

LOCAL GOVERNMENT INSPECTION AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts language related to construction inspections by local government.

Highlighted Provisions:

This bill:

▶ prohibits a municipality or county from transferring money collected by a compliance agency or land use authority out of the respective compliance agency's or land use authority's budget;

▶ prohibits a land use authority from denying a land use application in certain circumstances;

▶ prohibits a compliance agency from denying a permit ~~§~~ **or withdrawing a certificate of occupancy** ~~←~~ in certain circumstances; and

▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-9a-211, as enacted by Laws of Utah 2010, Chapter 332

10-9a-509, as last amended by Laws of Utah 2012, Chapter 216

17-27a-211, as enacted by Laws of Utah 2010, Chapter 332

S.B. 184



183 requirement that is not expressed:

184 (i) in the building permit or subdivision plat, documents on which the building permit
185 or subdivision plat is based, or the written record evidencing approval of the land use permit or
186 subdivision plat; or

187 (ii) in this chapter or the municipality's ordinances.

188 (2) A municipality is bound by the terms and standards of applicable land use
189 ordinances and shall comply with mandatory provisions of those ordinances.

190 (3) A municipality may not, as a condition of land use application approval, require a
191 person filing a land use application to obtain documentation regarding a school district's
192 willingness, capacity, or ability to serve the development proposed in the land use application.

193 (4) Upon a specified public agency's submission of a development plan and schedule as
194 required in Subsection [10-9a-305\(8\)](#) that complies with the requirements of that subsection, the
195 specified public agency vests in the municipality's applicable land use maps, zoning map,
196 hookup fees, impact fees, other applicable development fees, and land use ordinances in effect
197 on the date of submission.

198 Section 5. Section **15A-1-104** is enacted to read:

199 **15A-1-104. Permit approval required ~~§~~ -- Certificate of occupancy valid ~~←§~~ .**

200 (1) As used in this section:

201 (a) "Compliance agency" is as defined in Section [15A-1-202](#).

202 (b) "Project" is as defined in Section [15A-1-209](#).

203 (2) A compliance agency for a political subdivision may not reject a permit or
204 otherwise withhold approval of a project for failure to comply with the applicable provisions of
205 this title unless the compliance agency:

206 (a) cites with specificity the applicable provision with which the project has failed to
207 comply; and

208 (b) describes how the project has failed to comply.

208a **§ → (3) If a compliance agency or a representative of a compliance agency issues a**
208b **certificate of occupancy, the compliance agency may not withdraw the certificate of occupancy**
208c **or exert additional jurisdiction over the elements of the project for which the certificate was**
208d **issued unless additional changes or modifications requiring a building permit are made to**
208e **elements of the project after the certificate was issued. ←§**

209 Section 6. Section **17-27a-211** is amended to read:

210 **17-27a-211. Canal owner or operator -- Notice to county.**

211 (1) For purposes of Subsection [17-27a-508\(1\)\(b\)\(c\)\(iv\)](#), a canal company or a canal
212 operator shall provide on or before July 1, 2010, any county in which the canal company or
213 canal operator owns or operates a canal: