**HUNTSVILLE TOWN**

 **ORDINANCE 2020-2-20**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, ADOPTING BUILDING PERMIT FEES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

1. **WHEREAS,** Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
2. **WHEREAS,** Utah Code Annotated §10-8-84 and §10-8-60 authorizes the Town to exercise police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;
3. **WHEREAS,** Title 15A of the Utah Code Annotated establishes the “State Construction and Fire Codes Act” which the Town is required to implement;
4. WHEREAS, the Town’s Building Official request that the Town adopt Building Fees as provided herein;

 **NOW, THEREFOR**E, be it ordained by the Huntsville Town Council as follows:

**Section 1: Repealer.** Any code, chapter, or section in conflict with this Ordinance is hereby repealed in its entirety and referenced thereto vacated.

**Section 2:** **Enactment.** Chapter 3.6 (or as may otherwise by assigned) of the Huntsville Municipal Code are hereby reenacted to read as follows:

**3.6 Building Permit Fees**

1. Surcharge. There is hereby imposed a one percent (1%) surcharge on all building permits issued by the Town. Each quarter or as otherwise required by state law, the Town shall file a report of all surcharges which have been collected on building permits and remit eighty percent (80%) of that total surcharge to the applicable state agency as required by state law.
2. Permit Fees. The building permit fee for all building permits regardless of classification or type, including residential, non-residential and commercial, shall be in accordance with Appendix L set forth in the most current version of the International Residential code.
3. Plan check Fees. A plan check fee is hereby imposed on all building permits as follows:
	1. The actual cost of performing the review by the municipality; OR
	2. Sixty-five percent (65%) of the amount for a building permit for the building, whichever is lesser.
4. Change fee. When a plan is changed or modified at any point after approval, a change fee is assessed in the amount of five-percent (5%) of the total building permit fee.
5. Other fees. The building official may assess other fees imposed by the Town and charges for other services provided.
6. Reinspection Fee. In the event an inspector is requested to perform a reinspection, and the inspector finds items previously noted as being defective have remained defective and not been corrected, the permitee requesting the inspection shall be charged a reinspection fee of $100.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance shall be effective immediately upon posting or publication after final passage.

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| --- | --- | --- | --- | --- |
| VOTES | AYE | NAY | RECUSED | EXCUSED |
| Mayor Jim Truett |  X |  |  |  |
| CM Max Ferre’ |  X |  |  |  |
| CM Wendy McKay |  X |  |  |  |
| CM Richard Sorensen |  X |  |  |  |
| CM Blake Bingham |  X |  |  |  |

ADOPTED AND APPROVED on this 5th day of March 2020.

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JIM TRUETT, Mayor

ATTEST:

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BECKKI ENDICOTT, Recorder

RECORDED this 5th day of March 2020