

12/21/17 Approved changes to Section 10-5-132. Vetted and Supported by the ULCT & PRC Land Use Task Force

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10-5-132. Fees collected for construction approval -- Approval of plans.

34 (1) As used in this section,:

35 (a) "Construction project" [is as] means the same as that term is defined

36 in Section 38-1a-102.

37 (b) (i) [~~Initial~~] "Plan review" means all of the reviews and approvals of a plan that are
38 required by a town to obtain a building permit from the town;

39 (ii) [~~Initial~~] "Plan review" does not mean a review of a document:

40 (A) required to be re-submitted for additional modifications or substantive changes identified by
41 the plan review;

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42 (B) submitted as part of a deferred submittal when requested by the applicant, ~~[building
official]~~ and approved by the building official ~~(Section 107.3.4.1 of the 2015 IBC); or~~ ~~[substantive
changes identified by the plan review]~~;

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43 (C) that, due to the document's technical nature or on the request of the applicant, is

44 reviewed by a third party. A "document's technical nature" shall be limited to those items that
would be outside the training and expertise of a person who regularly performs plan reviews.

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45 (c) "Lodging establishment" means a place providing temporary sleeping
46 accommodations to the public, including any of the following:

47 (i) a bed and breakfast establishment;

48 (ii) a boarding house;

49 (iii) a hotel;

50 (iv) an inn;

51 (v) a lodging house;

52 (vi) a motel;

53 (vii) a resort;

(viii) a dormitory

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or

54 (ix) a rooming house.

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55 (2) (a) If a town collects a fee for the inspection of a construction project, the town
56 shall ensure that the construction project receives a prompt inspection.

57 [(3)] (b) If a town cannot provide a building inspection within a reasonable time, the
58 town shall promptly engage an independent inspector with fees collected from the applicant.

59 (3) (a) A town shall complete ~~[a an initial]~~ plan review of a construction project for a one
60 to two family dwelling or townhome by no later than 14 business days after the day on which
61 the plan is submitted to the town.

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62 (b) A town shall complete ~~[a an initial]~~ plan review of a construction project for a
63 residential structure built under the International Building Code, not including a lodging
64 establishment, by no later than 21 business days after the day on which the plan is submitted to
65 the town.

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~~(c) If the applicable time expires without the town performing a plan review, an applicant may request that the town complete the -review of the plans. If an applicant makes such a request, the review shall be performed within the 14 or 21 business days, whichever applies.~~

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~~(d) An applicant may waive the time limitations of this Section or agree to an alternative period of time, for the purpose of allowing the town to complete the Plan Review.~~

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(4) With regard to a construction project described in Subsection (3):

66 ~~(e)(a)~~ -A town may not enforce a requirement to have ~~[a an initial]~~ plan reviewed by the town
67 if:

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68 (i) the town does not complete the ~~[initial]~~ plan review within the time period described
69 in Subsection (3)(a) or (b); and

70 (ii) the plan is stamped by a licensed ~~architect or~~ architect or structural engineer, or both when required by law. ~~[or both when required by law.]~~

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~~If the applicable time expires within the town performing a plan review, an applicant may request a review the plans by the town. If an applicant makes such a request, the review shall be performed within the 14 or 21 business days, whichever applies.~~

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~~(e)(b)~~ a town may not require a redraft of plans where the changes requested in the plan are minor changes that may be reasonably ~~redlined or~~ included in the list of items described in subsection (c);

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~~(e)~~ (c) a town may attach to the reviewed plans, a list of items the town has particular issue or concern and will specifically enforce during construction, and building code violations noted in the plans.

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~~(f)~~ (d) The scope of the Plan Review shall not exceed the following checklist of required items:

(i) "Planning approval" which shall mean verification of zoning and subdivision approval, setbacks, easements, curb and gutter elevation, grades and slopes, utilities, lot sizes, street names, physical address verification, defensible space provisions (if included within a Wildland Urban Fire-Interface Area), and elevations, including and building height.

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(ii) "Floor plan approval" which shall mean over- all basic dimensions, electrical service, size and fire suppression.

(iii) "Construction to applicable code" which shall mean that construction of the structure shall comply with the provisions of the current Utah State Code provisions for construction.

(iv) "Storm Water Protection Provision Compliant" which shall mean compliant with Federal, State and local storm water protection provisions.

(v) "Energy Code Compliant" which shall mean that the structure meets REScheck, HERS ~~or and other similar standards for compliance~~, all other energy codes as adopted by the State of Utah, ~~other similar standards for compliance~~.

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(vii) "Square foot summary" which shall mean the calculation of total square footage, by level, of finished space, garage and unfinished space.

~~(viii) "Structural review compliance" which shall mean reviewed by mean that a stamp from a licensed engineer appears on the plans. Where approval of a licensed engineer is not required, the plans may be reviewed to establish that there is required footing size and bar placement, foundation thickness and bar placement, beam and header sizes, nailing patterns, bearing points, structural member size and span and sheathing and other structural issues.~~

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(viii) "Structural review" which shall mean review by a licensed engineer. Where review by a licensed engineer is not required, the plans may be reviewed to establish that there is required footing size and rebar placement, foundation thickness and bar placement, beam and header sizes, nailing patterns, bearing points, structural member size and span and sheathing and other structural requirements.

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(ix) "Drawing Corrections" which shall mean that the review may include a correction on any item drawn incorrectly on the plan.

(x) "Reviews, sign offs and proof of payment" which shall mean that the review may require proof of sign-off by other agencies and proof of payment of required fees.

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~~(e)~~ **All plans submitted for plan review must have a statement printed on each set of plans submitted indicating that ~~the plan~~ actual construction must comply with local ordinance and the building code adopted by the State of Utah.**

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