

LOCAL GOVERNMENT PLAN REVIEW AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: _____

LONG TITLE

General Description:

This bill addresses review of construction plans by local governments.

Highlighted Provisions:

This bill:

- ▶ establishes a time period within which a county, city, or town shall review certain construction plans;
- ▶ provides that if the county, city, or town does not act within the time period, under certain circumstances the authority to review does not apply; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-5-132, as enacted by Laws of Utah 2014, Chapter 197

10-6-160, as enacted by Laws of Utah 2014, Chapter 197

17-36-55, as enacted by Laws of Utah 2014, Chapter 197

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



28 Section 1. Section 10-5-132 is amended to read:

29 **10-5-132. Fees collected for construction approval -- Approval of plans.**

30 (1) As used in this section[;]:

31 (a) [~~"construction"~~] "Construction project" [~~is as~~] means the same as that term is defined
32 in Section 38-1a-102.

33 (b) "Initial plan review" means all of the reviews and approvals of a plan that are
34 required by a town to obtain a building permit from the town.

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

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

39 (3) (a) A town shall complete an initial plan review of a construction project for a one
40 to two family dwelling or townhome by no later than 14 days after the day on which the plan is
41 submitted to the town.

42 (b) A town shall complete an initial plan review of a construction project for a
43 residential structure built under the International Building Code by no later than 21 days after
44 the day on which the plan is submitted to the town.

45 (c) A town may not enforce a requirement to have an initial plan reviewed by the town
46 if:

47 (i) the town does not complete the initial plan review within the time period described
48 in Subsection (3)(a) or (b); and

49 (ii) the plan is stamped by a licensed architect or structural engineer.

50 Section 2. Section 10-6-160 is amended to read:

51 **10-6-160. Fees collected for construction approval -- Approval of plans.**

52 (1) As used in this section[;]:

53 (a) [~~"construction"~~] "Construction project" [~~is as~~] means the same as that term is defined
54 in Section 38-1a-102.

55 (b) "Initial plan review" means all of the reviews and approvals of a plan that are
56 required by a city to obtain a building permit from the city.

57 (2) (a) If a city collects a fee for the inspection of a construction project, the city shall
58 ensure that the construction project receives a prompt inspection.

59 ~~[(3)]~~ (b) If a city cannot provide a building inspection within three business days, the
60 city shall promptly engage an independent inspector with fees collected from the applicant.

61 (3) (a) A city shall complete an initial plan review of a construction project for a one to
62 two family dwelling or townhome by no later than 14 days after the day on which the plan is
63 submitted to the city.

64 (b) A city shall complete an initial plan review of a construction project for a
65 residential structure built under the International Building Code by no later than 21 days after
66 the day on which the plan is submitted to the city.

67 (c) A city may not enforce a requirement to have an initial plan reviewed by the city if:

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

70 (ii) the plan is stamped by a licensed architect or structural engineer.

71 Section 3. Section 17-36-55 is amended to read:

72 **17-36-55. Fees collected for construction approval -- Approval of plans.**

73 (1) As used in this section~~[-];~~:

74 (a) [~~"construction"] "Construction project" [is as] means the same as that term is defined~~
75 in Section 38-1a-102.

76 (b) "Initial plan review" means all of the reviews and approvals of a plan that are
77 required by a county to obtain a building permit from the county.

78 (2) (a) If a county collects a fee for the inspection of a construction project, the county
79 shall ensure that the construction project receives a prompt inspection.

80 ~~[(3)]~~ (b) If a county cannot provide a building inspection within three business days,
81 the county shall promptly engage an independent inspector with fees collected from the
82 applicant.

83 (3) (a) A county shall complete an initial plan review of a construction project for a one
84 to two family dwelling or townhome by no later than 14 days after the day on which the plan is
85 submitted to the county.

86 (b) A county shall complete an initial plan review of a construction project for a
87 residential structure built under the International Building Code by no later than 21 days after
88 the day on which the plan is submitted to the county.

89 (c) A county may not enforce a requirement to have an initial plan reviewed by the

90 county if:

91 (i) the county does not complete the initial plan review within the time period

92 described in Subsection (3)(a) or (b); and

93 (ii) the plan is stamped by a licensed architect or structural engineer.

Legislative Review Note
Office of Legislative Research and General Counsel