

1 **UNIFORM BUILDING STANDARDS**

2 **AMENDMENTS**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: J. Stuart Adams**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Utah Uniform Building Standards Act.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ requires the Division of Occupational and Professional Licensing to adopt certain
13 construction codes for the state and its political subdivisions to follow under certain
14 circumstances; and

15 ▶ makes technical changes.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **58-56-4**, as last amended by Chapter 75, Laws of Utah 2002

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

25 Section 1. Section **58-56-4** is amended to read:

26 **58-56-4. Definitions -- Adoption of building codes -- Amendments -- Approval of**
27 **other codes -- Exemptions.**



28 (1) As used in this section:

29 (a) "agricultural use" means a use that relates to the tilling of soil and raising of crops,
30 or keeping or raising domestic animals, for the purpose of commercial food production;

31 (b) "not for human occupancy" means use of a structure for purposes other than
32 protection or comfort of human beings, but allows people to enter the structure for:

33 (i) maintenance and repair; and

34 (ii) the care of livestock, crops, or equipment intended for agricultural use which are
35 kept there; and

36 (c) "residential area" means land that is not used for an agricultural use and is:

37 (i) (A) within the boundaries of a city or town; and

38 (B) less than five contiguous acres;

39 (ii) (A) within a subdivision for which the county has approved a subdivision plat
40 under Title 17, Chapter 27, Part 8, ~~[Subdivision]~~ Subdivisions; and

41 (B) less than two contiguous acres; or

42 (iii) not located in whole or in part in an agricultural protection area created under Title
43 17, Chapter 41, ~~[Agricultural]~~ Agriculture Protection Area.

44 (2) (a) Subject to the provisions of Subsections (4) and (5), the following codes, each
45 of which must be promulgated by a nationally recognized code authority, shall be adopted, in
46 the manner described in Subsection (2)(b), as the construction codes which the state and each
47 political subdivision of the state shall follow in the circumstances described in Subsection (3):

48 (i) a building code;

49 (ii) the National Electrical Code promulgated by the National Fire Protection
50 Association;

51 (iii) a residential one and two family dwelling code;

52 [~~(iii)~~] (iv) a plumbing code; [and]

53 [~~(iv)~~] (v) a mechanical code[-];

54 (vi) a fuel gas code; and

55 (vii) an energy conservation code.

56 (b) ~~[The]~~ In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking
57 Act, the division, in collaboration with the commission, shall adopt by rule specific editions of
58 the codes described in Subsection (2)(a), and may adopt by rule successor editions of any

59 adopted code.

60 (c) The division, in collaboration with the commission, may, in accordance with
61 Section 58-56-7, adopt amendments to the codes adopted under Subsection (2)(a), to be
62 applicable to the entire state or within one or more political subdivisions.

63 (3) Subject to the provisions of Subsections (4) and (5), the codes and amendments
64 adopted under Subsection (2) shall be followed when:

65 (a) new construction is involved;

66 (b) the owner of an existing building, or the owner's agent, is voluntarily engaged in:

67 (i) the repair, renovation, remodeling, alteration, enlargement, rehabilitation,
68 conservation, or reconstruction of the building; or

69 (ii) changing the character or use of the building in a manner which increases the
70 occupancy loads, other demands, or safety risks of the building.

71 (4) (a) The division, in collaboration with the commission, [~~shall have~~] has discretion
72 to approve, without adopting, certain codes in addition to those described in Subsection (2)(a),
73 including specific editions of the codes, for use by a compliance agency.

74 (b) If the applicable code is one which the division has approved under Subsection
75 (4)(a), a compliance agency has the discretion to:

76 (i) adopt an ordinance requiring removal, demolition, or repair of a building, according
77 to a code;

78 (ii) adopt, by ordinance or rule, a dangerous building code; or

79 (iii) adopt, by ordinance or rule, a building rehabilitation code.

80 (5) (a) Except in a residential area, a structure used solely in conjunction with
81 agriculture use, and not for human occupancy, is exempted from the permit requirements of
82 any code adopted by the division.

83 (b) Notwithstanding Subsection (5)(a), unless otherwise exempted, plumbing,
84 electrical, and mechanical permits may be required when that work is included in the structure.

Legislative Review Note
as of 1-2-04 1:27 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0215

Uniform Building Standards Amendments

26-Jan-04

10:23 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst