

24.39.60 – RULES GOVERNING UNIFORM SCHOOL BUILDING SAFETY

000. LEGAL AUTHORITY.

The rules are promulgated pursuant to Section 39-8007, Idaho Code. (3-31-22)

001. SCOPE.

The rules prescribe the Idaho Uniform School Building Safety Code and provide for enforcement and administration of the Idaho Uniform School Building Safety Act. (3-31-22)

002. INCORPORATION BY REFERENCE.

01. Uniform Codes. The following uniform codes are hereby incorporated by reference into these rules as, and insofar as, the most recent editions have been adopted by the appropriate governing authority for the state of Idaho pursuant to applicable Idaho Code: (3-31-22)

- a. International Building Code; (3-31-22)
- b. International Mechanical Code; (3-31-22)
- c. International Fuel Gas Code; (3-31-22)
- d. Safety Code for Elevators and Escalators (ASME/ANSI A17.1); (3-31-22)
- e. International Energy Conservation Code; (3-31-22)
- f. Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1); (3-31-22)
- g. Idaho Fire Code (IFC); (3-31-22)
- h. National Electrical Code (NEC); (3-31-22)
- i. Idaho State Plumbing Code (UPC); (3-31-22)
- j. Pacific NW AWWA Manual for Backflow Prevention and Cross Connection Control; and (3-31-22)
- k. ~~Idaho Safety and Occupational Health Standards.~~ (3-31-22)

02. Idaho Uniform School Building Safety Code. The codes set forth in Subsection 002.01 of this rule, together with the definitions contained therein ~~and the written interpretations thereof, insofar as they are applicable to school facilities,~~ constitute the Idaho Uniform School Building Safety Code. (3-31-22)

003. -- 009. (RESERVED)

010. DEFINITIONS.

- 01. **Act.** The Idaho Uniform School Building Safety Act. (3-31-22)
- 02. **Building Code.** The Building Code specified in Paragraph 002.01.a. of these rules. (3-31-22)
- 03. **Code.** The Idaho Uniform School Building Safety Code. (3-31-22)
- 04. **School Building or Building.** Any school building, including its structures and appurtenances

Commented [LK1]: This is the incorrect format for incorporation by reference. Please see Rule Writer's Manual, page 25:

Whenever a document is incorporated by reference, the rule must provide specific information regarding the document. This includes:

- 1) the name, edition or version number; and
- 2) the date on which the rule, standard or code was published, approved or became effective.

This is important to note because a document that has been improperly incorporated by reference can be challenged and the rulemaking possibly invalidated.

Commented [AL2]: Was moved to a policy, ask Lea about enforcement.

Commented [LK3R2]: Policy or guidance documents do not have the full force and effect of the law.

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1) Agency policy statements and guidance documents shall not have the force and effect of law.

Idaho Code § 67-5207A

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necessary for the operation of the school building, and subject to the provisions of the Act. (3-31-22)

~~011. — 049. — (RESERVED)~~

050. VIOLATION OF CODE.

01. Imminent Safety Hazard. Code violations that constitute an imminent safety hazard, include, but are not limited to, whenever the following are observed: (3-31-22)

a. Any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic; (3-31-22)

b. The walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic; (3-31-22)

c. The stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half (1-1/2) times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location; (3-31-22)

d. Any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location; (3-31-22)

e. Any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property; (3-31-22)

f. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half (1/2) of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings; (3-31-22)

g. Any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction; (3-31-22)

h. The building or structure, or any portion thereof, because of: (3-31-22)

i. Dilapidation, deterioration or decay; (3-31-22)

ii. Faulty construction; (3-31-22)

iii. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (3-31-22)

iv. The deterioration, decay or inadequacy of its foundation; or (3-31-22)

v. Any other cause, is likely to partially or completely collapse; (3-31-22)

i. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings; (3-31-22)

j. Any building or structure which, whether or not erected in accordance with all applicable laws and

ordinances, has in any nonsupporting part, member or portion less than fifty percent (50%), or in any supporting part, member or portion less than sixty-six percent (66%) of the: (3-31-22)

i. Strength; (3-31-22)

ii. Fire-resisting qualities or characteristics; or (3-31-22)

iii. Weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location; (3-31-22)

k. Any building or structure, because of obsolescence; dilapidated condition; deterioration; damage; inadequate exits; lack of sufficient fire-resistive construction; faulty electric wiring, gas connections or heating apparatus; or other cause, is determined by the state fire marshal to be a fire hazard; (3-31-22)

l. A building or structure, because of inadequate maintenance; dilapidation; decay; damage; faulty construction or arrangement; inadequate light, air or sanitation facilities; or otherwise, is determined to be unsanitary, unfit for human occupancy or habitation, or in such a condition that is likely to cause accidents, sickness, or disease; (3-31-22)

m. Any building or structure, because of dilapidated condition; deterioration; damage; inadequate exits; lack of sufficient fire-resistive construction; faulty electric wiring, gas connections, or heating apparatus; or other cause, is determined by the state fire marshal to be a fire or life safety hazard; and (3-31-22)

n. There is, within the building, the presence of vapors, fumes, smoke, dusts, chemicals, or materials in any form (natural or man made) in quantities that have been established by national health organizations to be a threat to the health or safety of the building occupants. This does not include materials stored, used, and processed in accordance with nationally recognized safety standards for the materials in question. (3-31-22)

~~051. – 999. (RESERVED)~~