

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 614

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO BUILDING CODES; AMENDING SECTION 39-4107, IDAHO CODE, TO REVISE
2 A PROVISION REGARDING ADOPTION OF CERTAIN CODES AND TO PROVIDE FOR THE
3 DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION
4 39-4109, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF THE 2018 INTERNA-
5 TIONAL BUILDING CODE AND THE 2018 INTERNATIONAL RESIDENTIAL CODE AND
6 TO REVISE PROVISIONS REGARDING APPLICATION OF CODES; AMENDING SECTION
7 39-4116, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF THE 2018 INTERNA-
8 TIONAL BUILDING CODE AND THE 2018 INTERNATIONAL RESIDENTIAL CODE AND TO
9 REVISE PROVISIONS REGARDING CERTAIN BUILDING CODES; AMENDING SECTION
10 54-1001, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF THE 2017 NATIONAL
11 ELECTRICAL CODE; AMENDING SECTION 54-1001B, IDAHO CODE, TO PROVIDE FOR
12 THE ADOPTION OF THE 2017 NATIONAL ELECTRICAL CODE; AMENDING SECTION
13 54-1016, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF THE 2017 NATIONAL
14 ELECTRICAL CODE AND TO REVISE PROVISIONS REGARDING EXEMPTIONS; AMEND-
15 ING SECTION 54-2601, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF THE 2017
16 IDAHO STATE PLUMBING CODE AND TO REVISE PROVISIONS REGARDING THE STATE
17 PLUMBING CODE; AMENDING SECTION 54-2620, IDAHO CODE, TO PROVIDE FOR
18 THE ADOPTION OF THE 2017 IDAHO STATE PLUMBING CODE, TO PROVIDE FOR THE
19 DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL
20 CORRECTIONS; AMENDING SECTION 54-5001, IDAHO CODE, TO PROVIDE FOR
21 THE ADOPTION OF THE 2018 INTERNATIONAL MECHANICAL CODE, THE 2018 IN-
22 TERNATIONAL FUEL GAS CODE, AND PARTS V AND VI OF THE 2018 INTERNATIONAL
23 RESIDENTIAL CODE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
24 DATE.
25

26 Be It Enacted by the Legislature of the State of Idaho:

27 SECTION 1. That Section 39-4107, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 39-4107. POWERS AND DUTIES. (1) The board shall continually study the
30 operation of adopted codes, standards and rules relating to the construction
31 of buildings or facilities under the jurisdiction of the division to ascertain
32 their effect upon the public safety and shall support an ongoing effort
33 to promote the uniform adoption, application and interpretation of safety,
34 accessibility and building codes statewide. The board shall have the authority
35 to adopt and enforce the codes specified in section 39-4109, Idaho
36 Code, ~~or later editions of such codes,~~ and to promulgate rules in accordance
37 with chapter 52, title 67, Idaho Code, to implement the provisions of this
38 chapter.

39 (2) The board shall function as a board of appeals for the division as
40 prescribed in the adopted building code. The board shall have no authority
41 to waive any requirements of the codes enumerated in this chapter or in rules
42 promulgated pursuant to this chapter. Provided further:

1 (a) The decisions of the board shall be final, and the board shall ren-
 2 der all decisions and findings in writing to the appellant and the ad-
 3 ministrator within ten (10) working days of the conclusion of a hearing;
 4 and

5 (b) For each appeal brought before the board, the chairman shall ap-
 6 point not less than three (3) members of the board to hear the appeal and
 7 render a decision and finding in the name of the board.

8 (3) The board shall utilize experts, consultants, and technical advi-
 9 sors for assistance and recommendations relative to codes, standards, and
 10 appeals.

11 (4) The administrator may make building code inspections for another
 12 state or local jurisdiction upon request by an appropriate building of-
 13 ficial. Such inspections shall be made in accordance with the applicable
 14 building codes of the requesting jurisdiction. Fees charged for such in-
 15 spection services shall be as provided in rules promulgated by the board
 16 pursuant to chapter 52, title 67, Idaho Code.

17 (5) Notwithstanding the exemptions provided in subsection (4) (b) of
 18 section 39-4103, Idaho Code, the administrator may make inspections of
 19 modular buildings constructed in Idaho upon written request from the manu-
 20 facturer.

21 (a) Such inspections shall be made in accordance with the codes adopted
 22 in this chapter.

23 (b) Inspection fees shall be as provided in section 39-4303, Idaho
 24 Code.

25 (c) The administrator of the division of ~~building safety~~ occupational
 26 and professional licenses may issue an insignia of approval if the
 27 buildings are in compliance with the requirements set forth in chapter
 28 43, title 39, Idaho Code.

29 SECTION 2. That Section 39-4109, Idaho Code, be, and the same is hereby
 30 amended to read as follows:

31 39-4109. APPLICATION OF CODES. (1) The following codes are hereby
 32 adopted for the state of Idaho division of ~~building safety~~ occupational and
 33 professional licences and shall ~~only~~ be applied by local governments only as
 34 prescribed by section 39-4116, Idaho Code:

35 (a) The ~~2006~~ 2018 International Building Code ~~shall be in effect,~~
 36 ~~until such time as a subsequent version is adopted by the Idaho building~~
 37 ~~code board, at which time the subsequent versions of the International~~
 38 ~~Building Code as adopted and~~ as amended by the Idaho building code board
 39 through the negotiated rulemaking process as established in section
 40 67-5221, Idaho Code, and as further provided in subsection (54) of this
 41 section and in accordance with subsections (2) and (3) of this section,
 42 shall be in effect:

43 (i) Including appendices thereto pertaining to building accessi-
 44 bility;

45 (ii) Excluding the incorporated electrical codes, mechanical
 46 code, fuel gas code, plumbing codes, fire codes or property main-
 47 tenance codes other than specifically referenced subjects or
 48 sections of the International Fire Code; and

1 (iii) Including the incorporated 2018 Idaho residential code,
2 parts I, II, III and IX; 2018 Idaho energy conservation code; and
3 rules promulgated by the board to provide equivalency with the
4 provisions of the Americans with disabilities act accessibil-
5 ity guidelines and the fair housing act accessibility guidelines
6 shall be included.

7 (b) The version of the 2018 International Residential Code adopted by
8 the ~~Idaho building code board legislature~~, together with the amend-
9 ments, revisions or modifications adopted by the Idaho building code
10 board through the negotiated rulemaking process, except for parts IV,
11 V, VI, VII and VIII, as they pertain to energy conservation, mechanical,
12 fuel gas, plumbing and electrical requirements, shall collectively
13 constitute and be named the 2018 Idaho residential code. ~~The Idaho res-
14 idential code shall be in effect until such time as a subsequent version
15 is adopted by the Idaho building code board, at which time the subse-
16 quent version of the Idaho residential code, as adopted and amended by
17 the Idaho building code board through the negotiated rulemaking process
18 provided in this section, shall be in effect.~~ Any amendments, revisions
19 or modifications made to the 2018 Idaho residential code by the board
20 shall be made by administrative rules promulgated by the board;

21 (c) The version of the 2018 International Energy Conservation Code
22 adopted by the ~~Idaho building code board legislature~~, together with
23 the amendments, ~~deletions or additions adopted~~ revisions, or modifi-
24 cations made by the Idaho building code board through the negotiated
25 rulemaking process provided in this chapter, shall be in effect. The
26 2018 International Energy Conservation Code, together with any amend-
27 ments, revisions or modifications made by the board, shall collectively
28 constitute and be named the 2018 Idaho energy conservation code. ~~The
29 Idaho energy conservation code shall be in effect until such time as a
30 subsequent version is adopted by the Idaho building code board, at which
31 time the subsequent versions of the Idaho energy conservation code, as
32 adopted and amended by the Idaho building code board through the nego-
33 tiated rulemaking process provided in this section, shall be in effect.~~
34 Any amendments, revisions, or modifications made to the 2018 Idaho
35 energy conservation code by the board shall be made by administrative
36 rules promulgated by the board; and

37 (d) The ~~2006~~ 2018 International Existing Building Code as published by
38 the International Code Council shall be in effect ~~until such time as a
39 subsequent version is adopted by the Idaho building code board, at which
40 time the subsequent versions of the International Existing Building
41 Code, as adopted and amended by the Idaho building code board through
42 the negotiated rulemaking process provided in this section, shall be in
43 effect.~~

44 (2) No amendments to the accessibility guidelines shall be made by the
45 Idaho building code board that provide for lower standards of accessibility
46 than those published by the International Code Council.

47 (3) No amendments to the 2018 Idaho residential building code shall be
48 made by the Idaho building code board that provide for standards that are
49 more restrictive than those published by the International Code Council.

1 (4) ~~Any edition of the building codes adopted by the board will take ef-~~
2 ~~fect on January 1 of the year following its adoption.~~

3 ~~(5)~~ In addition to the negotiated rulemaking process set forth in sec-
4 tion 67-5221, Idaho Code, the board shall conduct a minimum of two (2) public
5 hearings, not less than sixty (60) days apart. Express written notice of
6 such public hearings shall be given by the board to each of the following en-
7 tities not less than five (5) days prior to such hearing: associated general
8 contractors of America, associated builders and contractors, association
9 of Idaho cities, Idaho association of building officials, Idaho association
10 of counties, Idaho association of REALTORS®, Idaho building contractors
11 association, American institute of architects Idaho chapter, Idaho fire
12 chiefs association, Idaho society of professional engineers, Idaho state
13 independent living council, southwest Idaho building trades, Idaho building
14 trades, and any other entity that, through electronic or written communica-
15 tion received by the administrator not less than twenty (20) days prior to
16 such scheduled meeting, requests written notification of such public hear-
17 ings.

18 SECTION 3. That Section 39-4116, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 39-4116. LOCAL GOVERNMENT ADOPTION AND ENFORCEMENT OF BUILDING
21 CODES. (1) Local governments enforcing building codes shall do so only in
22 compliance with the provisions of this section. Local governments that have
23 not previously instituted and implemented a code enforcement program prior
24 to the effective date of this act may elect to implement a building code
25 enforcement program by passing an ordinance evidencing the intent to do so.
26 Local governments may contract with a public or private entity to administer
27 their building code enforcement program.

28 (2) Local governments that issue building permits and perform build-
29 ing code enforcement activities shall, by ordinance effective January 1 of
30 the year following the adoption by the Idaho building code board, adopt the
31 following codes as published by the International Code Council together
32 with any amendments or revisions set forth in section 39-4109, Idaho Code,
33 ~~including subsequent versions of the International Building Code as adopted~~
34 ~~and amended by the Idaho building code board through the negotiated rulemak-~~
35 ~~ing process or as provided in this chapter:~~

36 (a) 2018 International Building Code, including all rules promulgated
37 by the board to provide equivalency with the provisions of the Americans
38 with disabilities act accessibility guidelines and the federal fair
39 housing act accessibility guidelines;

40 (b) 2018 Idaho residential code, parts I-III and IX; and

41 (c) 2018 Idaho energy conservation code.

42 Local governments are not required by this chapter to adopt the other refer-
43 enced codes in the International Building Code. Local jurisdictions shall
44 not adopt provisions, chapters, sections or parts of subsequent versions
45 of the International Residential Code or residential provisions of the
46 International Energy Conservation Code, or subsequent versions in their
47 entirety, that have not been adopted ~~by the Idaho building code board in~~
48 section 39-4109, Idaho Code, except as provided in subsection (4) of this
49 section.

