the Coeur d'Alene River, which falls within the boundary line of the City of Wallace, as is now established, thence through the center of the channel thereof, as it now runs, S. 32 degrees 30 minutes W. 257 feet; thence S. 69 degrees W. 190 feet; thence N. 69 degrees 30 minutes W. 383 feet; thence S. 74 degrees 45 minutes W. 397 feet thence S. 46 degrees W. 128 feet; thence S. 38 degrees 05 minutes W. 231 feet; thence S. 79 degrees 15 minutes W. 580 feet; thence N. 81 degrees 40 minutes W. 232 feet; thence N. 73 degrees 48 minutes W. 366 feet; thence N. 59 degrees W. 156 feet; thence N. 46 degrees 25 minutes W. 420 feet; thence N. 47 degrees 35 minutes W. 530 feet to a point where said river passes over the boundary line of the City Wallace. 
(1944 Code § 5-201)

B. Width Of Channel: The width of the channel of the South Fork of the Coeur d'Alene River shall be and the same is hereby established at eighty feet (80'), i.e., it shall be forty feet (40') on each side of the line hereinbefore described in subsection A of this Section. (1944 Code § 5-202)

9-5-4: CANYON CREEK:

A. Channel Established Through City: The channel of the stream known as Canyon Creek through the City is hereby located and established as follows, and the following lines of survey and location are hereby
adopted as the lines of survey and location of the channel of Canyon Creek:

Beginning at a point in the channel of the said Canyon Creek, where it crosses the most Northerly boundary line of the City of Wallace, as located up Canyon Creek Canyon; thence S. 18 degrees 45 minutes W. 495 feet; thence S. 02 degrees 05 minutes W. 106 feet; thence S. 33 degrees E. 101.5 feet; thence S. 8 degrees E. 131 feet; thence S. 26 degrees E. 280 feet; thence S. 8 degrees 25 minutes W. 122 feet; thence S. 0 degrees 18 minutes W. 207 feet to a point, where the center of said Canyon Creek channel meets the South Fork of the Coeur d'Alene River channel.
(1944 Code § 5-301)

B. Width Of Channel: The width of the channel of Canyon Creek shall be and the same is hereby established at forty feet (40'), i.e., it shall be twenty feet (20') on each side of the line hereinbefore described in subsection A of this Section. (1944 Code § 5-302)

9-5-5: NINE MILE CREEK:

A. Channel Established Through City: The channel of the stream known as Nine Mile Creek through the City is hereby located and established as follows, and the following lines of survey and location are hereby adopted as the lines of survey and location of the channel of Nine Mile Creek:

Beginning at a point in the center of Nine Mile Creek channel, as now located, where the same intersects the most Northerly boundary line of the City of Wallace, as located and established up Nine Mile Creek Canyon; thence S. 43 degrees 45 minutes W. 200 feet; thence S. 4 degrees W. along the center of said channel 147 feet; thence S. 32 degrees 45 minutes. W. 146 feet; thence S. 1 degree 15 minutes W. 100 feet; thence S. 57 degrees 30 minutes W. 127 feet; thence S. 21 degrees 45 minutes W. 76 feet; thence S. 50 degrees W. 270 feet to a point, where the center of said Nine Mile Creek channel meets the center of the channel of the South Fork of the Coeur d'Alene River.
(1944 Code § 5-401)

B. Width Of Channel: The width of the channel of Nine Mile Creek shall be and the same is hereby established at thirty feet (30'), i.e., it shall be fifteen feet (15') on each side of the line hereinbefore described in subsection A of this Section. (1944 Code § 5-402)
9-5-6: PENALTY: Any person violating the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to penalty as provided in Section 1-4-1 of this Code. (1944 Code §§ 5-103, 5-403; amd. 2000 Code)

City of Wallace
CHAPTER 6
MISCELLANEOUS BUILDING REGULATIONS

SECTION:
9-6-1: Awnings
9-6-2: Fire Escapes
9-6-3: Lodging Houses

9-6-1: AWNINGS:

A. Regulation Of Awnings: No person shall erect or maintain over or above the sidewalk space of any street or avenue of the City any awning or shade of any kind for any purpose, unless every part thereof shall be at least seven feet (7') above the surface of the sidewalk or sidewalk space. (1944 Code § 3-1201)

B. Penalty: Any person violating the provisions of subsection A of this Section shall be deemed guilty of an offense and upon conviction thereof shall be subject to penalty as provided in Section 1-4-1 of this Code. (1944 Code § 3-1202; amd. 2000 Code)

9-6-2: FIRE ESCAPES:

A. Required: Buildings of three (3) stories or more in height now or hereafter erected in the City shall be provided with sufficient well-constructed, easily accessible fire escapes or other suitable means of exit. All fire escapes shall be kept clear of all obstructions whatsoever. They shall be placed at the ends of halls or passages with a door or window on each floor to each fire escape in the building. All halls and passages must extend to outer walls of buildings hereafter built. The doors and windows leading to fire escapes above the first story shall be provided with fastenings that can be easily opened. (1944 Code § 3-1203)
B. Specifications:

1. Material: All fire escapes shall be constructed entirely of iron.

2. Side Rails: The ladder shall have side rails of three-eighths inch by one-half inch (\(\frac{3}{8}\)" x \(\frac{1}{2}\)"") wrought iron, placed not less than fourteen inches (14") apart.

