
Document Control Changes: Created 15 Feb 1994, Amended (BF009-94), Revised August 2004, Revised January 2016 (was CF005-BF-04), New Format May 2016, Revised 20 December 2016, revised April 2018; revised 12 July 2018; revised 10 Jan 2019; revised June 2020;

BUILDING FEES ORDINANCE FOR CEDAR FORT

BE IT ORDAINED by the Town Council of the Town of Cedar Fort, Utah County, Utah, that an ordinance relating to the establishment of **Building Fees** be enacted as follows:

WHEREAS, The Town of Cedar Fort is in need of updating their building ordinance, and

WHEREAS, The Town wishes to consolidate several building ordinances, and

WHEREAS, The Town finds it in the best interest of the public to update and consolidate the current ordinances pertaining to building within the Town limits,

NOW, THEREFORE, be it ordained by the Town as follows:

1.0 Building permit requirements.

1.1 All structures, mobile or permanent, constructed or placed within the Town limits must have approval from the Town, except, a fence no more than six feet in height (Note: fences can be no higher than 2 feet in height 40 feet each way from the corner property intersection of a corner lot).

1.2 Any structure or building used for agricultural purposes and Miscellaneous Buildings (see section 7.4) will only require a signed Building Approval Form (for tracking purposes) and associated filing fee. Inspections and fees will be required, if utilities are included or added in the future.

1.3 All other uses will require a building permit and applicable inspections. All permits have an associated town fee and inspection fees (see section 7).

1.4 All structures must comply with all other ordinances to include but not limited to Planning and Zoning and Subdivision ordinances.

2.0 Procedure for securing a Building Permit or Building Approval

2.1 Persons wishing to obtain a building permit or building approval must request an appropriate checklist and a Building Permit Application or Building Approval Form from the Town Clerk.

2.2 Applications for residential building permits must be submitted to the Town through the United States Postal Service. Applications will be reviewed on a first postmark/first reviewed basis. If all applications are complete, the one requesting the application first will be reviewed first. If no determination can be made, as to the application received first, a drawing will be held to determine which application will be reviewed first.

2.3 Incomplete or erroneous applications will be returned to the applicant within 15 days of receipt and will be removed from consideration until returned totally complete.

2.4 Applications for buildings other than new residential dwellings are also submitted to the Town Clerk.

2.5 Applications will be reviewed by the Town Clerk for completeness, utilizing the Building Permit checklist, and then forwarded to the Planning and Zoning Commission for final review and approval. The approved application will then be forwarded to the Town Council member over building permits, who will then forward to the Town Building Inspector for review. The inspector will return them stamped "Approved" or "Not Approved". If stamped not approved, the reason will be noted and the application will be returned to the applicant. Approved application will then be forwarded to the Town Fire Chief who will review it for fire code compliance.

2.6 Applications will then be submitted to the Town Council for final approval at a regularly scheduled meeting. The permit will be issued when all fees are paid in the form of a cashier's check or money order made payable to the Town of Cedar Fort. After final approval, the applicant will have 60-days to obtain the building permit. One set of the plans shall remain at the building site to be used by the Building Inspector. The other set of plans shall remain with the Town. The Building Inspector may revoke, at any time, a permit which has been issued for a building constructed or being constructed which would result in a violation of any ordinance of the Town. The application will become null and void if a building permit has not been obtained within the prescribed 60 day period. It is the responsibility of the individual applicant to confirm approval by the Town and to obtain the building permit.

2.7 If the building construction has not proceeded to an inspection within 180 days after approval of the permit, the permit is revoked and the process must begin again.

2.7.1 AG buildings and Miscellaneous Buildings (see section 7.4) have 2 years to be completed. After 2 years, the Approval becomes null and void and the applicant must begin again. Any changes to the original Building Approval will require a new Building Approval along with any additional inspections. Any utilities to an AG or Miscellaneous Building require a new Building Permit.

2.8 If a property changes ownership during the course of construction, the new owner must apply for a Transfer Permit. New applicant will sign the original building permit and complete the Transfer Permit. The Town will inspect the building, in its current state, for required remaining inspections and fees. Any changes to the original building permit will require a new building permit with associated inspections and fees.

3.0 Building Inspector Regulations

3.1 Building Official – There is hereby created the position of Building Official who shall be known as the Town Building Inspector.

3.2 Stop Order – The Building Inspector shall have the power to order all work stopped on construction, alteration or repairs of buildings in the Town when such work is being done in violation of any provision of any ordinance relating hereto, or in violation of the subdivision of zoning ordinance. Work shall not be resumed except on the written permission of the inspector.

