

Title 15 BUILDINGS AND CONSTRUCTION

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Chapters:

15.04 International Codes Adopted

15.08 Building Permits

15.12 Movement of Buildings

Chapter 15.04 INTERNATIONAL CODE COMMISSION CODES

Sections:

15.04.010 Technical codes adopted.

- A. This section is enacted for the purpose of conforming to and supplementing the provisions of Section 58-56-4, Utah Code Annotated, and shall be interpreted to conform to the provisions of that section.
- B. Except when they are in conflict with the provisions of Section 58-56-4, Utah Code Annotated, and the technical codes adopted therein, the following technical codes are adopted by this reference as ordinances of West Bountiful City.
 1. International Building Code. The most recent version of the International Building Code adopted by the State of Utah, together with the most recent version of the International Building Code Standards adopted by the State of Utah, is adopted as the building code of West Bountiful City.
 2. Plumbing Code. The most recent version of the International Plumbing Code adopted by the State of Utah, including all installation standards is adopted as the plumbing code of West Bountiful City.
 3. International Mechanical Code. The most recent version of the International Mechanical Code adopted by the State of Utah is adopted as the mechanical code of West Bountiful City.
 4. National Electrical Code. The most recent version of the National Electrical Code adopted by the State of Utah is adopted as the electrical code of West Bountiful City.
 5. International Energy Conservation Code. The most recent version of the International Energy Conservation Code adopted by the State of Utah is adopted as the energy conservation code for West Bountiful City.

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6. International Property Maintenance Code. The most recent version of the International Property Maintenance Code, as adopted by the State of Utah, for the Abatement of Dangerous Buildings published by the International Conference of Building Officials is adopted as the abatement of dangerous buildings code of West Bountiful City.
 7. International Fire Code. The most recent version of the International Fire Code adopted by the State of Utah, including Appendixes and Standards thereof, adopted by the State of Utah is adopted as the fire code of West Bountiful City.
 8. International Residential Code. The most recent version of the International Residential Code adopted by the State of Utah is adopted as the residential code of West Bountiful City.
- C. The West Bountiful building inspector shall be the principal enforcement officer with respect to each of the technical codes described above, except that the fire marshal of the South Davis Metro Fire District shall be the principal enforcement officer with respect to the International Fire Code.
- D. It is unlawful to perform any work regulated by the technical codes described above without first obtaining a required permit, including the payment of any required fee.
- E. The violation of any provision of the technical codes described above shall be unlawful and punishable as a Class B misdemeanor. (Ord. 264-00 (part); Ord. 239-95 (part))
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Chapter 15.08 BUILDING PERMITS

Sections:

- 15.08.010 Building inspector authorized to enforce regulations.
- 15.08.020 Building permit.
- 15.08.030 Building permit fees.
- 15.08.040 Building, use and occupancy permits to comply with ordinances.
- 15.08.050 Site and off-site improvements may condition building permit approval.
- 15.08.060 Inspection and approval required prior to occupancy.
- 15.08.070 Building permits--Review in flood areas.
- 15.08.080 Subdivision proposals--Review in flood areas.

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15.08.090 Water and sewer systems.

15.08.100 Board of appeals.

15.08.010 Building inspector authorized to enforce regulations.

The building inspector of the City is authorized and responsible to enforce all building regulations which may be adopted by the City Council from time to time.

15.08.020 Building permit.

- A. 1. No building or structure shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the City.

2. Each building permit application shall include a site plan and such other information as may be required by the West Bountiful Municipal Code. (Ord. 330-11)
- B. Any person obtaining a building permit as required by the West Bountiful Municipal Code shall display or cause to be displayed continuously in a conspicuous place on the job site, the building permit application and inspection card affixed to the reverse side thereof, together with the notice furnished by the city, stating in bold letters, "IT IS UNLAWFUL TO OCCUPY THIS BUILDING PRIOR TO FINAL INSPECTION," until the final inspection has been completed and a written final approval is issued by the building inspector covering the premises for which the building permit was issued.
- C. No person shall sell or transfer ownership of a building or structure for which a building permit has been issued to him or her or his or her agent before a final inspection has been made and final approval issued therefor by the building inspector unless he or she shall in writing inform the purchaser or person to whom ownership shall be transferred, whether by deed or pursuant to contract of sale, that such final inspection and final approval are required prior to occupancy or use of such building or structure.
- D. In all zoning districts of the City, the size and shape of the lot or tract, the location of main and accessory buildings on the site and in relation to one another, the traffic circulation features within the site, the height and bulk of buildings, the provision of off street parking space, the provision for driveways for ingress and egress, the provision of other open space on the site, drainage patterns, and the display of signs shall be in accordance with a site plan or plans or subsequent amendment thereof, approved in any case by the land use authority prior to issuance of a building or land-use permit, except that when the application for a building permit involves only a single family residence, the land use authority may reduce the detail required in the site plan. In approving site plans the land use authority may act on a site plan submitted to it or may act on its own initiative in proposing and approving a site plan, including any conditions or requirements designated or specified or in connection therewith. A site plan may include landscaping, fences, and walls designed to further the purposes of the regulations for

