

**ORDINANCE NO. 23-27**  
**AN ORDINANCE UPDATING THE BUILDING PERMIT ORDINANCE**

**WHEREAS**, the Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

**WHEREAS**, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

**WHEREAS**, The Garden City Town Council is authorized to regulate building and construction in the Town of Garden City; and

**WHEREAS**, the Garden City Town Council shall manage and the process of permitting building and oversee the construction and related work performed within the Town of Garden City.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF GARDEN CITY TOWN COUNCIL THAT ORDINANCE #11H-101 SHALL BE UPDATED AS FOLLOWS:**

CHAPTER 11H-101 Building Permit Required. The construction alteration, repair, removal or occupancy of any structure or any part thereof, as provided or as restricted in this ordinance, shall not be commenced, or proceeded with except after the issuance of a written permit for the same by the building inspector. Nonstructural repair and maintenance of a structure will not require a permit.

- A. Before any work is initiated, a building permit must be obtained through the Garden City Building Department.** Building permits issued by the Town of Garden City are for eighteen (18) months from application issue date.
- ~~B. Building permits that have not expired may be extended for six (6) months by applying for an extension (refer to IBC 105.5) with the Town of Garden City and paying a fee. Fee will be set by resolution.~~
- B. To apply for a building permit, applicant will utilize the designated portal on the Garden City Website.**
1. Applicant will upload all required documentation noted in the portal.
  2. The applicant will pay an application fee set by resolution.
    - a. Application fee will be applied to the building permit if permit is approved and issued within 90 days of application.
    - b. Application fee will not be refunded if application is not completed in 90 days.
    - c. The application process must begin from the beginning if
  3. Permit will be reviewed by a building official hired or contracted by the Town of Garden City.
    - a. The Building Official will have a minimum of 10 business days (not including holidays) to review the application.
  4. Upon approval, the applicant will be required to pay all fees associated with the permit and the permitting process.
  5. When applicable, the applicant will begin paying base water rate when

- permit is issued until a meter is placed. The metered rate will then apply.
6. **Building permit placards must be posted near the construction area, on the owner's property, and visible from the nearest road.**
    - a. **Fines for not posting a building permit placard will be set by resolution.**
  7. **The building inspection schedule must be followed and approved by the Garden City Building Inspector. Working beyond the inspected/approved scope of work will lead to fines set forth by the Garden City Infraction Schedule including the possible loss of the building permit deposit.**

~~C. Expired building permits may be reinstated by applying with the Town of Garden City and paying a fee. Fee will be set by resolution.~~

~~B. C. Building permits that have not expired may be extended for six (6) months by applying for an extension (refer to IBC 105.5) with the Town of Garden City and paying a fee. Fee will be set by resolution.~~

1. **Building Permits may be extended prior to their expiration date with approval of the building official and payment of a renewal fee.**
2. **A permit that has expired for 30 days or less may still be renewed along with a citation set forth by the Garden City Infraction Schedule.**
3. **A building permit deposit that is refunded during the 30-day grace period will be reduced by 25%.**
4. **If a permit goes beyond the 30-day grace period, the permit will be null and void, and the permit deposit will be forfeited. A new permit must be applied for that will require payment of deposit, building permit fees, inspection and review fees, and other related charges to issuing a new permit.**
5. **Citations may be issued based on the Garden City Infraction Schedule for building with an expired permit.**
- ~~D. 6. Entities~~ **building without an active permit will be subject to Town of Garden City Administrative Code and Town of Garden City Administrative Code Infraction Fine Schedule.**
  - a. **See Garden City Code 8-400 Building Regulations.**

**D. Building Permit deposits will only be refunded on valid building permits, or those that fall within the 30-day grace period.**

- a. **A building permit deposit that is refunded during the 30-day grace period will be reduced by 25%.**
- b. **Refunds will not be issued if there are Garden City Code violations relating to the permitted address before a Certificate of Occupancy is issued.**
- c. **Building permits expired beyond the 30-day grace period will be null and void, and the permit deposit will be forfeited. A new permit must be applied for that will require payment of deposit, building permit fees, inspection and review fees, and other charges related to issuing a new permit.**

E. Exterior construction requiring a Building Permit will also require construction fencing, minimum of 3 feet high, around the property to contain construction and other materials on the construction site. (Reference Garden City Code 9-400)

**APPROVED AND ADOPTED** this 14<sup>th</sup> day of December 2023.

APPROVAL:

Attest:

\_\_\_\_\_  
Michael Leonhardt, Mayor

\_\_\_\_\_  
Cathie Rasmussen, Town Clerk

Voting	Aye	Nay
Argyle	___	___
Hansen	___	___
Menlove	___	___
Parry	___	___
Leonhardt, Mayor	___	___