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3.1 Purpose

The State of Utah has adopted various building codes and has made it mandatory for all cities and towns in the State to do the same. From time to time these codes are revised and updated by the organizations that maintain them.

3.2 Building Codes

Huntsville Town adopts and uses the International Building Codes, the date of each applicable code established by resolution, as the set of Building Codes for Huntsville Town. These codes are for regulating the erection, construction, enlargement, alteration, remodel, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in Huntsville Town. The codes also provide standards against which Huntsville Town can issue permits and collect the corresponding permit fees, and by this reference are made a part of this ordinance to the same extent and effect as though said code were set forth herein as full. The permit fees shall be adopted by resolution.

3.3 Violation of Code Unlawful

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, remodel, repair, move, remove 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. The Huntsville Town Building Official or Building Inspector will determine code violations.

3.3.1 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 Building Inspector inspection, the Huntsville Town Building Official shall file a Notice of Non-Compliance with the Huntsville Town Clerk identifying the property and setting for the fact that the building, structure, or work is in violation of Huntsville Town building codes.

3.3.2 Release of Notice of Non-Compliance

When the illegal use, occupancy or work is corrected, the Huntsville Town Building Official shall record with the Huntsville Town Clerk and provide to the property owner of record a Release of Notice of Non-Compliance certifying that the Notice of Non-Compliance has been released and rescinded. This shall be done at the owner's expense.

3.4 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 the Huntsville Town Building Official grants approval. The Huntsville Town Building Official may order utility services terminated at any location where the use is not authorized or is in violation of the building, land use planning, or other ordinances of Huntsville Town.

3.5 Liability Exemption

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality of any other section, sentence, clause or phrase of this ordinance.

3.6 Building Permit Fees¹

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:
 - a. The actual cost of performing the review by the municipality; OR
 - b. 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 permittee requesting the inspection shall be charged a reinspection fee of \$100.

¹ Title 3.6 Added 3-5-2020

This Building Codes Ordinance shall take effect upon approval by the Huntsville Town Council.

PASSED and ADOPTED this 3rd day of August 2006.

Mayor, James C. McKay

ATTEST:

Dated this 3rd day of August 2006.

Clerk/Recorder, Gail Ahlstrom

| Vote of the Town Council | yea | nay |
|--------------------------|----------------|-----|
| Council Member Gault | ___ | ___ |
| Council Member Sorenson | <u>excused</u> | ___ |
| Council Member Stevenson | ___ | ___ |
| Council Member Truett | <u>excused</u> | ___ |
| Mayor McKay | ___ | ___ |