

**TITLE 14 BUILDINGS AND CONSTRUCTION**

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**Chapter 14.04 Building Regulations**

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**14.04.010 Building Code - Adopted**

The City hereby adopts the nationally recognized building code, as adopted by the Utah Uniform Building Code Commission, as it may be amended from time to time, subject only to those exceptions allowed by state law as set forth in Utah Code Ann. '58-56-1 et seq. All contractors and sub-contractors performing work authorized by a building permit shall be licensed by the State of Utah, Division of Professional Licensing.

(Ord No. 28-94, Amended 11/16/1994)

(Ord No. 03-01, Amended 03/06/2001)

(Ord No. 16-09, Amended 08/18/2009)

**14.04.020 Plan Review Fees**

The City will charge, as a plan check review fee, its actual costs incurred, which sum will be adjusted annually based upon the costs incurred. The annual amount of the plan check review fee may be established either by resolution or in the City=s annual budget.

(Ord. No. 05-03, 06/15/2003 Amended)

**14.04.030 Construction Phases**

- A. The City may issue a building permit upon application, in compliance with all laws, ordinances, rules, and regulations. A partial building permit may be issued, upon application, and in compliance with rules and regulations established by the City Building Official. A fee established by the City Council, as adopted in the annual budget, may also be charged. The fee charged is in addition to the fees charged for the issuance of a building permit. A partial building permit will allow limited

commencement of construction while the entire plans and specifications are under review. The issuance of a partial building permit is no guarantee that a building permit will be issued. Any applicant for a partial building permit may proceed with those items identified in the permit, at their own risk.

1. No building permits will be issued until streets are in compliance with the applicable fire code to allow access to the construction site by fire apparatus vehicles. The City Engineer is hereby designated as the responsible official to determine compliance.
  2. No building permit will be issued until the water transfer required by Spanish Fork Municipal Code ' 13.12.010 (B) has been made.
  3. No building permit will be issued until all required impact fees have been collected.
  4. Once all approvals have been granted, a building permit may be obtained.
- B. No certificate of occupancy may be granted until roadbase, curb, gutter, and graveled driveways, related to the premises are installed by the contractor or developer and approved by the City.
- C. Upon issuance of a building permit a cash deposit in an amount to be established by the City Council in the annual budget shall also be collected. This deposit is to guarantee that all of the terms and conditions of the permit are met, site plan improvements are completed, any damage done to City facilities is repaired, and all fees are paid. If all of the conditions of the permit are met, the deposit shall be refunded to the person posting the same when a certificate of occupancy is issued. In the event that the conditions are not met within one year from occupancy, the deposit shall be forfeited to the City. The City may use the funds to install the required improvements, up to the amount of the bond, or may place the deposit funds into the general fund and perform the improvements later as part of a larger project.
- C. The city building official may charge such fees for reinspection as are established by the City Council in the annual budget. The building official may establish rules and regulations for any appeals process concerning reinspection.
- D. A temporary certificate of occupancy may be granted at the discretion of the building official when there are no life threatening hazards on the property and the conditions set forth in sub-paragraph (A) are met. The final checklist of terms to be completed must be minor in nature and must be completed in the time frame designated. The city council, in the annual budget, may establish a reasonable fee to be charged for the issuance of a temporary certificate of occupancy. In the event a temporary certificate expires and a final certificate has not been obtained, the City may disconnect all utility service to the property until the final checklist is completed and a final certificate of occupancy is obtained, and may also forfeit the

deposit required in sub-paragraph 8.

F. The applicant of a single family residential building permit may appeal an inspection to determine whether an inspection constitutes a fair administration of the building code. A notice, in compliance with the Utah Code Annotated 58-56-20 shall be included with the issuance of the permit. The review contemplated by this section:

1. is separate and unrelated to an appeal under the applicable building code;
2. may not be used to review a matter that may be brought by appeal under the building code;
3. may not result in a waiver or modification of the building code requirement or standard;
4. may not conflict with an appeal, or the result of an appeal under the building code; and
5. does not prohibit a person from bringing an appeal under the applicable building code.

(Ord. No. 10-95, Enacted (A,B), 06/21/1995)

(Ord. No. 03-97, Amended (A), Enacted (C,D,E), 02/18/1997)

(Ord. No. 06-04, Amended (A)(1), 04/20/2004)

(Ord. No. 09-05, Amended (A)(1), 07/05/2005)

(Ord. No. 06-09, Enacted 14.04.030(F), 04/21/2009)

(Ord. No. 03-16, Amended (c), 02/16/2016)

#### **14.04.040 Violation**

A. It shall be a Class C Misdemeanor to erect, construct, enlarge, alter, repair, move, demolish, occupy, or use any building or structure in the City in violation of or without complying with the provisions of the building code adopted under this title. It shall also be a Class C Misdemeanor for any person to remove a stop work order properly posted upon a project or a building within a project by the Building Official. It shall also be a Class C Misdemeanor for any person to ignore a stop work order and continue working on any project or any building within a project.

B. The City Building Official is hereby granted authority to issue citations for any violation of the building code adopted under this title.

(Ord. No. 10-95, Amended/Renumbered (14.04.030), 06/21/1995)

(Ord. No. 04-99, Amended 03/02/1999)

(Ord. No. 06-04, Amended 04/20/2004)

## **Chapter 14.08      Moving Buildings**

- 14.08.010      Permit - Required**
- 14.08.020      Permit - Application**
- 14.08.030      City Approval of Application**
- 14.08.040      Standard Required Before Occupancy**
- 14.08.050      Bond Required**
- 14.08.060      Old Site to Be Restored**
- 14.08.070      Payment of Expenses**
- 14.08.080      Violation**

### **14.08.010      Permit - Required**

No permit shall be issued for the moving of any residential, commercial, or industrial building from one site within the City to another site within the City, or from a site outside the City to a site within the City, without first filing an application with the City building department and obtaining a permit therefore from the City Building Official.

(Ord. No. 09-05, Amended 07/05/2005)

### **14.08.020      Permit - Application**

The following information shall be filed with the City building department at the time application is made:

- A. The location and address of the old and new site;
- B. A plot plan of the new location, also showing adjacent lots on all sides of the property and indicating all structures and improvements on said lots;
- C. Plans and specifications for the proposed improvements at the new location including plans for landscape treatment when required by the building inspector;
- D. Before further consideration of said application, the building inspector must certify in writing that the structure is sound enough to be removed and that the location and use of the building will conform to the building and zoning ordinances of the city.

(Ord. No. 09-05, Amended 07/05/2005)

### **14.08.030      City Approval of Application**

The application shall then be submitted to the city building inspector for approval. Before the building inspector may approve the application for the moving of a building he/she must find:

- A. That the building will have no appreciable detrimental effect on the living environment and property values in the area into which the structure is to be removed;

- B. That the building is in conformity with the type and quality of buildings existing in the area into which it is proposed to be moved;
- C. That said building and the lot on which it is to be located conforms to the requirements of the zoning ordinance and building code;
- D. That its location on the lot does not in any substantial way adversely affect buildings or uses on abutting property;
- E. That all dedications and improvements as required by the city for streets and facilities and buildings shall be provided in conformity with the standards of the city.

**14.08.040 Standard Required Before Occupancy**

Prior to occupancy the building shall be brought up to standards of the building code for a new building and shall be painted, refurbished and maintained at that standard.

**14.08.050 Bond Required**

Before a permit to move a building may be granted the applicant shall post a bond or other assurance as determined by the city building inspector to cover the costs of improvements established in the granting of the permit.

**14.08.060 Old Site to Be Restored**

If the site to be vacated is within the city, the bond shall also cover the costs involved in cleaning up the vacated site and restoring it to a safe and sightly condition.

**14.08.070 Payment of Expenses**

In addition to the regular fees for inspection charges and for building permits, the applicant shall pay any extraordinary expenses which may be incurred by the building inspector in travel to inspect the building or any other similar expenses.

**14.08.080 Violation**

It shall be a Class C Misdemeanor to erect, construct, enlarge, alter, repair, move, demolish, occupy, or use any building or structure in the City in violation of or without complying with the provisions of this chapter.

(Ord. No. 09-05, Amended 07/05/2005)

**Chapter 14.12      Plumbing Code****14.12.010      Plumbing Code Adopted****14.12.020      Violation****14.12.010      Plumbing Code Adopted**

The City hereby adopts the nationally recognized plumbing code, as amended from time to time, as adopted by the Utah Uniform Building Code Commission, subject only to those exceptions allowed by state law as set forth in Utah Code Ann. ' 58-56-1 et seq.

(Ord. No. 28-94, Amended 11/16/1994)

(Ord. No. 03-01, Amended 03/06/2001)

**14.12.020      Violation**

It shall be a Class C Misdemeanor to erect, construct, enlarge, alter, repair, move, demolish, occupy, or use any building or structure in the city in violation of or without complying with the provisions of the plumbing code adopted under this title.

(Ord. No. 06-04, Amended 04/20/2004)

**Chapter 14.16      Electrical Code****14.16.010      National Electrical Code Adopted****14.16.020      National Electric Safety Code Adopted****14.16.030      Violation****14.16.010      National Electrical Code Adopted**

The city hereby adopts the National Electrical Code as amended from time to time, as promulgated by the National Fire Protection Association, subject only to those exceptions allowed by State law, set forth in Utah Code Annotated, ' 58-56-1 et seq. Any developer must meet the city construction and development standards for construction to the meter, if more stringent than the National Electrical Code.

(Ord. No. 28-94, Amended 11/16/1994)

(Ord. No. 08-95, Amended 05/03/1995)

**14.16.020      National Electric Safety Code Adopted**

The city hereby adopts the National Electrical Safety Code as amended from time to time. Any developer must meet the city construction and development standards for construction up to the meter, if more stringent than the National Electrical Safety Code.

(Ord. No. 08-95, Reenacted 05/03/1995)

**14.16.030      Violation**

It shall be a class C misdemeanor to erect, construct, enlarge, alter, repair, move, demolish, occupy or use any building or structure in the city in violation of or without complying with the provisions of the National Electrical Code, or the National Electrical Safety Code.

(Ord. No. 08-95, Renumbered (14.16.020), 05/03/1995)

**Chapter 14.20      Energy Conservation in New Building Construction**

**14.20.010      Adopted**

**14.20.020      Violation**

**14.20.010      Adopted**

The city hereby adopts the Utah Code for Energy Conservation in New Buildings as amended from time to time, as promulgated by the Utah Energy Office, subject only to those exceptions allowed by State law as set forth in Utah Code Annotated, ' 63-9-45 et seq.

(Ord. No. 28-94, Amended 11/16/1994)

**14.20.020      Violation**

It shall be a Class C Misdemeanor to erect, construct, enlarge, alter, repair, move, demolish, occupy, or use any building or structure in the city in violation of or without complying with the provisions of the code for energy conservation in new buildings adopted under this title.

(Ord. No. 06-04, Amended 04/20/2004)



**Chapter 14.24      Uniform Mechanical Code****14.24.010      Mechanical Code Adopted****14.24.020      Violation****14.24.010      Mechanical Code Adopted**

The City hereby adopts the nationally recognized mechanical code as adopted by the Utah Uniform Building Code Commission, as amended from time to time, subject only to those exceptions allowed by state law, as set forth in Utah Code Ann. '58-56-1 et seq.

(Ord. No. 28-94, Amended 11/16/1994)

(Ord. No. 03-01, Amended 03/06/2001)

**14.24.020      Violation**

It shall be a Class C Misdemeanor to erect, construct, enlarge, alter, repair, move, demolish, occupy, or use any building or structure in the city in violation of or without complying with the provisions of the mechanical code adopted under this title.

(Ord. No. 06-04, Amended 04/20/2004)

**Chapter 14.28      Rating of Contractors****14.28.010      Rating System-Created****14.28.020      Ratings System-Scoring****14.28.030      Failure to Obtain Acceptable Score****14.28.040      Time Periods****14.28.010      Rating System-Created**

Each contractor performing work on behalf of Spanish Fork City will be rated, at the conclusion of each project, based on its organization, management, and performance of the work. The rating will be based upon a contractor performance report, in the form attached hereto.

(Ord. No. 04-97, Enacted 03/11/1997)

**14.28.020      Ratings System-Scoring**

When each contractor is rated, he/she shall be awarded points in fifteen categories totaling one hundred (100) points. An acceptable score shall be deemed to be seventy-five (75) points. Each contractor will be evaluated by two employees or agents of the City: the Public Works Director or Assistant Public Works Director; and the public works inspector, building inspector, or project inspector, depending on the project. The average of the two evaluations shall be the contractors score.

(Ord. No. 04-97, Enacted 03/11/1997)

**14.28.030      Failure to Obtain Acceptable Score**

- A. A contractor who fails to obtain a score of seventy (70) on any two projects over any consecutive five year period will not be considered a responsible bidder.
  
- B. A contractor who is not a responsible bidder, as established herein, will not be allowed to bid on a City project until such time that there are not two consecutive scores under seventy points within the last consecutive five year period.

(Ord. No. 04-97, Enacted 03/11/1997)

**14.28.040      Time Periods**

- A. For purposes of this chapter, the consecutive five year period shall be within five years from the date of the notice to bid as prepared by the City or the City's agent.
  
- B. The date of the contractors score shall be the date the Public Works Director, or Assistant Public Works Director, reviews the evaluation with the contractor, at the conclusion of each project. The Public Works Department is responsible to document the date of the review and to keep records of the same in order for the City to comply with the requirements of this chapter.

(Ord. No. 04-97, Enacted 03/11/1997)

**Chapter 14.32 Uniform Building Code for Abatement of Dangerous Buildings**

**14.32.010 Building Abatement Code Adopted**

**14.32.020 Violation**

**14.32.010 Building Abatement Code Adopted**

The City hereby adopts the Uniform Code for Abatement of Dangerous Buildings, as it may be amended from time to time, or such other nationally recognized code as may be adopted by the Utah Uniform Building Code Commission, subject only to those exceptions allowed by state law as set forth in Utah Code Ann. '58-56-1 et seq.

(Ord. No. 03-01, Enacted 03/06/2001)

**14.32.020 Violation**

It shall be a Class C Misdemeanor for any property owner or occupant to fail to abide by the directions of the City Building Official in abating any dangerous building or any directive related thereto.

(Ord. No. 03-01, Enacted 03/06/2001)

**Chapter 14.36      International Fuel Gas Code****14.36.010      Fuel Code Adopted****14.36.020      Violation****14.36.010      Fuel Code Adopted**

The City hereby adopts the International Fuel Gas Code, as amended from time to time, or such other code as may be adopted by the Utah Uniform Building Code Commission, subject only to those exceptions allowed by state law as set forth in Utah Code Ann. ' 56-58-1 et seq.

(Ord. No. 03-01, Enacted 03/06/2001)

**14.36.020      Violation**

It shall be a Class C Misdemeanor for any contractor, developer, owner, or occupant to violate the provision of the International Fuel Gas Code, or such substitute code as may be adopted by the Utah Uniform Building Code Commission.

(Ord. No. 03-01, Enacted 03/06/2001)