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commercial, manufacturing, trailer, and multiple residential zones, and such features shall be provided and maintained as a condition of the establishment and maintenance of any use to which they are appurtenant. In considering any site plan hereunder the land use authority shall endeavor to assure safety and convenience of traffic movements both within the area covered and in relation among the buildings and uses in the area covered, and satisfactory and harmonious relation between such area and contiguous land and building and adjacent neighborhoods. (Ord. 330-11)

- E. All finished floor elevations on buildings constructed within the city shall be at least twelve (12) inches above the curb, or street, or proposed street, level adjacent to the building except when otherwise approved by the city engineer and city council. Below floor or crawl space area shall not exceed 48 inches in height as measured from the bottom of the supporting floor member to the top of the finished ground surface. Below floor or crawl space area shall not exceed 60 inches in height as measured from the bottom of the supporting floor structure to the top of a finish floor where the finish floor is one foot or above the curb or street elevation. Below floor or crawl space area, which is located below the street or curb elevation is not considered to be finished floor area and is not approved for domestic use including storage.
- F. Reductions to standard setbacks due to fire rating of an accessory structure are subject to a building permit regardless of structure size or use.
- G. A building permit shall *not* be required for the following:
 - 1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet;
 - 2. Fences not over 6 feet in height.
 - 3. Retaining walls not over 4 feet in height measured from the bottom of the footing to the top of the wall;
 - 4. Platforms as defined by the International Building Code, walks and driveways not more than 30 inches above grade and not over any basement or story below;
 - 5. Painting, papering and similar finish work. (Ord. 330-11)
- H. The City may require the erection of fences as a prerequisite to approval of any project or to the granting of any building permit when it is necessary to protect life or property. Such fences may be of a type and size necessary to accomplish the above stated purpose, as determined by the City consistent with Title 17.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the International Building Code or West Bountiful Municipal Code.

15.08.030 Building permit fees.

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- A. A fee for each building permit shall be paid to the City according to the schedule established periodically by resolution of the City Council.
- B. The determination of value or valuation hereunder shall be made by the building inspector. The building inspector may use bona fide bid figures from a responsible contractor or may use his or her best judgment as to the total value of all construction work for which the permit was issued, including all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and other permanent work or permanent equipment.
- C. When work for which a permit is required hereunder or by any provisions of the currently adopted International Building Code is started or proceeded with prior to obtaining the permit, the fees specified in the fee schedule as set from time to time by the governing body shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of the code or these ordinances in the execution of the work nor from any other penalties prescribed herein.

In addition to the foregoing an applicant for a building permit shall pay impact, connection and improvement fees as determined periodically by resolution of the City Council. (Ord. 264-00 (part); Ord. 239-95 (part))

15.08.040 Building permit use and final approval to comply with ordinances.

Building use and final approval shall not be granted for the construction or alteration of any building or structure, or for the moving or removal of a building onto or from a lot or for the use or occupancy of a building or land if such structure, construction, alteration, moving, use or occupancy would be in violation of any of the provisions of the West Bountiful Municipal Code. Permits issued in violation of any provision hereof, whether intentional or otherwise, shall be null and void.

15.08.050 Site and off-site improvements may condition building permit approval.

The installation of curb, gutter, sidewalks, drainage culverts, and covered or fenced irrigation ditches of a type approved by the land use authority may be required on any existing or proposed street adjoining a lot on which a building is to be constructed or remodeled, or on which a new use is to be established. Such curbs, gutters, sidewalks, drainage culverts, and safety features for irrigation ditches and canals may be required as a condition of building permit approval.

15.08.060 Inspection and approval required prior to occupancy.

It is unlawful to occupy or put into use, or permit or allow others to occupy or put into use any building or structure requiring a building permit until the building inspector has inspected the same, found compliance with the West Bountiful Municipal Code, including the building code of the city, and issued final approval thereof. (Ord. 263-99 (part))

15.08.070 Building permits--Review in flood areas.

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The building inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

- A. Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- B. Use construction materials and utility equipment that are resistant to flood damage; and
- C. Use construction methods and practices that will minimize flood damage.

15.08.080 Subdivision proposals--Review in flood areas.

The city engineer shall review subdivision proposals and other proposed new developments to assure that:

- A. All such proposals are consistent with the need to minimize flood damage;
- B. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage; and
- C. Adequate drainage is provided so as to reduce exposure to flood hazards.

15.08.090 Water and sewer systems.

- A. The city engineer shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.
- B. In all cases when a proposed building or proposed use will involve the use of sewage facilities, and a connection to a public sewer system as defined by Utah State Division of Health is not available, and in all cases when a connection to a public water system approved by the Utah State Division of Health is not available, the sewage disposal system and the domestic water supply shall comply with state and local board of health requirements. Applications for a building permit shall be accompanied by a certificate of feasibility from said board or division of health. The application shall also evidence the physical presence, legal right to and availability of culinary water acceptable to the city and shall show the actual physical presence, legal right and availability of culinary water for the sole use of the proposed building use. (Ord. 330-11)

15.08.100 Board of appeals.

- A. A board of appeals is created for the purpose of passing upon matters pertaining to building construction, to determine the suitability of alternative materials and methods of construction,

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and to provide for reasonable interpretations of the International Building Code adopted by the City and set forth in Section 113 of Chapter 1 of said Code, and to exercise such other powers as may be delegated to it by the City Council.

- B. The City Council may appoint a board of appeals by resolution. The board of appeals duly appointed by the City Council shall constitute the City board of appeals and will have full authority to carry out the provision and functions set forth in Section 113 Chapter 1 of the International Building Code and any other functions and responsibilities delegated to it by the City Council. Unless so designated by resolution of the City Council, the board of appeals constituted under this section will not be an “appeal authority” for purposes of Titles 16 and 17 of the West Bountiful Municipal Code. (Ord. 330-11)

Chapter 15.12 MOVEMENT OF BUILDINGS

Sections:

15.12.010 Movement of buildings into or within the City.

15.12.020 Compliance with zoning ordinance.

15.12.030 Conditional use permit required.

15.12.040 Additional requirements for moving.

15.12.050 Conformity to requirements at new location.

15.12.060 Movement of newly constructed buildings.

15.12.070 Bond or guaranty.

15.12.010 Movement of buildings into or within the City.

No building, or part thereof, may be moved from a lot or location within or without the city to another lot or location within the city except as herein provided.

15.12.020 Compliance with zoning ordinance.

No building or substantial part thereof shall be moved into or relocated within any zone in the city unless it complies or will be made to comply with the types of buildings and uses allowed within such zone.

15.12.30 Conditional use permit required.

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No building or substantial part thereof shall be moved into or within the city without applying for and obtaining a conditional use permit as provided in Chapter 17.60.

15.12.040 Additional requirements for moving.

No building or substantial part thereof shall be relocated within the city if otherwise allowed, unless all the following additional requirements are fulfilled. Prior to issuance of a permit to move the same:

- A. The building is inspected in its original location by the city engineer or building inspector and found to be structurally safe and sound and in conformity with the requirements of the adopted codes of the City as stated in Chapter 15.04;
- B. The new location within the City is inspected by the building inspector and found to comply with the requirements of these ordinances;
- C. The foundation at the new location is constructed in accordance with the ordinances of the City prior to movement of the building or part thereof to the vicinity of the new location; and
- D. A landscape plan showing proposed landscaping equal to or exceeding in percentage of landscaped area to total lot area the average of lots within three hundred (300) feet is filed with the City, together with an agreement to complete the same within eighteen (18) months from the date of the permit. The right of occupation shall be conditioned upon this agreement.

15.12.050 Conformity to requirements at new location.

Before the final approval is issued and before occupancy is allowed, the relocated building shall be made to conform to all requirements of the new location to the same extent as that of new construction on the site.

15.12.060 Movement of newly constructed buildings.

Nothing herein shall prevent the movement of newly constructed main or accessory buildings to any location when the same is accomplished in a manner achieving an end result as though the building were constructed in the first instance upon the new location; and when prior to issuance of the permit, the city engineer or building inspector finds that such end result is likely to be achieved.

15.12.070 Bond or guaranty.

Prior to issuance of the permit, the building inspector shall require a performance bond in cash or by sureties qualifying as such under the laws of the State of Utah, in the amount as set forth by resolution from time to time by the City Council, or such other amount as the planning commission shall determine reasonable and necessary to guarantee that the building will be completed in accordance with the ordinances of the City within one year. If the building cannot be so completed within one year, the bond shall be applied to the completion of the structure at the option of the City. When completion of the structure to a state of conformity cannot be had by application of the amount of the bond, plus additional sums deposited by the owner within ten (10) days of notice to deposit same or suffer

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destruction and removal of the building, then the bond shall be applied to the destruction and removal of the structure, at the option of the City.