

1 **BUILDING INSPECTOR AMENDMENTS**

2 2009 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Douglas C. Aagard**

5 Senate Sponsor: Daniel R. Liljenquist

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the Uniform Building Standards Act.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ requires that a local regulator issuing a single-family residential building permit
13 provide for a review of the building permit inspection; and

14 ▶ makes technical changes.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **58-56-20**, as last amended by Laws of Utah 2008, Chapter 328

22 ENACTS:

23 **58-56-21**, Utah Code Annotated 1953

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **58-56-20** is amended to read:

27 **58-56-20. Standardized building permit content.**



28 (1) After receiving a recommendation from the commission, the division shall adopt a
29 standardized building permit form by rule.

30 (2) (a) The standardized building permit form created under Subsection (1) shall
31 include fields for indicating the following information:

32 (i) the name and address of the owner of or contractor for the project;

33 (ii) (A) the address of the project; or

34 (B) a general description of the project; and

35 (iii) whether the permit applicant is an original contractor or owner-builder.

36 (b) The standardized building permit form created under Subsection (1) may include
37 any other information the division considers useful.

38 (3) (a) A compliance agency shall issue a permit for construction only on a
39 standardized building permit form approved by the division.

40 (b) A permit for construction issued by a compliance agency under Subsection (3)(a)
41 shall print the standardized building permit number assigned under Section 58-56-19 in the
42 upper right-hand corner of the building permit form in at least 12-point type.

43 (c) (i) Except as provided in Subsection (3)(c)(ii), a compliance agency may not issue a
44 permit for construction if the information required by Subsection (2)(a) is not completed on the
45 building permit form.

46 (ii) If a compliance agency does not issue a separate permit for different aspects of the
47 same project, the compliance agency may issue a permit for construction without the
48 information required by Subsection (2)(a)(iii).

49 (d) A compliance agency may require additional information for the issuance of a
50 permit for construction.

51 (4) A local regulator issuing a single-family residential building permit application
52 shall include in the application or attach to the building permit the following notice
53 prominently placed in at least 14-point font: "Decisions relative to this application are subject
54 to review ~~H~~→ [by a chief administrator] by the chief executive officer of the municipal or county
54a entity issuing the single-family residential building permit ←~~H~~ and appeal under the
54b International Residential Code."

55 Section 2. Section **58-56-21** is enacted to read:

56 **58-56-21. Review of building inspection.**

57 (1) As used in this section, "International Residential Code" or "IRC" means the
58 International Residential Code as adopted in this chapter and by rule.

59 (2) Subject to Subsection (3), a ~~H~~→ [local regulator] city or county ←~~H~~ shall, by
 59a ordinance, provide for review
 60 of an inspection conducted by the ~~H~~→ [local regulator's] city's or county's ←~~H~~ building inspector
 60a for a single-family
 61 residential building permit.

62 (3) Upon request by a person seeking a single-family residential building permit, a
 63 ~~H~~→ [local regulator's chief administrative officer] chief executive officer of the municipal or
 63a county issuing the single-family residential building permit, or the chief executive officer's
 63b designee, ←~~H~~ shall, with reasonable diligence, review an
 64 inspection described in Subsection (2) to determine whether the inspection constitutes a fair
 65 administration of the building code.

66 (4) A review described in this section:
 67 (a) is separate and unrelated to an appeal under the IRC;
 68 (b) may not be used to review a matter that may be brought by appeal under the IRC;
 69 (c) may not result in the waiver or modification of an IRC requirement or standard;
 70 (d) may not conflict with an appeal, or the result of an appeal, under the IRC; and
 71 (e) does not prohibit a person from bringing an appeal under the IRC.

72 (5) A person who seeks a review described in this section may not be prohibited by
 73 preclusion, estoppel, or otherwise from raising an issue or bringing a claim in an appeal under
 74 the IRC on the grounds that the person raised the issue or brought the claim in the review
 75 described in this section.

Legislative Review Note

as of 2-4-09 10:37 AM

Office of Legislative Research and General Counsel

H.B. 327 - Building Inspector Amendments

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals and businesses. Local governments may be impacted due to this proposed change in statute.
