



Terri Kondeff
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Senators FOREMAN, Lenney, Ward-Engelking and,
Representatives CLOW, Crane, Berch

FROM: Matt Drake - Division Manager

DATE: January 06, 2025

SUBJECT: Temporary Rule

IDAPA 24.39.30 - Rules of Building Safety (Building Code Rules) - Adoption of Temporary Rule -
Docket No. 24-3930-2501

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Matt Drake at the Legislative Services Office at (208) 334-4845. Thank you.

Attachment: Temporary Rule

Paul Headlee, Deputy Director Matt Drake, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.30 – RULES OF BUILDING SAFETY (BUILDING CODE RULES)

DOCKET NO. 24-3930-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 39-4112, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The permitting fees found in Rule 400 have been decreased by thirty percent (30%).

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing permit fees for the Idaho Building Code Board reduces additional costs on industry and licensees. These reductions in fees will be a benefit to construction projects and industry in the state of Idaho.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 500 pursuant to Section 39-4112, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead, all permitting fees were decreased by thirty percent (30%).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
Bureau Chief
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov.

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3930-2501
(Only Those Sections With Amendments Are Shown.)

24.39.30 – RULES OF BUILDING SAFETY (BUILDING CODE RULES)

500. PERMITS AND PLAN REVIEW.

01. Annual Permit. In lieu of an individual permit for each minor alteration to an already approved building, the Division may issue an annual permit upon application therefor to any state agency or state governmental organization regularly employing one (1) or more qualified trade persons in the building, structure or on the premises or campus owned or operated by the applicant for the permit. The agency to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Division shall be allowed access to such records upon request or such records shall be filed with the Division as designated. The permit holder shall request inspections and make the work accessible for inspection as required by the adopted codes and herein. (7-1-24)

02. Plans Not Required. Plans are not required for group U occupancies of Type V conventional light-frame wood construction. (7-1-24)

03. Fees. (7-1-24)

a. Technical Service Fee. One hundred dollars (\$100) per hour. (7-1-24)

b. Building Permit Fees. The determination of value or valuation will be made by the administrator and includes the total value of all construction work for which a permit is issued.

| TABLE 3-b - BUILDING PERMIT FEES | |
|---|---|
| Total Valuation | Fee |
| \$1 to \$500 | = \$23.50 <u>16.45</u> |
| \$501 to \$2,000 | = \$23.50 <u>16.45</u> for the first \$500 plus \$3.05 <u>2.14</u> for each additional \$100, or fraction thereof, to and including \$2,000 |
| \$2,001 to \$25,000 | = \$69.25 <u>48.48</u> for the first \$2,000 plus \$14.90 <u>9.80</u> for each additional \$1,000, or fraction thereof, to and including \$25,000 |
| \$25,001 to \$50,000 | = \$391.75 <u>274.23</u> for the first \$25,000 plus \$40.10 <u>7.07</u> for each additional \$1,000, or fraction thereof, to and including \$50,000 |
| \$50,001 to \$100,000 | = \$643.75 <u>450.63</u> for the first \$50,000 plus \$7.49 <u>4.90</u> for each additional \$1,000, or fraction thereof, to and including \$100,000 |
| \$100,001 to \$500,000 | = \$993.75 <u>695.63</u> for the first \$100,000 plus \$5.60 <u>3.92</u> for each additional \$1,000, or fraction thereof, to and including \$500,000 |
| \$500,001 to \$1,000,000 | = \$3,233.75 <u>2,263.63</u> for the first \$500,000 plus \$4.75 <u>3.33</u> for each additional \$1,000, or fraction thereof, to and including \$1,000,000 |
| \$1,000,001 to \$5,000,000 | = \$5,608.75 <u>3,926.13</u> for the first \$1,000,000 plus \$3.65 <u>2.56</u> for each additional \$1,000, or fraction thereof, to and including \$5,000,000 |

| TABLE 3-b - BUILDING PERMIT FEES | |
|---|--|
| Total Valuation | Fee |
| \$5,000,001 to \$10,000,000 | = \$20,298.75 14,146.13 for the first \$5,000,000 plus \$2,751.93 for each additional \$1,000, or fraction thereof, to and including \$10,000,000 |
| \$10,000,001 and up | = \$33,958.75 23,771.13 for the first \$10,000,000 plus \$21.40 for each additional \$1,000, or fraction thereof |

~~(7-1-24)~~ **(1-1-25)T**

c. Fees for Annual Permits. A fee for inspections performed on annual permits shall be charged at the rate of one hundred dollars (\$100) per inspection. The Division shall bill the applicant for annual permits and failure of the applicant to pay the fee within sixty (60) days may result in cancellation of the annual permit. (7-1-24)

d. Plan Review Fees. Plan review fees shall be charged at an hourly rate of one hundred dollars (\$100) per hour up to a maximum of sixty-five percent (65%) of the calculated building permit fee with a minimum required fee of forty percent (40%) of the calculated building permit fee. All requests for plan review services shall be accompanied by a payment in the amount of at least forty percent (40%) of the calculated building permit fee. Upon completion of the plan review, any additional fees, above the minimum required, are due to the Division by the requesting party. (7-1-24)