

BUILDING INSPECTOR AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas C. Aagard

Senate Sponsor: Daniel R. Liljenquist

LONG TITLE

General Description:

This bill amends the Uniform Building Standards Act.

Highlighted Provisions:

This bill:

- ▶ requires that a local regulator issuing a single-family residential building permit provide for a review of the building permit inspection; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

58-56-21, Utah Code Annotated 1953

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

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

58-56-20. Standardized building permit content.

(1) After receiving a recommendation from the commission, the division shall adopt a 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
44 a permit for construction if the information required by Subsection (2)(a) is not completed on
45 the 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 by the chief executive officer of the municipal or county entity issuing the
55 single-family residential building permit and appeal under the International Residential Code."

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

57 **58-56-21. Review of building inspection.**

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

60 (2) Subject to Subsection (3), a city or county shall, by ordinance, provide for review
61 of an inspection conducted by the city's or county's building inspector for a single-family
62 residential building permit.

63 (3) Upon request by a person seeking a single-family residential building permit, a
64 chief executive officer of the municipal or county issuing the single-family residential building
65 permit, or the chief executive officer's designee, shall, with reasonable diligence, review an
66 inspection described in Subsection (2) to determine whether the inspection constitutes a fair
67 administration of the building code.

68 (4) A review described in this section:

69 (a) is separate and unrelated to an appeal under the IRC;

70 (b) may not be used to review a matter that may be brought by appeal under the IRC;

71 (c) may not result in the waiver or modification of an IRC requirement or standard;

72 (d) may not conflict with an appeal, or the result of an appeal, under the IRC; and

73 (e) does not prohibit a person from bringing an appeal under the IRC.

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