



## **BUILDING SAFETY**

Notice is hereby given  
**THAT THE NAMPA BUILDING AND FIRE CODE ADVISORY AND  
APPEALSBOARD MEETING IS SCHEDULED FOR**  
Wednesday, February 8th, 2023  
@ 1:30 PM - 3:00 PM  
Large Basement Training Room at the Nampa Development  
Services Center, 500 12<sup>th</sup> Avenue S, Nampa

## **MEETING AGENDA**

1. Call to Order/Roll Call
2. Review and approval of meeting minutes from December 6, 2021
3. Action Item - Public Hearing:
  - 3.1 Public Hearing for the request for the appeal of notice and order, for the property located at 1114 Sweetwood Circle, Nampa, Idaho 83651
4. Motion to Adjourn

**NAMPA BUILDING AND FIRE CODE ADVISORY AND APPEALS**

**BOARD MEETING**

Monday, December 06, 2021

@ 1:00 pm - 2:00 pm

Large Training Room / Nampa Development Services Center

500 12<sup>th</sup> Avenue S, Nampa

Roll Call: 1:05 p.m.

Roll call of the Board was taken with Casey Wittenborn, Derek Cooper, Greg Toolson, Joe Bongiorno, Jimmy Ray Church, Michael Fuss, and Ron Johnson present. John Cotner absent.

Approval of meeting minutes:

Michael motioned to approve the minutes, Jimmy second, vote was taken with all in favor, motion carried

New Business:

Patrick went over the process of sending the letters of intent for expiring terms for board members and replacement board members received and will be on the December 20<sup>th</sup> city council meeting agenda.

Action Items:

Patrick went over the review and approval of the building fee ordinance amendments and the revised fee schedule. Casey motioned to approve building fee ordinance amendments and revised fee schedule, Greg second, vote was taken with all in favor, motion carried.



# City of Nampa Building Safety

Patrick Sullivan CBO, Director  
500 12<sup>th</sup> Avenue S, Nampa ID 83651  
(208) 468-5435 [www.cityofnampa.us](http://www.cityofnampa.us)

## STAFF REPORT

To: Building and Fire Code Advisory and Appeals Board

From: Patrick Sullivan – Director of Building Safety

RE: Appeal to Notice and Order for Residence located at 1114 Sweetwood Circle, Nampa, Idaho Parcel Number: 09574000 0

Terry Dodge has requested an appeal for the Notice and Order issued for the Residence located at 1114 Sweetwood Circle, Nampa. This staff report outlines the case history and cause for the issuance of the notice and order.

The Nampa Mayor's Office received the following complaints for the home located at 1114 Sweetwood:

- In September of 2022, the Mayor's office received complaints from the neighbors of 1114 Sweetwood Circle.
  - The first neighbor called concerned about the family at 1114 Sweetwood Circle sleeping in their car, using trash cans and buckets for urine and feces, and saw rats coming from the property.
  - A separate complaint was received from another neighbor who was having rats coming onto their property from the neighboring property. They called an exterminator who followed an actual trail to the backyard of 1114 Sweetwood Circle.
- Both neighbors have continued to call over the winter with the same concerns asking the city to help do something about the unsafe and unsanitary conditions which includes complaints that the family is living outside in cars, throwing feces in the trash, and creating a rat problem for neighboring houses.

In early November, Building Safety staff visited the home to ask for entry to inspect based on the citizen complaint regarding rat infestation and was unable to access the door to knock due to the 6' high fence and gate posted with "No Trespassing"

Water usage at the home, per Nampa Utility Billing records, shows zero water consumption

between the meter reading dates of February 12, 2021 and December 11 2023. The lack of domestic water usage may cause dangerous and unsanitary conditions due to the lack of water to clean or flush toilets and escape of sewer gas due to dry plumbing traps in the home.

Based on legal advice from the Canyon County Prosecuting Attorney; the Building Safety Department issued a Notice and Order on January 19<sup>th</sup>, 2023 to request right of entry to investigate the two following issues that may create a dangerous and unsanitary building conditions.

**Infraction #1:** A rodent infestation on site contributes to a dangerous and unsanitary building condition causing the structure to be unfit for human occupancy and has caused a rodent infestation in an adjacent residence.

**Remedy:** Provide right of entry for inspection of rodent infestation and abate the cause of the infestation.

**Relevant Code Sections:**

2018 INTERNATIONAL PROPERTY MAINTENANCE CODE  
SECTION 108 - UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

108.1.3 Structure unfit for human occupancy

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.5 Dangerous structure or premises

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

**Infraction #2:** The home has a non-functioning plumbing system based on zero water usage for the past 12 months. This in combination with dumping feces in the garbage and dumping urine in the yard contribute to dangerous an unsanitary building conditions causing the structure to be unfit for human occupancy.

**Remedy:** Provide right of entry for inspection of plumbing system and fixtures and repair plumbing system to an operable and sanitary condition. (The Nampa Economic Development Department may

be able to provide assistance through an income-based home improvement loan for this type of situation.)

**Relevant Code Sections:**

2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

SECTION 108 - UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

108.1.5 Dangerous structure or premises. (zero water usage for past year.)

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

SECTION 504 - PLUMBING SYSTEMS AND FIXTURES

504.1 General.

Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

SECTION 505 - WATER SYSTEM

505.1 General. (zero water usage for past year.)

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Idaho State Plumbing Code.

**Action Item:** Building and Fire Code Advisory and Appeals Board decision for either the denial or the approval of the property owner's request for appeal of the Notice and Order issued for the Residence located at 1114 Sweetwood Circle.



# City of Nampa Building Safety

Patrick Sullivan CBO, Director  
500 12<sup>th</sup> Avenue S, Nampa ID 83651  
(208) 468-5435 [www.cityofnampa.us](http://www.cityofnampa.us)

## NOTICE AND ORDER

To: Terry K Dodge and  
Shelly R Dodge  
1114 Sweetwood Circle  
Nampa, Idaho 83651

RE: Notice and Order for Residence located at 1114 Sweetwood Circle, Nampa, Idaho  
Parcel Number: 09574000 0

**YOU ARE HEREBY NOTIFIED;** that in response to citizen complaints; a special investigation was conducted for the residence located at 1114 Sweetwood Circle, Nampa, Idaho. The complaints include dumping human feces in the garbage, dumping urine in the yard, rodent infestation, causing a rodent infestation in an adjacent home, and zero water usage for a period of 12 months. Each of these issues create dangerous and unsanitary building conditions. The Building Safety Department was unable to obtain right of entry to inspect the residence and the Code Enforcement Department was told by the owner to not visit the site. The infractions listed below require an immediate response and action by the property owner:

**Infraction #1:** A rodent infestation on site contributes to a dangerous and unsanitary building condition causing the structure to be unfit for human occupancy and has caused a rodent infestation in an adjacent residence.

**Remedy:** Provide right of entry for inspection of rodent infestation and abate the cause of the infestation.

### Relevant Code Sections:

2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

### SECTION 108 - UNSAFE STRUCTURES AND EQUIPMENT

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**Infraction #2:** The home has a non-functioning plumbing system based on zero water usage for the past 12 months. This in combination with dumping feces in the garbage and dumping urine in the yard contribute to a dangerous an unsanitary building condition causing the structure to be unfit for human occupancy.

**Remedy:** Provide right of entry for inspection of plumbing system and fixtures and repair plumbing system to an operable and sanitary condition. (The Nampa Economic Development Department may be able to provide assistance through an income-based home improvement loan for this type of situation.)

**Relevant Code Sections:**

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SECTION 505 - WATER SYSTEM

505.1 General. (zero water usage for past year.)

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Idaho State Plumbing Code.

**YOU ARE HEREBY ORDERED;** that if the Owner fails to provide acknowledgement of receipt of this order and provide right of entry to inspect the structure for rodent infestation, and the conditions causing a non-functioning plumbing system and plumbing fixture condition, to the undersigned Building Official within 10 working days from the date of this notice and order, the City of Nampa shall take appropriate legal action in accordance with the provisions of the IPMC. If the notice and order is not complied with, the code official shall institute the appropriate proceeding at law or inequity to restrain, correct or abate such violation, or to require the termination of the occupancy of the structure in violation of the provisions of the IPMC, other adopted building codes, or of this order, or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**APPEAL FROM THIS ORDER** may be made to the Building and Fire Board of Appeals via the office of the Building Official. Said appeal shall be in writing and filed in the office of the Building Official within 7 working days of the date of this notice and order. Failure to appeal shall constitute a waiver of the right to an administrative hearing and adjudication of this notice and order or any portion thereof. Please contact Patrick Sullivan, Building Safety Director, at 208-468-5435 with any questions.

Dated the 13th day of January 2023



Patrick Sullivan – CBO, AIA  
Building Safety Director

CC: Mayor Kling  
Rick Hogaboam – Chief of Staff  
Cliff Long – Senior Director of Development Services  
Jonica Johnson – Citizen Support Coordinator  
Jeff Miranda – Building Official  
Ron Johnson – Fire Marshall  
Zandra Pedroza – Building Safety  
Shellie Lopez – Building Safety  
Victor Villegas – Borton Lakey Law  
Sarah Smith – Borton Lakey Law



Terry and Shelly Dodge  
1114 Sweetwood Circle  
Nampa ID 83651

January 24, 2023

City of Nampa  
Building Safety  
500 12<sup>th</sup> Ave S., Nampa ID 83651  
Att: Patrick Sullivan CBO, Director

Re: Notice and Order for Residence located at 1114 Sweetwood Circle, Nampa, ID  
Parcel # 09574000 0

Dear Mr. Patrick,

We are hereby notifying you with the acknowledgement of the receipt of the order which was dated January 13, 2023. We would like to appeal this notice and request an administrative hearing to address this matter and further discuss Infraction #1 and Infraction #2.

As this is our primary and only residence, we would ask the city for extended time to make any repairs and improvements. We also request information to any services the city might have or know of that are available to assist us to make any improvements.

Our intention is to comply and take appropriate action to handle this matter to the best of our abilities.

Terry Dodge Terry Dodge Shelly Dodge Shelly R. Dodge

Dated: 01/24/2023

**NOTICE OF PUBLIC HEARING BEFORE THE NAMPA BUILDING AND FIRE CODE ADVISORY AND APPEALS BOARD, THE CITY OF NAMPA, IDAHO**

**Notice is hereby given that** on February 8, 2023 at 1:30 p.m. (or as soon after 1:30 p.m. as each matter may be heard), in the NDSC Large Basement Training Room, located at the Nampa Development Services Center, 500 12<sup>th</sup> Avenue Street South, Nampa, Canyon County, Idaho, the public hearing for the item listed below will be held before the Nampa Building And Fire Code Advisory and Appeals Board.

1. Action Item: Public Hearing for the Home Owner's Appeal of the Notice and Order issued for the Residence located at 1114 Sweetwood Circle, Nampa, Idaho

Interested parties wishing to provide comments and questions, either about the hearing procedures, or to be considered by the Building And Fire Advisory and Appeals Board for this particular hearing, must submit them in writing to the Building Safety Department at 500 12<sup>th</sup> Avenue S, Nampa, Idaho 83651 or sent to [lopezs@cityofnampa.us](mailto:lopezs@cityofnampa.us) and [pedrozaz@cityofnampa.us](mailto:pedrozaz@cityofnampa.us). Any comments received by 12:00 noon, the day prior the Public Hearing, will be passed on to the board members. Interested parties may participate remotely through electronic means, by calling in to the meeting, or by attending in person. If you have a cough, fever, or are not feeling well, please contact Shellie Lopez at (208) 565-5287 by 12:00 noon on the day prior to the meeting, to arrange to participate remotely.

An individual wishing to actively participate remotely in the meeting rather than just observe the meeting via live stream must sign up to do so prior to the meeting to receive the invitation link and/or phone number they will use to participate. If desiring to participate remotely, please contact Those wishing to participate in the meeting remotely must sign up by 12:00 noon, the day prior to the meeting, and any individual who wishes to provide any physical evidence (pictures, tables, drawings, maps, written letters, or any other visual aid) to accompany their testimony, must submit such physical evidence, via email, to [lopezs@cityofnampa.us](mailto:lopezs@cityofnampa.us) and [pedrozaz@cityofnampa.us](mailto:pedrozaz@cityofnampa.us) by 12:00 noon on the day prior to the meeting.

Individuals who require language interpretation or special assistance to accommodate physical, vision or hearing impairments, or who lack the ability to access the meeting by way of the internet or other means listed above, should contact Shellie Lopez at (208) 565-5287 by 12:00 noon on the day prior to the meeting. The City will make accommodations for those not able to participate in the process as described above.



Patrick Sullivan, Building Safety Director

PUBLISH ONCE ON: February 3, 2023

# Utility Billing

DODGE TERRY K 052286-000 - 1114 SWEETWOOD CIR



User: penam

Printed: 01/11/2023 - 4:56 PM

Account Numbe	Read Date	Reading	Consumption	Reading Period/Year	New	Billed	Estimated	Serial Number	Order	Description
052286-000	12/11/2022	1746	0	12/2022	False	True	False	54232077	0	
052286-000	10/10/2022	1746	0	10/2022	False	True	False	54232077	0	
052286-000	8/10/2022	1746	0	08/2022	False	True	False	54232077	0	
052286-000	6/10/2022	1746	0	06/2022	False	True	False	54232077	0	
052286-000	4/11/2022	1746	0	04/2022	False	True	False	54232077	0	@ 1746 in aclara 5/4
052286-000	2/11/2022	1746	0	02/2022	False	True	False	54232077	0	@ 1746 in aclara
052286-000	12/10/2021	1746	0	12/2021	False	True	False	54232077	0	00
052286-000	10/13/2021	1746	0	10/2021	False	True	False	54232077	0	
052286-000	8/16/2021	1746	0	08/2021	False	True	False	54232077	0	
052286-000	6/14/2021	1746	0	06/2021	False	True	False	54232077	0	
052286-000	4/13/2021	1746	0	04/2021	False	True	False	54232077	0	1746 in Aclara 4/15
052286-000	2/12/2021	1746	0	02/2021	False	True	False	54232077	0	@ 1746 in aclara 02/22
052286-000	12/11/2020	1746	2	12/2020	False	True	False	54232077	0	1746 in Aclara 12/16
052286-000	10/13/2020	1744	119	10/2020	False	True	False	54232077	0	1745 in Aclara 10/19
052286-000	8/13/2020	1625	-1000	08/2020	False	True	False	54232077	1	Consumption Adjustment
052286-000	8/13/2020	1625	1200	08/2020	False	True	False	54232077	0	stop mtr avg bill 9/8
052286-000	6/12/2020	1624	-1000	06/2020	False	True	False	54232077	1	Consumption Adjustment
052286-000	6/12/2020	1624	1200	06/2020	False	True	False	54232077	0	per FL stop mtr-avg bill 6/22
052286-000	4/13/2020	1622	5	04/2020	False	True	False	54232077	0	
052286-000	2/19/2020	1617	10	02/2020	False	True	False	54232077	0	1619@ rr 2/27 JIM
052286-000	12/13/2019	1607	448	12/2019	False	True	False	54232077	0	
052286-000	10/15/2019	1159	262	10/2019	False	True	False	54232077	0	
052286-000	8/13/2019	897	57	08/2019	False	True	False	54232077	0	
052286-000	6/12/2019	840	37	06/2019	False	True	False	54232077	0	
052286-000	4/16/2019	803	31	04/2019	False	True	False	54232077	0	
052286-000	2/13/2019	772	88	02/2019	False	True	False	54232077	0	786 @RR 2/28/19 ACLARA
052286-000	12/14/2018	684	406	12/2018	False	True	False	54232077	0	
052286-000	10/16/2018	278	46	10/2018	False	True	False	54232077	0	
052286-000	8/12/2018	232	48	08/2018	False	True	False	54232077	0	
052286-000	6/26/2018	184	166	06/2018	False	True	False	54232077	0	
052286-000	4/12/2018	18	18	04/2018	False	True	False	54232077	0	