





## MINUTES

### PUBLIC MEETING

Twin Falls City Building Advisory Board  
March 21, 2013 11:30AM  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301

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#### BUILDING ADVISORY BOARD MEMBERS

Gary Bond    Dan Brizee    Darren Hall    Sean Knutz    Roger Laughlin    Scott McClure    James Ray  
Jay Reis    Scott Standley  
                  Chairman  
                  Vice-Chairman

Members Present: Gary Bond, Dan Brizee, Darren Hall, Sean Knutz, Roger Laughlin, Scott McClure, James Ray, Jay Reis, Scott Standley

Members Absent:

Staff Present: Dwaine Thomson, Raub Owens, Jarrod Bordi, Jon Laux, Stephen Harr, Mitch Humble, Christi Green

Guests: Multiple Contractors in the Magic Valley

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#### I. CALL MEETING TO ORDER:

Chairman Scott Standley called the meeting to order at 11:35 am and confirmed a quorum.

#### II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): [February 21, 2013](#)

James Ray made a motion to approve the minutes of the February 21, 2013 meeting. Sean Knutz seconded the motion. The motion passed unanimously.

#### III. ITEMS FOR DISCUSSION:

1. Consider and act on a recommendation to the City Council regarding changes to building permit fees

Mitch Humble, Community Development Director, went over the changes to the building permit fees that are being proposed. There are two goals that have been discussed in the past. These goals are to simplify the fee structure and to receive accurate construction values. The city uses these construction values for future planning and base the permit fee on values. Currently, we are using a valuation table from February 2005. We should be using the February 2013 valuation tables since the values are significantly different. ICC updates the table every 6 months. Our code states that we will use the 2005 valuation table or the most current valuation table. Mitch doesn't feel the right thing to do is change values every 6 months. Staff is proposing to use a declared value for valuation.

Another change that is being proposed is to add a plan review fee for residential plans. Staff wants to get the position back for a full time plan reviewer. All plan reviews are being done in house now and we are tracking approximately 20% higher than last year in permits issued. Mitch explained

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that if we add the plan review fee, that fee will solely pay for the position of plan reviewer. Staff is proposing 30% of the permit fee be charged for a plan review fee.

It is also being proposed that we simplify the mechanical, electrical and plumbing permit fees. The following is being proposed:

- Small Job Fee of \$10, with a more detailed description of what is and is not a small job
- Primary recommendation is to make MEP all the same calculations
  - New Residential – based on current Mechanical structure
    - Flat fee based on the area of the home
    - Area includes basements, but not garages or covered outdoor space
    - Simplify to 3 categories from 5
      - 0-2500 sf = \$120
      - 2501-4000 sf = \$155
      - 4001+ sf = \$200
  - Misc Residential – simplify by removing all the variations
    - Flat rate of \$50 per permit
    - Impact will vary depending on the specific permit request
    - Overall revenue should increase slightly based on a review of permits issued for FY2011
  - Non-Residential – match the State's commercial fees
    - Base rate plus percent of project value
    - Up to \$10,000 = \$60 + 0.02 x value
    - \$10,001 - \$100,000 = \$260 + 0.01 x value
    - Over \$100,001 = \$1,160 + 0.005 x value
    - Impact will vary depending on the specific request
    - Overall revenue will decline slightly based on a review of permits issued for FY2011
  - Other – keep the specific other fees that are already in place
    - E.g. \$42/hr existing installation inspection or \$50 re-inspection

Mitch went over samples of each permit on the overhead.

### DISCUSSION:

- James Ray feels contractors will be dishonest about the declared value and that the price should be based on square footage.
- The contractors present also feel the square footage cost is the simplest.
- Mitch explained that the declared value is more accurate than the square footage price.
- It was also mentioned that not all homes have the same amenities. One home could have basic laminate countertops and vinyl floors while another could have upgrades such as granite countertops and wood floors.
- Dan asked if the contractors have been burdened by the residential plan reviews taking longer to process. The contractors have the understanding that the plan reviewer is also an inspector and it takes more time to process the plans. The City would benefit from having a full-time Plan Reviewer and the contractors are in favor of paying a plan review fee. Mitch reminded the Board that the Plan Reviewer position probably wouldn't be available until the beginning of the fiscal year in October if approved by City Council.

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### MOTION:

Gary Bond made a motion that 30% of the permit fee will be charged as a plan review fee for residential plan review. Darren Hall seconded the motion. The motion passed unanimously.

### MOTION:

Gary Bond made a motion that the fees for Mechanical, Electrical and Plumbing permits be changed to reflect the following:

- Small Job Fee of \$10, with a more detailed description of what is and is not a small job
- Primary recommendation is to make MEP all the same calculations
  - New Residential – based on current Mechanical structure
    - Flat fee based on the area of the home
    - Area includes basements, but not garages or covered outdoor space
    - Simplify to 3 categories from 5
      - 0-2500 sf = \$120
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  - Misc Residential – simplify by removing all the variations
    - Flat rate of \$50 per permit
    - Impact will vary depending on the specific permit request
    - Overall revenue should increase slightly based on a review of permits issued for FY2011
  - Non-Residential – match the State's commercial fees
    - Base rate plus percent of project value
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    - Impact will vary depending on the specific request
    - Overall revenue will decline slightly based on a review of permits issued for FY2011
  - Other – keep the specific other fees that are already in place
    - E.g. \$42/hr existing installation inspection or \$50 re-inspection

Dan Brizee seconded the motion. The motion passed unanimously.

### DISCUSSION:

- Scott McClure suggested putting some limits on the proposed valuation
- Gary Bond feels that there would be no difference in the cost for the Building Inspector to inspect a \$300,000 home compared to a \$700,000 home so he feels the price per square foot is the way to go.
- Mitch Humble explained that the County uses a declared value for Commercial and a set fee for residential; that may be an option the Board would want to consider.

### MOTION:

Scott McClure made a motion for 1 and 2 family residential buildings, the declared value shall not be less than 20% less or more than 20% more than the average per square foot value of all 1 and 2 family homes permitted in Twin Falls during the prior fiscal year. The average per square foot value for 1 and 2 family homes shall be \$70.00 per square foot until after September 30, 2013. Gary Bond seconded the motion. The motion passed unanimously.

2. Presentation of City's Strategic Plan for 2013

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This item was not discussed.

IV. INPUT AND/OR ITEMS FROM THE BUILDING ADVISORY BOARD

V. UPCOMING MEETINGS/SCHEDULE:

VI. ADJOURN MEETING:

Chairman Scott Standley adjourned the meeting at 1:08 p.m.

*Christi Green*

Christi Green

Administrative Assistant

City of Twin Falls Building Department

# Mason & Stricklin, LLP

## Lawyers

### Memo

From: Nancy Stricklin

Date: July 17, 2013

Re: Adoption of 2012 Edition of the International Building Code with 2 amendments; additional amendments to the 2009 International Residential Code; and the 2012 edition of the International Existing Building Code

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In 2011, the Idaho Building Code Board, through the negotiated rule making process, adopted the 2012 Edition of the International Building Code with 2 amendments; additional amendments to the 2009 International Residential Code; and the 2012 edition of the International Existing Building Code. Administrative rules adopted by the Board are not in effective until they have been approved by the Idaho legislature. That didn't occur until April 4, 2013 when the legislature adjourned. When the prior 2009 codes were adopted by the Idaho Building Code Board, the IDAPA rules provided for an effective date of January 1, 2011. Idaho Code 39-4116 was amended in 2002 to provide that local jurisdictions must adopt the same edition of those codes as the state, and amended again in 2004 to make it clear what editions of those codes the local jurisdictions must adopt. The deadline in the 2004 legislation for adopting those codes was January 1, 2005. The January 1 date was selected to take into consideration that local jurisdictions had a different fiscal year than the state. It allowed local jurisdictions sufficient time to include in the next fiscal year budget the costs of the new codes and training. The January 1, 2011 effective date for adoption of the 2009 codes in the state rules was included in order for the effective date for the state to coincide with that of the local jurisdictions.

When the 2013 IDAPA rules were passed that adopted the 2012 IBC, the additional amendments to the 2009 IRC and the 2012 Existing Building Code, the January 1, 2011 effective date was not amended. I contacted Patrick Grace, Deputy Attorney General, to seek his opinion as to when those new rules were effective for the state since it couldn't be January 1, 2011. In keeping with the prior history of effective dates, he opined that the new rules were not effective until January 1, 2014 to be consistent with prior effective dates and the purpose for selecting January 1.

Based on my discussion with Patrick Grace, it is my opinion that a local jurisdiction may pass an ordinance at any time to adopt the 2012 IBC, the additional amendments to the 2009 IRC and the 2012 Existing Building Code local jurisdictions, but that the effective date of the ordinance will need to be January 1, 2014 to comply with the intent of I.C. 39-4116 to have consistency among the jurisdictions.

### **Crawl space increase**

There have been several inquiries concerning increasing crawl space access from the minimum 18 inches; mostly from HVAC and plumbing contractors. Also, instances where the 18 inch minimum created equipment installation problems, sometimes damaging the first installer's work.

Dwaine Thomson, CBO  
City of Twin Falls Building Official  
208-735-7288

### **Fee Change Follow-up**

Since July 1<sup>st</sup>, 28 new residential dwelling applications and 23 commercial building aps have been submitted. We will take a look at a few and compare the project value calculations to the pre July 1<sup>st</sup> fees.

Dwaine Thomson, CBO  
City of Twin Falls Building Official  
208-735-7288