

## CHAPTER 1

### BUILDING CODE AND PERMIT REQUIREMENTS

#### SECTION:

- 9-1-1: Building Code
- 9-1-2: Building Inspector
- 9-1-3: Zoning Compliance and Building Permit
- 9-1-4: Fee Schedule

#### 9-1-1: **BUILDING CODE:**

- A. Purpose: To provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City, and providing for issuance of permits and collection of fees thereof.
- B. Adopted: Pursuant to Utah Code Annotated Title 58, Chapter 56 and Administrative Rule R156-56. Utah Uniform Building Standard Act Rules, the State of Utah through the Utah Uniform Building Codes Commission, has adopted statewide uniform technical construction codes, including amendments, which shall be and is hereby adopted as the *Building Code* of Providence City Corporation, in the State of Utah, for the control of buildings and structures as herein provided; and each and all of the regulation, provisions, penalties, conditions and terms of said *Building Code* are here by referred to, adopted, and made a part hereof.
  - 1. Public Availability. Pursuant to section 10-3-711, Utah Code Annotated, the building code is available for use and inspection by the public in the office of the City Recorder.
  - 2. Definitions:
    - a. Whenever the word "jurisdiction is used in the building code, it shall mean Providence City.
    - b. Whenever the words "department of building safety" or "code enforcement agency" are used in the building code, they shall mean the Building Division of Providence City or assigns.
- C. Penalty: Incorporate penalties as provided in the building code for violations. (Ord. 9-531, 2-28-1995, eff. 3-28-1995; 1998 Code)

#### 9-1-2: **BUILDING INSPECTOR:**

A. Created: There is hereby created the position of Building Inspector. (1977 Code § 9-511)

B. Powers:

1. Stop Order: The Building Inspector shall have the power to order all work stopped on construction, alteration or repairs of buildings in the City when such work is being done in violation of any provisions of any ordinance relating thereto, or in violation of the Subdivision<sup>1</sup> or Zoning Title<sup>2</sup>. Work shall not be resumed after the issuance of such order, except on the written permission of the Building Inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within one hour. Such written stop order may be served by any peace officer or other authorized person. (1977 Code § 9-512)

2. Entry; Inspection: The Building Inspector shall have the power to enter into any building or the premises where the work of altering, repairing or constructing any building or structure is going on, for the purpose of making inspections at any reasonable hour, pursuant to any of the provisions of this Title. (1977 Code § 9-513)

C. Duties: The Building Inspector shall, in addition to all other duties imposed on him by the City:

1. Enforce the provisions of the Building Code.

2. Inspect all buildings, structures, ditches, signs, fences and objects to determine their safety and effect on the persons who are within the City.

3. 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.

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<sup>1</sup> See Title 11 of this Code.

(1977 Code § 9-514; 1998 Code)

9-1-3: **ZONING COMPLIANCE AND BUILDING PERMIT<sup>1</sup>:**

- A. Required: The construction, alteration, structural repair, removal or placement of any structure or any part thereof, as provided for in Title 10 of this Code, shall not be commenced, or proceeded with, except after the issuance of a written permit by the City. (Ord., 8-25-1982)
- B. Application For Permit: A building permit shall be secured from the Building Inspector on written application accompanied by plans, specifications and all other pertinent information which must state the specific nature of the project to be commenced. The application must be made by the person who will perform or be in charge of the work. (Ord., 8-25-1982; 1998 Code)
- C. Approval of Plan: The application and plans shall be checked for placement, size and other requirements as provided by the Zoning Title. If zoning requirements are met, the plans shall be forwarded to the Building Inspector. If zoning requirements are not met, the applicant shall be notified and presented reasons why. The Building Inspector shall review the plans to determine whether the project conforms to building codes and ordinances of the City. The Building Inspector shall return the plans to the applicant with the statement “approve” or “disapproved”. If the plans are disapproved, a written explanation of the reasons shall be attached. If the plans are approved, a building permit will be issued. The plans will remain on file and the Building Inspector may at any time revoke a building permit for any variation from the plan.
- D. Variations of Plan: No variations from the plan presented for a building permit are permitted without first obtaining approval of the new plans by following the procedure outlined in subsection C of this Section. (Ord., 8-25-1982)

9-1-4: **FEE SCHEDULE:** The City Recorder shall collect a fee for the issuance of a building permit. Said fee shall be established as per the adopted Building Code, Plumbing Code and Electrical Code, or as established by resolution of the City Council. (Ord., 8-25-1982; 1998 Code)

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<sup>1</sup> See Chapter 1, Article A of this Title for impact fee requirements.