3.3 Entry powers – 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 inspection at any reasonable hour, pursuant to any of the provisions of this ordinance.

3.4 Additional duties of the Building Inspector – The Building Inspector shall in addition to all other duties imposed on him by this Town:

3.4.1 Enforce the provisions of the building codes

3.4.2 Inspect all buildings, structures, signs, fences and objects to determine their safety and the effect on the persons who are within this Town.

3.4.3 Until such time as a plumbing inspector is appointed or designated, the Building Inspector shall be responsible for enforcing the Plumbing Code, but needs to have a State of Utah plumbing inspector's license.

3.5 Variation of plans prohibited. No material variation from the approved plans shall be allowed unless such variations shall first have been approved in writing by the Building Inspector.

3.6 The inspector will provide professional building inspection services which will be limited to performing building inspections for structures and buildings within the corporate limits of the Town. The inspector will make no further building inspections on structures or buildings after a final inspection has been made unless directed to do so in writing by the Town. Notification in writing by the inspector of final inspection to the building permit application and Town will constitute final building inspection approval by the inspector. Occupancy will not occur until after final inspection has

been received by the Town. Compliance with all building codes is the responsibility of the building permit applicant/builder and certification of such compliance is the responsibility of the inspector.

4.0 Building Codes

4.1 By this ordinance, the Town of Cedar Fort adopts the following codes: Latest edition of the following, as adopted by the State of Utah as per Title 58 Chapter 56 Utah Code Annotated and the amendments adopted by R156-56 known as the Uniform Building Standard Act Ruling 1997 Ed.:

- 4.1.1 Utah State Construction Code
- 4.1.2 International Building Code
- 4.1.3 International Building Code Standards
- 4.1.4 Uniform Code for the Abatement of Dangerous Buildings
- 4.1.5 International Plumbing Code
- 4.1.6 International Mechanical Code
- 4.1.7 Uniform Housing Code
- 4.1.8 National Electrical Code
- 4.1.9 International Energy Conservation Code
- 4.1.10 Uniform Sign Code
- 4.1.11 Manufactured Housing Installation is required to comply with R156-56-704

The inspector will follow the same building codes as adopted by the State.

4.2 The inspector will not inspect any structure and/or building in the Town, unless a building permit has been issued by the Town for the proposed structure and/or building, and two sets of construction plans have been submitted to the Town, reviewed and stamped "Approved" by the Building Inspector, Planning and Zoning Commission and Town Fire Chief and said plans are found in compliance with the adopted building codes and zoning ordinances of the Town.

4.3 If building code violations are discovered by the inspector during the construction process of permitted structures and /or buildings, the inspector will notify, in writing, the permit applicant/owner of the structure and or building being build that it is in violation of the adopted building codes of the Town. If the necessary corrections are not made to bring the structure/building into compliance within thirty days from date of the written notification, the inspector will notify the Town of said violation and failure to comply. The inspector will then place a stop-work order on the structure/building. The inspector will only resume building inspections on said structure/building when all violations have been corrected. Failure to correct all violations will result in revocation of the building permit by the Town. A reinstatement

fee will be assessed in order to resume construction. Continued construction without a valid building permit is a violation of this ordinance and other applicable laws and will be prosecuted as prescribed by law. All work accomplished without a building permit will be removed at the owners expense.

5.0 Agricultural building/structure Exemption approval

5.1 All persons wishing to construct or place a building/structure for agricultural use must request an AG Building Exemption Form. A Building Approval Form (for tracking purposes), the signed Exemption Form, a plot plan and building plans are submitted to the Town Clerk. They will be reviewed for ordinance violations and forwarded to the Planning and Zoning Commission for their approval. They will then be presented to the Town Council at the regularly scheduled meeting for final approval. If the plans do not conform to applicable ordinance or codes, the plans will be noted and returned to the submitter. After a final approval, and payment of Town fees, the building/structure may be constructed/placed.

5.2 Once a building is built with an AG building exemption (essentially no inspections), the only use for that building is agricultural. This is very narrowly defined in State Code as storage and use of the building for only direct agricultural production, equipment and activities. Should a person desire to change the status of an AG building to an Outbuilding, the Town requires a letter and report from an independent structural engineer and a building inspector verifying and so stating that the building is built to current building code requirements for the proposed new use. All change of use applications require a new Building Approval. Any modifications or improvements to make the building code-approved must be completed as part of the change of use and will require additional Town inspections. A Town fee will also apply.

6.0 Penalties for violation

6.1 It shall be a class B misdemeanor for any person to construct or receive payment for constructing / placing any building / structure without first securing a building permit or receiving approval from the Town Council to do so. All work accomplished without a building permit / Town approval will be removed at the owner's expense.

6.2 Penalties, assessed by the Town, apply to all of the categories if a permit/approval is not obtained prior to construction. Written notice of penalty amount to be paid will be given prior to final approval. **All fees and penalties will be paid before final approval will be given and a building permit issued. Penalty for not obtaining a permit or approval prior to construction will be \$500 or 50% of the actual total fees and charges for the building permit/approval, whichever is greater.**

7.0 Building permit fees

7.1 Building permit impact fees. Town impact fees will be assessed on each building permit issued by the Town. Separate ordinances and a resolution cover the details of the impact fees. These impact fees are for community improvement projects as deemed appropriate by the majority vote of the Council and in accordance with State statutes for the use of impact fees. As a condition of issuance of a building permit for the construction of a private or commercial occupancy use, the developer, owner or builder will pay an impact fee which includes elements for transportation and roads, parks and related recreational facilities which is charged on a per-lot/building permit basis PRIOR TO CONSTRUCTION.

7.2 Supplemental fees. The fire district supplemental impact fee will be assessed on those new occupancy building permits that are not connected to the municipal water system (i.e. wells). This money will be used to augment the Town water system and/or the Town fire department in support of fire protection for such homes that do not contribute to the cost and upkeep of the fire protection system through payment to the municipal water system.

7.3 Building inspection and plan review fees. All building plan review and inspection fees will be assessed based on the size and use of the structure to be built and are as currently established by the international building codes as adopted by the Town. A copy of the fees is available from the Town Clerk. Building inspection fees are separate from, and in addition to, impact fees and are paid to the Town at the same time the other fees are paid.

These fees will be used by the Town for reviewing the building permit application (plot plans and ordinance compliance), plan review, and compliance with building codes.

7.4 Building Category and Fee structure.

Building Permit Required - The following building categories require payment of code-defined inspection fees (re-inspections are extra) and Town fees prior to issuance of a building permit:

7.4.1	New residential construction, including all utilities	
	Town impact fee	\$1956.00
	(Parks and recreation	\$ 596.00)
	(Roads and transportation	\$1,360.00)
	Town filing fee (non-refundable deposit)	\$ 1000.00
	Fire district supplemental impact fee (wells)	\$ 835.00

- 7.4.2 Structural remodeling/rebuild (residential); may also include utilities
Town filing fee (non-refundable deposit) \$ 250.00
- 7.4.3 Outbuildings - unattached, site-built carports, garages and shops (non-agricultural outbuildings over 200 sq. ft.); may also include utilities
Town filing fee (non-refundable deposit) \$ 250.00
- 7.4.4 Commercial, including all utilities
Town impact fee assessed by Town on an individual basis
Town filing fee assessed by Town on an individual basis
- 7.4.5 Solar Array system – electrical connection inspection only
Town filing fee \$ 75.00
- 7.4.6 Electrical/Mechanical/Plumbing – added to previously uninspected structure
Town filing fee \$ 140.00
- 7.4.7 Building inspection and plan review fees (residential and commercial)
As currently established by the International Building Codes.
- 7.4.8 Reinstatement fee \$ 150.00
(when permit lapses or revocation occurs – see section 4.3)
- 7.4.9 Transfer Fee (building permit ownership transfer) 100.00

All above categories require building inspections applicable to the work performed. The inspection fees are determined from the Building Code book formula. Two full size sets of plans are required.

Approval Required - The following building categories do not require inspection (unless utilities are added), but do require a completed Town Building Approval Form and payment of Town fees prior to issuance of a building permit:

- 7.4.10 Agricultural building/remodel – no utilities
Town filing fee \$ 40.00
Change of Use Permit – Town filing fee and review \$ 250.00
(Any modifications or addition of utilities will require new building permit, inspections and plan review with associated fees.)

The above Agricultural category does not require any building inspections per State Statute 15A-1-204 (11), unless utilities are included or added.

7.4.11 Miscellaneous buildings build/remodel

7.4.11.1	Miscellaneous buildings (200 sq. ft. and under, but over 120 sq. ft.)	
	Town filing fee	\$ 40.00
7.4.11.2	Conex (shipping containers)	
	Town filing fee	\$ 25.00
7.4.11.3	Miscellaneous buildings (120 sq. ft. and under)	
	Town filing fee	\$ 25.00
7.4.11.4	Portable, pre-fab carports (2 car max.)	
	Town filing fee	\$ 25.00
7.4.11.5	Portable, pre-fab sheds (200 and sq. ft. and under)	
	Town filing fee	\$ 25.00

The above two categories (7.4.10 and 7.4.11) do not require any building inspections. However, any plans for water or power to the structure WILL require a building permit and an inspection – at time of application. Future upgrades to water or power will also require a building permit, inspection, and applicable fee. Plot plans and building drawings are required prior to issuing approval to build and prior to construction.

Portable Structures comprising less than 120 sq. ft. and less than 10 ft. high, do not require a building permit, but nevertheless must meet all applicable setbacks and other ordinances.

7.5 Each of the above categories of building permits has an associated checklist showing all of the required documentation and information needed for the Planning and Zoning Commission and the Town Council to approve the building permit.

8.0 Easements.

A landowner may not place or construct any permanent structure on an Easement (as defined in CFO-200-PZ-2018) located on landowner's property.

Building Lots must have adequate Easements across the parcel so as to provide for reasonably necessary utilities and shall be at least 10 feet wide. Easements must be designed to provide continuity of easements with adjoining parcels/lots.

Where any subdivision or parcel abuts a watercourse, drainage way, channel, stream, storm water drainage, a right-of-way must be provided conforming substantially with the line of such water course.

9.0 Severability

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

10.0 Priority

This ordinance repeals and overrides any prior ordinance pertaining to the same matters which will include but not limited to ORDINANCE NO. CF009-BC-94 and ORDINANCE CF005BF-94.

11.0 Conflict With Other Ordinances of the Town.

If any provision of this ordinance is in conflict with a provision of another ordinance of the Town, then the most stringent requirement shall govern.

12.0 Effective date.

This ordinance shall become effective upon passage by the Town Council of the Town of Cedar Fort and posting in three public places.

Approved and passed this 11th day of June 2020

TOWN OF CEDAR FORT


David T. Gustin, Mayor

Attested by: 

Town Clerk

SEAL

Councilmember David T. Gustin

Voted Yea DG

Councilmember Ellen Cibula

Voted Yea EC

Councilmember Wyatt Cook

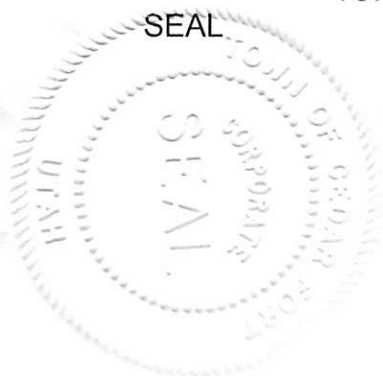
Voted Yea WC

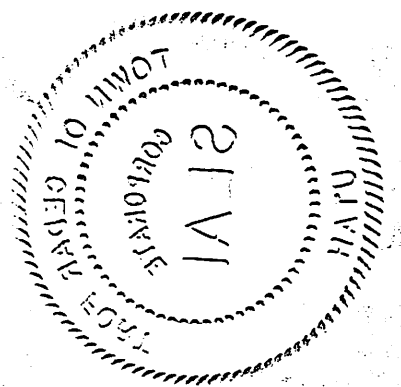
Councilmember Laura Ault

Voted Yea LA

Councilmember Rett Messersmith

Voted Yea RM



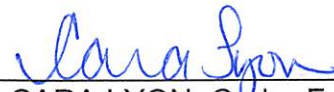


STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, CARA LYON, Town Clerk of Cedar Fort Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Cedar Fort Town, Utah, on the 11 day of June 2020, entitled

“BUILDING FEES ORDINANCE of the Town of CEDAR FORT, UTAH”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Cedar Fort Town Utah this 11 day of June 2020.



CARA LYON, Cedar Fort Town Clerk





AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Cara Lyon, Town Clerk of Cedar Fort Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Cedar Fort Town Council on the 11 day of June 2020 and herein referred to as:

"BUILDING FEES ORDINANCE of the Town of CEDAR FORT, UTAH"

SUMMARY:

The above ordinance was revised to exempt small portable structures from requiring a building permit.

The three places are as follows:

1. Post Office
2. Town Hall
3. Cedar Valley Store



Cara Lyon, Cedar Fort Town Clerk

Date of Posting June 11, 2020





Handwritten:
JAN 12 1900