

TITLE 40 -

CHAPTER 2 BUILDING PERMIT REQUIREMENTS

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40.02.01 SHORT TITLE AND PURPOSE

This Ordinance shall be known and may be cited as the "Building Permit Requirements Ordinance." The purpose of this ordinance is to provide standards and requirements regarding building permits throughout the Town of Genola, regardless of zone.

40.02.02 BUILDING PERMIT REQUIRED

The construction or alteration of any building or structure, as provided or as restricted in this Ordinance shall not be commenced or proceeded with, except after the issuance of a building permit by the Town, unless work is exempt under the provisions of this chapter.

Whenever any construction or work for which a building permit is required by this Chapter is started or commenced without obtaining the building permit, the Town shall increase the building permit fee to 130% of the amount prescribed in the Town Fee Schedule. The payment of such increased fee shall not relieve any persons from fully complying with the requirements of this Chapter in the execution of the work nor from any other penalties prescribed herein.

40.02.03 EXEMPTIONS FROM BUILDING PERMIT REQUIREMENTS

The Town shall grant an exemption from the requirement to obtain a building permit for the following:

A. One story detached accessory buildings, provided the roof area does not exceed two hundred (200) square feet.

B. Fences not over 42 inches high that restrict visibility in the clear view triangle of an intersection. An intersection's clear view triangle shall be formed by extending two lines 90 feet from the center of the intersection along the centerline of both approaches, then connecting the ends of both approaches to form the hypotenuse of a triangle. .

- C. Fences of any height that do not restrict visibility or are not in the clear view triangle of an intersection.
- D. Movable cases, counters and partitions not over five (5) feet nine (9) inches in height.
- E. Retaining walls which are not over four (4) feet in height.
- F. Platforms, walks and driveways not more than thirty (30) inches above grade and not over any basement or story below.
- G. Window awnings supported by an exterior wall when projecting not more than fifty-four (54) inches.
- H. Prefabricated swimming pools accessory to a Group R, Division 3 occupancy in which the pool walls are entirely above the adjacent grade and the capacity of the pool does not exceed 5,000 gallons.
- I. Agriculture buildings that meet all provisions of the Utah State Code §15A-1-204, as amended or revised.

Separate plumbing, electrical and mechanical permits shall be required for the above exempted items.

Any construction that is exempt from the building permit requirements as set forth above must meet all provisions of the Genola Town Ordinances as well as all applicable building codes. Exemptions from the permit requirements of this code shall not be deemed permission to grant authorization for any work to be done in any manner in violation of the provisions of this Ordinance or any other laws or ordinances of the Town of Genola.

40.02.04

PROCEDURES FOR OBTAINING BUILDING PERMIT

To obtain a building permit:

- A. The applicant shall obtain a building permit application from the Town Clerk.
- B. The applicant shall submit a complete building permit package to the Town Clerk.
- C. After submittal, the complete building permit application will be reviewed by:
 - 1. The Building Inspector for compliance with the International Building Code and the requirements set forth in this Ordinance.
 - 2. The Planning Commission for compliance with the General Plan and the Zoning Ordinance requirements. The Planning Commission may deny applications that do not meet planning and zoning requirements; or assign conditions to the building permit application deemed necessary to comply with the General Plan.

D. Once the building permit application meets all International Building Code and Town requirements and regulations, the Town shall set the Building Permit Fee in accordance with Town Fee Schedule. The applicant shall pay the building permit fee in full, only after which the Town will issue a building permit.

Building permits issued on the basis of plans that have been approved by the Building Inspector, Planning Commission and other applicable agencies (Fire Department, Board of Health, etc.) shall comply with the land use, site plan, building arrangement and construction specifications set forth in the approved plans. Use, arrangement, or construction not included in the approved plans and specifications shall be deemed a violation of this Ordinance. A record of all building permits shall be kept in the Town Recorder's Office.

40.02.05

BUILDING PERMIT APPLICATION REQUIREMENTS

The following items shall constitute a complete building permit package:

A. The completed building permit application form.

B. Two complete sets of building plans, which include the following:

1. Floor Plan, $\frac{1}{4}'' = 1'0''$
2. Footing & Foundation Plan, $\frac{1}{4}'' = 1'0''$
3. Structural Plan, $\frac{1}{4}'' = 1'0''$
4. Proposed Basement Layout, $\frac{1}{4}'' = 1'0''$
5. Elevations, $\frac{1}{4}'' = 1'0''$
6. Framing plans, $\frac{1}{4}'' = 1'0''$
7. Building section and details as needed
8. Electrical layout
9. Gas Layout
10. For Mobile Homes, a current ANSI number

C. Two copies of the site plan, drawn $1'' = 10'$ or larger on unlined or graph paper no smaller than $24'' \times 36''$. The plan must show the following

1. North arrow & scale of site plan
2. Existing easements
3. Property line & dimensions
4. Existing utilities
5. Proposed utilities
6. Proposed building dimensions to the property lines
7. Minimum setbacks, as found in the correspondent Zone
8. Existing buildings on the property or within 20 feet of the property, if any
9. Existing proposed roads, if any

D. For Commercial Buildings only, written verification from the Fire Chief that the building or structure will meet all Uniform Fire Code regulations

E. Written verification from the Genola Town Public Works Director that the structure will meet all water flow requirements during and after construction.

