

**CHAPTER 10-06: PERMITS**

- 10-06-010. Permit Required.**
- 10-06-020. Application for Permit.**
- 10-06-030. Issuance of Permit.**
- 10-06-040. Approved Plans.**
- 10-06-050. Retention of Plans.**
- 10-06-060. Validity of Permit.**
- 10-06-070. Expiration of Permit.**
- 10-06-080. Extension of Permit.**
- 10-06-090. Suspension or Revocation of Permit.**
- 10-06-100. Fees and Bonds Required.**
- 10-06-110. Investigation Fees.**
- 10-06-120. Fee Refunds.**
- 10-06-130. Public Improvements Required.**
- 10-06-150. Maintenance of Construction Site.**

**10-06-010. Permit Required.**

Except as otherwise specifically provided in the Construction Codes, no building or structure regulated by the Construction Codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate and appropriate permit for each building or structure is first obtained from the City.

**10-06-020. Application for Permit.**

Application for a Building Permit shall be made by filing an "Application for Permit" and supporting documents required by the Construction Codes and other applicable laws with the Community Development Director.

**10-06-030. Issuance of Permit.**

The Application for Permit and supporting documents shall be reviewed by the Building Official, the Community Development Director and any other appropriate officials or departments to verify compliance with the Construction Codes and other pertinent laws and ordinances. If the Building Official and the Community Development Director find that the work described in the Application for Permit and supporting documents conform to the requirements of the Construction Codes and other pertinent laws and ordinances, and that the fees and bonds required herein have been paid to the City, a permit shall be issued to the applicant, signed by both the Building Official and the Community Development Director.

**10-06-040. Approved Plans.**

When the Building Official issues the permit where plans are required, the Building Official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Building Official, and all work regulated by the Construction Codes shall be done in accordance with the approved plans.

**10-06-050. Retention of Plans.**

One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. One (1) set of approved plans and specifications shall be retained by the City for a period of not less than

ninety (90) days from the date of completion of the work covered therein, and thereafter as may be required by the Utah Government Records Access and Management Act, as adopted by the City.

**10-06-060. Validity of Permit.**

The issuance of a permit shall not be construed to be a permit for violation of any of the provisions of the Construction Codes or of any other pertinent law or ordinance. Permits presuming to give such authority shall not be valid. The issuance of a permit based upon plans, specifications, and other data shall not prevent the Building Official or the City from thereafter requiring the correction of errors in such documents, or from preventing building operations being carried on thereunder when in violation of the Construction Codes or any other applicable law, ordinance, rule or regulation.

**10-06-070. Expiration of Permit.**

Every permit issued by the City shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. After expiration of a permit, a new permit must be obtained prior to recommencing work. If no changes have been made or will be made in the original plans and specifications for such work, and the suspension or abandonment has not exceeded one (1) year, the fee for a new permit shall be one-half the amount required for a new permit for such work. If changes have been made or will be made in the original plans and specifications for such work, or the suspension or abandonment has exceeded one (1) year, the fee for a new permit shall be the full amount required for a new permit for such work.

**10-06-080. Extension of Permit.**

A permittee holding an unexpired permit may apply in writing for an extension of time within which work may commence under that permit showing that circumstances beyond the control of the permittee have prevented action from being taken within the time required by Section 10-06-070. Upon sufficient showing, the City may extend the time for action by the permittee, provided that such extension shall not exceed a period of one hundred eighty (180) days and shall only be permitted once.

**10-06-090. Suspension or Revocation of Permit.**

The City may, in writing, suspend or revoke a permit when the permit is issued in error, or on the basis of incorrect information supplied, or in violation of the provisions of the Construction Codes or other pertinent law or ordinance.

**10-06-100. Fees and Bonds Required.**

Except as otherwise provided, all fees shall be assessed in accordance with the fee schedule adopted by the City. In addition, applicants may be required to furnish a bond of sufficient security and enter into a Bond Agreement to insure completion of the permitted work and the repair and/or installation of public improvements. In the event the applicant fails to timely and fully complete the permitted work and/or install or repair public improvements in accordance with Construction Code requirements and the provisions of this Title, the City may thereafter use the funds comprising the bond to cause the work to be completed. Any unexpended portion of the bond retained by the City, less fifteen percent (15%) of the total cost to complete the work to cover overhead and administrative costs of the City, shall be refunded to the applicant upon timely and satisfactory completion of the work required and compliance with all other Construction Code requirements and applicable laws. If the funds received from the bond are not sufficient to pay the total cost of completion and the fifteen percent (15%) overhead fee, the applicant shall be obligated to pay to the City all deficiency amounts. The City may pursue all civil and criminal legal

remedies to ensure payment and/or reimbursement for deficiency amounts. Permit fees and any other fees or bonds required herein shall be paid to the City before a permit may be issued.

**10-06-110. Investigation Fees.**

Whenever work for which a permit is required by the Construction Codes or the provisions of this Title has been commenced without first obtaining a permit, a special investigation may be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued equal to the amount of the permit fee required.

**10-06-120. Fee Refunds.**

The City may authorize the refunding of a fee paid hereunder which was erroneously paid or collected when written request for such refund is filed by the original permittee within one hundred eighty (180) days after the date of fee payment. The City may authorize refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under the permit. In addition, the City may authorize refunding of not more than eighty percent (80%) of the plan review fee paid when application for a permit is withdrawn or canceled before any examination time has been expended.

**10-06-130. Public Improvements Required.**

(a) Duty to Install. Any person obtaining a permit hereunder to build or alter any structure upon a lot which is not improved by public improvements, such as asphalt, curbs, gutters, sidewalks, and sewage, storm and flood control facilities, shall be required to install all such improvements along the street frontage of said lot in accordance with all construction standards, regulations and applicable ordinances of the City. No Certificate of Occupancy or Final Inspection shall be issued until all such required improvements are complete and operable.

(b) Duty to Repair. Any person obtaining a permit hereunder to build or alter any structure upon a lot which is improved by public improvements, such as asphalt, curbs, gutters, sidewalks, and sewage, storm and flood control facilities, shall be required to repair any damage to such improvements in accordance with all construction standards, regulations and applicable ordinances of the City. No Certificate of Occupancy or Final Inspection shall be issued until all such improvements are repaired.

(c) Security. Applicants shall be required to enter into a Bond Agreement acceptable to the City providing sufficient security to insure installation, completion and/or repair of public improvements required herein as more particularly set forth in Section 10-06-100.

(d) Deferral. Prior to the issuance of a permit, the City may defer or waive the installation of any or all required public improvements as, in its judgment, are not requisite in the interest of public health, safety, and general welfare, or which are inappropriate because of the inadequacy or lack of connecting

facilities. Whenever it is deemed appropriate to defer the construction of required improvements, the applicant shall pay his or her share of the costs of such future improvements according to the reasonable estimate of the City Engineer, or may enter into an Extension Agreement satisfactory to the City assuring completion of said improvements upon the demand of the City. No permit shall be issued until the appropriate costs required herein are deposited with the City or an Extension Agreement has been executed between the parties assuring the completion of such improvements upon demand of the City. No Temporary Certificate of Occupancy shall be required when the appropriate costs required herein are deposited with the City or an Extension Agreement has been executed between the parties.

**10-06-150 Construction Site Cleanliness**

(a) The general contractor, or owner-builder if there is no general contractor, of every residential or commercial building construction site, shall:

- (1) Maintain on the premises of each building lot, and not on a street, sidewalk or other public property, from the first day through the last day of construction:
  - (i) a portable toilet facility meeting the health requirements of the law; and
  - (ii) a commercial trash bin, which shall be used for refuse on the site, and which shall be emptied when full.
  
- (2) Keep the construction site in a condition of cleanliness and healthfulness by:
  - (i) preventing the accumulation of garbage or refuse, including boards, bricks, stones, etc., into disorderly stacks and piles;
  - (ii) maintaining the premises in such a manner that mice, rats, rodents, or other animals do not inhabit the premises;
  - (iii) preventing garbage, refuse, dirt, rocks or building materials from encroaching into sidewalks, streets, public property, or the private property of neighbors without the written consent of the owner; and
  - (iv) preventing the blowing of paper or other items onto neighboring properties.

(b) Exceptions to the requirements of a portable toilet facility and a commercial trash bin may be granted in writing by the Community Development Director upon a showing that such facilities are otherwise reasonably accessible.