

ORDINANCE NO. 2019 – 05

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 7, CHAPTER 16, PROVIDING FOR THE ADOPTION AND AMENDMENT OF 2012 INTERNATIONAL RESIDENTIAL CODE APPENDIX R PERTAINING TO DEVELOPMENT STANDARDS FOR TINY HOMES; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City of Moscow adopts building codes for City through the advice of the Building Code Advisory Committee; and

WHEREAS, when the State of Idaho Building Code Board amends/adds to the State adopted Codes, City will review the proposed amendment/addition with the Building Code Advisory Committee; and

WHEREAS, on the advice of the Building Code Advisory Committee, City wishes to add Appendix R, titled Tiny Homes, to the International Residential Code 2012 Addition, with local amendments;

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

SECTION 1: That Moscow City Code Title 7, Chapter 16 be amended as follows:

Sec. 16-2. Amendments to the International Residential Code.

The following amendments to the adopted portions of the 2012 Edition of the International Residential Code are hereby made:

Section G2406.2 shall be amended by the deletion of exceptions 3 and 4.

Section G2408.2 shall be amended by the deletion of the exception.

Section G2427.4.3 shall be added and shall read as follows: Testing: All plastic pipe located within a dwelling used for venting flue gases shall be tested at five (5) psi for fifteen (15) minutes duration.

Section M1502.4.2 shall be amended by deleting the words “not to exceed twelve feet (12’)” and inserting the words “not to exceed four feet (4’) or every joint”.

Section M2101.10 shall be amended by replacing the words “fifteen (15 minutes” with the words “thirty (30) minutes”.

Creation of Enforcement Agency

Section R103.1. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the Building Official. The Building Official shall develop such rules, regulations and standards as are necessary for the efficient administration of this Chapter.

Section R302.5.4 shall be added: Openings between the garage and the residence shall be equipped with a minimum of two (2) self closing hinges.

Section R302.6 shall be replaced with the following language: The garage shall be separated from the residence and its attic area by not less than five eighths inch (5/8”) gypsum board applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting the separation and the ceiling shall be protected by not less than five eighths inch (5/8”) gypsum board or equivalent.

Table R302.6, “Dwelling/garage Fire Separation” shall be amended to require that all gypsum board shall be five-eighths inch (5/8”) gypsum board or the equivalent and not one-half inch (1/2”) gypsum board.

Section R303.4 shall be replaced with the following language:

R303.4 Mechanical Ventilation. Dwelling units shall be provided with whole house mechanical ventilation in accordance with Section M1507.3.

Exception: Where the air infiltration rate of a dwelling unit is equal to five (5) air changes per hour or greater when tested with a blower door at a pressure of zero point two inch (0.2) w.c. (50 Pa) in accordance with Section N1102.4.1.2.

Section R308.4 “Hazardous locations” For Glazing shall be amended by the deletion of exception 2 in R308.4.3.

Section R308.4.5 shall be amended by inserting the words “and horizontally” after the word “vertically” and before the word “above” and by the deletion of the exception in R308.4.7.

Section R311.3 shall have the following sentence deleted: “The width of each landing shall not be less than the door served.” The following sentence shall be added to Section R311.3: “All landings shall have minimum width of thirty six inches (36”).”

Section R311.3.1. shall be amended by deleting the Exception.

Section R315.2 shall be amended by inserting the words *‘for additions, re-models, and/or gas/mechanical work’* after the word “permit” and before the word “occurs”, with deletions of exceptions 1 and 2 of 312.1.2.

Table R403.1 to be amended as follows:

When one (1) floor is supported by the foundation, thickness of the foundation wall shall be six inches (6”) if concrete, and eight inches (8”) if unit masonry when the foundation wall is forty eight inches (48”) or less in height. When the foundation wall is forty eight inches (48”) or more in height and one (1) floor is supported by the foundation, thickness of the foundation shall be eight inches (8”) if concrete, and eight inches (8”) if unit masonry; width of footing shall be sixteen

inches (16”); thickness of footing shall be eight inches (8”); depth below undisturbed ground surface shall be thirty inches (30”).

When two (2) floors are supported by the foundation, thickness of the foundation wall shall be eight inches (8”) if concrete, and eight inches (8”) if unit masonry; width of footing shall be sixteen inches (16”); thickness of footing shall be eight inches (8”); depth below undisturbed ground surface shall be thirty inches (30”).

When three (3) floors are supported by the foundation, thickness of the foundation wall shall be ten inches (10”) if concrete; and ten inches (10”) if unit masonry; width of footing shall be twenty inches (20”); thickness of footing shall be ten inches (10”); depth below undisturbed ground surface shall be thirty inches (30”).

1. Where unusual conditions or frost conditions are found, footings and foundations shall be required to be engineered.

2. The ground under the floor may be excavated to the elevation of the top of the footing.

3. Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one (1) floor.

Amend table 404.1.2(2), 404.1.2.(3) to say all foundation walls four feet (4’) or less #4 bar twenty four inch (24”) on center vertical and horizontal. Foundation walls more than four feet (4’) but less than ten feet ((10’) #4 bar eighteen inch (18”) on center vertical and horizontal. More than ten feet (10’) wall shall be designed by a design professional.

Section R406.1 shall be amended by deletion, in the first sentence, of the words “that retain earth and enclose interior spaces and floors below grade”.

Section R408.2 shall be amended by the deletion of exceptions 1, 2, 3, and 5.

Section R501.3 Fire Protection of Floors, shall be deleted in its entirety.

Table R602.3.1 of the 2012 IRC shall be replaced with Table 602.3.1 of the 2009 IRC.

Section R602.3.2 Top Plates shall be amended by deletion of the sentence “Joints in plates need not occur over studs.” and replacing that sentence with “Joints in plates shall occur over studs.”

Section R703.2 shall be amended by the deletion of exceptions 2 and 3.

Section M2101.10 shall be amended by replacing the words “fifteen (15) minutes” with the words “thirty (30) minutes”.

Appendix M shall be amended at Section AM103.1.3.1 by deletion in the first sentence of the words “...and be at least six feet (6’) (1,529 mm) tall..”; and by deletion in the second sentence of the words “...to be installed at a minimum of five feet (5’) (1,528 mm) above the ground”.

[Appendix R of the International Residential Code, 2012 Edition, titled “Tiny Homes”. shall be added.](#)

[Section AR104.1.1 shall be amended to say “. . . Lofts shall have a floor area of not less than thirty-five \(35\) square feet \(3.25 m\), and a maximum of two hundred \(200\) square feet.”](#)

[Section AR104.1.3 shall be amended by the deletion of the exception: “Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16](#)

inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.”

SECTION 2: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Title 7 shall be in full force and effect.

SECTION 3: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of the City of Moscow, Idaho, Municipal Code, the definitions contained within those portions of the Moscow Municipal Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this 3rd day of June, 2019.



Bill Lambert, Mayor

ATTEST:



Laurie M. Hopkins, City Clerk