3. Rounds: The rounds shall be five-eighths inch (\(\frac{5}{8}\)"") diameter, placed fourteen inches (14") apart and well secured to rails.

4. Height: The ladder shall extend from a height of ten feet (10') above sidewalk or ground to a distance of two feet (2') above and over the fire wall.

5. Hinged Extension: There shall be a hinged extension to all ladders where the first balcony is more than twelve feet (12') from the ground and is so situated that a fixed ladder would not interfere with doors or windows below; this extension shall reach from within six feet (6') of the ground to the first balcony. (1944 Code § 3-1204)

C. Balcony:

1. Required: A balcony not less than two feet six inches (2'6") wide by a length equal to the full width of the window or door and width of ladder space, shall be constructed on each floor at each ladder.

2. Floor: The balconies shall have floors made strong enough to carry a load of one hundred (100) pounds to the square foot, and as approved by the Chief of Fire District I.

3. Ladder Openings: Ladder openings in the floor of balconies must not be less than twenty inches by twenty inches (20" x 20").

4. Floor Rail: The floor rail of all balconies shall be of three-eighths inch by two inch (\(\frac{3}{8}\)" x 2") wrought iron or its equivalent and shall be supported by strong braces of three-fourths inch by two inch (\(\frac{3}{4}\)" x 2") wrought iron at an angle of forty five degrees (45°). (1944 Code § 3-1205)

5. Handrails: Handrails of balconies shall be made of solid square or flat iron not less than one-half inch by one and one-half inch (\(\frac{1}{2}\)" x 1\(\frac{1}{2}\)"), securely fastened together and to the walls. Space from handrail to floor to be filled in with grille work or additional rails and uprights.

City of Wallace
6. Fastening To Building: All balconies and ladders shall be securely fastened to brick buildings by means of bolts or rods not less than five-eighths inch (5/8") diameter and not less than four inches (4") long. (1944 Code § 3-1206)

D. Markings Of Fire Escapes: It is hereby made the duty of every person owning or having control of any public hall, office building, hotel, school building, factory or other structure where fire escapes are required to be kept under the laws of the State, to keep red lights burning in such manner as to indicate the place of such escape, at all hours during the night, in such manner that they may be easily indicated to the occupants of such buildings in case of fire. (1944 Code § 3-1208)

E. Penalty: Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction shall be subject to penalty as provided in Section 1-4-1 of this Code. (1944 Code § 3-1207; amd. 2000 Code)

9-6-3: LODGING HOUSES:

A. Requirements: It shall be the duty of every person owning or having control of any lodging house within the City where ten (10) or more rooms are kept for lodging purposes, to keep exit signs burning in such manner as to indicate the places of exit from such lodging house, at all hours during the night, in such manner that such places of exit may be easily indicated to the occupants of such lodging house. (1944 Code § 3-1209)

B. Notice To Be Posted: It shall be the duty of every person owning or having control of any such lodging house as is mentioned in subsection A of this Section, to provide written or printed notices and keep them posted in each of the rooms of such lodging house, which notices shall state the purpose for such exits and where they are located throughout the building. (1944 Code § 3-1210; amd. 2000 Code)

C. Penalty: Any person who shall fail to comply with any of the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to penalty as provided in Section 1-4-1 of this Code. (1944 Code § 3-1211; amd. 2000 Code)
AN ORDINANCE OF THE CITY OF WALLACE, SHOSHONE COUNTY, IDAHO, REQUIRING A CONTRACTOR TO PROVIDE AN IDAHO CONTRACTOR REGISTRATION NUMBER PRIOR TO ISSUANCE OF A BUILDING PERMIT; PROVIDING FOR CONSPICUOUSLY ENTERING SAID NUMBER ON THE FACE OF THE PERMIT; PROVIDING FOR EXCEPTION; PROVIDING FOR POSTING; AND PROVIDING FOR ACCOUNTABILITY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WALLACE, SHOSHONE COUNTY, IDAHO;

WHEREAS, The City of Wallace hereby adopts the following building permits and contractor registration number and shall enforce them with regard to all construction and development within the City of Wallace;

WHEREAS, the Wallace City Council believes it to be in the best interests of the City to provide for an Ordinance regarding Contractor's Registration.