F. A copy of septic system approval from the County Health Department, when applicable.

G. Any other information that may be required by the International Building Code as determined by the Building Inspector.

40.02.06 **BUILDING PERMITS TO COMPLY WITH THE ZONING ORDINANCE**

Building permits shall not be granted for the construction or alteration of any building or structure, or for the moving of a building onto a lot, or for the change of the use in any land, building, or structure, if such construction, alteration, moving or change in use would be a violation of any of the provisions of this Ordinance. No water service line or electrical utilities shall be installed to serve such premises if the use will be in violation of this Ordinance.

40.02.07 **EXPIRATION OF BUILDING PERMITS**

Every building permit issued shall become invalid unless the work authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work commenced. The work shall be considered abandoned unless there is one or more approved inspections during each one hundred eighty-day period.

Before such work can be recommenced, the Building Inspector shall first renew the permit. The Building Inspector is authorized to grant, in writing, not more than three (3) renewals, but each renewal shall be limited to periods of one hundred eighty (180) days. Any renewal shall be requested in writing and justifiable cause shall be demonstrated. The fee for a renewal shall be the amount prescribed for a building permit renewal in the Town Fee Schedule, provided no changes have been made or will be made in the original plans or scope of such work, and provided no changes have occurred relative to other municipal regulations impacting the use, size, yard, space or other requirements concerning the proposed structure or development.

40.02.08 **ENFORCEMENT AND PENALTIES**

Nothing herein shall prevent the Town or private citizen from taking such other lawful action as is necessary to prevent or correct any violation of this chapter or of the Utah State Code. The following are available to enforce compliance with the provisions of this chapter:

A. Criminal action.

Any person who willfully violates or fails to comply with any provisions of this chapter or who, having obtained a permit hereunder, shall willfully fail to continue to comply with the conditions as set forth herein, shall be guilty of a class "B" misdemeanor.

It shall be the duty of all contractors, subcontractors, builders, and other persons having to do with the establishment of any use of land or the erection, altering, changing, or remodeling of any building, structure, or site to be sure that a proper permit has been granted before work is begun

on any project for which a permit is required. Any such builder, contractor, or other person doing or performing any such work without a permit having been issued is in conflict with the requirements of this title in the same manner and to the same extent that the owner of the premises or the persons for whom the use is established, or for whom such buildings are erected or altered, and shall be subject to the same penalties herein prescribed for violation.

A separate violation is deemed to have occurred with respect to each building or structure not in compliance with this chapter.

A separate violation is deemed to have occurred for each day such violation is committed, continued, or permitted, except that no additional violations will occur upon the person taking, and continuing to take, actions to come into compliance with this chapter.

B. Recording a Certificate of Noncompliant Building or Structure.

The Town may cause to be recorded, with the Utah County Recorder, a certificate of noncompliant building or structure only after the following actions have been taken:

1. A Building Inspector Report (First Notice), listing the items that are not in compliance, has been left in a conspicuous location at the building site.
2. A Town Code Violation (Red Tag - Second Notice), listing the items that are not in compliance, has been left in a conspicuous location at the building site.
3. A letter of notice and order (Third Notice) has been served upon the owner of record of the property in violation. The notice and order may be served upon the owner of record in one of the following ways: 1) Certified mail or 2) Delivered directly to the owner of record by an employee or representative of the Town of Genola. When the notice and order is delivered by a Genola Town employee or representative, said person must certify in writing the time and date of delivery. The notice and order must include: an address and tax id number for the affected parcel, a list of the violations, what actions must be taken to correct the violations, the name and contact information of the Building Inspector, and the date for the violations to be corrected, which date shall be not less than sixty days from the date of the notice, unless the violation presents an immediate safety issue, in which case the date shall be not less than ten days from the date of the notice.

If the property owner has not corrected the violations within the time limit stated in the notice and order the matter will be taken before the Town Council for a decision on the recording of the certificate of noncompliant building or structure. The owner of record shall be notified of the time and date of the Town Council Meeting a minimum of three days prior to the date of the meeting. When the violations have been corrected or the

building has been demolished so that it no longer exists on the property, the Building Inspector shall record a new certificate with the County Recorder certifying that the building has been demolished or all stipulated violations have been corrected, and that the building is found to be compliant.

¹ Previous Versions and Ordinances
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