

*ord. Tabled*  
*6/10/10*

ORDINANCE No. 160

By Woodward and Equals.

An Ordinance creating the office of Building Inspector, defining his duties, providing for his compensation, prescribing rules for the construction of buildings and for the issuing of building permits.

Be it Ordained by the Mayor and the Council of the City of Payette, Idaho:

Section 1. The office of Building Inspector of the City of Payette is hereby created, and such officer shall be appointed by the Mayor with the approval of the Council and shall hold his office during the term of, and under the conditions prescribed for other appointive officers.

Section 2. DUTIES.

It shall be his duty to inspect all buildings in the process of construction or repair, and he shall have the power to inspect all other buildings to ascertain if the ordinances in regard to buildings are being complied with, and shall keep a record of such inspection, and shall file quarterly statements of the transactions of his office with the city clerk. In case the ordinances are not being complied with he shall make a report thereof, in writing, to the mayor. It shall be his duty to make all complaints charging violations of the building ordinances. Said building inspector shall discharge and perform such duties and powers as may be from time to time imposed and conferred upon him by the ordinances of the city of Payette or by the requirements of the mayor thereof.

Section 3. COMPENSATION.

The compensation of the Building Inspector shall be paid by the collection of fees for permits, to be paid by each applicant for a permit at the time of the issuance thereof.

Section 4. INSPECTION of CITY BUILDINGS.

No additions, alterations, changes or repairs will be allowed to be made in any building belonging to or the property of the city of Payette before same shall have been inspected and reported on by said building inspector.

Section 5. PERMITS.

No person, firm or corporation shall begin or continue the

erection, alteration or repair of any building or structure within the corporate limits of the city of Payette without first having applied for and obtained a permit so to do from the building inspector.

Section 6.        ARBITRATION in ~~XXXXXX~~ CASE of DISPUTE.

The building inspector shall have power to pass upon any question arising under the provisions of this ordinance, relative to the manner of construction or materials to be used in the erection, alteration or repair of any building; Provided, However, that should any question arise between the building inspector and the owner and architect of any building, or should the owner or architect object to any order or decision of said building inspector, the matter shall be referred to a committee of three persons, one of whom shall be chosen by the building inspector, one by the owner or other interested party, and these two shall choose the third. The decision submitted by this committee shall be final. Each member of this committee shall be entitled to a fee of two dollars (\$2.00) for each day they shall act on this committee. One half of these fees to be paid by the city of Payette and the other half by the owner or agent.

Section 7.        PLANS and SPECIFICATIONS to be FILED with BUILDING INSPECTOR.

In all cases plans and specifications, sufficient to enable the building inspector to obtain full and complete information as to the character of the work proposed to be done under the permit, shall be filed with the ~~xxx~~ application for permit. All plans and specifications of buildings of a public character shall remain on file permanently in the building inspectors office.

Section 8.        USE of STREET or SIDEWALK.

It shall be unlawful to occupy any part of the street or or sidewalk before building operations have commenced or after the same have ceased. It shall be unlawful to place upon the street or walk anything not required for immediate use in connection with the structure then being erected, and when the building is under roof all materials shall be placed within the lot lines, and the streets and walks cleaned and put in the same condition as before building operations commenced.

Building permits shall not permit the use of any street or walk, or part thereof, other than immediately in front of the lots upon which the building is being erected, and then only to the extent as may be directed by the building inspector.

Section 9. TEMPORARY FRAME STRUCTURES.

Temporary frame structures for the use of builders while engaged in building operations may be erected adjoining the work in any part of the city, said temporary frames to be removed as soon as the permanent building is enclosed.

Section 10. SCAFFOLDS.

All scaffolds erected for use in the construction or repair of stone, brick or other buildings shall be well and sufficiently supported, of sufficient width and properly secured so as to insure the safety of persons working thereon, or passing under or by the same, against the falling thereof, or of such materials as may be used, placed or deposited thereon.

Section 11. MORTAR BEDS.

Mortar beds shall be placed so as to protect the clothing of persons passing and the walls of adjoining buildings. Mortar beds for mixing plaster shall not be located upon Boise St.

Section 12. ALTERATIONS.

No building shall be materially altered or any of the conditions changed until full and detailed plans shall be filled with the building inspector, and his permit obtained.

Section 13# PRELIMINARY PERMITS.

Permits for clearing the ground or excavating may be issued pending the completion of the plans and specifications, and all persons doing such excavation shall fully protect all adjoining land or buildings. For such temporary permit a fee of fifty cents ( 50¢ ) shall be paid, and such permit shall terminate in thirty days (30) from date thereof.

Section 14. FEES for BUILDING PERMITS.

Building permits shall be issued upon payment of fees as follows, viz: Two dollars (\$2.00) for work costing one thousand dollars (\$1000.) or less; for work costing more than one thousand dollars (\$1000.)

additional  
(\$ ) for each thousand dollars or fraction thereof. Each building must have a separate permit.

Section 15. Notice and PERMIT FOR DEVIATION.

If, during the progress of the work upon any structure, it is desired to deviate, in any manner affecting the construction or strength of the same, from the plans and specifications upon which the permit was issued, notice of such proposed change must be filed with the building inspector, and his written permit obtained therefor, before such alterations are made.

Section 16. PERMIT for MOVING BUILDINGS, ETC. FEE.

It shall be unlawful for any firm or person to move any building along any of the streets or alleys of the city, or to move anything weighing over two thousand (2000) pounds, or requiring the use of rollers, capstan or machinery of any kind upon any of the streets, or to hoist any heavy weight to the upper portion of buildings over any street, sidewalk or alley or places to which the public have access, without first making application to the building inspector and obtaining a permit therefor.

Said permit shall designate the streets and walks, and to what extent they may be used for the purpose, and the hours of the day during which such work shall be done. The fee for issuing such permit shall be one dollar (\$1.00), and such permit shall be good only during such hours and for such time as shall be specified in such permit.

Section 17. DURATION OF BUILDING PERMITS.

The duration of all building permits shall be governed by the cost of the structure. They shall in no case exceed a period of twelve (12) months. Permits may be once renewed, free of cost. Every permit shall be considered cancelled if active work is not commenced within four (4) months of the date of issue.

Section 18. TEMPORARY STAGING, ETC.

Temporary staging for observation, grandstands, platforms and similar structures shall not be erected on the roof of any building nor in any locality within the city of Payette without a written permit from the building inspector; The manner of construction and all matters

touching the strength of the same shall be subject to the approval of the building inspector, and all such structures shall be finished at least twenty four (24) hours before being occupied. The fee for issuing such permit shall be any sum not to exceed two dollars (\$2.00). Said permit shall designate the number of days it shall remain in force.

#### Section 19. REVOCATION of PERMIT

Should the building inspector become convinced that the work under any permit is not proceeding according to the detailed statement, plans or specifications upon which such permit was issued, but is proceeding in violation of this ordinance, it shall be his duty to notify the owner or owners, or his or their agents in writing, that the work is being constructed in violation of the permit and ordinance, and that the same must be immediately rectified to conform with the building laws. If the owner or owners, or his or their agents, neglects to comply with said laws or fail to make said correction, it shall be the further duty of the building inspector to revoke said permit, and notice thereof shall be immediately served upon the owner, agent, superintendent or contractor in charge of the work, and posted on the property. After such notice of revocation of permit has been served, any contractor or workman performing any work in or about said structure, building or premises shall be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).

#### Section 20. LIVERY BARNS, STOCK YARDS, ETC.

All new buildings or additions to present buildings to be used for livery barns, stock yards, pig pens, cow stables, dairies, corrals, fowl-coops, fowl yards, planing mills, wood yards, lumber yards will not be permitted except by special permit from the mayor and council.

#### Section 21. FRAME STRUCTURES.

No frame or wooden structure or building shall be moved into any locality where it would be unlawful to build such structure or building; Provided, that the building inspector, with the approval of the mayor, may grant a permit to move frame buildings from the front of lots toward the rear of the same lots, for the purpose of making room for better

improvements in front. All such buildings so moved shall be made to conform with the requirements of the fire ordinances of this city.

**Section 22. KEEP BUILDINGS IN REPAIR.**

The owner, agent or occupants, having the care of buildings, shall keep them in repair, and when so notified by the building inspector shall make needed repairs, and shall point up and fill with mortar or cement all cracks, splits, fissures or loose materials and other defects in the walls or supports, to enable the building inspector to judge of changing conditions should they occur in any part of any such building.

**Section 23. BUILDINGS DAMAGED by FIRE or DECAY.**

When any frame structure in the fire district of the city of Payette shall be damaged to the extent of fifty per cent (50%) of its value, exclusive of its foundation, either by fire or decay, it shall not be repaired, but must be taken down and removed.

**Section 24. BUILDING MAY BE DECLARED A NUISANCE.**

Whenever in the opinion of the building inspector any building, or part thereof, shed, or any structure of like nature, is in a condition dangerous to the occupants or those passing, or to adjoining buildings and structures, by reason of bad condition of walls, overloaded floors, defective heating apparatus, vibrations from machinery, defective flues, liability to fire, confined or cramped stairways, insufficient exits, narrow or dark passageways, or from other like causes, said building, shed, structure, or part thereof, shall be deemed to be a public nuisance, and the building inspector may at any time require the owner, agent or occupant of any such building to make such repairs or take such steps as, in his opinion, may be necessary for the public safety.

**Section 25. FAILURE TO MAKE REPAIRS.**

In case the owner, agent or occupant of any dangerous building or structure shall fail or refuse to make such repairs within three (3) days after the service of any notice so to do by the building inspector he, with the approval of the mayor, may enter upon the premises and employ such labor and purchase such materials as in his judgement may be necessary to make such building or structure safe, or prevent the

same from becoming unsafe or dangerous; or he may, with the approval of the mayor, demolish any such building or structure. Any party doing the work, or any part thereof, or furnishing any materials therefor, under and by directions of the building inspector, may bring and maintain an action against the said owner in the same manner as if he or they had been employed to do the said work or furnish said materials by the owner or agent of the said building or structure. And the building inspector, by and with the approval of the mayor, may remove all occupants of any dangerous building, and prevent the same from being occupied, until the same has been made safe and secure.

Section 26. PENALTY.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists or opposes the execution of, this chapter, or ordinance, or any provision thereof, shall upon conviction thereof, be fined in a sum not less than five dollars (\$5.00) nor more than two hundred (\$200.) dollars. And each day that any person firm or corporation shall violate, disobey, omit, neglect or refuse to comply with, or resists or opposes the execution of this ordinance, or any portion thereof, shall be deemed a separate offense.