

ORDINANCE NO. 2018-3

BUILDING LOT AND STANDARDS ORDINANCE BLOOMINGTON, IDAHO

IT IS HEREBY ORDAINED BY THE CITY COUNCIL AND MAYOR OF THE CITY OF BLOOMINGTON, IDAHO, AS FOLLOWS:

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF BUILDING LOT REGULATIONS AND STANDARDS WITHIN BLOOMINGTON, IDAHO: PROVIDING FOR THE GENERAL PROVISIONS; PROVIDING FOR DEFINITIONS; PROVIDING FOR BUILDING LOT REGULATIONS; PROVIDING FOR AMENDMENT PROCEDURES AND PROVIDING FOR AN EFFECTIVE DATE.

CHAPTER 1 GENERAL PROVISIONS

1-1 Title

This ordinance shall be known as the "Building Lot and Standards Ordinance of Bloomington, Idaho."

1-2 Authority

This ordinance is adopted pursuant to authority granted by Title 67, Chapter 65 of the Idaho State Code, as amended or subsequently codified.

1-3 Purpose

This ordinance is designed and enacted for the purpose of promoting the health, safety and general welfare and maintaining the present character and integrity of Bloomington.

1-4 Interpretation

In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

1-5 Separability Clause

Should any section or provision of the ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any other part thereof.

CHAPTER II DEFINITIONS

2-1 Interpretation of Terms or Words

Words used in the present tense include the future; words in the singular include the plural and the plural, the singular.

Meanings of Terms or Words

BUILDING:

Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattels.

BUILDING, ACCESSORY:

A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building.

BUILDING, HEIGHT OF:

The vertical distance measured from a point representing the average finished grade surrounding a structure to a point representing the average elevation of the roof or top of the structure.

BUILDING, MAIN:

The principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing the principal use upon a lot.

COMMERCIAL PROPERTY:

Buildings or land intended to generate profit, either from capital gains or rentals.

COUNCIL:

The City Council of Bloomington, Idaho.

DEVELOPMENT PERMIT:

A document issued by the Council, authorizing the location of structures, fees and other pertinent information relating to building within the City.

FRONTAGE:

All property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street, which it intercepts.

LOT:

A parcel of land occupied or to be occupied by a main building or group of buildings (main and accessory), together with such yards, open spaces, lot width and lot area as are required by

this ordinance and having frontage upon a street.

LOT, MINIMUM AREA OF:

The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

PARKING SPACE:

Space within a building, lot, or parking lot for the parking or storage of one (1) automobile.

RESIDENTIAL DWELLING:

Any building or portion thereof, which is designed for use for a residential purpose(s) including a manufactured home; which includes, permanent water, Sewer, Power and a permanent heat source. Must be built on permanent foundation, and be a minimum of 850 square feet.

SET BACK LINE:

A line established by the Building Lot and Development Ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located above ground except as may be provided in said Code.

**CHAPTER III
ADMINISTRATION AND ENFORCEMENT**

3-1 General

For the purpose of carrying out the provisions of this ordinance, the City Council of Bloomington is designated and authorized to administer this ordinance; and from time to time such administration may be entrusted in whole or in part to any other officer, approved by the Mayor, and City Council, without amendment to this ordinance, said officer to be compensated for their services.

3-2 Building Permits Required

No building or other structure, except fences, shall be erected, moved, or added to without a permit issued by the Council. Structures with a total of 25 square feet or less require a development permit but there is no fee.

3-3 Contents of Application

The application for a building permit shall be signed by the applicant attesting to the truth and exactness of all information supplied on the application. The application shall include a completed form provided by the Council and a plan drawn to scale showing the actual dimensions and the shape of the lot to be built upon. The exact size and location of the existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or addition(s) shall be shown thereon.

3-4 Application for Approval of Building Permit

The council shall approve a form and contents of the Application for Building Permit by Resolution.

Permit approval will be granted once the applicant has shown compliance with the permit requirements.

3-5 Failure To Obtain A Building Permit

Failure to obtain a development permit shall be a violation of this ordinance.

3-6 Penalties

Violation of any of the provisions of the ordinance or failure to comply with any of its requirements shall constitute an infraction, punishable by a fine of \$300.00. Each day of noncompliance with the provisions of this Ordinance shall constitute a separate offense.

3-7 Schedule of Fees

The schedule of fees shall be established by Resolution.

**CHAPTER IV
BUILDING LOT REGULATIONS**

4-1 Minimum Lot Area

A one-half (1/2) acre lot is required for each single family dwelling.

4-2 Minimum Lot Width

One hundred (100) feet facing public road.

4-3 Minimum Front and Side Set-Back

Twenty (20) feet from all public roads (corner lot).

4-4 Minimum Side Yard and Rear Yard and Ditch Set Backs

Six (6) feet except by written permission of adjacent property owners to place a building closer than Six (6) feet to the property line. Ten (10) feet from ditch edge. The line is defined as the absolute edge of the building, including eaves, soffets or other overhead features.

4-5 Maximum Building Height

Thirty-five (35) feet.

4-6 Inspections

All buildings erected in the City of Bloomington will be subject to inspection.

4-7 Records of Development Permits

The City Clerk will keep a log of all permits issued by the Council, and each permit will be assigned a permit number for tracking purposes.

4-8 Replacement of or Addition to Old Structures

Current Building Permit is required, and all current Fees, City rules, Regulations and Setbacks will apply to all replacement of old buildings—exception: old buildings that are only being repaired do not have to meet new rules and regulations. Additions to old buildings not meeting current requirements will not be allowed.

4-9 Sewer and/or Water Hook-up

A single meter and single hook-up for each building lot.

**CHAPTER V
AMENDMENTS**

5-1 Amendment Procedures

The Council may, from time to time, amend, supplement, or repeal the regulations and provisions of this ordinance in the manner prescribed by the Idaho Code. A proposed amendment, supplement, or repeal may be originated by the Council or by application. All proposals not originating with the Council shall be referred to it for report thereon before any action is taken on the proposal by the Council.

**CHAPTER VI
VARIANCES**

6-1 Variance Procedures

An applicant may petition the City of Bloomington for a variance to avoid the requirements of this Ordinance, as provided in Title 67, Chapter 65 of the Idaho Code.

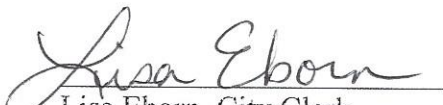
**CHAPTER VII
EFFECTIVE DATE**


This ordinance shall be in full force and effect upon passing and signing.

Regularly passed and adopted by the City of Bloomington, Idaho on this the 18th day of October 2018.

Attested:

Signed:


Lisa Eborn, City Clerk


Ted McGhee, Mayor