

- 615 (i) is zoned primarily for residential use; and
 616 (ii) was substantially developed before calendar year ~~H~~→ [1940] 1950 ←~~H~~ ;
 617 (f) an ordinance enacted to implement water efficient landscaping in a rear yard;
 618 (g) an ordinance enacted to regulate type of cladding, in response to findings or
 619 evidence from the construction industry of:
 620 (i) defects in the material of existing cladding; or
 621 (ii) consistent defects in the installation of existing cladding; ~~S~~→ [or] ←~~S~~
 622 (h) a land use regulation, including a planned unit development or overlay zone, that a
 623 property owner requests:
 624 (i) the municipality to apply to the owner's property; and
 625 (ii) in exchange for an increase in density or other benefit not otherwise available as a
 626 permitted use in the zoning area or district ~~S~~→ [z] ; or

626a **(i) a dwelling located in a mountainous planning district.** ←~~S~~

627 Section 5. Section **15A-1-104** is amended to read:

628 **15A-1-104. Permit approval required -- Certificate of occupancy valid.**

629 (1) As used in this section:

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

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

632 (2) A compliance agency for a political subdivision may not reject a permit, or
 633 otherwise withhold approval of a project whenever approval is required, for failure to comply
 634 with the applicable provisions of this title unless the compliance agency:

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

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

638 (3) If a compliance agency [~~or a~~], representative of a compliance agency, or building
 639 inspector that has the authority to issue a certificate of occupancy under Section [10-5-132](#),
 640 [10-6-160](#), or [17-36-55](#) issues a certificate of occupancy, the [~~compliance agency~~] individual or
 641 entity that issued the certificate of occupancy may not withdraw the certificate of occupancy or
 642 exert additional jurisdiction over the elements of the project for which the certificate was
 643 issued unless additional changes or modifications requiring a building permit are made to
 644 elements of the project after the certificate was issued.

645 Section 6. Section **15A-1-202** is amended to read:

863 ~~[(i) "Membrane-covered frame structure" means a nonpressurized building wherein the~~
 864 ~~structure is composed of a rigid framework to support a tensioned membrane that provides the~~
 865 ~~weather barrier.]~~

866 ~~[(ii) "Remote yurt" means a membrane-covered frame structure that:]~~

867 ~~[(A) is no larger than 710 square feet;]~~

868 ~~[(B) is not used as a permanent residence;]~~

869 ~~[(C) is located in an unincorporated county area that is not zoned for residential,~~
 870 ~~commercial, industrial, or agricultural use;]~~

871 ~~[(D) does not have plumbing or electricity;]~~

872 ~~[(E) is set back at least 300 feet from any river, stream, lake, or other body of water;~~
 873 ~~and]~~

874 ~~[(F) registers with the local health department.]~~

875 ~~[(b)]~~ (12)(a) A remote yurt is exempt from the State Construction Code including the
 876 permit requirements of the State Construction Code.

877 ~~[(c)]~~ (b) Notwithstanding Subsection (12)~~[(b)]~~(a), a county may by ordinance require
 878 remote yurts to comply with the State Construction Code, if the ordinance requires the remote
 879 yurts to comply with all of the following:

880 (i) the State Construction Code;

881 (ii) notwithstanding Section 15A-5-104, the State Fire Code; and

882 (iii) notwithstanding Section 19-5-125, Title 19, Chapter 5, Water Quality Act, rules
 883 made under that chapter, and local health department's jurisdiction over onsite wastewater
 884 disposal.

885 (13)(a) Subsection (1)(b) does not apply to a person repairing damage to an existing

885a **§→ residential ←§**

886 structure caused by a natural disaster, if the sole purpose of the repairs is to restore the structure
 887 to the same or substantially the same condition as before the natural disaster.

888 (b) Subject to Subsection (13)(c), the permit requirements of the State Construction
 889 Code do not apply to a construction project involving repairs to an existing **§→ residential ←§**

889a structure described

890 in Subsection (13)(a).

891 (c) Upon the completion of a construction project involving repairs to an existing

891a **§→ residential ←§**

892 structure described in Subsection (13)(a), the owner of the structure shall ensure that the
 893 structure, to determine compliance with Subsection (13)(a), is inspected by:

1235 (c) an ordinance enacted to implement the requirements of the Utah Wildland Urban
 1236 Interface Code adopted under Section [15A-2-103](#);

1237 (d) building design elements agreed to under a development agreement;

1238 (e) a dwelling located within an area that:

1239 (i) is zoned primarily for residential use; and

1240 (ii) was substantially developed before calendar year 1940;

1241 (f) an ordinance enacted to implement water efficient landscaping in a rear yard;

1242 (g) an ordinance enacted to regulate type of cladding, in response to findings or
 1243 evidence from the construction industry of:

1244 (i) defects in the material of existing cladding; or

1245 (ii) consistent defects in the installation of existing cladding; ~~§~~ **[or]** ~~§~~

1246 (h) a land use regulation, including a planned unit development or overlay zone, that a
 1247 property owner requests:

1248 (i) the county to apply to the owner's property; and

1249 (ii) in exchange for an increase in density or other benefit not otherwise available as a
 1250 permitted use in the zoning area or district ~~§~~ **[:] ; or**

1250a **(i) a dwelling located in a mountainous planning district. ~~§~~**

1251 Section 12. Section **17-36-55** is amended to read:

1252 **17-36-55. Fees collected for construction approval -- Approval of plans.**

1253 (1) As used in this section:

1254 (a) "Business day" means the same as that term is defined in Section [54-8c-1](#).

1255 ~~[(a)]~~ (b) "Construction project" means the same as that term is defined in Section
 1256 [38-1a-102](#).

1257 (c) "Licensed building inspector" means an individual who is:

1258 (i) licensed by the Division of Occupational and Professional Licensing under Title 58,
 1259 Chapter 56, Building Inspector and Factory Built Housing Licensing Act; and

1260 (ii) covered by liability insurance when providing private services as a licensed
 1261 building inspector, in an amount established in rules made by the Division of Occupational and
 1262 Professional Licensing in accordance with Title 63G, Chapter 3, Utah Administrative
 1263 Rulemaking Act.

1264 ~~[(b)]~~ (d) "Lodging establishment" means a place providing temporary sleeping
 1265 accommodations to the public, including any of the following: