

AMENDED AGENDA
UNIFORM BUILDING CODE COMMISSION

September 9, 2026 9:00 AM

This agenda is subject to change up to 24 hours prior to the meeting.

Anchor Location

Room 474
Heber M Wells Building
160 E 300 S
Salt Lake City, UT

Join with Google Meet

meet.google.com/ccv-rpsw-qer

Join by phone

(US)+1 470-250-0930

PIN: 537 376 542#

I. ADMINISTRATIVE BUSINESS:

1. Call meeting to order
2. Sign Per Diem
3. Approve the minutes from August 12, 2026

II. DISCUSSION AND ACTION ITEMS:

1. Emergency action item to delete C405.12, C405.13 and C405.15 of the IECC as per 15A-1-204(6)
2. Building Code Analyst final report - information to be emailed later

Next meeting date: as needed

Please call Sharon at 801-530-6163 if you are not going to attend the meeting.



In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Jenna Mayne, ADA Coordinator, jennamayne@utah.gov 801-530-6256 at least three working days prior to the meeting. Division of Occupational and Professional Licensing, 160 East 300 South, Salt Lake City UT 84111, Phone 530-6628.

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MINUTES

UTAH UNIFORM BUILDING CODE COMMISSION

August 12, 2026

Convened: 9:03

Adjourned: 12:07

STAFF:

Stephen Duncombe, Bureau Manager
Sharon Smalley, Board Secretary
Nicole Herrera, Board Secretary
Aaron Godar, Building Code Analyst
Allyson Pettley, Licensing Administrator

COMMISSIONERS:

Thomas Peterson
Oliver Burt
Lorianne Bisping
Travis Dalley (absent)
Trent Hunt
Ken Adams
Gary Bullock

Jeff Puls
Art Anderson
Dirk Burton (excused)
Bryan Turner (absent)
Scott Carpenter
Steve Dailey

VISITORS:

Wade Watkins
Jared Tingey
Rob Durfee
Mike Moffatt
Ashley Spatafore Mirabelli
Steven Collen
Eric Hales
James Weston
Will Warnick
Jeremy Moser
Jared Bunnell
Jim Hardy
Emily
Jonah Peterson
Coty Chadburn
Bradi Frei
Mary D
Bryce McConkie
Jason Vandever

Lesley Garland
Angela Dives
Matt S
Ross Ford
Alaina Platt
North Ogden
Jason Nelson
Jared Tingey
Denise Gibb
Molly Urtel Austin
Cameron Wright
Lloyd Evans Jr
Charlotte Woody
Jeff F
John Little
Mike Haycock
Saratoga Building
Jason Van Ausdal
Dave Spatafore

MINUTES

BUILDING CODE ANALYST REPORT

A motion was made by Scott Carpenter to approve the minutes from the March 11, 2026, meeting as written. The motion was seconded by Jeff Puls and passed unanimously.

Aaron Godar gave a report on the progress he has made in his role which involves collecting and analyzing statewide data on permitting, inspections, and code enforcement. He will make a report on his findings to the legislature in October.

He reported that so far, he has made 54 site visits covering 69 jurisdictions. It was agreed that his report to the legislature should be modeled using the division's existing OPLR reporting model. Mr. Godar reported that the top issues he has found were permit and plan review processes for building permit applications, inspection processes, timelines, communication between parties, and permits not obtained when required.

He discussed the letter of concern that can be sent to local regulators, building officials, third parties, and contractors who are found to be incorrectly interpreting, enforcing or complying with the code. They would be given a chance to go before the Commission for review and give them an opportunity to speak.

Mr. Godar brought up the possibility of creating a training for permit technicians. It was also suggested that, if and when the training is developed, contractors be included in these training sessions to foster open communication.

REVIEW TITLE 15A – IECC SECTIONS C405.12, C405.13 AND C405.15

Tom Peterson explained why he is asking the Commission to consider deleting these sections of the code. He felt the requirements in these three sections regarding outlet controls, metering, and solar requirements far exceed what a minimum code is. Following the discussion, a motion was made by Scott Carpenter to delete these three sections. The motion was seconded by Lorianne Bisping and passed unanimously. Mr. Peterson reported that if there is a special

REVIEW PROPOSED AMENDMENT FOR RESIDENTIAL FIRE SERVICE

session, the deletion will be presented at that time.

Ross Ford presented the proposed amendment to the IRC. He pointed out that the intent is to bring the fire code into the IRC so that the IRC would be a single, stand-alone document. Lorianne Bispington pointed out that during her review she did not see any requirements for aerial apparatus access.

Lloyd Evans pointed out that the Wildland Urban Interface Code also needs to be considered in this process.

Following a lengthy discussion with all present, a motion was made by Scott Carpenter to table the decision to allow Mr. Ford and the fire officials to correct any language that is missing and to allow further collaboration between the parties. The motion was seconded by Jeff Puls and passed unanimously.

Jason Vandever asked the commission why in his opinion there two conflicting codes with the IECC and Chapter 11 of the IRC. It was pointed out that this is something that can and will be corrected at a later date.

The meeting adjourned at 12:07.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

- (iii) upon the receipt of a request by one of the following that the commission recommend legislative action related to the State Construction Code:
 - (A) a local regulator;
 - (B) a state regulator;
 - (C) a state agency involved with the construction and design of a building;
 - (D) the Construction Services Commission;
 - (E) the Electricians and Plumbers Licensing Board; or
 - (F) a recognized construction-related association.
- (c) If the Business and Labor Interim Committee decides to recommend legislative action to the Legislature, the Business and Labor Interim Committee shall prepare legislation for consideration by the Legislature in the next general session.
- (6)
 - (a) Notwithstanding the provisions of this section, the commission may, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, amend the State Construction Code if the commission determines that waiting for legislative action in the next general legislative session would:
 - (i) cause an imminent peril to the public health, safety, or welfare; or
 - (ii) place a person in violation of federal or other state law.
 - (b) If the commission amends the State Construction Code in accordance with this Subsection (6), the commission shall file with the division:
 - (i) the text of the amendment to the State Construction Code; and
 - (ii) an analysis that includes the specific reasons and justifications for the commission's findings.
 - (c) If the State Construction Code is amended under this Subsection (6), the division shall:
 - (i) publish the amendment to the State Construction Code in accordance with Section 15A-1-205; and
 - (ii) prepare and submit, in accordance with Section 68-3-14, a written notice to the Business and Labor Interim Committee containing the amendment to the State Construction Code, including a copy of the commission's analysis described in Subsection (6)(b)(ii).
 - (d) If not formally adopted by the Legislature at the next annual general session, an amendment to the State Construction Code under this Subsection (6) is repealed on the July 1 immediately following the next annual general session that follows the adoption of the amendment.
- (7)
 - (a) The division, in consultation with the commission, may approve, without adopting, one or more approved codes, including a specific edition of a construction code, for use by a compliance agency.
 - (b) If the code adopted by a compliance agency is an approved code described in Subsection (7) (a), the compliance agency may:
 - (i) adopt an ordinance requiring removal, demolition, or repair of a building;
 - (ii) adopt, by ordinance or rule, a dangerous building code; or
 - (iii) adopt, by ordinance or rule, a building rehabilitation code.
- (8) Except as provided in Subsections (6), (7), (9), and (10), or as expressly provided in state law, a state executive branch entity or political subdivision of the state may not, after December 1, 2016, adopt or enforce a rule, ordinance, or requirement that applies to a subject specifically addressed by, and that is more restrictive than, the State Construction Code.
- (9) A state executive branch entity or political subdivision of the state may:
 - (a) enforce a federal law or regulation;

- Mr. Jordan expressed environmental concerns regarding the proposed removal of IECC sections C405.12, C405.13, and C405.15 from the Utah building code.

