

53-7-209 Inspection of buildings by officials -- Review of residential inspections.

- (1) As used in this section, "International Fire Code" means the edition of the International Fire Code adopted by the Legislature with the amendments and additions in the State Fire Code.
- (2) A fire chief or officer may enter a building or premises not used as a private dwelling at any reasonable hour to inspect the building or premises and enforce the rules made under this part and the state fire code.
- (3) The owner, lessee, manager, or operator of a building or premises not used as a private dwelling shall permit inspections under this section.
- (4)
 - (a) Subject to Subsection (4)(b), a county, city, or town shall, by ordinance, provide for review of an inspection conducted by the county's, city's, or town's fire chief or officer for a single-family residence within 30 days of the notice of the fire code compliance inspection.
 - (b) Upon request by a person who owns or is building a single-family residence, a chief executive officer of the county, city, or town in which is located the single-family residence, or the chief executive officer's designee, shall, with reasonable diligence, review an inspection described in Subsection (4)(a) to determine whether the inspection constitutes a fair administration of the State Fire Code.
 - (c) A review described in this section:
 - (i) is separate and unrelated to an appeal under the International Fire Code;
 - (ii) may not be used to review a matter that may be brought by appeal under the International Fire Code;
 - (iii) may not result in the waiver or modification of a State Fire Code requirement or standard; and
 - (iv) does not prohibit a person from bringing an appeal under the International Fire Code.
 - (d) A person who seeks a review described in this Subsection (4) may not be prohibited by preclusion, estoppel, or otherwise from raising an issue or bringing a claim in an appeal under the International Fire Code on the grounds that the person raised the issue or brought the claim in the review described in this section.

Amended by Chapter 260, 2011 General Session