


Date: December 17, 2020
To: Weber County Board of County Commissioners
From: Sean Wilkinson, AICP 
Director, Community Development Department

Stan Berniche
Weber County Building Official

Subject: **Request for approval of the final reading of an ordinance amending Title 12 (Building Regulations and Site Permits) of the Weber County Code**

Agenda Date: December 22, 2020

Documents: Exhibit A: Final Ordinance

Summary:

The Weber County Building Inspection Division is requesting approval of the final reading of an ordinance amending Title 12 (Building Regulations and Site Permits) of the Weber County Code. The amendments focus on updating building code references to follow Utah State Code and updating building permit and related fees. The fee updates are intended to reflect appropriate building valuations and provide Weber County with the resources (including hiring one new employee in 2021) necessary to meet and exceed service levels mandated by the Utah State Code. Following is a brief summary of the ordinance amendments:

- The list of individual building codes has been removed and replaced with language that adopts the codes listed in Title 15A, Chapter 2, Sections 103 and 104 of the Utah Code. The County's code will now always follow the Utah Code as it is amended.
- The permit fee for a building valued between \$1 – \$2,000 has been increased from \$47 to \$69.25.
- The latest edition of the building valuation data published by the International Code Council, by occupancy and type of construction, will continue to be used with the exception of finished basements. Finished basements will be valued at 50 percent of the building valuation data.
- Electrical fees (excluding solar installations) have been increased from \$47 to \$150. Plumbing and Mechanical fees have been increased from \$47 to \$100.
- Over the counter review fees will remain at \$25 for the first 30 minutes but have been increased from \$47 to \$55 per hour for review time in excess of 30 minutes.
- Reinspection fees have been increased from \$47 to \$115.
- An investigation fee of \$100 per hour has been added.
- An after hours inspection fee of \$125 has been added (when made by request and approved by the Building Official).
- An administration and printing fee of \$25 plus the cost of materials has been added.

Exhibit A (Final Ordinance)

ORDINANCE NO. _____

AMENDMENTS RELATING TO TITLE 12 (BUILDING REGULATIONS AND SITE PERMITS) OF THE WEBER COUNTY CODE

WHEREAS, Title 12 (Building Regulations And Site Permits) of the Weber County Code contains provisions for building codes, building related fees, and other building related activities; and

WHEREAS, the proposed amendments will update building code references to follow the Utah State Code; and

WHEREAS, building permit and related fees are being updated to reflect appropriate valuations and to allow Weber County to provide service levels necessary to meet Utah State Code requirements; and

WHEREAS, after due consideration, the Board of County Commissioners of Weber County has determined to support such amendments;

NOW THEREFORE, the Board of County Commissioners of Weber County ordains as follows:

Title 12 (Building Regulations And Site Permits) of the Weber County Code shall be amended to read as follows:

Title 12 Building Regulations And Site Permits

Chapter 12-1 General Provisions

Chapter 12-2 Board Of Appeals

Chapter 12-3 Technical Codes

State Law reference—U.C.A. 1953, Title 15A

Chapter 12-1 General Provisions

Sec 12-1-1 References To Officials In Adopted Building Codes

Sec 12-1-2 Enforcement

Sec 12-1-1 References To Officials In Adopted Building Codes

Where reference is made to the duties of certain officials named within the technical codes which are adopted by reference in this title, then that designated official of the county who has duties corresponding to those of the named official in said technical code, shall be deemed to be the responsible official insofar as enforcing the provisions of that technical code are concerned.

Sec 12-1-2 Enforcement

The building official or designee is hereby authorized and directed to enforce the provisions of the technical codes that are adopted by reference in this title. The building official shall have the authority to render interpretations of the technical codes and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code. The fire code official shall have authority granted by the building official in matters relating to application of the International Fire Code and the Wildland-Urban Interface Code.

