

24-07

ORDINANCE NO. 23-27

AN ORDINANCE UPDATING THE BUILDING PERMIT ORDINANCE

~~2000~~

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 valid for (18) months from application date.

- 1. Building permit placards must be posted near the construction area, on the owner's property, and visible from the nearest road.**
- 2. Fines for not posting a building permit placard will be set by resolution.**

B. Building Permits may be extended prior to their expiration date with approval of the building official and payment of a renewal fee. ~~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~~ Building permits that have not expired may be extended for six (6) months by applying for an extension (refer to **International Building Code 105.5**) with the Town of Garden City and paying a fee. Fee will be set by resolution.

- 1. 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.**

2. A building permit deposit that is refunded during the 30-day grace period will be reduced by 25%.
3. If a permit expires 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.
4. Citations may be issued based on the Garden City Infraction Schedule for building with an expired permit, or without an active building permit.
5. Building Permit deposits will only be refunded on valid building permits, or those that fall within the 30-day grace period. (See B.1)
6. Building Permit deposits will not be refunded if a permit has, at any time, expired 30 days or more, prior to receiving a Certificate of Occupancy.
7. 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. 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.

~~D. 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)

~~E.~~ Any person, firm, or corporation violating any of the provisions of this Code shall be deemed in violation and shall **may** be reported to the State Inspector. ~~D.~~ 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. See Garden City Code 8-400 Building Regulations.

F. The Town Council of Garden City shall adopt the current Building Codes adopted by the State of Utah.

G. Any amendments to the above codes adopted by the Utah State Division of Occupational and Professional Licensing in accordance with Utah Code 58-56-4 are also adopted for the Town of Garden City.

APPROVED AND ADOPTED this 14th day of December 2023.

APPROVAL:

Attest:

Michael Leonhardt, Mayor

Cathie Rasmussen, Town Clerk

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