

15A-1-203 Uniform Building Code Commission -- Unified Code Analysis Council.

- (1) There is created a Uniform Building Code Commission to advise the division with respect to the division's responsibilities in administering the codes.
- (2) The commission shall consist of 11 members as follows:
 - (a) one member shall be from among candidates nominated by the Utah League of Cities and Towns and the Utah Association of Counties;
 - (b) one member shall be a licensed building inspector employed by a political subdivision of the state;
 - (c) one member shall be a licensed professional engineer;
 - (d) one member shall be a licensed architect;
 - (e) one member shall be a fire official;
 - (f) three members shall be contractors licensed by the state, of which one shall be a general contractor, one an electrical contractor, and one a plumbing contractor;
 - (g) two members shall be from the general public and have no affiliation with the construction industry or real estate development industry; and
 - (h) one member shall be from the Division of Facilities Construction Management of the Department of Administrative Services.
- (3)
 - (a) The executive director shall appoint each commission member after submitting a nomination to the governor for confirmation or rejection.
 - (b) If the governor rejects a nominee, the executive director shall submit an alternative nominee until the governor confirms the nomination. An appointment is effective after the governor confirms the nomination.
- (4)
 - (a) Except as required by Subsection (4)(b), as terms of commission members expire, the executive director shall appoint each new commission member or reappointed commission member to a four-year term.
 - (b) Notwithstanding the requirements of Subsection (4)(a), the executive director shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of commission members are staggered so that approximately half of the commission is appointed every two years.
- (5) When a vacancy occurs in the commission membership for any reason, the executive director shall appoint a replacement for the unexpired term.
- (6)
 - (a) A commission member may not serve more than two full terms.
 - (b) A commission member who ceases to serve may not again serve on the commission until after the expiration of two years from the date of cessation of service.
- (7) A majority of the commission members constitute a quorum and may act on behalf of the commission.
- (8) A commission member may not receive compensation or benefits for the commission member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (9)
 - (a) The commission shall annually designate one of its members to serve as chair of the commission.

- (b) The division shall provide a secretary to facilitate the function of the commission and to record the commission's actions and recommendations.
- (10) The commission shall:
 - (a) in accordance with Section 15A-1-204, report to the Business and Labor Interim Committee;
 - (b) offer an opinion regarding the interpretation of or the application of a code if a person submits a request for an opinion;
 - (c) act as an appeals board as provided in Section 15A-1-207;
 - (d) establish advisory peer committees on either a standing or ad hoc basis to advise the commission with respect to matters related to a code, including a committee to advise the commission regarding health matters related to a plumbing code; and
 - (e) assist the division in overseeing code-related training in accordance with Section 15A-1-209.
- (11) A person requesting an opinion under Subsection (10)(b) shall submit a formal request clearly stating:
 - (a) the facts in question;
 - (b) the specific citation at issue in a code; and
 - (c) the position taken by the persons involved in the facts in question.
- (12)
 - (a) In a manner consistent with Subsection (10)(d), the commission shall jointly create with the Utah Fire Prevention Board an advisory peer committee known as the "Unified Code Analysis Council" to review fire prevention and construction code issues that require definitive and specific analysis.
 - (b) The commission and Utah Fire Prevention Board shall jointly, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, provide for:
 - (i) the appointment of members to the Unified Code Analysis Council; and
 - (ii) procedures followed by the Unified Code Analysis Council.

Enacted by Chapter 14, 2011 General Session