----- Forwarded message -----

From: **Sean Jordan** <jupiter.srj@gmail.com>

Date: Tue, Sep 8, 2026 at 11:36 PM

Subject: Emergency action item to delete

Please find comments and assumptions for the Uniform Building Code Commission upcoming meeting.

With regards to the following: Emergency action item to delete C405.12, C405.13 and C405.15 of the IECC as per 15A-1-204(6).

I assume these references are for the 2024 I-Code (per 15.02.190 of the Layton Municipal Code; 9.15.010 of the Syracuse Municipal Code - Adoption of state building code; though IECC isn't referenced). Yet, the Energy Code Guide for Commercial Construction in Utah seems out of date. The following was referenced: Commercial Energy Code Quick Guide.pdf

Waiting for legislative action? In violation of federal or state law? Recent world events suggest that global warming is a real risk to the Utah climate. Wildfires are ever increasing. Reservoir levels and the Great Salt Lake are at an all time low. Permafrost is melting. Hurricanes, Tornadoes, and Floods. Now is not the time to delete/exclude from Utah the following, 10 years possibly behind the time advised by scientists who study the risks of delayed actions. I am curious to learn more from the meeting why the deletion of the following sections is being recommended by an advisory committee(s).

C405.12: Automatic receptacle control

C405.13: Energy monitoring

C405.15: Renewable energy systems

As an environmental engineer, I am a practical problem solver. Prevention of catastrophic events like the recent Nepal flood and Utah fires/floods through energy conservation and reduction of fossil fuel use is sound engineering advice.

Mr. Sean Jordan

References:

https://codes.iccsafe.org/content/IECC2024V1.2/chapter-ce-4-commercial-energy-efficiency#IECC2024V1.2_CE_Ch04_SecC405.12

Utah Code Section 15A-1-204



**Department of
Commerce**

Division of
Professional Licensing

**Information from DOPL's Building Code Analyst for
Uniform Building Code Commission Meeting
September 9th, 2026**

Scope of UBCC and Building Code Analyst

Utah Code § 15A-1-203(10)(e), (f), (g) & (h)

OVERVIEW

The Uniform Building Code Commission (UBCC), with the assistance of the Division of Professional Licensing (DOPL), will collect data related to the building inspection process, including building code interpretation and enforcement, throughout the state. The Building Code Analyst (BCA) serves as DOPL's agent in assisting the UBCC.

The UBCC will use the data collected to:

1. Issue guidance to the division (DOPL) for providing education using surcharges described in Subsection 15A-1-209(5)
2. Issue opinions regarding the proper interpretation of commonly disputed code items
3. Send letters of concern to local regulators, building officials, third-party firms, and contractors who are found to be incorrectly interpreting, enforcing, or complying with code
4. Issue a publicly available report annually, before October 1, on the performance of local regulators within the state

PERMIT SURCHARGES

The UBCC shall use the data collected to issue guidance to the division (DOPL) for providing education using surcharges described in Subsection 15A-1-209(5).

Utah Code § 15A-1-209(5)(a) says a compliance agency shall:

- charge a 1% surcharge on a building permit the compliance agency issues; and
- transmit 85% of the amount collected to the division for use in accordance with Subsection (5)(c)

Utah Code § 15A-1-202(7) defines “compliance agency” as:

- an agency of the state or any of its political subdivisions that issues permits for construction regulated under the codes
- any other agency of the state or its political subdivisions specifically empowered to enforce compliance with the codes
- a third-party inspection firm as defined in Section 15A-1-105
- any other state agency that chooses to enforce codes adopted under this chapter by authority given the agency under a title other than this part and Part 3, Factory Built Housing and Modular Units Administration Act

Utah Code § 15A-1-209(5)(c)(i) says the division shall use 40% of the money received under Subsection (5)(a)(ii) to:

- provide education to building inspectors, and individuals working to become building inspectors, regarding the codes and code amendments under Section 15A-1-204 that are adopted, approved, or being considered for adoption or approval
- collect data as outlined in Subsection 15A-1-203(10)(e)

Utah Code § 15A-1-209(5)(c)(ii) says the division shall use 10% of the money received under Subsection (5)(a)(ii) to provide education to individuals licensed in construction trades or related professions through a construction trade association or a related professional association.

OPINIONS REGARDING CODE

The UBCC shall use the data collected to issue opinions regarding the proper interpretation of commonly disputed code items.

Utah Code § 15A-1-202(5) defines “code” as:

- the State Construction Code
- an approved code

Utah Code § 15A-1-202(2) defines “approved code” as:

- a code, including the standards and specifications contained in the code, approved by the division under Section 15A-1-204 for use by a compliance agency
- “approved code” does not include the State Construction Code

Utah Code § 15A-1-102(3) defines “State Construction Code” as the State Construction Code adopted by:

- Chapter 2, Adoption of State Construction Code
- Chapter 2a, Tall Wood Buildings of Mass Timber Construction Incorporated as Part of State Construction Code
- Chapter 3, Statewide Amendments Incorporated as Part of State Construction Code
- Chapter 4, Local Amendments Incorporated as Part of State Construction Code
- Chapter 6, Additional Construction Requirements

Utah Code § 15A-1-202(15) defines “opinion” as:

- a written, nonbinding, and advisory statement issued by the commission concerning an interpretation of the meaning of the codes or the application of the codes in a specific circumstance issued in response to a specific request by a party to the issue

LETTERS OF CONCERN

The UBCC shall use the data collected to send letters of concern to local regulators, building officials, third-party firms, and contractors who are found to be incorrectly interpreting, enforcing, or complying with code.

Utah Code § 15A-1-202(12) defines “local regulator” as:

- a political subdivision of the state that employs or contracts a qualified building official and is empowered to engage in the regulation of construction, alteration, remodeling, building, repair, installation, inspection, or other activities subject to the codes
- includes the local regulator's designee

ANNUAL REPORT

The UBCC shall use the data collected to issue a publicly available report annually, before October 1, on the performance of local regulators within the state on the following:

- interpreting and enforcing of the building code consistent with this chapter
- interpreting code for all building permit applicants and all inspectors consistently and equitably
- following consistent and equitable building inspection processes for all permit holders and across all inspectors
- meeting inspection timelines as described in Subsection 10-6-160(2)*
- responding to building permit applicants in a timely manner

- maintaining adequate training, oversight, and use of employed and contracted qualified building inspectors
- employing or contracting with a qualified building inspector

Utah Code § 15A-1-202(4) defines “building permit applicant” as the same as that term is defined in Section 15A-1-105.

Utah Code § 15A-1-105(1)(a) defines “building permit applicant” as an individual who applies to a local regulator for a building permit.

*Utah Code § 10-6-160 was renumbered by H.B. 368 in the 2025 General Session to Utah Code § 10-9a-542. Utah Code § 10-9a-542 was renumbered by S.B. 1008 in the 2025 First Special Session to Utah Code § 10-20-909.

SUMMARY

DOPL/BCA utilizes a structured data collection method organized into “campaigns”. Each individual campaign focuses on a specific portion or related area of the building inspection process. Data is gathered using approved methods until DOPL/BCA determines it is sufficient to present information to the UBCC, formulate questions for the UBCC to provide official opinions on, or identify trends that require further evaluation by the BCA or other key stakeholders.

Each item below is supported by either the performance report metrics for local regulators under Utah Code § 15A-1-203(10)(f) or the defined scope of the UBCC/BCA under Utah Code § 15A-1-203(10)(e). The supporting metric or scope will be listed in the “Scope” section.

Findings from 3-Day Application Screening Campaign

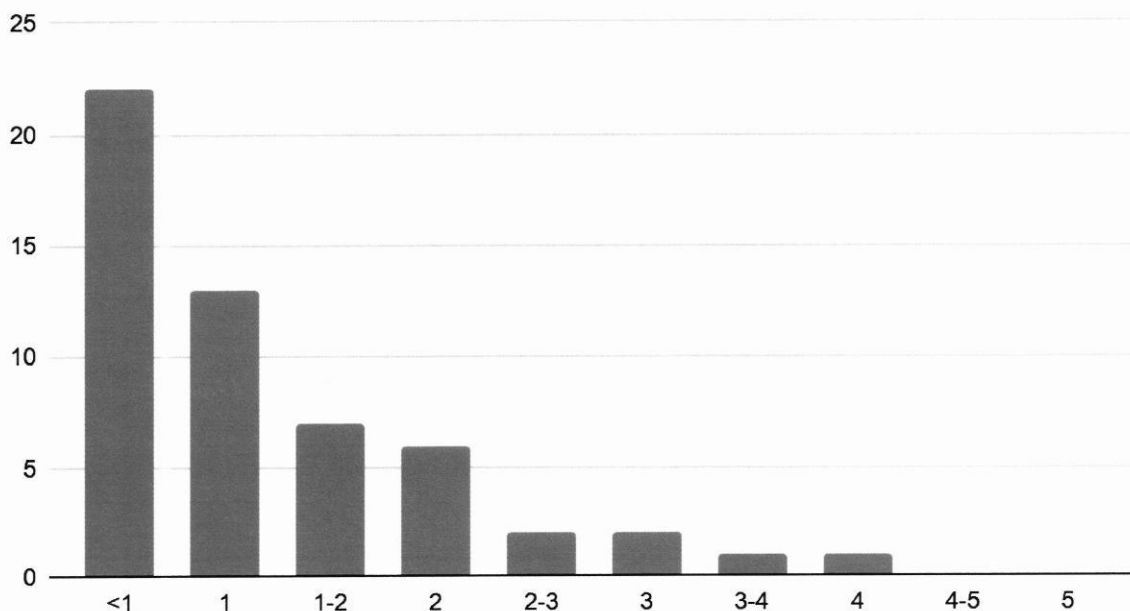
The BCA has identified several inconsistencies and misunderstandings regarding the building permit application process. Because the correct procedures are already clearly defined in the law, the BCA is bringing these issues to the attention of the UBCC for informational purposes and to receive feedback if necessary. Moving forward, the BCA will work directly with stakeholders to clarify these matters.

1. Building Departments' compliance with 3-day screening period - Utah Code § 10-20-909(1)(f) & (3)

Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

Utah code defines "screening period" as "the three business days following the day on which an applicant submits an application". During this time a building department is reviewing an application for a plan review to determine if it is complete as described in subsection 12. The BCA conducted interviews with building departments to assess whether they are meeting this three-day requirement. The results of those interviews are shown here:

What is your average screening time? (business days)



To verify the accuracy of the self-reported data, the BCA performed a verification check across 20 consecutive residential permit applications. This involved requesting database screenshots for five randomly selected applications to verify three critical data points:

- The application number
- The exact date the application was received
- The notification date on which the applicant was informed of their application's completeness or incompleteness

This audit confirmed that the official system records sufficiently matched the self-reported data provided by the departments. Currently, with only a few exceptions, building departments are successfully meeting the three-day screening time frame.

While general compliance is being met, applicants have raised several specific concerns:

- **Data Reliability:** Concerns that self-reported data is not reliable (The BCA feels this concern has already been properly addressed)
- **Time Calculation:** Potential errors in how building departments calculate the screening time frame
- **Software Obstacles:** Software used by building departments stopping the application process before the official three-day time frame can even begin
- **Improper Pauses:** Pausing the three-day screening period for reasons that are not legally allowed

The BCA plans to evaluate these remaining concerns in a future campaign. Although the BCA has not yet found evidence suggesting that building departments as a whole are out of compliance, it will report any contrary data if it is uncovered.

2. Scope of the 3-Day Screening and 14/21-Day Plan Review Time Frames - Utah Code § 10-20-909(1)(c)

Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

The 3-day screening period and the 14/21-day plan review time frames apply to all residential building permit applications, rather than being limited only to new construction. While some building departments previously misunderstood these rules to apply solely to new single- or multi-family dwellings, the time frames actually govern any residential permit.

This broad applicability is rooted in the statutory definition of a "construction project," which is defined as:

- "The same as that term is defined in Section 38-1a-102, or any work requiring a permit for construction of or on a one- or two-family dwelling, a townhome, or other residential structure built under the State Construction Code and State Fire Code."

DOPL focuses on the key statutory phrase "**construction of or on**". DOPL interprets this phrase to encompass both the entire structure and its various individual parts. Consequently, because the law covers work performed on a residential structure (and not just the construction of a new one), the 3-day screening and 14/21-day review time frames apply to every type of residential permit.

3. Do the 3-day screening period and the 14/21-day plan review time frame apply to commercial building permit applications? - Utah Code § 10-20-909(1)(c)

Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

The above definition of "construction project" is limited to "a one- or two-family dwelling, a townhome, or other residential structure built under the State Construction Code and State Fire Code". Therefore, commercial projects would not be subject to these time frames.

Confusion regarding commercial building permit applications being subject to these time frames resulted from some building departments believing that the 21-day time frame for a plan review was for commercial projects. In reality, the 21-day time frame applies to "a residential structure built under the State Construction Code that is not a one- or two-family dwelling, townhome, or a lodging establishment" per Utah Code § 10-20-909(4)(b).

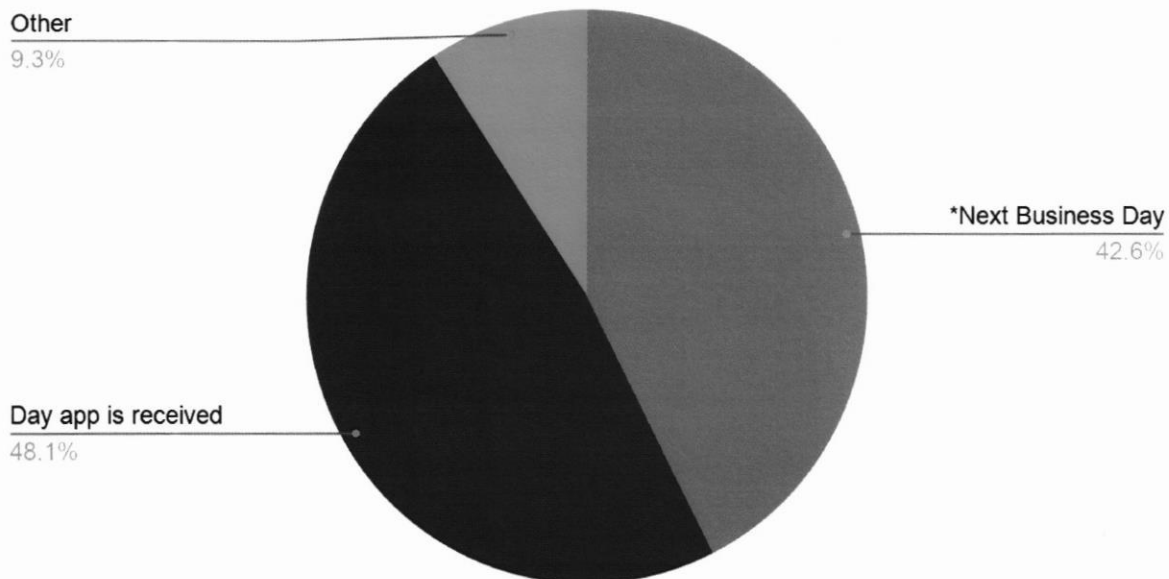
4. Commencement of the Statutory Three-Day Screening Period - Utah Code § 10-20-909(1)(c)

Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

Building departments were interviewed and asked the question “When does the 3-day screening period for an application begin”. The results of those interviews are shown below:

When does the 3-day screening period for an application begin?

*correct answer



The correct answer is the “next business day” or as statute defines it “the three business days following the day on which an applicant submits an application”, with “business day” being defined by statute as “Monday, Tuesday, Wednesday, Thursday, or Friday, unless the day falls on a federal, state, or municipal holiday”. This has been and will continue to be communicated with building departments and applicants.

5. Items required for an application for a building permit to be considered "complete" - Utah Code § 10-20-909(12)

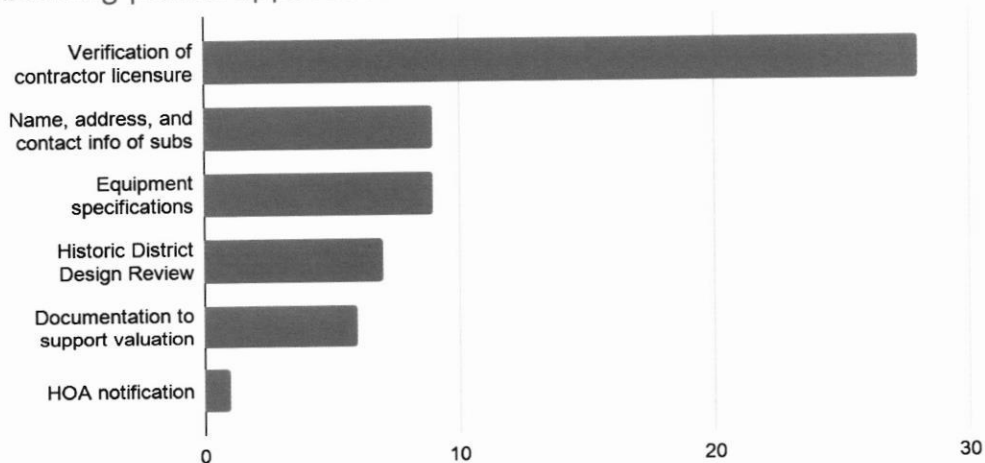
Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

Under the Utah Code, a residential building permit application must include specific required items to be considered "complete" during the initial three-day screening period. That list, in short is as follows (*indicates an item with more detailed description in code):

- The name, address, and contact information of the applicant and the construction manager/general contractor for the construction project
- A site plan for the construction project*
- Construction plans and drawings*
- Documentation of energy code compliance
- Structural calculations, except for trusses
- A geotechnical report, including a slope stability evaluation and retaining wall design, if the slope of the lot is greater than 15% and required by the city
- A statement indicating before land disturbance occurs on the subject property, the applicant will obtain a storm water permit and during actual construction, the applicant shall comply with applicable local ordinances and building codes
- The fees, if any, established by ordinance for the municipality to perform a plan review

The BCA interviewed building departments, presenting them with a list of both required and non-required items to see if they could identify which ones are actually required under the Utah Code. The results revealed that building departments incorrectly identified several non-required items as mandatory legal requirements:

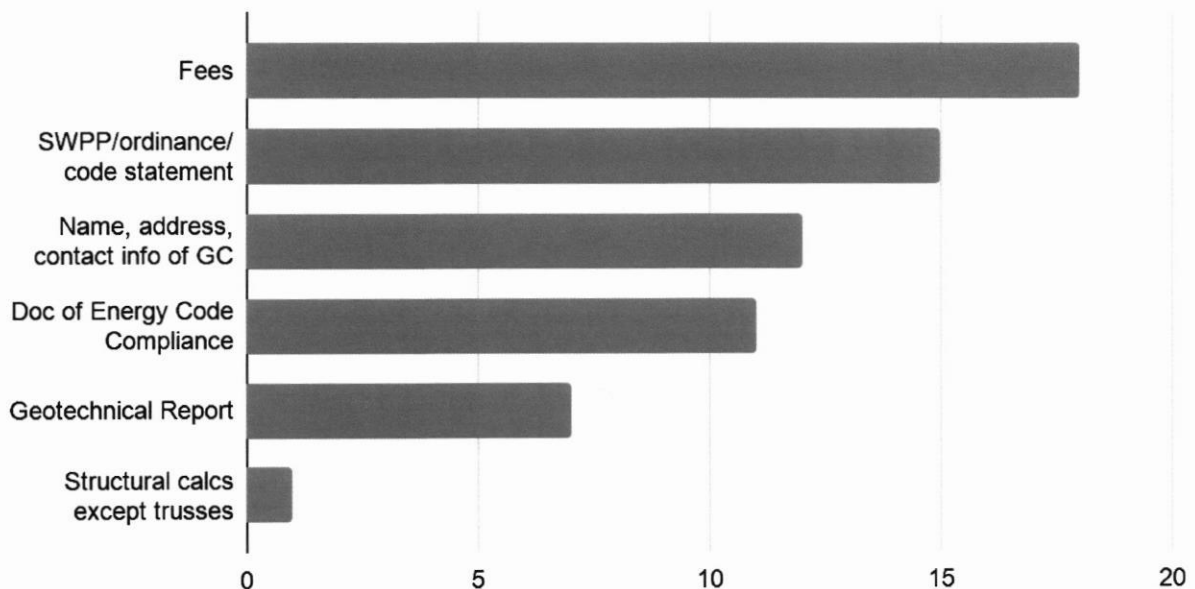
Items incorrectly chosen as "required by law" with a residential building permit application



Note: While "equipment specifications" is not explicitly listed as a standalone required item in the law, it is at times interpreted by building departments as falling under the "electrical, mechanical, and plumbing design" portion of "construction plans and drawings". The BCA is currently conducting research to verify the accuracy of this alignment and welcomes input from the UBCC and other industry stakeholders.

The following items that ARE required by code were incorrectly chosen by building departments as NON-REQUIRED items:

Items incorrectly chosen as "not required by law" with a residential building permit application



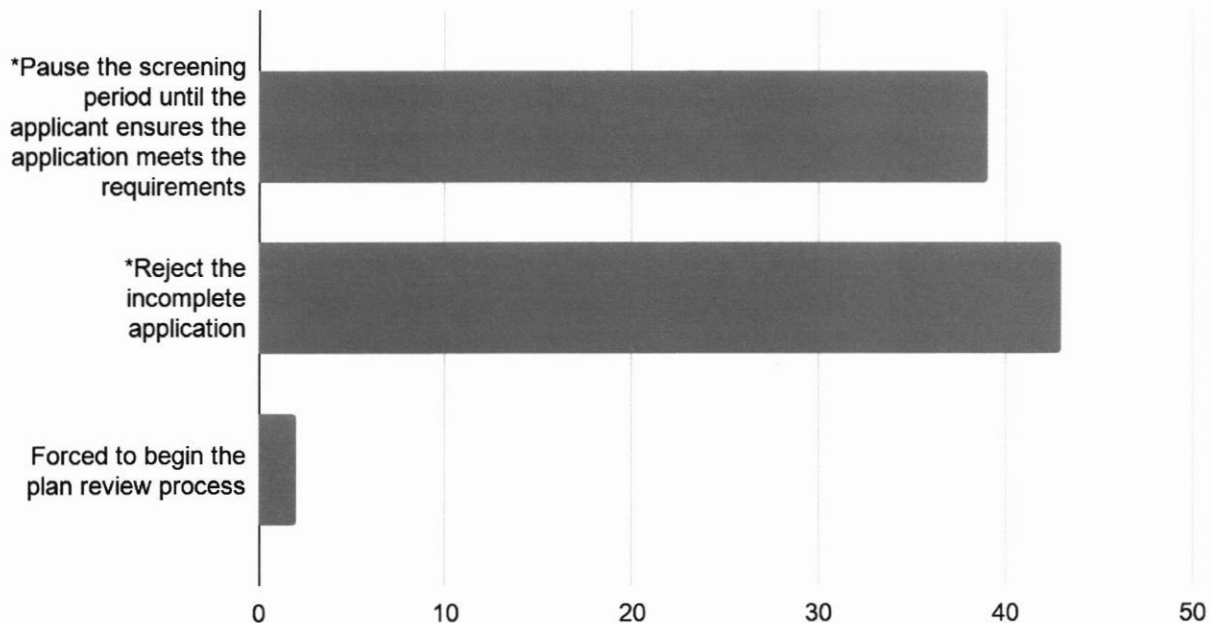
The BCA is working to clarify the list of required application items. As part of this initiative, the BCA will evaluate whether specific items or their descriptions require more detailed explanations or definitions. To ensure all gaps are addressed, the BCA is currently surveying construction professionals to gather their feedback on other areas that may need clarification.

6. Incomplete application notification options - Utah Code § 10-20-909(3)

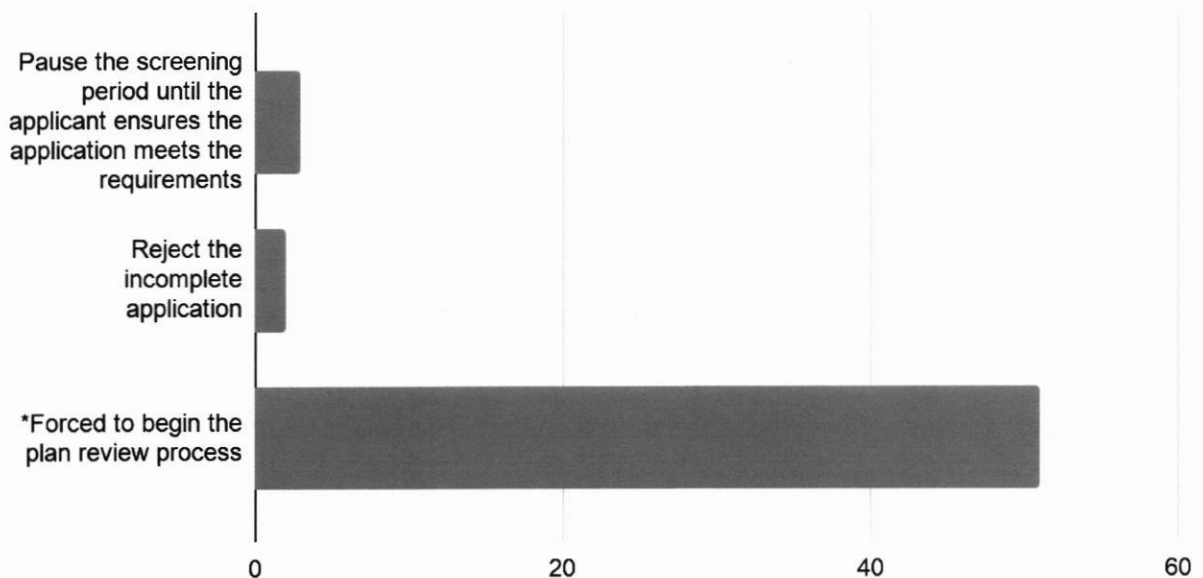
Upon receiving an application for plan review, the building department has three business days following the day the application was received to assess whether the submission is complete. The deadline for this determination is 5:00 PM on the third business day. A department's subsequent procedural options are determined by whether the applicant is notified of any incompleteness prior to or after this 5:00 PM cutoff. To assess understanding of this statute,

building departments were asked two questions during BCA visits. The results of those questions are as follows:

If an application is incomplete, what options do you have if you notify the applicant before 5 PM on the last day of the screening period? (check all that apply) *correct answers



If an application is incomplete, what options do you have if you do not notify the applicant before 5 PM on the last day of the screening period? (check all that apply) *correct answers



Most building departments correctly understood the law, but enough did not to raise concerns with the BCA. Upon further investigation, it seems this misunderstanding wasn't intentional; instead, it was caused by a software issue in one of the online application programs used by those departments. This technical glitch prevented them from correctly identifying "pause the screening period until the applicant ensures the application meets the requirements" as an option when notifying the applicant before 5 PM on the third day. To resolve the situation, the BCA is taking two key steps:

- Working directly with the software developer to help them correct the program's issue.
- Educating the departments to ensure they have a clear and accurate understanding of the law going forward.

Items for the UBCC to Consider

The following items for the UBCC to consider stem from reviews of relevant laws, surveys and site visit data, stakeholder input, and BCA observations. Depending on the specific item, the UBCC may be asked to provide feedback, take action, or simply review the material for informational purposes.

1. Review of a building permit application by Divisions/Departments in a jurisdiction other than the Building Department - Utah Code § 10-20-909(4)

Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

Utah's building departments face potential operational tensions due to the review timelines required by Utah Code § 10-20-909 and the legislative intent behind H.B. 368 (2025 General Session). While the law seeks to accelerate the residential permit process, the current statutory language creates a gap between speed of approvals and municipal or county oversight. Building departments are left with questions regarding legal liability, inter-departmental enforcement, and public safety if they are forced to issue permits without complete reviews by other municipal or county divisions and departments.

Statutory Mandates & Strict Timelines

Under the current statute, municipalities/counties must adhere to specific review windows once an application's screening period ends:

- One- or Two-Family Dwellings & Townhomes: The plan review must be completed within 14 business days.
- Other Residential Structures: For residential structures built under the State Construction Code (excluding lodging establishments, townhomes, and one- or two-family dwellings), the review must be completed within 21 business days.
- Scope of Plan Review: Defined as all reviews and approvals required by a municipality/county (including all divisions or departments) before issuing a building permit. The scope in this area is limited to verifying that the applicant has obtained final approvals from other required reviewing agencies.

The "Intent" Conflict (H.B. 368)

Discussions with stakeholders who drafted H.B. 368 indicate the following interpretation of these timelines:

- **Forfeiture of Review Rights:** If any municipal/county division or department fails to complete its review within the 14 or 21-day time frame, it forfeits its opportunity to review the plan entirely.
- **Compelled Permit Issuance:** The building department is expected to issue the building permit without the approval of any division or department that failed to meet the deadline.
- **Confusion Regarding Intent:** Various building departments, as well DOPL/BCA, have mistakenly understood the law to mean that a plan review includes verifying that the applicant obtained final approvals from other agencies, and if those are missing, the permit application is denied.

Operational Risks & Liabilities

Compelling building departments to issue permits without complete reviews introduces several potential risks:

- **Departmental Protections:** There is a lack of clarity regarding what protection is afforded to a building department forced to issue a permit without final approvals from other municipal divisions.
- **Municipal/County Liability:** It is not clear what legal liability the building department or the municipality/county bears if a building permit is issued despite missing critical reviews.
- **Ineligible Projects:** If a delayed review by a division or department (e.g., zoning, engineering, fire, etc.) would have revealed that an applicant is not eligible to build where, what, or how they requested, the building department is still forced to issue the permit, creating potential structural, environmental, safety, or zoning issues.

Questions for Municipal Leadership

To navigate these challenges, municipalities/counties must address three fundamental questions:

- **Pre-Application Gatekeeping:** Can the municipality/county require approval from certain divisions or departments before allowing an applicant to submit a formal building permit application, thereby stopping the 14/21-day clock from starting?
- **Inter-Departmental Cooperation:** How can a building department compel other divisions or departments (over which they have no administrative authority) to cooperate and complete reviews on time? Is the mere forfeiture of review rights an adequate enforcement mechanism?
- **Relationship Management:** How can building departments maintain cooperative and productive working relationships with other municipal/county divisions and departments when the law requires issuance of a building permit by the building department without final approval from those other divisions and departments?

QUESTIONS TO CONSIDER

1. Does the statutory framework of Utah Code §§ 10-20-909(1)(e)(I) and 10-20-909(4) mandate that a building department issue a building permit even in the absence of final approvals from other municipal/county divisions or departments if those entities fail to complete their plan reviews within the prescribed 14- or 21-day deadlines?
2. If the statute indeed compels permit issuance despite missing those approvals, what specific legislative amendments or statutory clarifications are required to eliminate ambiguity and establish a clear, standardized procedure?
3. How can the legal and financial exposure of municipalities/counties be mitigated if they are forced to issue permits without comprehensive departmental signoffs, and what statutory immunities or interdepartmental safe harbors could address these liability concerns?
4. Is the automatic forfeiture of plan review rights a sufficient mechanism to compel operational compliance from municipal/county divisions or departments, or are other administrative remedies and statutory penalties necessary to ensure deadlines are met?

2. What DOPL can require on a building permit form - Utah Code § 15A-1-209(3)(c)

Utah Code § 15A-1-209(3)(b) defines what items are required on the standardized building permit form created by the division (DOPL):

- the name and address of the owner of each parcel of property on which the project will occur
- the name and address of the contractor for the project
- the address of the project or a general description of the project
- the county in which the property on which the project will occur is located
- the tax parcel identification number of each parcel of the property
- the permit applicant's role as an original contractor or owner-builder

Section (c) says that “the standardized building permit form created under this Subsection (3) may include any other information the division considers useful”. The statute does not provide a clear definition of what types of information fall under this discretionary section.

QUESTIONS TO CONSIDER

1. What supplementary data fields is DOPL legally authorized to mandate on a building permit?
2. What specific guidelines or criteria govern whether a piece of information is deemed "useful" and legally appropriate for DOPL to require?

3. Municipal Authority vs. Statutory Completeness in Building Permit Applications - Utah Code § 15A-1-209(3)(g)

Scope: Utah Code § 15A-1-203(10)(f)(iv)(E)

Utah law presents an apparent conflict regarding what a compliance agency can legally demand from an applicant prior to issuing a building permit. On one hand, the state establishes standardized limits for applications; on the other, it leaves room for local agencies to request supplementary details. While one section of the Utah Code defines a list of requirements for an application to be considered "complete" for plan review, another section seems to permit compliance agencies to request supplementary information beyond that baseline.

After detailing the information required on a standardized building permit form, Utah Code § 15A-1-209(3)(g) grants broader discretion, stating that a "compliance agency may require additional information for the issuance of a permit for construction".

Utah Code § 10-20-909(12) lists the items required for a building permit application to be deemed "complete" and ready for plan review. This statutory list seems in direct conflict with the allowance for supplementary municipal requests.

QUESTIONS TO CONSIDER

1. If Utah Code § 10-20-909(12) governs what makes an application complete, what parameters or guidelines exist to identify and justify "additional" municipal requests under Utah Code § 15A-1-209(3)(g)?
2. Does this statutory language inadvertently grant municipalities broad, unrestricted authority to require additional information before issuing a permit?

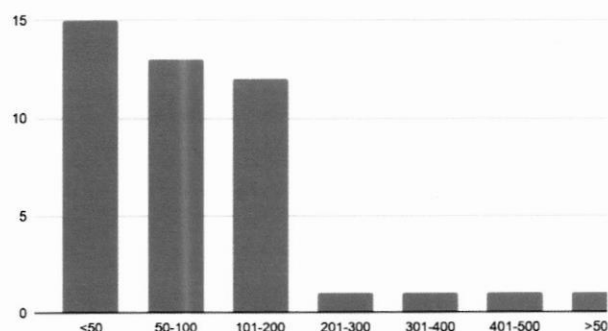
4. Educational opportunities - Utah Code § 15A-1-203(10)(f)(i)

Scope: Utah Code § 15A-1-203(10)(f)(i)(E), Utah Code § 15A-1-209(5)

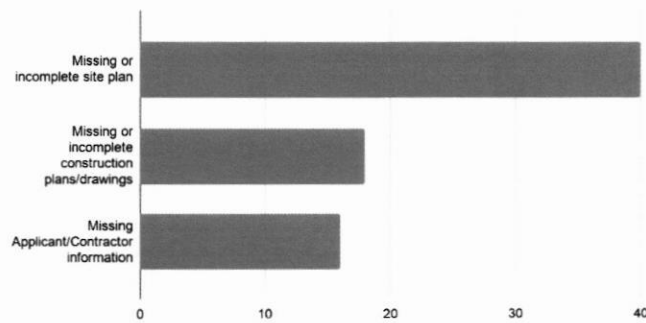
Interviews conducted across 54 building departments evaluated the 3-day screening process for building permit applications. Specifically, these sessions assessed how successfully applicants submit complete documentation. The findings highlight a clear opportunity to improve application success rates by actively educating applicants on the permit process.

The questions listed below were included in the interview and produced the following results:

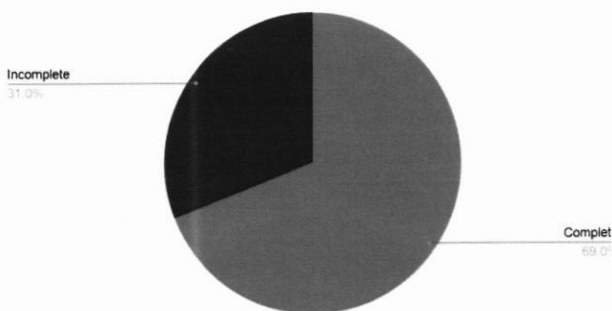
How many residential permit applications do you receive within an average 30 days? (Average: 91.61)



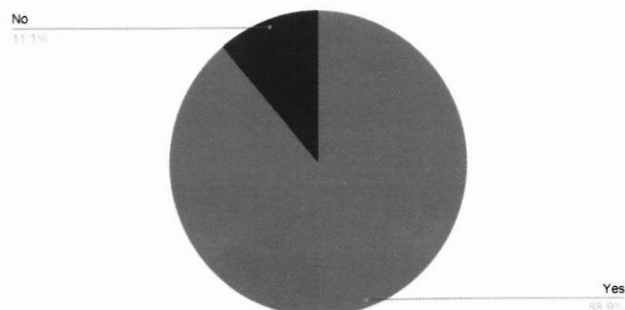
What was the most common reason applications were not considered "complete"? Top 3:



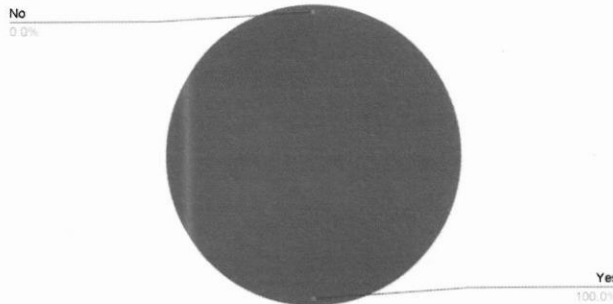
How many of the applications you receive are considered "complete"? (self reported)



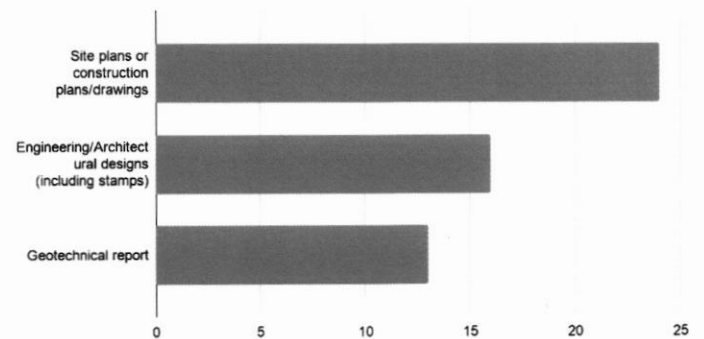
Do you provide to applicants a guide, checklist, examples of documents that are required, or a similar tool to help fill out an



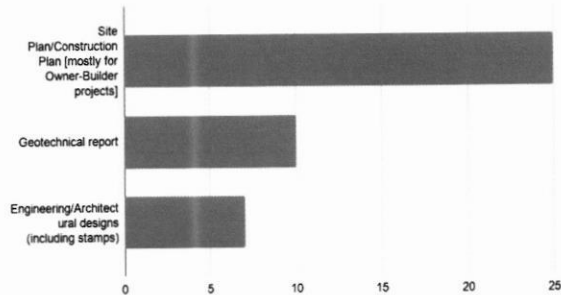
Do you answer questions from applicants about the application or application process?



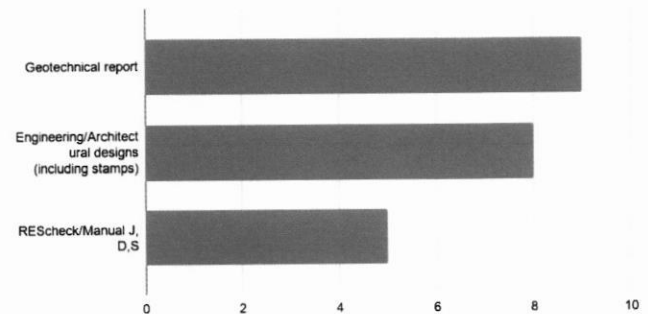
What item(s) in the list of required items for an application cause the most delays (longest time to obtain)? Top 3:



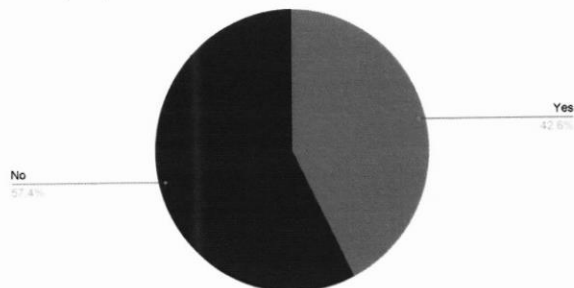
What item(s) in the list of required items for an application are the most difficult for applicants to understand? Top 3:



What item(s) in the list of required items for an application are the most disputed by applicants? Top 3:

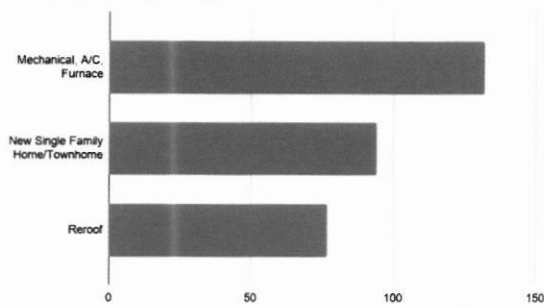


When a notice of incomplete application is sent, do applicants usually respond with all the requested items the first time?

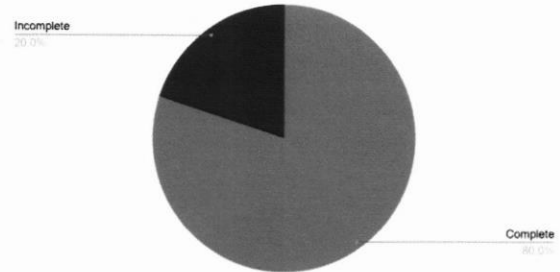


As part of the initiative to optimize the permit process, all 54 building departments were requested to monitor 20 consecutive residential permit applications. This tracking analyzed whether applications were complete upon arrival and documented the specific reasons or missing items for any incomplete submissions. While full participation is pending, 29 departments have already submitted data representing 580 permits, showing the following preliminary results:

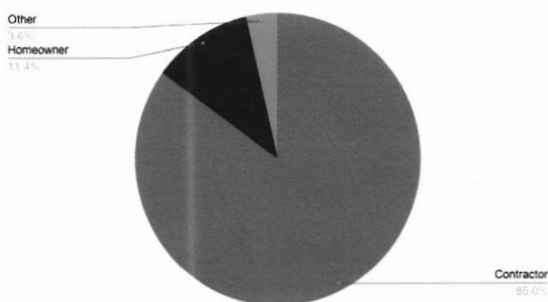
The top 3 permit types applied for out of 580 permits



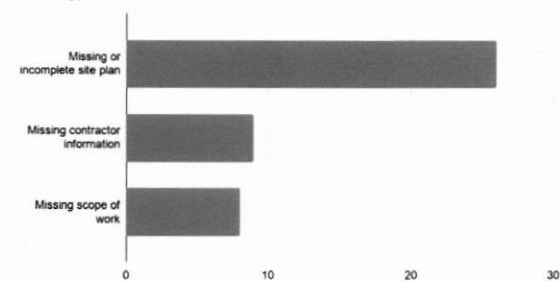
How many of the applications you received were considered "complete"? (validated data from 29 building departments)



Permits were submitted by:



The top 3 reasons the application was incomplete (what was missing)



To ensure the accuracy of the self-reported data for 20 consecutive residential permit applications, the BCA conducted a verification check by requesting screenshots from the building department's online database for five randomly selected applications. The verification focused on three specific pieces of information from each screenshot:

- The application number
- The exact date the application was received
- The date the applicant was notified of whether their application was complete or incomplete

This verification confirmed that the official system records sufficiently matched the self-reported data provided by the department.

The data shows that written guidance alone is insufficient to ensure complete building permit applications, as a significant portion of applicants continue to make fundamental errors. Local building departments have identified two primary demographics struggling with the application process:

- Smaller Contractors: Infrequent applicants who do not submit permits regularly
- Owner-Builders (Homeowners): Individuals who lack overall familiarity with regulatory procedures

To bridge this educational gap, DOPL proposes creating short instructional videos focused on universal legal requirements. These videos will be hosted on the DOPL website, allowing local building departments to link directly to them from their own web platforms.

The recommended video topics and target demographics include:

Permitting Basics (Target: All Applicants)

Focus: Explaining what a building permit is, why they are legally required, and how they protect property owners.

Essential Application Checklist (Target: All Applicants)

Focus: Outlining the basic required items for a standard application and the regulatory purpose behind them.

Demystifying the Site Plan (Target: All Applicants)

Focus: Detailing what a site plan is, when it is required, and exactly what visual information must be included.

Basement Remodels & Finishes (Target: Owner-Builders)

Focus: Addressing the common misconception that basement finishes do not require permits. (Note: In Wasatch Front municipalities, anecdotally up to 80% of basement finishes are estimated to be completed without required permits.)