Chapter 12-2 Board Of Appeals

Sec 12-2-1 Provision In International Building Code

Sec 12-2-2 Building Official

Sec 12-2-3 Time Permitted For Appeal

Sec 12-2-4 Fee For An Appeal

Sec 12-2-5 Powers And Authority

Sec 12-2-6 Rules Of Procedure

Sec 12-2-7 Terms Of Members

Sec 12-2-8 Appointments By County Commission

Sec 12-2-1 Provision In International Building Code

A county board of appeals, as provided in the current editions published by the International Code Council which have been adopted and amended by the State of Utah, is hereby established and shall consist of five members who possess training and experience in various aspects of building construction and who are not employees of the county.

(Code 1985, § 4-2-1; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-2 Building Official

The county building official shall be a non-voting ex officio member of the board who shall serve along with the five members described in Section 12-2-1.

(Code 1985, § 4-2-2; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-3 Time Permitted For Appeal

Any person adversely affected by any decision of the county building official may petition the board of appeals for a review of the decision. To be timely, the petition must be received by the county building official within 30 days from the date the building official serves the decision by in-person delivery, by sending it electronically, by placing it in the mail, or by sending it through a delivery service. If no appeal is received within the 30 days, the decision is final and appeals are barred.

(Code 1985, § 4-2-3; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-4 Fee For An Appeal

The fee for application for an appeal must be submitted within the 30-day time period permitted for an appeal. The amount of the fee shall be as established by the county commission, from time to time.

(Code 1985, § 4-2-4; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-5 Powers And Authority

The board of appeals shall have power and authority to hear and decide appeals of orders, decisions or determinations made by the county building official relative to the application and interpretation of the above cited technical codes, to determine the suitability of alternate materials and methods of installation and as otherwise authorized or limited in those codes.

(Code 1985, § 4-2-5; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-6 Rules Of Procedure

The board of appeals shall adopt rules of procedure for the conduct of its business and shall render all findings and decisions in writing within 30 days of the receipt of an appeal. Every year, the board shall elect a chair and a vice-chair from its membership.

(Code 1985, § 4-2-6; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-7 Terms Of Members

The terms of the members shall be for three years, but with the terms of the first appointees staggered so that one member serves for one year, two members serve for two years, and two members serve for three years.

(Code 1985, § 4-2-7; Ord. No. 2007-15, 5-22-2007)

Sec 12-2-8 Appointments By County Commission

The county commission shall make the original member appointments to the board of appeals and also subsequent appointments or reappointments as members' terms expire. Board members may be removed for cause by majority vote of the county commission. Any vacancy that occurs on the board shall be filled by appointment for the unexpired term of the vacant position.

(Code 1985, § 4-2-8; Ord. No. 2007-15, 5-22-2007)

Chapter 12-3 Technical Codes

Sec 12-3-1 International Building Codes Adopted

Sec 12-3-2 Violation Of Codes Unlawful

Sec 12-3-3 Occupancy Violations

Sec 12-3-4 Release Of Notice Of Noncompliance

Sec 12-3-5 Utility Connections

Sec 12-3-6 Building Permit Fee Schedule

Sec 12-3-7 Building Valuation Data

Sec 12-3-8 Building Inspection Fees

State Law reference— U.C.A. 1953, Title 15A

Sec 12-3-1 International Building Codes Adopted

The specific editions of a nationally recognized code authority as adopted and amended by the State of Utah and published in Title 15A of the Utah Code, Chapter 2, Sections 103 and 104, are hereby adopted as the Building Code of Weber County, Utah, for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the county, providing for issuance of permits and collection of the corresponding permit fees, and by this reference are made a part of this chapter to the same extent and effect as though said codes were set forth herein in full.

(Code 1985, § 4-1-1; Ord. No. 2007-15, 5-22-2007)

Sec 12-3-2 Violation Of Codes Unlawful

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move or maintain any building or structure or cause or permit the same to be done in violation of these codes; and any violation of said codes is a Class B misdemeanor unless otherwise specified.

(Code 1985, § 4-1-3; Ord. No. 2007-15, 5-22-2007)

Sec 12-3-3 Occupancy Violations

Whenever any building, structure or equipment therein regulated by adopted codes is being used contrary to the provisions of these codes, including occupancy or use prior to final approved inspection, the building official shall file a notice of noncompliance with the county recorder identifying the property and setting forth the fact that the building, structure, or work is in violation of county codes.

(Code 1985, § 4-1-3.1; Ord. No. 2007-15, 5-22-2007)

Sec 12-3-4 Release Of Notice Of Noncompliance

When the illegal use, occupancy or work is corrected, the building official shall provide to the property owner of record a release of notice of noncompliance certifying that the notice of noncompliance has been released and rescinded. This shall be done at the owner's expense.

(Code 1985, § 4-1-3.2; Ord. No. 2007-15, 5-22-2007)

Sec 12-3-5 Utility Connections

It is unlawful for any utility company to provide service to any structure or building, or to service equipment or wiring for which a permit is required, until approval is granted by the building official. The building official may order utility services terminated at any location where the use is not authorized or is in violation of the building, zoning or other ordinances of the county.

(Code 1985, § 4-1-6; Ord. No. 2007-15, 5-22-2007)

Sec 12-3-6 Building Permit Fee Schedule

Total Valuation	Fee
\$1.00 to \$2,000.00	\$69.25
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00, plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00, plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00, plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00, plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00, plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00, plus \$3.65 for each additional \$1,000.00, or fraction thereof

(Code 1985, § 4-1-7; Ord. No. 2007-15, 5-22-2007)

Sec 12-3-7 Building Valuation Data

The most recent building valuation data published by the International Code Council will be used to compute permit fees based on total valuation by occupancy and type of construction with the exception of finished basements. Finished basements will be valued at 50 percent of the square foot construction cost table in the latest edition of the Building Valuation Data published by the International Code Council. In the event a valuation is not specified, the building official will determine and assign the per square foot valuation.

(Code 1985, § 4-1-8; Ord. No. 2007-15, 5-22-2007; Ord. No. 2017-9, § 1(Exh. B), 3-28-2017)

Sec 12-3-8 Building Inspection Fees

1. In addition to the fee schedule in section 12-3-6:
 1. Electrical (excluding solar installations): \$150.00.
 2. Plumbing: \$100.00.
 3. Mechanical: \$100.00.
 4. One percent state surcharge (One percent of the building permit fee excludes plan review fees).
2. Plan review fees.
 1. Single-family dwelling: 35 percent of the building permit fee.
 2. Commercial: 65 percent of the building permit fee.
 3. Other (over counter, etc.): \$25.00 minimum, plus \$55.00 per hour for review time in excess of 30 minutes.
3. Reinspection fee: \$115.00.
4. Permit update fee. A \$100.00 per year or any portion thereof, not to exceed \$500.00, update fee will be charged when a permit goes more than 180 days without inspection unless the applicant can provide satisfactory documentation that there was construction progress on the project during the period of no inspections.
5. Investigation fee. \$100.00 per hour.
6. Whenever any work for which a permit is required by these codes has been commenced without first obtaining said permit, an additional fee equal to the permit fee shall be collected at the time the permit is issued.
7. After hours inspection fee. \$125.00 per hour. After hours inspections must be made by request and approved by the County Building Official.
8. Administration and printing fee. \$25.00 plus the cost of materials.
9. Fee refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
 1. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done by the permittee under a permit issued in accordance with these codes.

2. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when application for a permit for which a plan review fee has been paid is withdrawn or canceled after permit application has been processed, but before any plan review is done.
3. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

(Code 1985, § 4-1-9; Ord. No. 2007-15, 5-22-2007)

This Ordinance shall be effective 15 days after publication in the Standard Examiner.

PASSED, ADOPTED, AND A SYNOPSIS ORDERED PUBLISHED this 22nd day of December 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

By _____
Gage Froerer, Chair

Commissioner Froerer voted _____
Commissioner Harvey voted _____
Commissioner Jenkins voted _____