1 (3) All single-family homes and multiple-family dwellings up to two
2 (2) units are hereby exempted from the provisions of the International Fire
3 Code, the International Building Code and the Idaho residential code that
4 require such dwellings to have automatic fire sprinkler systems installed.
5 Nothing in this section shall prevent any person from voluntarily installing
6 an automatic fire sprinkler system in any residential dwelling.

7 ~~(4) Except as provided in this subsection, local governments may amend~~
8 ~~by ordinance the adopted codes or provisions of referenced codes to reflect~~
9 ~~local concerns, provided such amendments establish at least an equivalent~~
10 ~~level of protection to that of the adopted building code. Local governments~~
11 ~~may amend by ordinance as provided in this subsection. A local jurisdiction~~
12 shall not have the authority to amend any accessibility provision pursuant
13 to section 39-4109, Idaho Code, except as provided in this subsection.

14 (a) A local jurisdiction shall not have the authority to amend any ac-
15 cessibility provision pursuant to section 39-4109, Idaho Code.

16 (b) A local jurisdiction shall not adopt any provision, chapter, sec-
17 tion or part of the International Residential Code or residential pro-
18 visions of the International Energy Conservation Code, or subsequent
19 versions in their entirety, that have not been adopted or that have been
20 expressly rejected or exempted from the adopted version of those codes
21 by the Idaho building code board through the negotiated rulemaking
22 process as provided in section 39-4109, Idaho Code.

23 (c) Local jurisdictions may amend by ordinance the following provi-
24 sions of the 2018 Idaho residential code to reflect local concerns:

25 (i) Part I, Administrative;

26 (ii) Part II, Definitions;

27 (iii) Part III, Building Planning and Construction, Section R 301,
28 Design Criteria; and

29 (iv) Part IX, Appendices.

30 (d) Local jurisdictions may amend by ordinance the following pro-
31 visions of the 2018 Idaho energy conservation code to reflect local
32 concerns:

33 (i) Chapter 1, Scope and Application; and

34 (ii) Chapter 2, Definitions.

35 (e) Local jurisdictions may amend the remainder of Part III of the 2018
36 Idaho residential code if they find that good cause for building or life
37 safety exists for such an amendment to such codes and that such amend-
38 ment is reasonably necessary. Amendments shall be adopted by ordinance
39 in accordance with the provisions of chapter 9, title 50, Idaho Code, or
40 chapter 7, title 31, Idaho Code, and provided further that such local
41 jurisdiction shall conduct a public hearing and, provided further, that
42 notice of the time and place of the public hearing shall be published
43 in the official newspaper or paper of general circulation within the
44 jurisdiction and written notice of each of such public hearing and the
45 proposed language shall be given by the local jurisdiction to the lo-
46 cal chapters of the entities identified in section 39-4109(54), Idaho
47 Code, not less than thirty (30) days prior to such hearing. In the event
48 that there are no local chapters of such entities identified in section
49 39-4109(54), Idaho Code, within the local jurisdiction holding the

1 hearings, the notice shall be provided to the state associations of the
2 respective entities.

3 (5) Local governments shall exempt agricultural buildings from the re-
4 quirements of the codes enumerated in this chapter and the rules promulgated
5 by the board. A county may issue permits for farm buildings to assure com-
6 pliance with road setbacks and utility easements, provided that the cost for
7 such permits shall not exceed the actual cost to the county of issuing the
8 permits.

9 (6) Permits shall be governed by the laws in effect at the time the per-
10 mit application is received.

11 (7) The division shall retain jurisdiction for in-plant inspections
12 and installation standards for manufactured or mobile homes and for in-plant
13 inspections and enforcement of construction standards for modular buildings
14 and commercial coaches.

15 SECTION 4. That Section 54-1001, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 54-1001. DECLARATION OF POLICY. From and after the taking effect of
18 this act, all installations in the state of Idaho of wires and equipment to
19 convey electric current and installations of apparatus to be operated by
20 such current, except as hereinafter provided, shall be made substantially
21 in accord with the 2017 National Electrical Code, NFPA 70, as amended and
22 ~~approved by the Idaho electrical board~~ and adopted by the Idaho legislature,
23 relating to such work as far as the same covers both fire and personal injury
24 hazards. The 2017 National Electrical Code, NFPA 70, adopted by the Idaho
25 legislature, together with such amendments, revisions, or modifications
26 made by the Idaho electrical board through negotiated rulemaking shall col-
27 lectively constitute and be named the 2017 Idaho electrical code.

28 SECTION 5. That Section 54-1001B, Idaho Code, be, and the same is hereby
29 amended to read as follows:

30 54-1001B. INSPECTION PROVISIONS INAPPLICABLE WHEN INSTALLATION COV-
31 ERED BY MUNICIPAL ORDINANCE. The provisions of this act relating to state
32 inspection, except as provided in section 54-1001C, Idaho Code, shall
33 not apply within the corporate limits of incorporated cities and villages
34 which, by ordinance or building code, prescribe the manner in which wires
35 or equipment to convey current and apparatus to be operated by such current
36 shall be installed, provided that the provisions of the National 2017 Idaho
37 Electrical Code are used as the minimum standard in the preparation of such
38 ordinances or building codes and provided that actual inspections are made.

39 SECTION 6. That Section 54-1016, Idaho Code, be, and the same is hereby
40 amended to read as follows:

41 54-1016. EXEMPTIONS. (1) Nothing in this chapter shall be deemed to
42 apply to:

43 (a) Any regulated utility, telephone company, rural telephone cooper-
44 ative or municipal communications utility, or its employees, in the in-

1 stallation or maintenance of communication circuits, wires and appa-
2 ratus by or for such entities or their communications service customers;

3 (b) Any electrical public utility, or its employees, in the instal-
4 lation and maintenance of electrical wiring, circuits, apparatus and
5 equipment by or for such public utility, or comprising a part of its
6 plants, lines or system;

7 (c) Modular buildings as defined in section 39-4301, Idaho Code, that
8 are constructed in the state of Idaho for installation on building sites
9 outside the state; provided however, that no modular building shall be
10 installed on a building site in the state of Idaho until it has been ap-
11 proved and bears the insignia of approval of the division as being in
12 compliance with the requirements set forth in section 39-4304, Idaho
13 Code.

14 (2) The licensing provisions of this chapter shall not apply to:

15 (a) Any property owner performing noncommercial electrical work in the
16 owner's primary or secondary residence, or associated outbuildings or
17 land associated with the entire property on which those buildings sit,
18 except that homeowner installations of renewable power generation con-
19 nected to the community power grid shall be subject to a preplan review
20 in accordance with local jurisdictions' policies and procedures prior
21 to the purchase of a permit;

22 (b) Any person regularly employed as a maintenance electrician per-
23 forming electrical maintenance work on the premises owned and operated
24 by his employer, provided that electrical work is limited to mainte-
25 nance and replacement of electrical fixtures, electrical conductors,
26 electrical equipment and electrical apparatus on a like-for-like ba-
27 sis;

28 (c) Any telephone company, rural telephone cooperative, or municipal
29 communications utility, its employees, its subsidiaries, and employees
30 of the subsidiaries performing work on customer-owned facilities under
31 the exclusive control of the telephone company, rural telephone cooper-
32 ative, or municipal communications utility;

33 (d) Any telephone company, rural telephone cooperative, or municipal
34 communications utility, its employees, its subsidiaries, and employ-
35 ees of the subsidiaries performing repair work on customer-owned facil-
36 ities at the request of the customer;

37 (e) Any electrical public utility, rural electrical cooperative, mu-
38 nicipal power utility, its employees, its subsidiaries, and employees
39 of the subsidiaries performing work on customer-owned facilities under
40 the exclusive control of the electrical public utility, rural electri-
41 cal cooperative, or municipal power utility; and

42 (f) Any electrical public utility, rural electrical cooperative, mu-
43 nicipal power utility, its employees, its subsidiaries, and employees
44 of the subsidiaries performing emergency repair work on customer-owned
45 facilities at the request of the customer;

46 (g) A fire department employee who is acting in his official capacity
47 as a representative of his agency when he is replacing, maintaining, or
48 repairing a hard-wired smoke or carbon monoxide alarm at the request of
49 a homeowner in a one (1) or two (2) family dwelling unit, provided that
50 such fire department employee has received annual training regarding

1 electrical safety and installation of the devices identified in this
2 paragraph; or

3 (h) A limited electrical contractor, limited electrical installer,
4 or employee of a company holding a limited electrical contractor li-
5 cense who is replacing or installing a fire alarm communication device
6 (DACT). A person provided for in this paragraph shall obtain a permit if
7 required by the authority having jurisdiction but must not be required
8 to submit design plans. The fire alarm communication device (DACT) may
9 be inspected if required by the authority having jurisdiction after
10 replacement of the fire alarm communication device (DACT). The fee for a
11 permit shall not exceed one hundred twenty-five dollars (\$125).

12 (3) The licensing provisions of this chapter shall not apply to indi-
13 viduals licensed pursuant to chapter 50, title 54, Idaho Code, or certifi-
14 cated pursuant to chapter 26, title 54, Idaho Code, as follows:

15 (a) Individuals holding a current heating, ventilation and air condi-
16 tioning (HVAC) license or a current plumbing certification may install
17 electrical circuitry and make connections from the disconnecting means
18 to a water heater as long as the disconnect is in sight from the unit and
19 the circuit from the disconnecting means to the water heater is no more
20 than fifty (50) feet long.

21 (b) Individuals holding a current HVAC license may install:

22 (i) Electrical space heaters with no attached ductwork;

23 (ii) Electrical connections to HVAC equipment from the discon-
24 necting means to the unit as long as the disconnect is in sight from
25 the unit and the circuit from the disconnecting means to the HVAC
26 equipment is no more than fifty (50) feet long; and

27 (iii) Ventilating fans, except ducted range hoods in residences.

28 (c) HVAC licensees may install control wiring of twenty-four (24) volts
29 or less for HVAC equipment of five (5) tons or less in capacity. Plumb-
30 ing certificate holders are not authorized to install control wiring in
31 HVAC equipment, regardless of voltage.

32 (d) Individuals holding a current limited energy electrical license
33 may install electrical circuitry and make connections from utilization
34 equipment installed under the restricted category of the limited elec-
35 trical installer license to outlets, as long as those outlets are in
36 sight from such utilization equipment and not more than fifty (50) feet
37 from such utilization equipment. Outlets shall be installed by others.

38 (4) To the extent that a plumbing or HVAC installation permit issued
39 by the ~~Idaho~~ division of ~~building safety~~ occupational and professional li-
40 enses includes any part of an electrical installation, the permit issued
41 and inspection performed shall be sufficient to satisfy the permitting and
42 inspecting requirements of this chapter if all required permit fees have
43 been paid.

44 (5) Approval and certification requirements of product and equipment
45 as set forth in this chapter and in the adopted edition of the national 2017
46 Idaho electrical code do not apply to industrial machinery unless the board
47 has made a determination that such product, machine or classes of products
48 and machines present an undue hazard to life and property.

49 (6) Apprentice registration requirements shall not apply to high
50 school students enrolled in an educational program recognized by the board

1 in which the performance of electrical installation is a formal component of
 2 the program. The exemption is limited to students performing residential
 3 installations as part of such program under the constant on-the-job super-
 4 vision of a licensed journeyman electrician, and a permit for the work is
 5 obtained from the authority having jurisdiction. Work hours performed by
 6 such students shall not apply toward apprentice work requirements.

7 (7) Neither local jurisdictions nor the state fire marshal shall have
 8 the authority to amend the exemptions provided for in this section or to
 9 adopt any ordinance, law, or rule in conflict with the provisions of this
 10 section.

11 SECTION 7. That Section 54-2601, Idaho Code, be, and the same is hereby
 12 amended to read as follows:

13 54-2601. DECLARATION OF POLICY AND PURPOSE OF ACT -- IDAHO STATE
 14 PLUMBING CODE. (1) The purpose of this act is to provide certain minimum
 15 standards and requirements for the use of and the design, construction,
 16 installation, improvement, extension and alteration of materials, piping,
 17 venting, fixtures, appliances and appurtenances in relation to plumbing and
 18 plumbing systems hereinafter defined, and to provide that all plumbing and
 19 plumbing systems in the state shall be designed, constructed, installed, im-
 20 proved, extended and altered in substantial accord with the uniform plumbing
 21 code published by the international association of plumbing and mechanical
 22 officials, ~~and as it shall be amended, revised, compiled and published from~~
 23 ~~time to time and as subsequent editions, amendments or revisions thereto~~
 24 ~~shall be adopted by the Idaho plumbing board through the negotiated rulemak-~~
 25 ~~ing process. Any amendments, revisions or modifications made to the uniform~~
 26 ~~plumbing code by the board shall be made by administrative rules promulgated~~
 27 ~~by the board.~~ The 2015 uniform plumbing code together with any amendments,
 28 revisions, or modifications made by the Idaho plumbing board shall collec-
 29 tively constitute and be named the 2017 Idaho state plumbing code. The board
 30 shall conduct a minimum of two (2) public hearings with notice of such public
 31 hearings provided in accordance with the provisions of section 74-204, Idaho
 32 Code.

33 (2) Cities electing to implement a plumbing code enforcement program
 34 shall do so only in compliance with the provisions of this section. Cities
 35 may elect to implement a plumbing enforcement program by passing an ordi-
 36 nance evidencing the intent to do so. Cities that perform plumbing code
 37 enforcement activities shall, except as provided in subsection (3) of this
 38 section, by ordinance adopt ~~the uniform plumbing code together with any~~
 39 ~~amendments thereto made by the board, which shall collectively constitute~~
 40 ~~and be named the 2017 Idaho state plumbing code. The effective date of any~~
 41 ~~edition of the code adopted by the board shall be January 1 of the year fol-~~
 42 ~~lowing its adoption.~~

43 (3) Cities may further amend the Idaho state plumbing code ~~adopted by~~
 44 ~~the board~~ in conformance with this section to address local concerns pro-
 45 vided that such amendments prescribe at least an equivalent level of protec-
 46 tion to that contained in the uniform 2017 Idaho state plumbing code. Pro-
 47 vided however, that no code other than the uniform 2017 Idaho state plumb-
 48 ing code ~~together with any amendments, revisions or modifications made by~~
 49 ~~the board which collectively constitute the Idaho state plumbing code may~~

1 serve as the minimum standard for plumbing installations in such city. A
 2 city electing to amend the 2017 Idaho state plumbing code as adopted by the
 3 ~~board~~ may do so only after a finding by the city that good cause exists for
 4 such an amendment and that such amendment is reasonably necessary. Prior to
 5 making a finding of good cause for such an amendment, the city shall conduct
 6 a public hearing. Notice of the time and place of the public hearing shall be
 7 published in the official newspaper or paper of general circulation within
 8 the city. Written notice of such public hearing and the text of the proposed
 9 amendment shall be given by the city to the board not less than thirty (30)
 10 days prior to such hearing.

11 (4) The remaining provisions of this act shall not apply, except as
 12 hereinafter provided, to cities if such cities enact ordinances or codes
 13 prescribing the 2017 Idaho state plumbing code and amendments it may make
 14 thereto in accordance with this section for all plumbing installations which
 15 shall be considered the equal minimum standards, and requirements including
 16 the enforcement thereof as provided by this act.

17 SECTION 8. That Section 54-2620, Idaho Code, be, and the same is hereby
 18 amended to read as follows:

19 54-2620. PERMITS REQUIRED -- EXCEPTIONS. (1) It shall be unlawful
 20 for any person, firm, copartnership, association or corporation to do, or
 21 cause or permit to be done, after the adoption of this act, whether acting as
 22 principal, agent or employee, any construction, installation, improvement,
 23 extension or alteration of any plumbing system in any building, residence
 24 or structure, or service lines thereto, in the state of Idaho, without first
 25 procuring a permit from the division of ~~building safety occupational and~~
 26 professional licenses authorizing such work to be done, except:

27 (1a) Within the boundaries of incorporated cities, including those
 28 specially chartered, where such work is regulated and enforced by an
 29 ordinance or code equivalent to this chapter;

30 (2b) Within such additional area within five (5) miles of the city
 31 limits over which such city has elected to exercise jurisdiction rela-
 32 tive to building drains and building sewers pursuant to section 50-606,
 33 Idaho Code, on buildings, residences and structures being converted
 34 from an on-site sewage disposal system to a sewage disposal system
 35 supplied by the city, where such work is regulated and enforced by an
 36 ordinance or code equivalent to this chapter. Cities shall provide
 37 the division of ~~building safety occupational and professional li-~~
 38 licenses written notice of the area over which such jurisdiction will be
 39 exercised. No city may exercise such jurisdiction within the limits
 40 of another city unless both cities have agreed by ordinance to allow
 41 such jurisdiction. For purposes of this chapter, building drain and
 42 building sewer will be defined according to the definition found in the
 43 ~~uniform~~ 2017 Idaho state plumbing code ~~or as adopted by the board,~~ pur-
 44 suant to section 54-2601, Idaho Code.

45 (2) Permits shall be issued only to a person holding a valid certificate
 46 of competency, to a firm, copartnership, association or corporation repre-
 47 sented by a person holding a valid certificate of competency, or to a person
 48 excepted or for work excepted from the certificate of competency require-
 49 ments pursuant to section 54-2602 (1) (a), ~~(1) (e), (1) (f), (1) (g), or (1) (i),~~

1 Idaho Code. Permits shall not be required for plumbing work described in
2 section 54-2602(1) (b), ~~(1)(c)~~, or ~~(1)(d)~~, Idaho Code. Provided, a licensed
3 plumber is hereby authorized, after making application for permit and pend-
4 ing receipt of permit, to proceed and complete improvements or alterations
5 to plumbing systems when the cost of said improvement or alteration does not
6 exceed the sum of five hundred dollars (\$500). Inspection of such work shall
7 be the responsibility of the permit holder pending an official inspection,
8 which shall be made within sixty (60) days after notification of inspection.

9 SECTION 9. That Section 54-5001, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 54-5001. DECLARATION OF POLICY. The purpose of this chapter is to en-
12 sure that installation of all heating, ventilation and air conditioning sys-
13 tems in the state of Idaho shall be in accordance with the ~~2006~~ 2018 Interna-
14 tional Mechanical Code as published by the International Code Council, the
15 ~~2006~~ 2018 International Fuel Gas Code as published by the International Code
16 Council, and parts V and VI of the ~~2006~~ 2018 International Residential Code
17 as published by the International Code Council, applicable to the industry
18 and including amendments, ~~and revisions and later editions of these codes~~ as
19 adopted by the Idaho heating, ventilation and air conditioning board. Noth-
20 ing in this chapter shall require a local government to adopt or implement a
21 mechanical inspection program unless such local government chooses to do so
22 by an ordinance duly adopted. By January 1, 2005, local governments that is-
23 sue mechanical permits and perform mechanical or fuel gas enforcement activ-
24 ities shall, by ordinance, adopt and enforce the codes as prescribed by this
25 chapter.

26 SECTION 10. An emergency existing therefor, which emergency is hereby
27 declared to exist, this act shall be in full force and effect on and after
28 July 1, 2022.