QUESTIONS TO CONSIDER

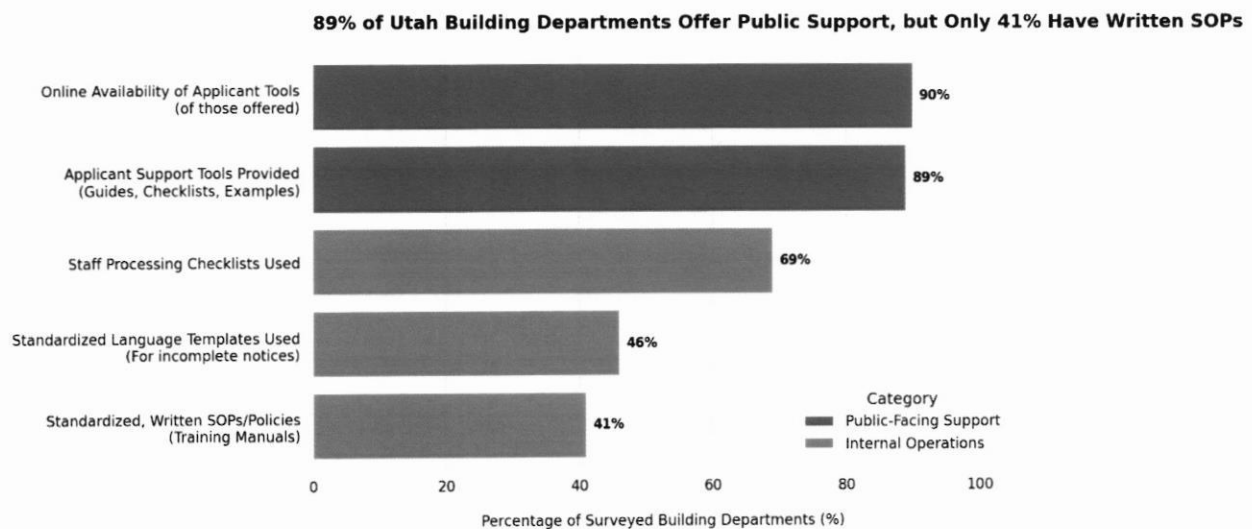
1. Does the Commission agree that these educational videos represent an appropriate and beneficial use of state education funds?
2. Are the proposed video topics correctly prioritized, or are there additional subjects that should be developed?

5. Standardization for Building Departments

Scope: Utah Code § 15A-1-203(10)(f)(i)(E)

Recent site visits conducted by the Building Codes Amendment (BCA) commission have revealed significant variations in the tools and resources provided by local building departments to both applicants and internal staff.

- **Applicant Support Tools:** Currently, 89% of building departments offer guides, checklists, or document examples to assist permit applicants. The vast majority of these resources (90%) are readily accessible online.
- **Staff Processing Guidelines:** While 69% of departments provide checklists for staff who process applications, there is a distinct lack of formal guidance. Only 41% have established standardized, written policies (such as training manuals or standard operating procedures).
- **Communications Standardization:** Clear communication remains a bottleneck, as only 46% of building departments utilize standardized templates when notifying applicants of incomplete files.



Source: Utah Building Codes Amendment (BCA) Site Visits

Proposed Standardization Initiatives

To address these administrative gaps and establish operational consistency across Utah, the DOPL and the BCA recommend the development of a voluntary, standardized toolkit. This toolkit should include:

- Permit Application Checklists to streamline the submission process for applicants
- Standardized Denial Language to ensure consistent, clear, and legally robust communication
- Reference Library of Common Required Documents (e.g., exemplary site plans, structural calculations, and construction drawings)
- Standard Operating Procedure (SOP) Templates to serve as a baseline training manual for screening staff

Execution and Collaborative Development

Rather than imposing top-down mandates, these tools will be designed for voluntary adoption. They will be co-created by a collaborative committee of local building department staff from across the state, working under the guidance of the BCA. Local staff have already expressed strong interest in participating in this initiative.

QUESTIONS TO CONSIDER

1. Will the Commission authorize the BCA to establish and facilitate a statewide committee of local building department representatives to collaborate on developing standardized operational tools?

6. BCA's next area of focus - Utah Code § 10-20-909 & 17-79-810

Scope: Utah Code § 15A-1-203(10)(f)(i)(E)

Results from a survey sent out at the beginning of 2026 showed the primary area of focus stakeholders wanted BCA to focus on was the application process for a building permit. This process was broken down by the BCA into 2 areas for review:

- 3-day screening process for an application
- 14/21-day plan review process for an application

DOPL/BCA feels the next logical area of focus for a data gathering campaign and analysis should be the plan review process.

QUESTIONS TO CONSIDER

1. Should plan review be the next focus of analysis?

7. Review of Software Used by Building Departments

Scope: Utah Code § 15A-1-203(10)(f)(i)(C), (D) & (E)

Visits to 54 building departments revealed that 48 jurisdictions currently utilize an online portal for building permit applications, while the remaining 6 are actively implementing portal systems. These online portals heavily impact the application process; however, the BCA has identified software issues that could cause processing delays and difficulties. These portal inefficiencies are hindering some departments from complying with the mandatory 3-day screening process timelines. Because these same platforms are frequently integrated into plan reviews and inspection workflows, system inefficiencies could have a compounding effect. Conducting a formal review of these platforms would pinpoint critical areas for improvement, helping departments optimize customer service for builders and applicants while ensuring full legal compliance with timelines.

To ensure online portals support the efficient application of law, a comprehensive review of these programs is highly recommended. Two execution options are proposed:

- **Dedicated BCA Campaign:** A targeted review campaign run directly by the BCA
- **Statewide Committee:** A specialized committee of building department staff from across Utah, facilitated the BCA

The BCA has established contact with the vendor of the most widely used program in the areas visited. This vendor has expressed formal interest in collaborating with the BCA to review their software and identify specific areas for improvement.

QUESTIONS TO CONSIDER

1. Should a review of the various online portals be conducted to make sure they operate in a way that supports easy application of law? If so, what option of execution is favored?

8. Statement regarding SWPP, local ordinances, and building codes - Utah Code § 10-20-909(1)(e)(i)(H) & (12)(g)

A “complete” application for plan review includes “a statement indicating before land disturbance occurs on the subject property, the applicant will obtain a storm water permit and during actual construction, the applicant shall comply with applicable local ordinances and building codes”.

The definition of “plan review” includes “a review to verify that **the plans include a printed statement** indicating that, before the disturbance of land and during the actual construction, the applicant will comply with applicable federal, state, and local laws and ordinances, including any storm water protection laws and ordinances”.

QUESTIONS TO CONSIDER

1. Does the law require the above statement be included on the plans or can it be provided separately along with the plans?

9. Application fees - Utah Code § 10-20-909(12)(h)

Many building departments do not require any fee at the time of initial submission. Departments that do charge plan review fees typically collect them right before the application is officially sent for review. The BCA has noted instances where departments require payment before an applicant is even allowed to submit their application. Rather than an intentional policy choice, this hurdle is usually caused by limitations within the online application program.

QUESTIONS TO CONSIDER

1. Can a building department require a fee to be paid before an applicant is allowed to submit an application?

10. Differences in Municipal and County Law - Utah Code § 10-20-909 & 17-79-810

Scope: Utah Code § 15A-1-203(10)(f)(i)(E)

There are minor differences in the laws regulating municipal building departments vs county building departments:

- **Scheduling Inspections Beyond 3 Days:**
 - Municipality Law (10-20-909): Includes a specific provision—Subsection (2)(c)—stating that if an applicant requests an inspection to occur on a date more than three days in the future, the municipality is required to conduct the inspection on that requested date.
 - County Law (17-79-810): Does not contain this scheduling option. It transitions directly from third-party inspection allowances in (2)(b) to violation notifications in (2)(c).
- **Plan Resubmittal Limits Wording:**
 - Municipality Law (10-20-909): Section (9)(c) states that a municipality "may only require" a single resubmittal of plans if deficiencies affect the site plan interaction or footprint.
 - County Law (17-79-810): Section (9)(c) states that a county "may require" a single resubmittal, omitting the restrictive word "only".

QUESTIONS TO CONSIDER⁵

1. Are these significant differences that require an update to statute?

Upcoming Items

- Analyzing the current funding models for building departments and identifying any resulting complications.
- Exploring financial or funding-related changes that could improve the operational efficiency of building departments.
- Investigating frequent causes of permit delays caused by required items not listed in Utah Code 10-20-909 and assessing whether these delays are justified under different state laws or local ordinances. Deciding whether these causes of delay should be reviewed for potential incorporation into existing state law.
- Suggesting potential strategies to create a more consistent and standardized permitting process across different local jurisdictions.
- Evaluating current statutory language to determine whether refined definitions or language is needed.