

To: IDABO Members
Fr: IDABO
Re: 2018 International Code Adoption

It is now time to adopt the new 2018 International Codes, going into effect on January 1, 2021. There are several items to help you do this on the IDABO website. Please go to www.idabo.org and click on "Code Updates." These include:

- 1) Details on code changes for each code.
- 2) Amendments

As jurisdictions may be aware, if you are adopting any changes to the codes that are more restrictive or different than the codes and changes to the code adopted by the State of Idaho you must now comply with certain state requirements:

a. For amendments to all codes:

39-4116 (4) Except as provided in this subsection, local governments may amend by ordinance the adopted codes or provisions of referenced codes to reflect local concerns, provided such amendments establish at least an equivalent level of protection to that of the adopted building code. (emphasis added)

b. For amendments to the IRC or residential portion of the IECC:

39-4116(b) A local jurisdiction shall not adopt any provision, chapter, section or part of the International Residential Code or residential provisions of the International Energy Conservation Code, or subsequent versions in their entirety, that have not been adopted or that have been expressly rejected or exempted from the adopted version of those codes by the Idaho building code board through the negotiated rulemaking process as provided in section [39-4109](#), Idaho Code.

(c) Local jurisdictions may amend by ordinance the following provisions of the Idaho residential code to reflect local concerns:

- (i) Part I, Administrative;
- (ii) Part II, Definitions;
- (iii) Part III, Building Planning and Construction, Section R 301, Design Criteria; and
- (iv) Part IX, Appendices.

(d) Local jurisdictions may amend by ordinance the following provisions of the Idaho energy conservation code to reflect local concerns:

- (i) Chapter 1, Scope and Application; and
- (ii) Chapter 2, Definitions.

(e) Local jurisdictions may amend the remainder of Part III of the Idaho residential code if they find that good cause for building or life safety exists for such an amendment to such codes and that such amendment is reasonably necessary. Amendments shall be adopted by ordinance in accordance with the provisions of [chapter 9, title 50](#), Idaho Code, or [chapter 7, title 31](#), Idaho Code, and provided further that such local jurisdiction shall conduct a public hearing and, provided further, that notice of the time and place of the public hearing shall be published in the official newspaper or paper of general circulation within the jurisdiction and written notice of each of such public hearing and the proposed language shall be given by the local jurisdiction to the local chapters of the

entities identified in section [39-4109\(5\)](#), Idaho Code, not less than thirty (30) days prior to such hearing. In the event that there are no local chapters of such entities identified in section [39-4109\(5\)](#), Idaho Code, within the local jurisdiction holding the hearings, the notice shall be provided to the state associations of the respective entities.

c. If there are additional amendments from the state version: The jurisdiction must send notice at least 30 days prior to your public hearing to the groups listed in the state law 39-4109 and 39-4116

(5) In addition to the negotiated rulemaking process set forth in section 67-5221, Idaho Code, the board shall conduct a minimum of two (2) public hearings, not less than sixty (60) days apart. Express written notice of such public hearings shall be given by the board to each of the following entities not less than five (5) days prior to such hearing: associated general contractors of America, associated builders and contractors, association of Idaho cities, Idaho association of building officials, Idaho association of counties, Idaho association of REALTORS®, Idaho building contractors association, American institute of architects Idaho chapter, Idaho fire chiefs association, Idaho society of professional engineers, Idaho state independent living council, southwest Idaho building trades, Idaho building trades, and any other entity that, through electronic or written communication received by the administrator not less than twenty (20) days prior to such scheduled meeting, requests written notification of such public hearings.

See contacts below:

- American Institute of Architects Idaho Chapter (annafoster@aiaidaho.com)
- Association General Contractors of America (whammond@idahoagc.org)
- Associated Builders & Contractors (sschmidt@abcipc.org)
- Association of Idaho Cities (jbelle@idahocities.org)
- Idaho Association of Counties (sgrigg@idcounties.org)
- Idaho Association of Building Officials (tottens@amsidaho.com)
- Idaho Association of Realtors (iar@idahorealtors.com)
- Idaho Building Contractors Association (ralmanza@heritagewifi.com)
- Idaho Fire Chiefs Association (admin@idahofirechiefs.org)
- Idaho Society of Professional Engineers (ispe@idahospe.org)
- Idaho State Independent Living Council (mel.leviton@silc.idaho.gov)
- Idaho/Southwest Building Trades (jrf@smw55.org)
- NIBCA (info@nibca.com)
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3) There are sample ordinances and public hearing notices also posted on the website at www.idabo.org under the "Code Updates" button. If you have any further questions please contact the IDABO office at 208-321-9182.