THEREFORE BE IT HEREBY ORDAINED AS FOLLOWS:

Section 1. No building permit shall be issued to a contractor for construction of any type without the contractor's Idaho Contractor Registration Number being presented by the contractor, except when the permit applicant provides evidence to the satisfaction of the building official that the applicant is exempt from the registration requirements pursuant to Title 54, Chapter 52, of the Idaho Code.

Section 2. The Idaho Contractor Registration Number shall be conspicuously entered on the face of the permit so issued.

Section 3. No person engaged in construction activities who is exempt shall be required to have a contractor registration number. A permit issued to an exempt person shall conspicuously contain the phrase "no contractor registration required" on the face of such permit.
Section 4. Exempt persons set forth in Idaho Code 54-5205 and include those a) providing volunteer work, b) construction activities fairly valued at less than $2,000 and c) construction performed by a property owner.

Section 5. All issued building permits shall be posted at the construction site in such a manner that the conspicuous statements are visible.

Section 6. The building official charged with the duty of issuing a permit shall not be required to verify the contractor’s registration number or verify the information provided to substantiate a claim for exemption. Accountability shall be handled by the Bureau of Occupational Licenses and the Idaho Contractors Board.

Section 7. Pursuant to Idaho code Section 54-5217, failure to register as required by the Idaho Contractor Registration Act is a misdemeanor, punishable by a fine not to exceed $1,000, or imprisonment in the county jail for a term not to exceed six (6) months.

This ordinance shall take full force and effect upon its passage, approval, and publication in one (1) issue of the Shoshone News-Press, a newspaper of general circulation within the City of Wallace, and the official newspaper thereof.

THEREFORE,

SAID public hearing shall be held on the 14th day of June, 2006, at the hour of 6:00 o’clock, p.m. at the Council chambers, Wallace City Hall, 703 Cedar Street, Wallace, Idaho.

SAID ordinance shall be published in the local newspaper in accordance with Idaho law.

Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any matter, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance, or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken upon matters pending before the City Council on the effective date of this ordinance.

ORDINANCE NO.: 2006-01
5/15/2006
The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

All ordinances and all parts of the ordinances in conflict herewith are hereby repealed.

This ordinance is passed under suspension of the rules upon which a roll call vote was taken, and duly enacted as an ordinance of the City of Wallace, Shoshone County, Idaho, at a regularly convened meeting of the Wallace City Council, held on the 14th day of June, 2006.

This ordinance shall be in full force and effect after its passage, approval and publication.

PASSED AND APPROVED on this 14th day of June, 2006.

CITY OF WALLACE
Shoshone County, Idaho

By: [Signature]
RON GARITONE, Mayor

ATTESTED TO BY:

[Signature]
JOANNE McCOY, City Clerk

ORDINANCE NO.: 2006-01 - 3
5/15/2006
APPROVED AS TO FORM:

HOLLIS J. ANDERSON
Attorney for the City of Wallace

* * * *

IT WASMOVED by: William Dire and
SECONDED by: Chase Sanborn to
pass the foregoing Ordinance No.: 2006-01.

CITY COUNCIL MEMBERS YES NO ABSTAIN ABSENT

(1) LYNN MOGENSEN x
(2) JOHN HANSEN x
(3) WILLIAM DIRE x
(4) CHASE SANBORN x
(5) JOANN BRANSTETTER x
(6) JAMIE WINTERSET x

* * * *

STATE OF IDAHO )
County of Shoshone ) ss.

I JOANNE McCoy, Clerk of the City of Wallace, Idaho,
do hereby certify that at the regular meeting of the
council of said City of Wallace held the 14th day of
June, 2006, the foregoing ordinance was
unanimously passed, nunc pro tunc.

IN WITNESS WHEREOF, I have hereunto set my hand and
the official seal of my office this 14th day of
June, 2006.

JOANNE McCoy, City Clerk

* * * *

ORDINANCE NO.: 2006-01 - 4
5/15/2006
STATE OF IDAHO

County of Shoshone

JOANNE McCLOY, being first duly sworn, deposes and says:

That she is the Clerk of the City of Wallace, Idaho.

That she has read the foregoing Ordinance, knows the contents thereof and knows the same to be a full, true and correct copy of the Ordinance unanimously passed at the regular meeting of the city council on the 14th day of June, 2006.

SUBSCRIBED AND SWORN to before me this 14th day of June, 2006.

[Signature]

JUDITH L. MORIN
NOTARY PUBLIC
STATE OF IDAHO

Nowary Public for Idaho
Residing at: Carman
Commission expires: 04/19/08